AGENDA | REGULAR TOWN COUNCIL MEETING

Tuesday, December 09, 2025 at 6:00 PM
Council Chambers - Apex Town Hall, 73 Hunter Street
The meeting will adjourn when all business is concluded or 10:00 PM, whichever comes first

Governing Body and Town Senior Executive Leadership

Mayor: Jacques K. Gilbert | Mayor Pro-Tempore: Terry Mahaffey
Council Members: Edward Gray, Arno Zegerman, Shane Reese, Sue Mu
Town Manager: Randal E. Vosburg
Deputy Town Manager: Shawn Purvis
Assistant Town Managers: Demetria John and Marty Stone
Town Clerk: Allen L. Coleman | Town Attorney: Laurie L. Hohe

English	Spanish	Chinese (Simplified)
ANNOUNCEMENTS Members of the public can access and view the meeting on the Town's YouTube Channel https://www.youtube.com/c/TownofApexGov or attend in-person. The meeting date, start time, and location details are included at the top of this agenda document.	**ANUNCIOS** Las personas interesadas pueden acceder y ver la reunión a través del canal de YouTube de la Ciudad en https://www.youtube.com/c/TownofApexGov o asistir en persona. En la parte superior de este documento de agenda se indican la fecha, la hora de inicio y la ubicación de la reunión.	**公告** 公众可通过镇政府的YouTube频道 https://www.youtube.com/c/TownofApexGov 在线旁听会议，或选择现场参与。会议日期、开始时间及地点详情见本议程文件顶部。
Accommodation Statement: Anyone needing special accommodations to attend this meeting and/or if this information is needed in an alternative format, please contact the Town Clerk's Office. The Town Clerk is located at 73 Hunter Street in Apex Town Hall on the 2nd Floor, (email) allen.coleman@apexnc.org or (phone) 919-249-1260.	**Aviso sobre adaptaciones:** Si necesita adaptaciones especiales para asistir a esta reunión o requiere esta información en un formato alternativo, comuníquese con la Oficina del Secretario Municipal, ubicada en el segundo piso del Ayuntamiento de Apex, en 73 Hunter Street, por correo electrónico a través de allen.coleman@apexnc.org o llamando al 919-249-1260.	**便利服务声明：** 如需特殊便利服务以参加本次会议，或需要将本信息提供为其他格式，请联系镇书记官办公室。 办公地址：Apex镇政务厅二楼（Hunter街73号） 邮箱：allen.coleman@apexnc.org 电话：919-249-1260

COMMENCEMENT

Call to Order | Invocation | Pledge of Allegiance

CONSENT AGENDA

All Consent Agenda items are considered routine, to be enacted by one motion with the adoption of the Consent Agenda, and without discussion. If a Council Member requests discussion of an item, the item may be removed from the Consent Agenda and considered separately. The Mayor will present the Consent Agenda to be set prior to taking action on the following items:

CN1 Agreement - Bolton and Menk Inc. - Professional Services related to Hughes Street Mixed Use Site Planning and Design

Marla Y. Newman, Director, Community Development and Neighborhood Connections Dept.

CN2 Agreement - North Carolina Department of Transportation (NCDOT) - Required Federal Funds Reimbursement for Right-of-Way (ROW) Acquisition for Construction of New Sidewalk Along Tunstall Avenue and Center Street and Capital Project Ordinance Amendment No. 2026-3

Russell H. Dalton, PE, Traffic Engineering Manager, Transportation and Infra. Dev. Dept.

CN3 Agreement - North Carolina Department of Transportation (NCDOT) - Review and Oversight Agreement Project No. BL-0173 - Tunstall Avenue and Center Street Sidewalk

Russell H. Dalton, P.E., Traffic Engineering Manager, Transportation and Infra. Dev. Dept.

CN4 Agreement - Town of Holly Springs - Reimbursement for Old US 1 Highway at Holland & Friendship Road Intersection Improvements - Total Sum of $150,253

Russell H. Dalton, P.E., Traffic Engineering Manager, Transportation and Infra. Dev. Dept.

CN5 Agreement Multi-Year - Master Services Agreement - RoadSafe Traffic Systems Inc. - On-Call Traffic Control Services - December 9, 2025 through June 30, 2028

Jonathan Jacobs, P.E., Director, Water Resources Department

CN6 Agreement Multi-Year - Master Services Agreement - Southern Grounds Control Inc. - On-Call Stormwater Utilities Repair, Replacement, or Installation - December 9, 2025 through September 30, 2027

Jonathan Jacobs, P.E., Director, Water Resources Department

CN7 Agreement Renewal and Amendment - Wake County Government - ADA Paratransit Service - Fiscal Year 2025-2026 (Revised)

Katie Schwing, Senior Planner – Long Range Transit, Planning Department

CN8 Annexation No. 798 - 2224 New Hill Olive Chapel Road - 4.80 acres (Associated Rezoning No. 25CZ13)

Allen Coleman, Town Clerk

CN9 Annexation No. 807 - 8905 Castleberry Road - 3.35 acres (Associated Rezoning No. 25CZ11)

Allen Coleman, Town Clerk

CN10 Annexation No. 808 - The Summit Apex – 2236 Old US 1 Highway - 0.50 acres

Allen Coleman, Town Clerk

CN11 Appointment - Board of Adjustment - Chair and Vice Chair

Allen Coleman, Town Clerk

CN12 Appointment - Planning Board - Chair

Allen Coleman, Town Clerk

CN13 Budget Ordinance Amendment No. 8 - Reporting of Non-Exchange and Fiduciary Transactions Consistent w-GASB 84 Rules

Jon Griffin, Director, Finance Department

CN14 Capital Project Ordinance Amendment No. 2026-4 - Reedy Branch Greenway Great Trail State Grant Award - $200,000

Angela Reincke, Assistant Director – Parks Planning and Ops., Parks, Rec. and Cult. Res. Dept.

CN15 Contract Multi-Year - Waste Industries, LLC dba GFL Environmental - Solid Waste and Recyclable Materials Collection, Transportation, Disposal, and Processing - June 30, 2036

John Mullis, Director, Public Works Department

CN16 Council Meeting Minutes – Various

Allen Coleman, Town Clerk

CN17 Deed for Highway Right-of-Way (ROW) - Conveyance to North Carolina Department of Transportation (NCDOT) - related to Olive Chapel Road Repairs

Laurie Hohe, Town Attorney

CN18 Personnel Policy Amendment - Administration of Peak Lifestyle Allowance Payments

Karmen McGee, Director, Human Resources Department

CN19 Rezoning Case No. 24CZ20 Hopson Gateway PUD & Town of Apex LI-CZ - Statement and Ordinance

June Cowles, Senior Planner, Planning Department

CN20 Rezoning Case No. 25CZ15 Veridea Expansion IV - Statement and Ordinance

Amanda Bunce, Assistant Director, Planning Department

CN21 Tax Report – October 2025

Allen Coleman, Town Clerk

CN22 Town Council Meeting Schedule Amendment – Calendar Year 2026

Allen Coleman, Town Clerk

REGULAR MEETING AGENDA

Mayor Gilbert will call for additional Agenda items from Council or Staff and set the Regular Meeting Agenda prior to Council actions.

UPDATES BY TOWN MANAGER

PRESENTATIONS – *None Scheduled*

PUBLIC FORUM

Public Forum allows the public an opportunity to address the Town Council. The speaker is requested not to address items that appear as Public Hearings scheduled on the Regular Agenda. The Mayor will recognize those who would like to speak at the appropriate time. Large groups are asked to select a representative to speak for the entire group. Comments must be limited to 3 minutes to allow others the opportunity to speak.

PUBLIC HEARINGS

PH1 Annexation No. 816 – 1000 Classic Road – 2.59 acres

Dianne Khin, Director, Planning Department

PH2 Apex Transportation Plan Amendments - Veridea – Thoroughfare and Collector Street Plan Map and Bicycle and Pedestrian System Plan Map

Shannon Cox, Long Range Planning Manager, Planning Department

PH3 Apex Transportation Plan Amendment - Veridea – Transit Plan Map

Shannon Cox, Long Range Planning Manager, Planning Department

PH4 Environmental Enhancement Plan Amendments – Veridea Development

Amanda Bunce, Assistant Director, Planning Department

PH5 Rezoning Case No. 25CZ18 - Veridea SD Plan Amendments

Amanda Bunce, Assistant Director, Planning Department

PH6 Road Closure Order – Portion of Walden Road – Developer Requested

Allen Coleman, Town Clerk

PH7 Unified Development Ordinance (UDO) Amendments – November 2025

Bruce Venable, Planner II, Planning Department

NEW BUSINESS

NB1 **Construction Contract Award – Salem Streetscape Project – PLACE HOLDER**

Christ Johnson, P.E., MPA, Director, Transportation and Infra. Development Dept.

NB2 **Public Records Program Overview and Recommendations –** *Deferred from November 18, 2025 Town Council Work Session*

JP Parris, Public Records Coordinator, Town Clerk's Office

CLOSED SESSION – *None Scheduled*

ADJOURNMENT

| Agenda Item | cover sheet

for consideration by the Apex Town Council

Item Type: CONSENT AGENDA

Meeting Date: December 09, 2025

Item Details

Presenter(s): Marla Y. Newman, Director

Department(s): Community Development & Neighborhood Connections (CDNC)

Requested Motion

Motion to approve a Professional Services Agreement between Bolton & Menk, Inc. and Town of Apex, for the Hughes Street Site Planning and Design Services in the amount of $307,700, and authorize the Town Manager, or their designee, to execute on behalf of the Town.

Approval Recommended?

Yes

Item Details

The Town of Apex is advancing planning and predevelopment for the Town-owned Hughes Street site located at Hughes Street and Perry Road. Pursuant to a Request for Qualifications (RFQ) process, Staff selected Bolton & Menk, Inc. to provide professional planning, design, and advisory services to develop a conceptual master plan, initiate rezoning, and prepare for a future public-private partnership. The consultant team includes Innovate P3 and CommunityScale LLC, providing financial analysis, delivery strategy, and market study support.

The total contract amount of $307,700 includes project management, community engagement, conceptual design, rezoning support, and developer selection preparation. This project will inform the Town's housing and redevelopment goals, guide future site development, and ensure that mixed-income housing choices and community priorities are embedded in the planning process for the Hughes Street site.

Staff requests that Town Council:

- Authorize the Town Manager to execute a professional services agreement with Bolton & Menk, Inc. in the amount of $307,700 for Hughes Street Site Planning and Design Services.

Attachments

- CN1-A1: Agenda Memo - Professional Services related to Hughes Street Mixed Use Site Planning and Design
- CN1-A2: Scope of Services and Fee Proposal - Professional Services related to Hughes Street Mixed Use Site Planning and Design
- CN1-A3: Subconsultant Scopes (CommunityScale LLC and Innovate P3) - Professional Services related to Hughes Street Mixed Use Site Planning and Design
- CN1-A4: Professional Services Contract - Professional Services related to Hughes Street Mixed Use Site Planning and Design

Memo

To: Randy Vosburg, Town Manager

From: Tiana Joyner, CDNC Housing Programs Manager

Date: December 9, 2025

Subject: Authorization to Execute Contract with Bolton & Menk, Inc. – Hughes Street Site Planning and Design Services

What is Requested:

A. **AUTHORIZE** the Town to execute a professional services agreement with Bolton & Menk, Inc. for the Hughes Street Site Planning and Design Services in the amount of $307,700.

B. **AUTHORIZE** the associated budget amendments and transfers of funds for the project from available funding in the Affordable Housing Fund.

Background:

The Town of Apex seeks to advance the planning and predevelopment of the 13-acre Town-owned Hughes Street site located at the corner of Hughes Street and Perry Road. Bolton & Menk, Inc. was selected through a qualifications-based process to provide professional planning, design, and advisory services to support this municipal-led development initiative. The consultant team includes Innovate P3 and CommunityScale LLC as subconsultants to provide financial analysis, project delivery, and market study support.

The Hughes Street Site represents a key opportunity for the Town of Apex to advance its long-term affordable housing and community development goals. The approximately 13-acre, Town-owned parcel has been identified as the future site for a Town-initiated development that will model innovative approaches to housing and community partnerships.

The Town Council has previously approved the establishment of a Community Land Trust (CLT) to ensure permanent affordability and community stewardship of Town-supported housing. The Hughes Street Site is envisioned as one of the first development opportunities to apply this approved model, expanding affordable homeownership opportunities for Apex residents.

The Town is also exploring a potential partnership with NeighborUp – formerly Dorcas Ministries – to evaluate opportunities for collaboration in future phases of the project.



Site Description:

The Town-owned property, referred to as the Hughes Street Site, consists of approximately 13.09 acres located at the corner of Hughes Street and Perry Road. The northern portion of the site includes previously cleared and graded land, while the southern portion remains heavily wooded. The parcel is situated within an established area of mixed residential, commercial, and light industrial uses, offering strong connectivity to nearby services, employment centers, and transportation corridors.

Given its size, strategic location, and existing surrounding land uses, the Hughes Street Site presents a significant opportunity to advance the Town's affordable housing goals and support future mixed-income residential development.

The total professional services fee of $307,700 encompasses all tasks outlined in the proposal, which include project management, community engagement, conceptual master planning, preliminary engineering, rezoning support, and delivery advisory services.

Scope of Services Summary:

- Task 1 – Project Management: Coordination, project schedule, and regular updates.
- Task 2 – Market Study and Optimal Development Program (CommunityScale LLC).
- Task 3 – Engagement: Development of engagement plan, stakeholder meetings, surveys, and World Café sessions.
- Task 4 – Conceptual Development Plan & Preliminary Engineering: Visioning, concept planning, and entitlement strategy.
- Task 5 – Architectural Design Services (Subconsultant): Conceptual renderings and design precedents.
- Task 6 – Rezoning Process and PUD Package: Preparation and coordination of rezoning application and public meetings.
- Task 7 – Delivery Advisory Services (Innovate P3): Developer RFQ preparation, delivery strategy, and selection support.
- Task 8 – Exclusions/Additional Services: Not included in this scope but may be added via amendment.

Funding:

Funding for this contract will be provided through the Town's Affordable Housing Fund. The total professional services fee is $307,700, inclusive of all subconsultant costs and reimbursable expenses, as outlined in the attached proposal.

Recommendation:

Staff recommends that Town Council:

- Authorize the Town Manager to execute a professional services agreement with Bolton & Menk, Inc. in the amount of $307,700 for Hughes Street Site Planning and Design Services.
- Authorize the associated budget amendments and transfers of funds from the Affordable Housing Fund to support the project.

BOLTON & MENK

Real People. Real Solutions.

November 6, 2025

Project No.	25P.S00355.000
Project Name:	Apex Hughes Street Site
Client:	Town of Apex
Designated Representative	Marla Newman
Address:	73 Hunter Street Apex, NC 27502
Phone:	919-372-7458
Email:	Marla.Newman@apexnc.org

BOLTON & MENK INC	
Designated Representative	Allen Davis, AICP, CNU-A
Remit Payment Address:	1960 Premier Drive, Mankato, Minnesota, 56001
Phone:	980-249-6966
Email:	Allen.davis@bolton-menk.com
Attached:	Exhibit A – Fee Proposal for Professional Services Schedule 1– Schedule of Fees Exhibit B –Subconsultant- Market Study and Optimal Development Program

Real People. Real Solutions.

Exhibit A – Fee Proposal for Professional Services
25P.S00355 – Planning and Design Services for the Hughes Street Site

November 6, 2025

☒ New Contract

☐ Amendment

To: Town of Apex

Attention: Marla Newman
Email: Marla.Newman@apexnc.org
Phone: (919) 372-7458

Bolton & Menk, Inc ("Consultant" or "Consultant Team") is pleased to provide our proposal to Town of Apex (herein after referred to as the "Client") for planning and design services in connection with development of the 13 acre property located at the corner of Hughes Street and Perry Road in Apex, NC. This proposal is based upon a project consisting of community engagement, municipal-initiated PUD rezoning, conceptual master planning, preliminary engineering, site program verification, and the initiation of a public-private partnership to select a site development partner.

Assumptions / Notes.

1. The Town of Apex is assumed to be both the property owner and rezoning applicant unless directed otherwise.
2. Site planning will be conducted for the purposes of establishing a vision and program for the site, and as an exhibit for a future rezoning application. More detailed site plan elements needed for approved development plans will be included in later phases of work.
3. The Town of Apex will obtain any required environmental reports (Phase I and II ESA, Geotechnical, etc) needed for future development phases.

Scope of Services

Task 1. Project Management

As part of our commitment to delivering a successful project, the Consultant will provide dedicated project management services to ensure all tasks are executed efficiently, on schedule, within budget. The Consultant will coordinate seamlessly across disciplines, maintain clear communication with stakeholders, and proactively manage timelines, resources, and deliverables to support a smooth and transparent planning process.

Deliverables

1. Project Management Plan
2. Project Schedule
3. Project Management Team Meetings (bi-weekly)
4. Kickoff Meeting (1)
5. Regular Progress Reports
6. Ongoing Coordination

Task 2. Market Study and Optimal Development Program (Subconsultant)

See attached subconsultant scope of services.

Task 3. Engagement

The Consultant Team will provide an integrated approach to streamlining efforts and ensuring continuity between public input and technical analysis.

Deliverables:

1. Engagement Plan
2. Internal Stakeholder Coordination and Consensus-Building
3. Online Engagement Campaign
    - Project Webpage – The Consultant will provide Town staff with content for publication on a Town of Apex webpage. This content may include project information, upcoming events, opportunities to get involved, and invitations for public comment. The webpage will be controlled, published, and updated by the Client. The Client will be responsible for generating webpage content following the conclusion of the project as defined in this document.
    - Social Media Updates - The Consultant will work with Town staff to determine regular discussion topics for the Hughes Street project to post on the Town's social media accounts. Social media will be used to showcase project events, direct people to information on the project web page, and create a space for people to provide comments and ask questions.
    - Online Surveys – The Consultant will create and post a survey on the project web page and promote it in different places like social media. The results will be summarized and presented to Town staff.
    - Online Comment Mapping using INPUTiD – Web based tool to gather community feedback through a visual, user-friendly mapping interface, allowing users to add points, provide comments, and upload attachments such as photos and documents.
4. One (1) Neighborhood Meeting / Open House
    - Designed to be proactive and demonstrate genuine interest in meaningful community involvement of the municipality as the applicant
    - Explain the project: timing, process, opportunities to engage, goals, etc.
    - Opportunity to provide input at the very beginning and for the team to identify and understand any key concerns right away
    - Specifically target adjacent residents, property owners, and stakeholders with special emphasis on engaging the residents of the Perry Farm neighborhood
5. Provide information for staff-led “Pop-ups” at Scheduled Community Events
    - Relevant information from the pop-ups will be provided to the Consultant
6. World Café
    - Consultant will design and facilitate a two-session World Café engagement process focused on presenting and discussing at least three distinct development alternatives.
    - Alternatives will be accompanied by relevant precedent imagery that may be carried forward into the rezoning package.
    - Client will assist with outreach and promotion to ensure broad and representative public participation.
    - Consultant will document participant feedback, themes, and preferences from each session and synthesize into a summary report.
    - Consultant will provide all materials, including printed development alternative sheets to facilitate discussion.
7. Stakeholder Concept Design Workshop
    - Focused ½ day session with Client and selected stakeholders, community members, organization representatives, etc. as identified throughout the community engagement processes.
    - Primary objective is to inform and/or provide feedback on the Conceptual Development Plan to finalize the preparation of the rezoning submittal.

Task 4. Conceptual Development Plan & Preliminary Engineering

The consultant team will create a site-specific conceptual development plan for the Hughes Street Site, tailored to its unique context, opportunities, and constraints. The plan will be based on community engagement, site fit studies, the client-driven site program (verified by the Market Analysis and Development Strategy), and any other sources of input deemed essential to shaping the development plan. The plan will integrate land use, urban design, infrastructure, and community input, and ensure a housing-focused, visually compelling, and context-sensitive site and building design. An entitlement strategy will also be created as part of this phase, which will set the work plan for the PUD rezoning process.

A. Consultant will review and validate the plan submittal and approval process with the Town of Apex and develop a clear entitlement strategy for the site.
B. Consultant will review and validate the Client-provided due diligence elements, including:
    1. Client-provided survey.
    2. Client-provided traffic impact analysis (TIA).
        a. Consultant will be provided final TIA report to incorporate into the rezoning process.
        b. Consultant to coordinate with Client pertaining project assumptions and all other relevant information necessary for the rezoning process.
    3. Client-provided provided site reports (geotechnical, environmental, traffic, etc.).
    4. Client-provided Rezoning Pre-application meeting included in the RFP
    5. Any previous site/architectural concept plans as provided by Client
    6. Jurisdictional codes, maps, and plans as related to:
        - Zoning
        - Transportation
        - Environmental Conditions (stream buffers, floodplain, watershed, etc.)
        - Water Service
        - Sanitary Sewer Service
        - Stormwater Drainage
        - Landscape Requirements
    7. Client-provided local water and sanitary sewer service utility Willingness to Serve for water and verified availability and capacity for service.
    8. Client-provided fire-hydrant flow test.
    9. Review of various additional data relevant and contributory to the success of the project.
C. Consultant will prepare a Conceptual Master Plan to include:
    1. Land use bubble diagrams with acreage and approximate building square footage or number of lots.
    2. Building layout and approximate square footage, vehicular and pedestrian circulation, and open space/storm water management locations.
    3. Conceptual supportive illustrations/renderings.
D. Consultant will prepare up to two (2) revisions of the Conceptual Master Plan based on Client comments. Any revisions above two (2) are not anticipated, but if required they would be billed hourly as an additional service. (Revisions noted here are not the same as revisions associated with review of Approval Bodies, as outlined in Task 6, section B, below.)
E. Consultant will prepare Preliminary Engineering Plans using AutoCAD Civil 3D based on the final Client-approved Conceptual Master Plan to meet the requirements of the PUD rezoning package. (NOTE: Preliminary Engineering Plans will be conceptual in nature. Final grading, BMP design, invert elevations, pipe sizes and associated calculations will be determined during the Construction Document phase.)

Deliverables:

1. Entitlement Strategy
2. Conceptual Development Plan
3. Preliminary Engineering
4. Supportive Illustrations/Renderings (Digital 3-D Models and Perspectives)
5. Elements for the PUD Package

Task 5. Architectural Design Services in Support of Concept Plan and Rezoning (Subconsultant)

Subconsultant will provide Architectural Design Services to support site master planning for the site. This work shall be designed to comply with the 2024 NC State Building Code & Accessibility Code as adopted by the State of North Carolina. Bolton & Menk shall provide CAD and PDF files of the existing site conditions, as well as any proposed improvements, for review and use by the subconsultant for the work associated with this project.

The included Scope of Basic Professional Design Services is defined as follows; subconsultant shall provide Architectural Design Services only:

Conceptual Architectural Design:

A. Participation in community and stakeholder engagement events.
B. Review and coordination of master plans concepts and site layout options.
C. Participation in design review meetings with project stakeholders.
D. Participation in Neighborhood Meeting
E. Research and provision of applicable building design precedents for use in community engagement and rezoning package
F. Conceptual 3D design of proposed buildings based on client-provided site layout
    1. Includes up to two (2) design revisions in response to stakeholder feedback and/or rezoning process comments
G. Digital architectural renderings based on stakeholder conceptual 3D design
    1. Includes one (1) aerial view, and up to (3) eye-level views
    2. Includes one (1) front and one (1) side elevation for each building type
    3. Includes up to one (1) revision to each provided view in response to stakeholder feedback and/or rezoning process comments
H. Digital model file to be provided to Client (files can be locked for viewing only at the Consultants' discretion)

Deliverables:

1. Conceptual Architectural Design
2. Supportive Illustrations/Renderings (Digital 3-D Models and Perspectives)
3. Applicable Building Design Precedents for PUD Package

Task 6. Rezoning Process and PUD Package

A. Consultant will coordinate with Client and Client's land use attorney to provide necessary rezoning documents to meet the requirements of the Town of Apex
    1. PUD Package
    2. Revisions per Approval Bodies
B. Consultant will participate in the following meetings:
    1. One (1) required Preapplication Meeting
    2. One (1) Environmental Advisory Board (EAB) meeting
    3. One (1) Parks & Recreation Advisory Board (PRAB) meeting
    4. One (1) Multimodal Transportation Advisory Board (MTAB) meeting
    5. Four (4) TRC meetings
    6. Two required (2) neighborhood meetings (in addition to preliminary neighborhood meeting described in Engagement); One of the required neighborhood meetings must be in the month prior to the public hearing.
    7. Two (2) Planning Board meetings
    8. Two (2) Town Council meetings
C. Consultant will prepare a Rezoning Site Plan/Technical Data Sheet and revise (up to three (3) based on Client and Approval Body comments)
D. Consultant will prepare and submit written report(s) of the neighborhood meeting(s).
E. Consultant will prepare presentation exhibits to be used in the public meetings

NOTE: While Consultant will participate in the public meetings, it is understood that a Client representative will be present and officially represent Client and Project in all public proceedings.

Task 7. Delivery Advisory Services

A. Development Delivery Strategy.
   1. Evaluate and recommend a development delivery approach and identify appropriate sequencing of rezoning, procurement, and negotiation milestones.
   2. Align delivery approach with regulatory requirements for property disposition and town policies.
   3. Advise on timing of developer selection in relation to zoning, entitlement, and due diligence milestones.
   4. Track due diligence and feasibility analyses alongside the project team to identify property and project risks and pre-development considerations relevant to partner selection and private development.
   5. Monitor program development to incorporate expectations into the developer selection process.
   6. Analyze financial assumptions and funding structures in coordination with the project team.
   7. Coordinate with the Town's staff and planning and technical consultants to align RFQ preparation with the broader project schedule and deliverables.
   8. Identify legal or consultant support needs to support the town through developer engagement and project implementation.

B. RFQ Preparation and Developer Selection and Engagement.
   1. Prepare a Request for Qualifications (RFQ) for development partner(s).
   2. Support review of respondent submissions, interview preparation, and evaluations as part of the developer selection process.
   3. Coordinate communication and documentation related to developer selection.
   4. Assist with engagement, onboarding, and early coordination of selected development partner(s).
   5. Outline near-term negotiation tasks and timing.

SERVICES, NOT LEGAL REPRESENTATION. One or more members of Innovate P3's team have a law degree and may be licensed to practice law in one or more jurisdictions. Innovate P3 advises the town that the services to be provided by Innovate P3 do not constitute legal services, and the relationship between Innovate P3 and the town shall not constitute an attorney-client relationship. The relationship between Innovate P3 and the town shall not provide the town with automatic protections inherent or implied in a client-lawyer relationship, such as (without limitation) the protection of client-lawyer confidences, the prohibition against a lawyer representing persons or entities with conflicting interests, and the obligation of a lawyer to maintain professional independence. Innovate P3 shall not be required to provide (and the town shall not interpret or rely on advice provided as) legal services, including providing legal advice or legal opinions, advocating legal positions on behalf of the town, drafting, or negotiating documents or contracts with any assurances or representations as to their legal effect, providing advice about legal rights, liabilities, or remedies, performing legal research, or providing legal interpretation or laws or regulations. The town shall obtain counsel for any matters requiring legal representation or advice. The consultant team will collaborate with the Town to define programmatic goals, assess financial viability, and tailor a delivery strategy aligned with local capabilities and regulatory requirements. This approach includes a detailed financial analysis to evaluate project feasibility, funding structures, and risk allocation.

Task 8. Exclusions/Additional Services

A. Surveys and site reports (geotechnical, environmental, traffic, etc.).
B. Traffic Impact Analysis
C. Assist with the town's property disposition process (separate from the RFQ process) and preparation of supporting documentation.
D. Support the preparation, review, or negotiation of business term sheets, development agreements, or disposition documents.
E. Prepare additional RFQs for development partners if required by the delivery strategy.
F. Assist with procuring additional professional service providers to support the town's project team.
G. Providing ongoing implementation oversight, rescoping of developer requirements, and partner relationship management.

H. Aerial or additional ground survey services not outlined in tis scope (mapping, UAV flight footage, preparation of plats, as-builts, etc.).
I. Written and other notification associated with public hearings as required by the rezoning process
J. NCDOT traffic design coordination for public street or transportation improvements
K. Interactive StoryMap/website for public engagement to compliment in-person engagement
L. Wetland coordination, delineation or permitting not outlined in this scope.
M. Preparation and execution of Lender Agreements (engineer's consent/certification, etc.).
N. Administrative amendment or variance preparation, submittals, or consulting.
O. Geotechnical or environmental services
P. Architectural (detailed), structural, electrical, mechanical, or plumbing (including gas) design services beyond those outlined in this scope.
Q. Public street or transportation improvements (turn/deceleration lanes, widenings, curb and drainage, signalization, etc.) identified in the TIA.
R. Off-site utility improvements (stormwater drainage, water distribution, sanitary sewer, etc.).
S. Global/regional drainage studies beyond the project limits, including flood studies.
T. Preparation of cost estimates or quantity take-offs.
U. Stormwater fee credit applications.
V. Express permit review processes requiring designer attendance at review session.
W. Architectural construction drawings
X. Building signage design or coordination
Y. Field verification or documentation of existing conditions for architectural design
Z. Interior design
AA. Structural Engineering
BB. Tree conservation area study

The above-described services are not included under this agreement. Should these services be required in the future, a Task Order amendment may be prepared to cover the additional scope of work and associated fee.

Fee Summary

Fees valid for 30 days of proposal date

Task	Phase	Fee Type	Fee
1	Project Management	Lump Sum	$36,000
2	Market Analysis / Program Verification	Lump (Sub)	$22,000
3	Engagement	Hourly NTE	$55,000
4	Conceptual Development Plan/Preliminary Engineering	Lump Sum	$38,500
5	Architectural Services in Support of Concept Planning and Rezoning	Lump (Sub)	$58,500
6	Rezoning Process and PUD Package	Lump Sum	$62,700
7	Financial Analysis and Project Delivery	Lump (Sub)	$35,000
8	Exclusions / Additional Services	Hourly	
Total			**$307,700**

Signature

By signature below, Client confirms acceptance of the above-described Scope of Services and fee.

☒

Subject to the Terms and Conditions and Hourly and Reimbursable Expense Rates included in the attached Professional Services Agreement.

Client: Town of Apex

By:

Print:

Title:

Date:

☐

Subject to the Terms and Conditions and Hourly and Reimbursable Expense Rates of the original Agreement dated.

Bolton & Menk, Inc

By:

Print: Grant Meacci, PLA

Title: Principal

Date:

2025 SCHEDULE **OF FEES**

The following fee schedule is based upon competent, responsible professional services and is the minimum, below which adequate professional standards cannot be maintained. It is, therefore, to the advantage of both the professional and the client that fees be commensurate with the service rendered. Charges are based on hours spent at hourly rates in effect for the individuals performing the work. The hourly rates for principals and members of the staff vary according to skill and experience. The current specific billing rate for any individual can be provided upon request.

The fee schedule shall apply for the period through December 31, 2025. These rates may be adjusted annually thereafter to account for changed labor costs, inflation, or changed overhead conditions.

These rates include labor, general business, and other normal and customary expenses associated with operating a professional business. For projects with typical expenses and unless otherwise agreed, the above rates include vehicle and personal expenses, mileage, telephone, survey stakes, and routine expendable supplies; no separate charges will be made for these activities and materials. Expenses beyond typical project expenses, non-routine expenses, and expenses beyond the agreed scope of services, such as out of town travel expenses, long travel distances, large quantities of prints, extra report copies, outsourced graphics and photographic reproductions, document recording fees, outside professional and technical assistance, and other items of this general nature will be invoiced separately. Rates and charges do not include sales tax, if applicable.

Employee Classification	2025 Hourly Billing
Graduate Engineer	$125-185
Design Engineer	$125-196
Project Engineer	$145-215
Senior Project Engineer	$160-215
Project Manager	$135-240
Senior Project Manager	$188-273
Architect	$186-267
Planner	$125-168
Senior Planner	$170-228
Landscape Designer	$98-196
Landscape Architect	$148-176
Senior Landscape Architect	$160-268
Survey Technician[1]	$90-196
Graduate Surveyor	$122-190
Licensed Project Surveyor	$180-225
Technician	$75-182
Senior Technician	$125-212
Administrative/Corporate Specialists	$68-175
Specialist*	$100-230
Practice Expert**	$145-363
Principal**	$175-316
Senior Principal**	$218-333
GPS/Robotic Survey Equipment[1]	NO CHARGE
CAD/Computer Usage	NO CHARGE
Routine Office Supplies	NO CHARGE
Routine Photo Copying/Reproduction	NO CHARGE
Field Supplies/Survey Stakes & Equipment	NO CHARGE
Mileage	NO CHARGE

[1] No separate charges will be made for GPS or robotic total stations on Bolton & Menk, Inc. survey assignments; the cost of this equipment is included in the rates for survey technicians.

*Specialized role not classified above otherwise.

**Highly specialized and industry expertise unique to the market or area of discipline.

CommunityScale

Attn: Name
Title, Bolton & Menk
Address

CommunityScale LLC
jeff@communityscale.com
61 James Street, Greenfield, MA 01301

October 22, 2025

RE: Apex Housing Market Study

[Bolton & Menk representative],

We are pleased to present this proposal to provide housing market study services to support Bolton & Menk's Hughes Street Master Plan project for the Town of Apex, NC. The following describes our scope of services, schedule, and fee.

Scope of services

Task 1 - Market study

CommunityScale will analyze demand-side demographic and employment trends to understand the market from the perspective of prospective tenants'/buyers' needs, preferences, and willingness to pay. The target market will include households currently living and working within the development's market area as well as potential new households attracted by employment opportunities across the region.

The market study will follow these steps:

1. **Target market area:** Based on commuting patterns, employment distribution, and related factors, define the geographic area from which the new development could draw tenants.
2. **Regional growth scenario:** Project 10-year household growth within the market area, either using CommunityScale's proprietary growth model or a locally preferred projection.
3. **Market demand:** Combining existing households with projected growth, estimate the number of households actively looking for housing within the target market area on an annual basis, subdivided by income.
4. **Housing preferences:** Based on empirical measurements of actual housing choices across the region, define the current market's prevailing housing preferences in terms of tenure and bedroom count.
5. **Willingness to pay:** Gauge household willingness to pay by income level within the region and tabulate market demand in terms of tenure, bedroom count, and price.

The market study will incorporate a housing demand assessment of the planned NC Children's Health Campus, including:

- Estimated mix of hospital employees by occupation and wages.
- Estimated housing demand profile of the hospital workforce, including likely housing types and price points employees would prefer and may seek locally and across the region.
- High-level assessment of the impact this new workforce will have on the local housing market, including how the Town may consider updating its recent Housing Plan's findings and outcomes to address needs and opportunities presented by this new development.

Task 2 - Optimal development program

Combining the market study with site-specific development parameters established by the project team, collaborators, stakeholders, and local residents, CommunityScale will recommend a development program optimized for market potential, affordability targets, and financial feasibility. This optimal program will provide recommended unit counts by type, size, bedroom count, and price point.

The development program will result from these steps:

1. **Design parameters:** Based on engineering and design studies, establish the site's overall development capacity and other constraints that inform the range of realistic unit counts building typologies.
2. **Revenue thresholds:** Coordinating with the team's development program formulation, establish minimum rent levels that must be met to achieve financial feasibility.
3. **Program scenarios:** Model development scenarios that test different configurations of unit types, sizes, and price points based on revenue thresholds and affordability targets.
4. **Absorption rate:** Incorporating market study data, estimate the likely absorption rate for select program scenarios, eliminating options that are unlikely to fill fast enough.
5. **Development program:** Based on the above analysis, define the optimal mix of unit types, sizes, and price points to achieve financial and affordability goals.

Schedule

CommunityScale can complete this project on whatever timeframe works best for the broader team. We recommend completing Task 1 - Market study earlier in the overall process and conducting Task 2 - Optimal development program in parallel with conceptual site design studies.

We look forward to supporting Bolton & Menk on this project.

Sincerely,
CommunityScale LLC



JEFF SAUSER
Principal and Project Manager
(404) 583-8735
jeff@communityscale.com

CommunityScale

Attn: Name
Title, Bolton & Menk
Address

CommunityScale LLC
jeff@communityscale.com
61 James Street, Greenfield, MA 01301

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Schedule

CommunityScale can complete this project on whatever timeframe works best for the broader team. We recommend completing Task 1 - Market study earlier in the overall process and conducting Task 2 - Optimal development program in parallel with conceptual site design studies.

Budget

CommunityScale will complete the scope described above for a fixed fee of $22,000 inclusive of expenses and billed on a percent complete basis. The scope and fee assume all work is completed remotely and travel to Apex is not required.

We look forward to supporting Bolton & Menk on this project.

Sincerely,
CommunityScale LLC



JEFF SAUSER
Principal and Project Manager
(404) 583-8735
jeff@communityscale.com

STATE OF NORTH CAROLINA **PURCHASE ORDER #** Click here to PO #
COUNTY OF WAKE **PROFESSIONAL SERVICES CONTRACT**

THIS PROFESSIONAL SERVICES CONTRACT ("Contract") is entered into this ____ day of _____, 2025 by and between, Bolton & Menk, Inc., a Minnesota corporation with its principal business offices located at 1960 Premier Drive, Mankato, MN 56001 (the "Professional"), and the Town of Apex, a municipal corporation of the State of North Carolina, (the "Town"). Town and Professional may collectively be referred to as "Parties" hereinafter.

WITNESSETH:

WHEREAS, Town is engaged in the operation and utilization of Town buildings and facilities, including housing and community development facilities, which from time to time require design, engineering, planning and programming, evaluation, surveying, architectural services and other related projects; and

WHEREAS, the professional services of engineers, architects, surveyors, and others are at times needed by the Town for the services described above; and

WHEREAS, Professional provides professional services of the nature required by the Town and employs trained and experienced technical personnel possessing adequate knowledge, skills, and experience to provide such professional services to the Town; and

WHEREAS, pursuant to N.C.G.S. 143-64.31, it is the public policy of the State of North Carolina that municipalities announce all requirements for architectural, engineering, and surveying services, and select firms qualified on the basis of demonstrated competence and qualifications, and negotiate contracts for services at a fair and reasonable fee with the best qualified firm unless the project is exempted in writing by the municipality in accordance with N.C.G.S. 143-64.32; and

WHEREAS, the Town has announced the requirements for said services and selected Professional in accordance with the criteria and procedure provided in N.C.G.S. §143.64.31.

NOW THEREFORE, the Town and the Professional, for the consideration stated herein, agree as follows:

1. SCOPE OF SERVICES.

Professional shall complete site planning and design services related to the properties owned by the Town located at the corner of South Hughes Street and Perry Road, with addresses of 0 Perry Road, 0 South Hughes Street, and 930 South Hughes Street ("Project").

Professional shall provide the specific services as detailed in the Professional's attached proposal "Scope of Services" dated November 6, 2025, which includes Exhibit A – Fee Proposal for Professional Services, Schedule 1 – Schedule of Fees, and Exhibit B – Subconsultant Market Study and Optimal Development Program (hereinafter "Proposal") which is incorporated herein. In the event of a conflict between the terms of the attached Proposal and this Contract, this Contract shall control.

2. SPECIFICATIONS.
Professional shall provide services in accordance with all governing agency regulations and shall be held to the same standard and shall exercise the same degree of care, skill, and judgment in the performance of services for Town as is ordinarily provided by a similar professional under the same or similar circumstances at the time in North Carolina.

3. TIME OF COMMENCEMENT AND COMPLETION.
Professional shall commence the work required in this Contract upon execution of the Contract, and the Professional shall complete the work in accordance with the timelines identified in the Proposal. If Professional has not satisfactorily commenced or completed the work within the times specified, the Town may declare such delay a material breach of contract and may pursue all available legal and equitable remedies. Any changes to the schedule(s) provided in the Contract must be agreed to in writing by the Town and the Professional.

4. **CONSIDERATION AND PAYMENT OF SERVICES.**
In consideration of the above services, the Town will pay the Professional a lump sum of $307,700.00 for the services identified in the Proposal. Specific cost breakdown per service, including subconsultant work, is identified in the Proposal. In the event the Town requests that any service shown in the Proposal not be performed, the total sum designated in this section shall be reduced by the corresponding amount attributed to that particular service as shown in the Proposal. Invoices from Professional for services performed shall be paid by the Town within thirty (30) days from receipt of invoice. Town has the right to require the Professional to produce for inspection all of Professional's records and charges to verify the accuracy of all invoices. Town shall pay Professional's invoices at times set forth above unless a bona fide dispute exists between Town and Professional concerning the accuracy of said invoice or the services covered thereby.

5. INDEMNIFICATION.
To the extent permitted by law, the Professional agrees to indemnify and hold-harmless the Town of Apex, its elected and appointed officials, employees, agents, and volunteers against any and all claims, demands, suits or losses, including all costs connected therewith, for any damages which may be asserted, claimed or recovered against or from the Town of Apex, its elected or appointed officials, employees, agents, and volunteers by reason of personal injury, including bodily injury or death and/or property damage, including loss of use thereof but only to the extent proximately caused by the negligence of the Professional.

6. APPLICABILITY OF LAWS AND REGULATIONS.
The Professional shall adhere to all laws, ordinances, and regulations of the United States, the State of North Carolina, the County of Wake, and the Town of Apex in the performance of the services outlined in this contract and any attached specifications. This Contract shall be governed by the laws of the State of North Carolina.

7. E-VERIFY COMPLIANCE.
The Professional shall comply with the requirements of Article 2 of Chapter 64 of the North Carolina General Statutes (E-Verify). Professional shall require all of the Professional's subcontractors to comply with the requirements of Article 2 of Chapter 64 of the North Carolina General Statutes (E-Verify).

8. QUALITY AND WORKMANSHIP.
All work shall be performed to the satisfaction of the Town. The work shall not be considered complete nor applicable payments rendered until the Town is satisfied with the services provided.

9. INSURANCE.
The Professional shall maintain valid general liability insurance in the minimum amount of $1,000,000, commercial automobile liability insurance in the minimum amount of $2,000,000, and provide certificates of such insurance naming the Town of Apex as an additional insured by endorsement to the policies. If the policy has a blanket additional insured provision, the Professional's insurance shall be primary and non-contributory to other insurance. Additionally, the Professional shall maintain professional liability insurance in the minimum amount of $1,000,000 and maintain and show proof of workers' compensation insurance, and employer's liability insurance in the minimum amount of $1,000,000. The Professional shall provide notice of cancellation, non-renewal or material change in coverage to the Town of Apex within 10 days of their receipt of notice from the insurance company. All required certificates of insurance, endorsements, and blanket additional insured policy provisions are attached and considered part of this document. Notwithstanding the foregoing, neither the requirement of Professional to have sufficient insurance nor the requirement that Town is named as an additional insured, shall constitute waiver of the Town's governmental immunity in any respect, under North Carolina law.

10. PRE-PROJECT SAFETY REVIEW MEETING.
Intentionally Deleted.

11. OWNERSHIP OF DOCUMENTS.
All designs, drawings, specifications, calculations, notes and other works developed in the performance of this Contract shall become the property of the Town and may be used on any other design or construction without additional compensation to the Professional. The use of the documentation, including specifications, by any person or entity, for the purpose other than as set forth in this Contract, shall be at the full risk of such person or entity and the Professional shall be relieved of any liability whatsoever, including claims for personal injury, property damage, or death as a result of such other use. The Parties acknowledge and agree that nothing in this section shall limit the ownership rights, access, or use of the above referenced works by the Professional.

12. DEFAULT.
In the event of substantial failure by Professional to perform in accordance with the terms of this Contract, Town shall have the right to terminate Professional upon seven (7) days written notice in which event Professional shall have neither the obligation nor the right to perform further services under this Contract.

13. TERMINATION FOR CONVENIENCE.
Town shall have the right to terminate this Contract for the Town's convenience upon thirty (30) days written notice to Professional. Professional shall terminate performance of services on a schedule acceptable to the Town. In the event of termination for convenience, the Town shall pay Professional for all services satisfactorily performed.

14. NOTICE.

Any formal notice, demand, or request required by or made in connection with this Contract shall be deemed properly made if delivered in writing or deposited in the United States mail, postage prepaid, to the address specified below.

TO PROFESSIONAL:
Attn: Allen Davis
1960 Premier Drive
Mankato, MN 56001
Allen.davis@bolton-menk.com

TO TOWN: Town of Apex
Attention: Marla Newman
PO Box 250
Apex, NC 27502
Marla.Newman@apexnc.org

15. DELAY BEYOND THE CONTROL OF THE PARTIES.

Neither Professional nor Town, having taken commercially reasonable precautions, shall be in default of the provisions of this Contract for delays in performance due to forces beyond the control of the parties. "Forces beyond the control of the parties" shall mean, but is not limited to, delay caused by natural disaster, fire, flood, earthquakes, storms, lightning, epidemic, pandemic, war, riot, civil disobedience, or other event reasonably outside of the parties' control.

16. NONWAIVER FOR BREACH.

No breach or non-performance of any term of this Contract shall be deemed to be waived by either party unless said breach or non-performance is waived in writing and signed by the parties. No waiver of any breach or non-performance under this Contract shall be deemed to constitute a waiver of any subsequent breach or non-performance and for any such breach or non-performance each party shall be relegated to such remedies as provided by law.

17. CONSTRUCTION.

Should any portion of this Contract require judicial interpretation, it is agreed that the Court or Tribunal construing the same shall not apply a presumption that the terms hereof shall be more strictly construed against any one party by reason of the rule of construction that a document is to be more strictly construed against the party who prepared the documents.

18. NO REPRESENTATIONS.

The parties hereby warrant that no representations about the nature or extent of any claims, demands, damages, or rights that they have, or may have, against one another have been made to them, or to anyone acting on their behalf, to induce them to execute this Contract, and they rely on no such representations; that they have fully read and understood this Contract before signing their names; and that they act voluntarily and with full advice of counsel.

19. SEVERABILITY.

In the event for any reason that any provision or portion of this Contract shall be found to be void or invalid, then such provision or portion shall be deemed to be severable from the remaining provisions or portions of this Contract, and it shall not affect the validity of the remaining portions, which portions shall be given full effect as if the void or invalid provision or portion had not been included herein.

20. COUNTERPARTS.
This Contract may be executed in two or more counterparts, each of which shall be deemed an original, and all of which together shall constitute one instrument.

21. MODIFICATION.
This Contract contains the full understanding of the parties. Any modifications or addendums to this Contract must be in writing and executed with the same formality as this Contract.

22. BINDING EFFECT.
The terms of this Contract shall be binding upon the parties' heirs, successors, and assigns.

23. ASSIGNMENT.
Professional shall not assign, sublet, or transfer any rights under or interest in (including, but without limitation, monies that may become due or monies that are due) this Contract without the written consent of the Town. Nothing contained in this paragraph shall prevent Professional from employing such independent consultants, associates, and sub-contractors as it may deem appropriate to assist Professional in the performance of services rendered.

24. INDEPENDENT CONTRACTOR.
Professional is an independent contractor and shall undertake performance of the services pursuant to the terms of this Contract as an independent contractor. Professional shall be wholly responsible for the methods, means and techniques of performance.

25. NON-APPROPRIATION.
Notwithstanding any other provisions of this Contract, the parties agree that payments due hereunder from the Town are from appropriations and monies from the Town Council and any other governmental entities. In the event sufficient appropriations or monies are not made available to the Town to pay the terms of this Contract for any fiscal year, this Contract shall terminate immediately without further obligation of the Town.

26. IRAN DIVESTMENT ACT CERTIFICATION.
N.C.G.S. 147-86.60 prohibits the State of North Carolina, a North Carolina local government, or any other political subdivision of the State of North Carolina from contracting with any entity that is listed on the Final Divestment List created by the North Carolina State Treasurer pursuant to N.C.G.S. 147-86.58. N.C.G.S. 147-86.59 further requires that contractors with the State, a North Carolina local government, or any other political subdivision of the State of North Carolina must not utilize any subcontractor found on the State Treasurer's Final Divestment List. As of the date of execution of this Contract the Professional hereby certifies that the Professional is not listed on the Final Divestment List created by the North Carolina State Treasurer and that the Professional will not utilize any subcontractors found on the Final Divestment List.

27. ANTI-HUMAN TRAFFICKING.
The Professional warrants and agrees that no labor supplied by the Professional or the Professional's subcontractors in the performance of this Contract shall be obtained by means of deception, coercion,

intimidation or force, or otherwise in violation of North Carolina law, specifically Article 10A, Subchapter 3 of Chapter 14 of the North Carolina General Statutes, Human Trafficking.

28. NONDISCRIMINATION.

Pursuant to Section 3-2 of the Town of Apex Code of Ordinances, Professional hereby warrants and agrees that Professional will not discriminate against a protected class in employment, subcontracting practices, or the solicitation or hiring of vendors, suppliers, or commercial customers in connection with this Contract. For the purposes of this Contract "protected class" includes age, race, religious belief or non-belief, ethnicity, color, national origin, creed, sex, sexual orientation, gender identity, marital status, natural hair style, genetic information, pregnancy, familial status, disability, veteran or military status, or disabled veteran status.

29. ELECTRONIC SIGNATURE.

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

[The Remainder of This Page Intentionally Left Blank; Signatures Follow]

In witness thereof, the contracting parties, by their authorized agents, affix their signatures and seals this ____ day of _____, 2025.

Bolton & Menk, Inc.

By: _____
(type or print name)

_____
(Signature)

Title:_____

Attest:

_____
(Secretary, if a corporation)

Town of Apex

_____
Randal E. Vosburg, Town Manager

Attest:

_____
Allen L. Coleman, Town Clerk

This instrument has been preaudited in the manner required by the Local Government Budget and Fiscal Control Act.

_____
Jon Griffin, Finance Director

| Agenda Item | cover sheet

for consideration by the Apex Town Council

Item Type: CONSENT AGENDA

Meeting Date: December 09, 2025

Item Details

Presenter(s): Russell H. Dalton, P.E., Traffic Engineering Manager

Department(s): Transportation and Infrastructure Development

Requested Motion

Motion to approve an Agreement with NCDOT to be eligible for up to $429,200 in federal funds reimbursement toward a total estimated cost of $536,500 in right of way acquisition for project BL-0173, Tunstall Avenue and Center Street Sidewalk, requiring a minimum 20% local cost match of $107,300, and to authorize the Town Manager, or their designee, to execute on behalf of the Town, and adopt Capital Project Ordinance Amendment 2026-3.

Approval Recommended?

Yes

Item Details

This Agreement is required to receive federal funds reimbursement at an 80% federal/20% local cost match for up to $536,500 in total expenses toward right of way acquisition for construction of new sidewalk along Tunstall Avenue and Center Street. As typical for this type of agreement, if the total cost exceeds the estimated cost then additional local funds would be needed to cover that shortfall at 100%, unless supplemental federal funds can be allocated to the project subject to approval by the Executive Board of the Capital Area Metropolitan Planning Organization and NCDOT, in which case a minimum 50% local cost match would be required for supplemental funds.

Although an estimate of NCDOT staff review and inspections time has been factored into the overall cost estimate, and NCDOT will set aside $53,650 (10% of estimated total budget) toward that expense, if NCDOT internal charges exceed available funds then Apex is responsible for reimbursement of 100% of those charges in excess of available funds. Additionally, per the Agreement: *The Municipality agrees to indemnify and hold harmless the Department, FHWA and the State of North Carolina, to the extent allowed by law, for any and all claim for payment, damages and/or liabilities of any nature, asserted against the Department in connection with this Project. The Department shall not be responsible for any damages or claims, which may be initiated by third parties.*

Attachments

- CN2-A1: Agreement - North Carolina Department of Transportation (NCDOT) - Required Federal Funds Reimbursement for Right-of-Way (ROW)
- CN2-A2: Capital Project Ordinance Amendment 2026-3 - Agreement - North Carolina Department of Transportation (NCDOT) - Required Federal Funds Reimbursement for Right-of-Way (ROW)

Executive Summary

The Executive Summary is a summation of this agreement and is not intended to be used as the agreement between the Department (North Carolina Department of Transportation) and the Party (Entity).

Entity: Town of Apex **County:** Wake

TIP: BL-0173

Project: Tunstall Avenue & Center Street Sidewalk

Scope: sidewalk installation and traffic signal upgrades along Tunstall Avenue and along Center Street in Apex.

Eligible Activities:

PE	_____	Design Environmental
ROW	51968.2.1	ROW Acquisition
UTIL	_____	Utility
CON	_____	Construction
OTHER	_____	
FEDERAL-AID	5196801	

Fund Source	Federal Funds Amount	Reimbursement Rate	Non-Federal Match $	Non-Federal Match Rate
TADA	$429,200	80 %	$107,300	20 %
Total Available Funding		**$536,500**		

Responsibility: The Town of Apex shall be responsible for all aspects of the project.

NORTH CAROLINA

WAKE COUNTY

NORTH CAROLINA DEPARTMENT OF TRANSPORTATION

AND

TOWN OF APEX

LOCALLY ADMINISTERED PROJECT - FEDERAL

DATE: 10/16/2025

TIP #:	BL-0173	
WBS Elements:	PE	_____
	ROW	51968.2.1
	UTIL	_____
	CON	_____
OTHER FUNDING:		_____
FEDERAL-AID NUMBER:		5196801
CFDA #:		20.205
Total Funds [NCDOT Participation]		$429,200

THIS AGREEMENT is made and entered into on the last date executed below, by and between the North Carolina Department of Transportation, an agency of the State of North Carolina, hereinafter referred to as the "Department" and the Town of Apex, hereinafter referred to as the "Municipality".

W I T N E S S E T H:

WHEREAS, the Infrastructure Investment and Jobs Act (IIJA) allows for the allocation of federal funds to be available for certain specified transportation activities; and,

WHEREAS, the Municipality has requested federal funding for Tunstall Avenue & Center Street Sidewalk, hereinafter referred to as the Project, in Wake County, North Carolina; and,

WHEREAS, subject to the availability of federal funds, the Municipality has been designated as a recipient to receive funds allocated to the Department by the Federal Highway Administration (FHWA) up to and not to exceed the maximum award amount of $429,200 for the Project; and,

WHEREAS, the Department has agreed to administer the disbursement of said funds on behalf of FHWA to the Municipality for the Project in accordance with the Project scope of work and in accordance with the provisions set out in this Agreement; and,

WHEREAS, the Department has programmed funding in the approved State Transportation Improvement Program (STIP) for the Project; and,

WHEREAS, the governing board of the Municipality has agreed to participate in certain costs and to assume certain responsibilities in the manner and to the extent as hereinafter set out; and,

WHEREAS, this Agreement is made under the authority granted to the Department by the North Carolina General Assembly including, but not limited to, the following applicable legislation: General Statutes of North Carolina (NCGS) Section 136-66.1, Section 136-71.6, Section 160A-296 and 297, Section 136-18, Section 136-41.3 and Section 20-169, to participate in the planning, construction and/or implementation of the Project approved by the Board of Transportation.

NOW, THEREFORE, this Agreement states the promises and undertakings of each party as herein provided, and the parties do hereby covenant and agree, each with the other, as follows:

1. GENERAL PROVISIONS

FEDERAL FUNDING ACCOUNTABILITY AND TRANSPARENCY ACT

All parties to this Agreement, including contractors, subcontractors, and subsequent workforces, associated with any work under the terms of this Agreement shall provide reports as required by the Federal Funding Accountability and Transparency Act (FFATA) for this Project.

AGREEMENT MODIFICATIONS

Any modification to scope, funding, responsibilities, or time frame will be agreed upon by all parties by means of a Supplemental Agreement.

LOCAL PUBLIC AGENCY TO PERFORM ALL WORK

The Municipality shall be responsible for administering all work performed and for certifying to the Department that all terms set forth in this Agreement are met and adhered to by the Municipality and/or its contractors and agents. The Department will provide technical oversight to guide the Municipality. The Department must approve any assignment or transfer of the responsibilities of the Municipality set forth in this Agreement to other parties or entities.

PERSON IN RESPONSIBLE CHARGE

The Municipality shall designate a person or persons to be in responsible charge of the Project, in accordance with Title 23 of the Code of Federal Regulations, Part 635.105. The person, or persons, shall be expected to:

- Administer governmental project activities, including those dealing with cost, time, adherence to contract requirements, construction quality and scope of Federal-aid projects;

- Maintain knowledge of day to day project operations and safety issues;
- Make or participate in decisions about changed conditions or scope changes that require change orders or supplemental agreements;
- Visit and review the project in accordance with the project scope and scale;
- Review financial processes, transactions and documentation to reduce the likelihood of fraud, waste, and abuse;
- Direct project staff, agency or consultant, to carry out project administration and contract oversight, including proper documentation; and
- Be aware of the qualifications, assignments and on-the-job performance of the agency and consultant staff at all stages of the project.

The person in responsible charge must be a full-time employee of the Municipality, but the duties may be split among several employees, if necessary.

COMPLIANCE WITH STATE/FEDERAL POLICY

The Municipality, and/or its agent, including all contractors, subcontractors, or sub-recipients shall comply with all applicable Federal and State policies and procedures, stated both in this Agreement and in the Department's guidelines and procedures, including the *Local Programs Management Handbook*.

FAILURE TO COMPLY - CONSEQUENCES

Failure on the part of the Municipality to comply with any of the provisions of this Agreement will be grounds for the Department to terminate participation in the costs of the Project and, if applicable, seek repayment of any reimbursed funds.

2. SCOPE OF PROJECT

The Project consists of sidewalk installation and traffic signal upgrades along Tunstall Avenue and along Center Street in Apex.

The Department's funding participation in the Project shall be restricted to the following eligible items:

- ROW Acquisition

as further set forth in this Agreement.

3. FUNDING

PROGRAMMING AND AUTHORIZATION OF FEDERAL FUNDS

The funding currently programmed for the project in the State Transportation Improvement Program (STIP) is TADA. The funding source may be modified with the coordination and approval of the respective Metropolitan Planning Organization (MPO) and/or the Department prior to authorization of funds. The Department will authorize and reimburse federal funding based on the type of federal funding that is programmed in the STIP at the time of the authorization request. The Department will notify the Municipality of the type of federal funds authorized by issuing a Technical Amendment – Funds Authorization letter. A modification in the source of funds will have no effect on project responsibilities outlined in this agreement.

REIMBURSEMENT FOR ELIGIBLE ACTIVITIES

Subject to compliance by the Municipality with the provisions set forth in this Agreement and the availability of federal funds, the Department shall reimburse 80% of eligible expenses incurred by the Municipality up to a maximum amount of Four Hundred Twenty Nine Thousand Two Hundred Dollars ($429,200), as detailed below. The Municipality shall provide the non-federal match, as detailed in the FUNDING TABLE below, and all costs that exceed the total available funding.

FUNDING TABLE

Fund Source	Federal Funds Amount	Reimbursement Rate	Non-Federal Match $	Non-Federal Match Rate
TADA	$429,200	80%	$107,300	20%
Total Available Funding		**$536,500**		

WORK PERFORMED BY NCDOT

All work performed by the Department on this Project, including, but not limited to, reviews, inspections, and Project oversight, during any phase of the delivery of the Project, shall reduce the funding available to the Municipality under this Agreement. The Department will set aside, but is not limited to, ten percent (10%) of the total available funding, or $53,650, to use towards the costs related to review and oversight of this Project. These costs may include but are not limited to: review and approval of plans, environmental documents, contract proposals, and engineering estimates; performance of any phase of work, for example, contract administration or

construction engineering and inspection; oversight of any phases; or any other items as needed to ensure the Municipality's appropriate compliance with state and federal regulations.

In the event that the Department does not utilize all the set-aside funding, then those remaining funds will be available for reimbursement to the Municipality at the above reimbursement rate. For all costs of work performed on the Project, whether incurred by the Municipality or by the Department, the Municipality shall provide the non-federal match. The Department will bill the Municipality for the non-federal match of any costs that the Department incurs on the Project and for any costs that exceed the total available funding.

4. PERIOD OF PERFORMANCE

COMPLETION DATE

The Municipality has three (3) years to complete all work outlined in the Agreement from the date of authorization of Federal Right of Way funds. Completion for this Agreement is defined as completion of all construction activities or implementation activities, acceptance of the project, and submission of a final reimbursement package to the Department.

MILESTONE DATES AND REVISIONS

The Municipality is responsible for regularly updating project milestones throughout the life of the project. If project milestones are near (or have passed without completion) and have not been updated to a realistic schedule by the Municipality, the Department reserves the right to revise the milestones accordingly. Revisions by the Department could lead to milestones being pushed into another fiscal year resulting in a change to the STIP. The Department is not responsible for project delays caused by these milestone revisions.

EXTENDING COMPLETION DATE

If additional time is needed to complete the Project, then a supplemental agreement must be executed. The Department may allow up to three additional months for submission of final reimbursement package by the Municipality, without entering into a supplemental agreement. The Department and/or FHWA reserves the right to revoke the funds awarded if the Municipality is unable to meet milestone dates included herein.

5. PRELIMINARY ENGINEERING AUTHORIZATION

If Preliminary Engineering is an eligible expense, then upon receipt of an executed agreement, the Department will authorize Preliminary Engineering funds and shall notify the Municipality, in

writing, once funds have been authorized and can be expended. The Municipality shall not initiate any work, nor solicit for any professional services prior to receipt of written authorization from the Department to proceed. Any work performed, or contracts executed, prior to receipt of written authorization to proceed will be ineligible for reimbursement.

6. PROFESSIONAL AND ENGINEERING SERVICES

The Municipality shall comply with the policies and procedures of this provision if the Municipality is requesting reimbursement for the Preliminary Engineering contract or the Construction Contract Administration / Construction Engineering and Inspection contract.

PROCUREMENT POLICY

When procuring professional services, the Municipality must adhere to Title 2 Code of Federal Regulations Part 200; Title 23 of the Code of Federal Regulations, Part 172; Title 40 United States Code, Chapter 11, Section 1101-1104; NCGS 143-64.31; and the Department's *Policies and Procedures for Major Professional or Specialized Services Contracts*. Said policies and standards are incorporated in this Agreement by reference at www.fhwa.dot.gov/legsregs/legislat.html and www.ncleg.net/gascripts/Statutes/Statutes.asp.

- The Municipality shall ensure that a qualified firm is obtained through an equitable selection process, and that prescribed work is properly accomplished in a timely manner and at a just and reasonable cost.
- All Professional Services Firms shall be pre-qualified by the Department in the Work Codes advertised.
- A pre-negotiation audit will be conducted by the Department's External Audit Branch. The Municipality shall not execute a consultant contract until the Department's review has been completed.

SMALL PROFESSIONAL AND ENGINEERING SERVICES FIRMS REQUIREMENTS

Any contract entered into with another party to perform work associated with the requirements of this Agreement shall contain appropriate provisions regarding the utilization of Small Professional Services Firms (SPSF). This policy conforms with the SPSF Guidelines as approved by the North Carolina Board of Transportation.

- The Municipality shall not advertise nor enter into a contract for services performed as part of this Agreement, unless the Department provides written approval of the advertisement or the contents of the contract.

- If the Municipality fails to comply with these requirements, the Department will withhold funding until these requirements are met.

WORK BY ENTITY

If the Design, Planning, Contract Administration and/or Construction Engineering and Inspection required for this project will be undertaken by the Municipality, and the Municipality requests reimbursement, then the Municipality must submit a request and supporting documentation to the Department for review and approval, prior to any work being initiated by the Municipality.

7. PLANNING / ENVIRONMENTAL DOCUMENTATION

The Municipality shall prepare the environmental and/or planning document, including any environmental permits, needed to construct the Project, in accordance with the National Environmental Policy Act (NEPA) and all other appropriate environmental laws and regulations. All work shall be performed in accordance with Departmental procedures and guidelines. Said documentation shall be submitted to the Department for review and approval.

- The Municipality shall be responsible for preparing and filing with all proper agencies the appropriate planning documents, including notices and applications required to apply for those permits necessary for the construction of the desired improvements. Copies of approved permits should be forwarded to the Department.

- The Municipality shall advertise and conduct any required public hearings.

- If any permit issued requires that action be taken to mitigate impacts associated with the improvements, the Municipality shall design and implement a mitigation plan. The Department will determine if any mitigation costs are eligible for reimbursement. The Municipality shall bear all costs associated with penalties for violations and claims due to delays.

- The Municipality shall be responsible for designing an erosion control plan if required by the North Carolina Sedimentation Pollution Control Act of 1973, NCGS 113A, Article 4, incorporated in this Agreement by reference at https://www.ncleg.gov/Laws/GeneralStatutes and obtaining those permits required

thereby in order to construct the Project. During the construction of the improvements, the Municipality, and its contractors and agents, shall be solely responsible for compliance with the provisions of said Act and the plan adopted in compliance therewith.

8. DESIGN

CONTENT OF PLAN PACKAGE

The Municipality, and/or its agent, shall prepare the Project's plans, specifications, and a professional estimate of costs (PS&E package), in accordance with the Department's guidelines and procedures, and applicable Federal and State standards. All work shall be submitted to the Department for review and approval. The plans shall be completed to show the design, site plans, landscaping, drainage, easements, and utility conflicts.

9. RIGHT OF WAY / UTILITY AUTHORIZATION

If the costs of right of way acquisition or utility relocation are an eligible expense, the Municipality shall submit a letter of request to the Department to authorize and set up right of way and/or utility funding. The acquisition for right of way, construction easements, and/or utility relocation may be undertaken only after the Municipality receives written authorization from the Department to proceed.

10. PROJECT LIMITS AND RIGHT OF WAY (ROW)

The Municipality shall comply with the policies and procedures of this provision regardless of whether the Municipality is requesting reimbursement for the Right of Way phase of the Project.

SPONSOR PROVIDES ROW

The Municipality, at no liability whatsoever to the Department, shall be responsible for providing and/or acquiring any required ROW and/or easements for the Project.

ROW GUIDANCE

The Municipality shall accomplish all ROW activities, including acquisition and relocation, in accordance with the following: Title 23 of the Code of Federal Regulations, Part 710, Subpart B and Title 49 of the Code of Federal Regulations, Part 24, [Uniform Act] incorporated by reference at www.fhwa.dot.gov/legsregs/directives/fapgtoc.htm; NCGS, Chapter 133, Article 2, Sections

133-5 through 133-18, Relocation Assistance, incorporated by reference at https://www.ncleg.gov/Laws/GeneralStatutes ; and the North Carolina Department of Transportation Right of Way Manual.

APPRAISAL

The Municipality shall submit the appraisal to the Department for review and approval in accordance with Departmental policies and procedures.

CLEARANCE OF PROJECT LIMITS / ROW

The Municipality shall remove and dispose of all obstructions and encroachments of any kind or character (including hazardous and contaminated materials) from said ROW, with the exception that the Municipality shall secure an encroachment agreement for any utilities (which shall remain or are) to be installed within the Department's ROW, or follow other applicable approval process, for utilities within the Municipality's ROW. The Municipality shall indemnify and save harmless the Department, Federal Highway Administration, and the State of North Carolina, from any and all damages and claims for damages that might arise on account of said right of way acquisition, drainage, and construction easements for the construction of said Project. The Municipality shall be solely responsible for any damages caused by the existence of said material now and at any time in the future and will save the Department harmless from any legal actions arising as a result of this contaminated and/or hazardous material and shall provide the Department with documentation proving the proper disposal of said material.

RELOCATION ASSISTANCE

The Municipality shall provide relocation assistance services and payments for families, businesses, and non-profit organizations being displaced by the Project in full accordance with the Federal relocation requirements of Title 49 Code of Federal Regulations, Part 24 [Uniform Act], as amended. Relocation assistance services and payments may be accomplished by contract with any other municipal corporation, or State or Federal agency, rendering such services upon approval by the Department and Federal Highway Administration.

11. UTILITIES

The Municipality, and/or its agent, at no liability to the Department, shall relocate, adjust, relay, change or repair all utilities in conflict with the Project, regardless of ownership. All utility work shall be performed in a manner satisfactory to and in conformance with State and Federal rules

and regulations, prior to Municipality beginning construction of the project. This Agreement does not modify or supersede any existing Utility Encroachment Agreements that may be in place.

12. RIGHT OF WAY / UTILITY / RAILROAD CERTIFICATION

The Municipality, upon acquisition of all right of way/property necessary for the Project, relocation of utilities, and coordination with the railroad shall provide the Department all required documentation (deeds/leases/easement/plans/agreements) to secure certification. Certification is only issued after all ROW is in public ownership or property is publicly accessible by a legal document; utilities in conflict with the project are relocated, or a plan for their relocation during construction has been approved; and coordination with the railroad (if applicable) has occurred and been documented.

13. CONTRACT PROPOSAL AND ENGINEER'S ESTIMATE

CONTRACT PROPOSAL

The Municipality shall develop a contract proposal that will be advertised for bids. The proposal shall comply with NCDOT Specifications and Standard Drawings as applicable to the Project. The proposal shall also contain provisions, as applicable, per Title 23 Code of Federal Regulations 633 and 635 to include, but not be limited to: FHWA 1273, Buy America, Davis-Bacon Wage Rates, Non-discrimination, DBE Assurances, Contractor Certification regarding suspension and debarment, and other provisions as required by the Department.

ENGINEER'S ESTIMATE

The Municipality shall develop an itemized engineer's estimate to show items referenced to the NCDOT Standard Specifications, if applicable, along with units and unit price. The engineer's estimate will be used as the basis for comparing bids received.

14. CONSTRUCTION AUTHORIZATION

The Municipality shall submit the required environmental and/or planning document, ROW certification, final construction plans, total contract proposal, and an estimate of Project costs (final PS&E package) to the Department for review and approval.

- After approval of all documentation, the Department will request construction authorization from the Federal Highway Administration.

- The Municipality shall not advertise for bids prior to receiving written construction authorization from the Department.

15. CONTRACTOR PROCUREMENT

ADVERTISE FOR BIDS

Upon receipt of written construction authorization from the Department, the Municipality may advertise the Project. The Municipality shall follow applicable Federal and/or State procedures pertaining to the advertisement of the Project, bid opening, and award of the contract, according to Title 2 of the Code of Federal Regulations, Part 200 and Title 23 of the Code of Federal Regulations, Part 633 and Part 635, incorporated by reference at www.fhwa.dot.gov/legsregs/directives/fapgtoc.htm; and NCGS, Chapter 143, Article 8 (Public Contracts), incorporated by reference at https://www.ncleg.gov/Laws/GeneralStatutes.

CONSTRUCTION CONTRACTOR REQUIREMENTS

All Contractors submitting bids on the project shall be pre-qualified by the Department. All proposed subcontractors must be pre-qualified before construction work begins. Any subcontractors who are proposed to meet the Disadvantaged Business Enterprise goal must be certified by the Department.

CONSTRUCTION SUBCONTRACTOR REQUIREMENTS

Any contract entered into with another party to perform work associated with the requirements of this Agreement shall contain appropriate provisions regarding the utilization of Disadvantaged Business Enterprises (DBEs), or as required and defined in Title 49 of the Code of Federal Regulations, Part 26 and the North Carolina Administrative Code. These provisions are incorporated into this Agreement by reference https://connect.ncdot.gov/resources/Specifications/Pages/2024-Specifications-and-Special-Provisions.aspx.

- The Municipality shall not advertise nor enter into a contract for services performed as part of this Agreement, unless the Department provides written approval of the advertisement or the contents of the contract.

- If the Municipality fails to comply with these requirements, the Department will withhold funding until these requirements are met.

AWARDING CONTRACT

After the advertisement of the Project for construction bids, the Municipality shall request concurrence from the Department to award the construction contract by submitting a letter along with tabulated bids received depicting Disadvantaged Business Enterprises (DBE) goals, and a resolution recommending award of the Project to the lowest responsible, responsive bidder. The Department will review the submitted information and provide written approval to the Municipality prior to the contract being awarded by the Municipality.

DELAY IN PROCUREMENT

In the event the Project has not been let to contract within six (6) months after receiving construction authorization from the Department, the Municipality shall be responsible for documenting to the Department justification for project delay and that the Project remains in compliance with the terms of this Agreement, the approved plans and specifications, and current codes.

FORCE ACCOUNT

Force account work is only allowed when there is a finding of cost effectiveness for the work to be performed by some method other than a contract awarded by a competitive bidding process, or there is an emergency. Written approval from the Department is required prior to the use of force account by the Municipality. Federal Highway Administration regulations governing Force Account are contained in Title 23 Code of Federal Regulations, Part 635.201, Subpart B; said policy being incorporated in this Agreement by reference www.fhwa.dot.gov/legsregs/directives/cfr23toc.htm. North Carolina General Statutes governing the use of Force Account, Chapter 143, Article 8 (Public Contracts) can be found at www.ncleg.net/gascripts/Statutes/Statutes.asp.

16. CONSTRUCTION

The Municipality, and/or its agents shall construct the Project in accordance with the plans and specifications of the Project as filed with, and approved by, the Department. During the construction of the Project, the procedures set out below shall be followed:

CONSTRUCTION CONTRACT ADMINISTRATION

The Municipality shall comply with the NCDOT Construction Manual as referenced at http://www.ncdot.org/doh/operations/dp%5Fchief%5Feng/constructionunit/formsmanuals/construction/, which outlines the procedures for records and reports that must be adhered to in order to obtain uniformity of contract administration and documentation. This includes, but is not limited to, inspection reports, material test reports, materials certification, documentation of quantities, project diaries, and pay records. The Municipality, and/or its agent, shall perform the construction engineering, sampling and testing required during construction of the Project, in accordance with Departmental procedures, including the Department's Guide for Process Control and Acceptance Sampling and Testing. The Municipality shall document that said compliance was accomplished in accordance with State and Federal procedures, guidelines, standards and specifications.

RETAINAGE

The Municipality shall not retain any portion of a payment due the contractor.

SIGNAGE

The Municipality shall provide and maintain adequate signage and other warning devices for the protection of the public in accordance with the approved traffic control plans for the Project and the current edition of the Manual on Uniform Traffic Control Devices (MUTCD) for Streets and Highways, or any subsequent revision of the same, published by the Federal Highway Administration and effective at the time of award of the contract.

SITE LAYOUT

The Municipality shall be responsible for ensuring that all site layout, construction work, and Project documentation are in compliance with applicable city, state and federal permits, guidelines, and regulations, including American Association of State Highway and Transportation Officials (AASHTO) guidelines and Americans with Disabilities Act (ADA) Standards for Accessible Design (www.usdoj.gov/crt/ada/stdspdf.htm).

RIGHT TO INSPECT

The Department and representatives of the Federal Highway Administration shall have the right to inspect, sample or test, and approve or reject, any portion of the work being performed by the Municipality or the Municipality's contractor to ensure compliance with the provisions of this

Agreement. Prior to any payment by the Department, any deficiencies inconsistent with approved plans and specifications found during an inspection must be corrected.

CONTRACTOR COMPLIANCE

The Municipality will be responsible for ensuring that the contractor complies with all of the terms of the contract and any instructions issued by the Department or FHWA as a result of any review or inspection made by said representatives.

CHANGE ORDERS

If any changes in the Project plans are necessary, the Department must approve such changes prior to the work being performed.

SHOP DRAWINGS

Shop Drawings shall be submitted in accordance with the approved plans and specifications and may require review by the Designer.

17. CLOSE-OUT

Upon completion of the Project, the Municipality shall be responsible for the following:

FINAL INSPECTION

The Municipality shall arrange for a final inspection by the Department. Any deficiencies determined during the final field inspection must be corrected prior to final payment being made by the Department to the Municipality. Additional inspection by other entities may be necessary in accordance with the Department's guidelines and procedures. The Municipality shall provide the Department with written evidence of approval of completed project prior to requesting final reimbursement.

FINAL PROJECT CERTIFICATION

The Municipality will provide a certification to the Department that all work performed for this Project is in accordance with all applicable standards, guidelines, and regulations.

18. MAINTENANCE

The Municipality, at no expense or liability to the Department, shall assume all maintenance responsibilities for the Tunstall Avenue & Center Street Sidewalk, or as required by an executed encroachment agreement.

19. REIMBURSEMENT

SCOPE OF REIMBURSEMENT

Activities eligible for funding reimbursement for this Project shall include:

- ROW Acquisition

REIMBURSEMENT GUIDANCE

The Municipality shall adhere to applicable administrative requirements of Title 2 Code of Federal Regulations, Part 200 (www.fhwa.dot.gov/legsregs/directives/fapgtoc.htm) "Uniform Administrative Requirements, Cost Principles and Audit Requirements for Federal Awards." Reimbursement to the Municipality shall be subject to the policies and procedures contained in Title 23 Code of Federal Regulations, Part 140 and Part 172, which is being incorporated into this Agreement by reference at www.fhwa.dot.gov/legsregs/directives/fapgtoc.htm. Reimbursement to the Municipality shall be subject to the guidance contained in Title 2 Code of Federal Regulations, Part 170 (http://edocket.access.gpo.gov/2010/pdf/2010-22705.pdf) and Office of Management and Budget (OMB) "Federal Funding Accountability and Transparency Act" (FFATA). Said reimbursement shall also be subject to the Department being reimbursed by the Federal Highway Administration and subject to compliance by the Municipality with all applicable federal policy and procedures.

REIMBURSEMENT LIMITS

- **WORK PERFORMED BEFORE NOTIFICATION**

  Any costs incurred by the Municipality prior to written notification by the Department to proceed with the work shall not be eligible for reimbursement.

- **NO REIMBURSEMENT IN EXCESS OF APPROVED FUNDING**

At no time shall the Department reimburse the Municipality costs that exceed the total funding per this Agreement and any Supplemental Agreements.

- **UNSUBSTANTIATED COSTS**

The Municipality agrees that it shall bear all costs for which it is unable to substantiate actual costs or any costs that have been deemed unallowable by the Federal Highway Administration and/or the Department's Financial Management Division.

- **WORK PERFORMED BY NCDOT**

All work performed by the Department on this Project, including, but not limited to, reviews, inspections, and Project oversight, shall reduce the maximum award amount of $429,200 available to the Municipality under this Agreement. The Department will bill the Municipality for the non-federal match of any costs that the Department incurs on the Project and for any costs that exceed the total available funding.

- **CONSTRUCTION ADMINISTRATION**

Reimbursement for construction contract administration will be made as governed by Departmental policy that limits reimbursement for construction contract administration to no more than fifteen (15%) percent of the actual construction contract of the Project. These costs will also include any cost overruns and charges to the Project by the Department during the Construction Phase.

- **CONSTRUCTION CONTRACT UNIT PRICES**

Reimbursement for construction contract work will be made on the basis of contract unit prices in the construction contract and any approved change orders.

- **RIGHT OF WAY**

Reimbursement will be limited to the value as approved by the Department. Eligible costs for reimbursement of Right of Way Acquisition include: realty appraisals, surveys, closing costs, and the agreed upon just compensation for the property, at the reimbursement rate as shown in the FUNDING TABLE.

- **FORCE ACCOUNT**

Invoices for force account work shall show a summary of labor, labor additives, equipment, materials and other qualifying costs in conformance with the standards for

allowable costs set forth in 2 CFR 200 “Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards.” Reimbursement shall be based on actual eligible costs incurred with the exception of equipment owned by the Municipality or its Project partners. Reimbursement rates for equipment owned by the Municipality or its Project partners cannot exceed the Department’s rates in effect for the time period in which the work is performed.

BILLING THE DEPARTMENT

- **PROCEDURE**

  The Municipality may bill the Department for eligible Project costs in accordance with the Department’s guidelines and procedures. Proper supporting documentation shall accompany each invoice as may be required by the Department. By submittal of each invoice, the Municipality certifies that it has adhered to all applicable state and federal laws and regulations as set forth in this Agreement.

  Along with each invoice, the Municipality is responsible for submitting the FFATA Subrecipient Information Form, which is available at https://connect.ncdot.gov/municipalities/Funding/Pages/default.aspx.

- **INTERNAL APPROVALS**

  Reimbursement to the Municipality shall be made upon approval of the invoice by the Department’s Financial Management Division.

- **TIMELY SUBMITTAL OF INVOICES**

  The Municipality may invoice the Department monthly for work accomplished, but no less than once every six (6) months to keep the Project funds active and available. If the Municipality is unable to invoice the Department, then they must provide an explanation. Failure to submit invoices or explanation may result in de-obligation of funds.

- **FINAL INVOICE**

  All invoices associated with the Project must be submitted within six (6) months of the completion of construction and acceptance of the Project to be eligible for reimbursement by the Department. Any invoices submitted after this time will not be eligible for reimbursement.

20. REPORTING REQUIREMENTS AND RECORDS RETENTION

PROJECT EVALUATION REPORTS

The Municipality is responsible for submitting quarterly Project evaluation reports, in accordance with the Department's guidelines and procedures, that detail the progress achieved to date for the Project.

PROJECT RECORDS

The Municipality and its agents shall maintain all books, documents, papers, accounting records, Project records and such other evidence as may be appropriate to substantiate costs incurred under this Agreement. Further, the Municipality shall make such materials available at its office and shall require its agent to make such materials available at its office at all reasonable times during the contract period, and for five (5) years from the date of payment of the final voucher by the Federal Highway Administration, for inspection and audit by the Department's Financial Management Section, the Federal Highway Administration, or any authorized representatives of the Federal Government.

21. OTHER PROVISIONS

REFERENCES

It will be the responsibility of the Municipality to follow the current and/or most recent edition of references, websites, specifications, standards, guidelines, recommendations, regulations and/or general statutes, as stated in this Agreement.

INDEMNIFICATION OF DEPARTMENT

The Municipality will indemnify and hold harmless the FHWA (if applicable), the Department and the State of North Carolina, their respective officers, directors, principals, employees, agents, successors, and assigns from and against any and all claims for damage and/or liability, including those that may be initiated by third parties, in connection with the Project activities performed pursuant to this Agreement including construction of the Project, except for those claims arising out of the errors, omissions, or negligence of the Department, its respective officers, directors, principals, employees, agents, successors, and assigns.

DEBARMENT POLICY

It is the policy of the Department not to enter into any agreement with parties that have been debarred by any government agency (Federal or State). By execution of this agreement, the Municipality certifies that neither it nor its agents or contractors are presently debarred, suspended, proposed for debarment, declared ineligible or voluntarily excluded from participation in this transaction by any Federal or State Agency or Department and that it will not enter into agreements with any entity that is debarred, suspended, proposed for debarment, declared ineligible or voluntarily excluded from participation in this transaction.

TITLE VI - CIVIL RIGHTS ACT OF 1964

The Municipality shall comply with Title VI of the Civil Rights Act of 1964, (Title 49 CFR, Subtitle A, Part 21). Title VI prohibits discrimination on the basis of race, color, national origin, disability, gender, and age in all programs or activities of any recipient of Federal assistance.

OTHER AGREEMENTS

The Municipality is solely responsible for all agreements, contracts, and work orders entered into or issued by the Municipality for this Project. The Department is not responsible for any expenses or obligations incurred for the Project except those specifically eligible for the funds and obligations as approved by the Department under the terms of this Agreement.

AVAILABILITY OF FUNDS

All terms and conditions of this Agreement are dependent upon, and, subject to the allocation of funds for the purpose set forth in the Agreement and the Agreement shall automatically terminate if funds cease to be available.

IMPROPER USE OF FUNDS

Where either the Department or the FHWA determines that the funds paid to the Municipality for this Project are not used in accordance with the terms of this Agreement, the Department will bill the Municipality.

TERMINATION OF PROJECT

If the Municipality decides to terminate the Project without the concurrence of the Department, the Municipality shall reimburse the Department one hundred percent (100%) of all costs expended by the Department and associated with the Project.

AUDITS

In accordance with 2 CFR 200 “Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards,” Subpart F – Audit Requirements, and the Federal Single Audit Act Amendments of 1996, the Municipality shall arrange for an annual independent financial and compliance audit of its fiscal operations. The Municipality shall furnish the Department with a copy of the annual independent audit report within thirty (30) days of completion of the report, but not later than nine (9) months after the Municipality’s fiscal year ends.

REIMBURSEMENT BY MUNICIPALITY

For all monies due the Department as referenced in this Agreement, reimbursement shall be made by the Municipality to the Department within sixty (60) days of receiving an invoice. A late payment penalty and interest shall be charged on any unpaid balance due in accordance with NCGS 147-86.23.

USE OF POWELL BILL FUNDS

If the other party to this agreement is a Municipality and fails for any reason to reimburse the Department in accordance with the provisions for payment hereinabove provided, NCGS 136-41.3 authorizes the Department to withhold so much of the Municipality’s share of funds allocated to Municipality by NCGS 136-41.1, until such time as the Department has received payment in full.

ENTIRE AGREEMENT

This Agreement contains the entire agreement between the parties and there are no understandings or agreements, verbal or otherwise, regarding this Agreement except as expressly set forth herein.

AUTHORIZATION TO EXECUTE

The parties hereby acknowledge that the individual executing the Agreement on their behalf is authorized to execute this Agreement on their behalf and to bind the respective entities to the terms contained herein and that he has read this Agreement, conferred with his attorney, and fully understands its contents.

COUNTERPARTS AND ELECTRONIC SIGNATURES

- This Agreement, and other documents to be delivered pursuant to this Agreement, may be executed in one or more counterparts, each of which will be deemed to be an original copy and all of which, when taken together, will be deemed to constitute one and the same agreement or document and will be effective when counterparts have been signed by each of the Parties. An image of a manual signature on this Agreement, or other documents to be delivered pursuant to this Agreement, will constitute an original signature for all purposes. The delivery of copies of this Agreement or other documents to be delivered pursuant to this Agreement, including executed signature pages where required, by electronic transmission will constitute effective delivery of this Agreement or such other document for all purposes.

- The Parties hereto further acknowledge and agree that this Agreement may be signed and/or transmitted by email or a PDF document or using electronic signature technology (e.g. DocuSign, Adobe Sign, or other electronic signature technology), and that such signed record shall be valid and as effective to bind the Party so signing as a paper copy bearing such Party's handwritten signature. By selecting "I Agree", "I Accept", or other similar item, button, or icon via use of a keypad, mouse, or other device, as part of the electronic signature technology, the Parties consent to be legally bound by the terms and conditions of Agreement and that such act constitutes a signature as if actually signed in writing. The Parties also agree that no certification authority or other third-party verification is necessary to validate its electronic signature and that the lack of such certification or third-party verification will not in any way affect the enforceability of its electronic signature. The Parties acknowledge and agree that delivery of a copy of this Agreement or any other document contemplated hereby through the electronic signature technology, will have the same effect as physical delivery of the paper document bearing an original written signature.

GIFT BAN

By Executive Order 24, issued by Governor Perdue, and NCGS 133-32, it is unlawful for any vendor or contractor (i.e. architect, bidder, contractor, construction manager, design professional, engineer, landlord, offeror, seller, subcontractor, supplier, or vendor), to make gifts or to give favors to any State employee of the Governor's Cabinet Agencies (i.e. Administration, Commerce, Environmental Quality, Health and Human Services, Information Technology, Military and Veterans Affairs, Natural and Cultural Resources, Public Safety, Revenue, Transportation, and the Office of the Governor).

22. SUNSET PROVISION

All terms and conditions of this Agreement are dependent upon, and subject to, the allocation of funds for the purpose set forth in the Agreement and the Agreement shall automatically terminate if funds cease to be available.

IT IS UNDERSTOOD AND AGREED that the approval of the Project by the Department is subject to the conditions of this Agreement, and that no expenditures of funds on the part of the Department will be made until the terms of this Agreement have been complied with on the part of the Municipality.

IN WITNESS WHEREOF, this Agreement has been executed, in duplicate, the day and year heretofore set out, on the part of the Department and the Municipality by authority duly given.

L.S. ATTEST: TOWN OF APEX

BY: _____ BY: _____

TITLE: _____ TITLE: _____

DATE: _____

NCGS 133-32 and Executive Order 24 prohibit the offer to, or acceptance by, any State Employee of any gift from anyone with a contract with the State, or from any person seeking to do business with the State. By execution of any response in this procurement, you attest, for your entire organization and its employees or agents, that you are not aware that any such gift has been offered, accepted, or promised by any employees of your organization.

This Agreement has been pre-audited in the manner required by the Local Government Budget and Fiscal Control Act.

(SEAL)

_____
(FINANCE OFFICER)

Federal Tax Identification Number

_____

Town of Apex

Remittance Address:

_____

_____

DEPARTMENT OF TRANSPORTATION

BY: _____
(CHIEF ENGINEER)

DATE: _____

APPROVED BY BOARD OF TRANSPORTATION ITEM O: _____(Date)

Town of Apex

CAPITAL PROJECT ORDINANCE AMENDMENT 2026-3

210 - Transportation Capital Project Fund

BE IT ORDAINED, by the Council of the Town of Apex that the Capital Project Ordinance previously entitled "Transportation Capital Project Fund" be amended as follows:

SECTION 1: The project authorized by this ordinance consists of transportation capital projects.

SECTION 2: The officers of this unit are hereby directed to proceed with the capital project within the terms of the budget contained herein.

SECTION 3: The following revenues are anticipated to be available to complete these projects:

Type	Increase/(Decrease)	Amended Fund Totals
Grants (State/Federal)	429,200	21,640,989
Interest Earned	-	816,600
Interest Earned - Debt Proceeds	-	335,650
Developer Reimbursement	-	150,250
Payments in Lieu of Streets	-	65,000
Town of Cary Reimbursement	-	750,412
Bond Proceeds/Premium	-	60,706,265
Transfer from General Fund	-	21,342,378
Transfer from Transportation Capital Reserve	-	8,239,373
Total Revenues		**$114,046,917**

SECTION 4: The following amounts are appropriated for the project funds:

Type	Increase/(Decrease)	Amended Fund Totals
Transportation Capital Project Expenditures	429,200	114,046,917
Total Expenditures		**$114,046,917**

SECTION 5: The Finance Officer hereby directed to maintain within the project funds detailed accounting records.

SECTION 6: The Budget Officer is directed to include a detailed analysis of the past and future costs and revenues on this capital project in every budget submission made to the Town Council.

SECTION 7: The Town Manager is authorized to amend expenditures within the fund for expenditures that are authorized per section I of this ordinance that do not change the total appropriation within the fund.

SECTION 8: Copies of this capital project ordinance shall be furnished to the Clerk to the Town Council, and to the Budget Officer and the Finance Officer for direction in carrying out this project within five (5) days after adoption.

SECTION 9: All ordinances in conflict with this ordinance are hereby repealed or amended to reflect the controlling nature of this Ordinance.

SECTION 9: All ordinances in conflict with this ordinance are hereby repealed or amended to reflect the controlling nature of this Ordinance.

Adopted this the 9th day of December 2025. Attest

Jacques K. Gilbert, Mayor

Allen L. Coleman, CMC, Town Clerk

| Agenda Item | **cover sheet**

for consideration by the Apex Town Council

Item Type: CONSENT AGENDA

Meeting Date: December 09, 2025

Item Details

Presenter(s): Russell Dalton, P.E. Traffic Engineering Manager

Department(s): Transportation and Infrastructure Development

Requested Motion

Motion to approve a Review and Oversight Agreement with the North Carolina Department of Transportation (NCDOT) for BL-0173, Tunstall Ave and Center St Sidewalks, and to authorize the Town Manager, or their designee, to execute the agreement on behalf of the Town.

Approval Recommended?

Yes

Item Details

The Town is in the design phase of BL-0173, Tunstall Ave and Center St Sidewalks. This project includes adding sidewalks along Center St from N Mason St to Tunstall Ave, Tunstall Ave from Center St to E Williams St, E Williams St from Tunstall Ave to James St, and James St from E Williams St to Wrenn St, and traffic signal upgrades with crosswalks at the intersections of N Mason St at Center St and E Williams St at James St. A Review and Oversight Agreement is needed for NCDOT to review the design plans and project related documents, provide comments, and issue approvals for the project.

The agreement includes the following language under the Adjustment of Funding section:

> "Upon completion of the project, if actual costs exceed the amount of payment, the **Municipality** shall reimburse the **Department** any under payment within sixty (60) days of invoicing by the **Department**. The **Department** will charge a late payment penalty and interest on any unpaid balance due in accordance with G. S. 147-86.23. If the actual cost of the work is less than $20,000, the **Department** will reimburse the **Municipality** any overpayment."

The Town has previously asked NCDOT to modify the Adjustment of Funding section on prior similar Review & Oversight Agreements to state:

> "If actual costs will exceed the amount of payment, the **Parties** will enter into an amendment to this Agreement prior to any such costs being incurred. If the actual cost of the work is less than $[$amount], the **Department** will reimburse the **Municipality** any overpayment."

NCDOT has previously declined to revise the Adjustment of Funding section in this type of agreement and has maintained the original language. NCDOT staff cannot confirm that expenses will not exceed $20,000. Any expense that exceeds the $20,000 provided will be billed to the Town for payment. The Agreement also requires that the Town indemnify NCDOT and the State of North Carolina.

Due to the indemnification provision and NCDOT's rejection of the Town's recommended language in prior Review and Oversight Agreements, the unrevised Agreement is being presented to Town Council.

Attachments

- CN3-A1: Agreement - North Carolina Department of Transportation (NCDOT) - Review and Oversight Agreement Project No. BL-0173

ACCOUNTS RECEIVABLE
REVIEW AND OVERSIGHT
1000027275

AGREEMENT OVERVIEW

NORTH CAROLINA
WAKE COUNTY

DATE: 10/31/2025

PARTIES TO THE AGREEMENT:

NORTH CAROLINA DEPARTMENT OF TRANSPORTATION

AND

TOWN OF APEX

PROJECT NUMBERS:

WBS ELEMENTS: 36249.5114

The purpose of this Agreement is to identify the participation in project costs, project delivery and/or maintenance, by the other party to this Agreement, as further defined in this Agreement.

SCOPE OF PROJECT ("Project"): Review of project plans and documents for TIP BL-0173: Install sidewalk along Center St from N Mason St to Tunstall Ave, Tunstall Ave from Center St to E Williams St, E Williams St from Tunstall Ave to James St, and James St from E Williams St to Wrenn St; and traffic signal upgrades with crosswalks at the intersections of N Mason St at Center St and E Williams St at James St.

ESTIMATED COST TO OTHER PARTY: $20,000

PAYMENT TERMS: The Town of Apex will submit payment upon execution of this Agreement.

MAINTENANCE: Not Applicable

EFFECTIVE DATES OF AGREEMENT:
START: Upon Full Execution of this Agreement
END: When work is complete and all terms are met.

This Agreement is made and entered into on the last date executed below, by and between the North Carolina Department of Transportation, an agency of the State of North Carolina, hereinafter referred to as the **Department** and the Town of Apex, hereinafter referred to as the **Municipality**; and collectively referred to as the **Parties**.

The **Parties** to this Agreement, listed above, intend that this Agreement, together with all attachments, schedules, exhibits, and other documents that both are referenced in this Agreement and refer to this Agreement, represents the entire understanding between the **Parties** with respect to its subject matter and supersedes any previous communication or agreements that may exist.

I. WHEREAS STATEMENTS

WHEREAS, this Agreement is made under the authority granted to the **Department** by the North Carolina General Assembly under General Statutes of North Carolina (NCGS), particularly Chapter 136-18;and,

WHEREAS, the **Municipality** has requested that the **Department** provide review of certain items related to transportation improvements that will either affect the State Highway System or will be funded in the future with Federal or State funding administered by the **Department**; and,

WHEREAS, the **Parties** hereto wish to enter into an agreement for scoped work to be performed or provided by the **Department** with reimbursement for the costs thereof by the **Municipality** as hereinafter set out.

NOW, THEREFORE, this Agreement states the promises and undertakings of each party as herein provided, and the **Parties** do hereby covenant and agree, each with the other, as follows:

II. RESPONSIBILITIES

i. The **Municipality** will prepare plans or documents related to TIP BL-0173 and shall submit to the Department for review and approval.

ii. The **Department** will review said plans and documents and provide comments and/or approval back to the **Municipality**, as applicable.

iii. The **Municipality** shall be responsible for payment as shown in the **COSTS AND FUNDING** Provision.

III. COSTS AND FUNDING

A. PROJECT COSTS

The **Municipality** shall reimburse the **Department** 100% of the actual cost of all work performed by the **Department**, including administrative costs. Based on the estimated cost of $20,000, the **Municipality** shall submit payment for $20,000 to the **Department's** Fiscal Section upon execution of this Agreement, per the attached “Remittance Guidance.” Both **Parties** understand that this is an estimated cost and is subject to change.

B. ADJUSTMENT OF FUNDING

Upon completion of the project, if actual costs exceed the amount of payment, the **Municipality** shall reimburse the **Department** any under payment within sixty (60) days of invoicing by the **Department**. The **Department** will charge a late payment penalty and interest on any unpaid balance due in accordance with G. S. 147-86.23. If the actual cost of

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the work is less than $20,000, the **Department** will reimburse the **Municipality** any overpayment.

IV. STANDARD PROVISIONS

A. AGREEMENT MODIFICATIONS

Any modification to scope, funding, responsibilities, or time frame will be agreed upon by all **Parties** by means of a written Supplemental Agreement.

B. ASSIGNMENT OF RESPONSIBILITIES

The **Department** must approve any assignment or transfer of the responsibilities of the **Municipality** set forth in this Agreement to other parties or entities.

C. AGREEMENT FOR IDENTIFIED PARTIES ONLY

This Agreement is solely for the benefit of the identified **Parties** to the Agreement and is not intended to give any rights, claims, or benefits to third parties or to the public at large.

D. OTHER AGREEMENTS

The **Municipality** is solely responsible for all agreements, contracts, and work orders entered into or issued by the **Municipality** to meet the terms of this Agreement. The **Department** is not responsible for any expenses or obligations incurred for the terms of this Agreement except those specifically eligible for the funds and obligations as approved by the **Department** under the terms of this Agreement.

E. TITLE VI

The other party to this Agreement shall comply with Title VI of the Civil Rights Act of 1964 (Title 49 CFR, Subtitle A, Part 21) and related nondiscrimination authorities. Title VI and related authorities prohibit discrimination on the basis of race, color, national origin, disability, gender, and age in all programs or activities of any recipient of Federal assistance.

F. AUTHORIZATION TO EXECUTE

The **Parties** hereby acknowledge that the individual executing this Agreement has read this Agreement, conferred with legal counsel, fully understands its contents, and is authorized to execute this Agreement and to bind the respective **Parties** to the terms contained herein.

G. DEBARMENT POLICY

It is the policy of the **Department** not to enter into any agreement with parties that have been debarred by any government agency (Federal or State). By execution of this agreement, the **Municipality** certifies that neither it nor its agents or contractors are presently debarred,

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suspended, proposed for debarment, declared ineligible or voluntarily excluded from participation in this transaction by any Federal or State Agency or Department and that it will not enter into agreements with any entity that is debarred, suspended, proposed for debarment, declared ineligible or voluntarily excluded from participation in this transaction.

H. INDEMNIFICATION

The **Municipality** will indemnify and hold harmless the FHWA (if applicable), the **Department** and the State of North Carolina, their respective officers, directors, principals, employees, agents, successors, and assigns from and against any and all claims for damage and/or liability, including those that may be initiated by third parties, in connection with the Project activities performed pursuant to this Agreement including construction of the Project, except for those claims arising out of the errors, omissions, or negligence of the **Department**, its respective officers, directors, principals, employees, agents, successors, and assigns.

I. AVAILABILITY OF FUNDS

All terms and conditions of this Agreement are dependent upon, and, subject to the allocation of funds for the purpose set forth in the Agreement and the Agreement shall automatically terminate if funds cease to be available.

J. COUNTERPARTS AND ELECTRONIC SIGNATURES

i. This Agreement, and other documents to be delivered pursuant to this Agreement, may be executed in one or more counterparts, each of which will be deemed to be an original copy and all of which, when taken together, will be deemed to constitute one and the same agreement or document and will be effective when counterparts have been signed by each of the **Parties**. An image of a manual signature on this Agreement, or other documents to be delivered pursuant to this Agreement, will constitute an original signature for all purposes. The delivery of copies of this Agreement or other documents to be delivered pursuant to this Agreement, including executed signature pages where required, by electronic transmission will constitute effective delivery of this Agreement or such other document for all purposes.

ii. The **Parties** hereto further acknowledge and agree that this Agreement may be signed and/or transmitted by email or a PDF document or using electronic signature technology (e.g. DocuSign, Adobe Sign, or other electronic signature technology), and that such signed record shall be valid and as effective to bind the **Party(ies)** so signing as a paper copy bearing a handwritten signature. By selecting "I Agree", "I Accept", or other similar item, button, or icon via use of a keypad, mouse, or other device, as part of the electronic signature technology, the **Parties** consent to be legally bound by the terms and conditions of Agreement and that such act constitutes a signature as if actually signed in writing. The **Parties** also agree that no certification authority or other third-party verification is necessary to validate its electronic signature and that the lack of such certification or third-party verification will not in any way affect the enforceability of its electronic signature. The

Parties acknowledge and agree that delivery of a copy of this Agreement or any other document contemplated hereby through the electronic signature technology, will have the same effect as physical delivery of the paper document bearing an original written signature.

K. GIFT BAN

By Executive Order 24, issued by Governor Perdue, and NCGS 133-32, it is unlawful for any vendor or contractor (i.e. architect, bidder, contractor, construction manager, design professional, engineer, landlord, offeror, seller, subcontractor, supplier, or vendor), to make gifts or to give favors to any State employee of the Governor's Cabinet Agencies (i.e. Administration, Adult Corrections, Commerce, Environmental Quality, Health and Human Services, Information Technology, Military and Veterans Affairs, Natural and Cultural Resources, Public Safety, Revenue, Transportation, and the Office of the Governor).

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SIGNATURE PAGE

IN WITNESS WHEREOF, this Agreement has been executed the day and year heretofore set out, on the part of the **Department** and the **Municipality** by authority duly given.

(DOCUSIGN ONLY)

TOWN OF APEX

Authorized Signer: _____

Print Name: _____

Title: _____

Date Signed: _____

If applicable, this Agreement has been pre-audited in the manner required by the Local Government Budget and Fiscal Control Act:

Fed Tax ID No: _____

Remittance Address:

_____

_____

Finance Signer: _____

Print Name: _____

Title: _____

Date Signed: _____

DEPARTMENT OF TRANSPORTATION

By: _____

Print Name: _____

Title: _____

Date: _____

APPROVED BY BOARD OF TRANSPORTATION ITEM O: _____ (DATE)

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SIGNATURE PAGE

IN WITNESS WHEREOF, this Agreement has been executed the day and year heretofore set out, on the part of the **Department** and the **Municipality** by authority duly given.

(INK SIGNATURES)

TOWN OF APEX

Attest:

By: _____

Title: _____

Authorized Signer: _____

Print Name: _____

Title: _____

Date Signed: _____

If applicable, this Agreement has been pre-audited in the manner required by the Local Government Budget and Fiscal Control Act:

Fed Tax ID No: _____

Remittance Address:

_____

_____

Finance Signer: _____

Print Name: _____

Title: _____

Date Signed: _____

(DOCUSIGN)

DEPARTMENT OF TRANSPORTATION

By: _____

Print Name: _____

Title: _____

Date: _____

APPROVED BY BOARD OF TRANSPORTATION ITEM O: _____ (DATE)

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| Agenda Item | cover sheet

for consideration by the Apex Town Council

Item Type: CONSENT AGENDA

Meeting Date: December 09, 2025

Item Details

Presenter(s): Russell Dalton, P.E., Traffic Engineering Manager

Department(s): Transportation and Infrastructure Development

Requested Motion

Motion to approve a Transportation Infrastructure Reimbursement Agreement between the Town of Holly Springs and the Town of Apex, for reimbursement of a portion of the Old US 1 and Friendship Road Traffic Signal Project, and to authorize the Town Manager, or their designee, to execute the agreement on behalf of the Town.

Approval Recommended?

Yes

Item Details

Town of Apex is in acquisition phase for right of way required to install a traffic signal, for which NCDOT has approved the design, at the intersection of Old US 1 and Friendship Rd/Holland Rd. Apex has already entered into a separate agreement with Beazer Homes to reimburse a portion of the road widening for turn lanes being constructed by the developer at this location. This reimbursement agreement provides for Holly Springs to reimburse Apex the total sum of $150,253.00 upon completion of the roadway and traffic signal projects.

On Tuesday, December 2, 2025, the Holly Springs Town Council unanimously approved this agreement.

Attachments

- CN4-A1: Reimbursement Agreement - Agreement - Town of Holly Springs - Reimbursement for Old US 1 Highway at Holland & Friendship Road Intersection Improvements
- CN4-A2: Cost Share Table - Agreement - Town of Holly Springs - Reimbursement for Old US 1 Highway at Holland & Friendship Road Intersection Improvements

STATE OF NORTH CAROLINA	)	TRANSPORTATION INFRASTRUCTURE
	)	REIMBURSEMENT AGREEMENT
WAKE COUNTY	)	

This TRANSPORTATION INFRASTRUCTURE REIMBURSEMENT AGREEMENT (this "**Agreement**") is entered into this the _____ day of _____, 2025, by and between the TOWN OF HOLLY SPRINGS, NORTH CAROLINA, a municipal corporation organized and existing under the laws of the State of North Carolina ("**Holly Springs**"), and the TOWN OF APEX, NORTH CAROLINA, a municipal corporation organized and existing under the laws of the State of North Carolina ("**Apex**") (collectively, the "**Parties**").

RECITALS

WHEREAS, Apex and Holly Springs desire to provide safe and efficient transportation infrastructure in the areas within and proximate to their corporate boundaries;

WHEREAS, Apex is willing and able to improve the intersection at Old US Highway 1 and Friendship Road (the "**Intersection**"), located within the corporate boundaries of Apex and proximate to the corporate boundaries of Holly Springs, for the purpose of enhancing the safety and capacity of the intersection;

WHEREAS, the project known as Old US 1 and Friendship Road Turn Lanes (the "**Developer Project**" as further described in pages 9 and 10 of **Exhibit A**) to complete the following improvements to the Intersection is in the design phase: (1) a westbound left turn lane on Old US Highway 1 at Friendship Road, and (2) a northbound left turn lane on Friendship Road at Old US Highway 1;

WHEREAS, the project known as Old US 1 and Friendship Road Traffic Signal (the "**Town Project**" as further described in **Exhibit B**) to complete the following improvements to the Intersection is in the design phase: a traffic signal at the Intersection;

WHEREAS, Apex entered into the Development Agreement with Beazer Homes, LLC on November 4, 2024 attached hereto as **Exhibit A**, wherein Apex agreed to reimburse Beazer Homes, LLC up to $189,000.00 for completing the Developer Project;

WHEREAS, Apex will complete the Town Project at an estimated cost of $300,000.00;

WHEREAS, the total sum of expected cost to Apex to complete the Developer Project and the Town Project (collectively, the "**Projects**") is approximately $489,000.00;

WHEREAS, Apex and Holly Springs as neighbors in the region collaborate on providing safe and efficient transportation infrastructure to their residents and visitors;

WHEREAS, Holly Springs is agreeable to reimburse Apex for a portion of the Projects; and

WHEREAS, this Agreement is authorized by N.C.G.S § 160A-20.1, § 160A-296, and § 160A-461.

NOW THEREFORE, in consideration of the premises and for other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, the Parties agree as follows:

1. RECITALS; PURPOSE. The recitals are incorporated into this Agreement. This Agreement shall be effective upon execution by both parties ("**Effective Date**"). This Purpose of this Agreement is for Holly Springs to reimburse Apex for a portion of the Projects' expenses.

2. COMPENSATION: Holly Springs shall pay to Apex the total sum of one hundred fifty thousand two hundred and fifty-three dollars ($150,253.00) upon completion of the Projects. Payment shall be made within thirty (30) days of receipt of an invoice from Apex.

3. DELAY BEYOND THE CONTROL OF THE PARTIES. Neither Holly Springs nor Apex, having taken commercially reasonable precautions, shall be in default of the provisions of this Agreement for delays in performance due to forces beyond the control of the Parties. "Forces beyond the control of the parties" shall mean, but is not limited to, delay caused by natural disaster, fire, flood, earthquakes, storms, lightning, epidemic, pandemic, war, riot, civil disobedience, or other event reasonably outside of the parties' control.

4. NO JOINT AGENCY AND NO PERSONNEL. No joint agency is established by this Agreement, and this Agreement does not create a partnership, joint venture, other joint endeavor, joint ownership, joint operations, or personnel sharing of any kind. No joint personnel are needed by the Parties to carry out this Agreement; this Agreement does not provide for the appointment of any personnel joint or otherwise. Nothing herein shall serve to waive governmental or qualified immunity of either of the Parties.

5. AMENDMENT. This Agreement may be amended at any time by the mutual written consent of both Parties.

6. NOTICE. All notices and other communications required or permitted by this Agreement shall be in writing and shall be given either by personal delivery, or deposited in the United States mail, postage prepaid, addressed as follows:

   The notice address for Holly Springs shall be:

   Attn: Randy Harrington, Town Manager
   Town of Holly Springs
   PO Box 8
   Holly Springs, NC 27540

   The notice address for Apex shall be:

   Attn: Randal E. Vosburg, Town Manager
   Town of Apex
   PO Box 250
   Apex, NC 27502

7. DISPUTE RESOLUTION; GOVERNING LAW; VENUE. In the event a dispute arises between the Parties or involving a third-party lawsuit regarding performance under this Agreement, the Parties agree to bargain in good faith towards a mutual resolution. If the Parties, after honest good faith negotiations, cannot reach a mutually agreeable resolution of the dispute, then a Party may adjudicate its dispute as allowed by North Carolina State Laws. This Agreement shall be governed by the laws of the State of North Carolina. Any and all suits or actions related to this Agreement shall be brought in Wake County, North Carolina. In the event of third-party litigation challenging this contract as ultra vires, the Parties agree to defend this action and indemnify each other as if the Parties engaged in a joint venture, irrespective of the covenants in paragraph 4. This indemnity provision is not insurance purchased and shall not waive governmental or qualified immunity of the Parties.

8. NON-EXCLUSIVE REMEDIES/NO WAIVER. The selection of one or more remedies for breach shall not limit a Party' s right to invoke any other remedy available under Agreement or by law. No delay, omission or forbearance to exercise any right, power or remedy accruing to a Party shall impair any such right, power or remedy or shall be construed to be a waiver of any breach hereof or default. Every right, power or remedy may be exercised from time to time and as often as deemed expedient.

9. NO THIRD-PARTY BENEFICIARIES. There are no third-party beneficiaries to Agreement.

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

Remainder of page left blank intentionally.

IN WITNESS WHEREOF, the Parties hereto have caused this Agreement to be executed by their duly authorized officials.

APEX, Town of Apex

_____ _____

Randal E. Vosburg, Town Manager Date

Attest:

_____ _____

Allen Coleman, Town Clerk Date

HOLLY SPRINGS, Town of Holly Springs

_____ _____

Randy Harrington, Town Manager Date

This instrument has been preaudited in the manner required by Local Government Budget and Fiscal Control Act.

_____ _____

Date

Exhibit A - 17 pages

CONT-2024-288

NORTH CAROLINA

DEVELOPMENT AGREEMENT

WAKE COUNTY

This Development Agreement (the "**Agreement**"), made this the 4th day of November, 2024, by and between the Town of Apex, a municipal corporation under the laws of North Carolina (the "**Town**") and Beazer Homes, LLC a North Carolina limited liability company (the "**Developer**").

W I T N E S S E T H:

WHEREAS, Developer is the owner of that certain tract of real property totaling approximately 16.8 acres and located at 3104 Holland Road Apex, NC 27502 as depicted on the map entitled The Summit MSP Recombination Plat (the "**Developer Map**"), recorded in Book of Maps 2024, Page 1254 at the Wake County Register of Deeds (the "**Developer Property**") and plans to develop a residential subdivision commonly known as "The Summit" on the Developer Property; and

WHEREAS, the Town is the owner of that certain tract of real property totaling approximately 92.19 acres and located between Pleasant Plains Road to the west, Kings View Trail to the north, and NC 540 Highway to the east as depicted on the map entitled Survey for Progressive Farms, LLC & Hazel J. Pleasant (the "**Town Map**"), recorded in Book of Maps 2014, Page 1539 at the Wake County Register of Deeds (the "**Town Property**") and plans to develop a public park known as "Pleasant Park" on the Town Property; and

WHEREAS, Town has committed, as part of the Pleasant Park Phase 3A Site Plan, to provide (1) 150 feet of storage length for the westbound left turn lane on Old US Highway 1 at Friendship Road, and (2) 100 feet of storage length for the northbound left turn lane on Friendship Road at Old US Highway 1 ("**Town Improvements**"); and

WHEREAS, Developer has committed, as part of rezoning # 21CZ14 and its associated traffic impact analysis, to provide (1) an eastbound left turn lane on Old US Highway 1 at Holland Road, (2) an additional 50 feet of storage length for the northbound turn lane on Friendship Road at Old US Highway 1, ("**Developer Improvements**"); and

WHEREAS, as a condition of rezoning #21CZ14, developer is required to install a traffic signal at the intersection of Old US Highway 1 at Holland Road or pay fee in lieu for the anticipated signal design and construction costs based upon an engineer's estimate for the same ("**Traffic Signal A**"); and

WHEREAS, as a condition of installation of Traffic Signal A, NCDOT requires a traffic signal be installed contemporaneously at the intersection of Old US Hwy 1 and Friendship Road ("**Traffic Signal B**"); and

WHEREAS, Old US Highway 1, Holland Road, and Friendship Road are busy thoroughfares within the corporate limits and extra-territorial jurisdiction of the Town and the Town and Developer desire to coordinate construction of the Town Improvements and Developer Improvements (collectively, the "**Improvements**") with Developer acting as the contracting and managing party with third parties hired to construct the Improvements; and

WHEREAS, pursuant to North Carolina General Statute § 160A-309, the Town is authorized to contract with a developer for public intersection and roadway improvements that are adjacent of ancillary to a private land development project; and

WHEREAS, the Town finds that the expenditure of public funds will not exceed $250,000 and the coordination of separately constructed public intersection or roadway improvements would be impracticable.

NOW, THEREFORE, IT IS HEREBY AGREED between the Town and the Developer:

1. Recitals. The foregoing recitals shall constitute an integral part of this Agreement, and this Agreement shall be construed in light thereof.

2. Construction of Improvements. The Developer shall, at its own expense, construct the Improvements, which are more particularly describing in **Exhibit A** attached hereto and incorporated herein by reference ("**Plans**"). The Developer shall design, construct and install the Improvements (i) in a good and workmanlike manner, (ii) in compliance with this Agreement, Town Specifications, and all applicable Federal, State, and local laws, statutes, ordinances, rules, regulations, policies, and specifications, and (iii) in accordance with the Plans.

The Developer shall administer the construction contract without cost or expense to the Town except as provided for in this Agreement, and the Town may require the Developer to file reports of its administration with the Town's Engineer.

3. Certification, Inspection, and Acceptance of Facilities. Upon completion of construction of the Improvements, Developer shall provide the Town with written certification and as-built drawings from Developer's designated consulting engineering firm that the Improvements are complete and have been constructed and installed in compliance with this Agreement and within appropriate easements or fee simple parcels. Fee simple interest is required for street rights-of-way. The Improvements shall be offered for public dedication to the North Carolina Department of Transportation ("**NCDOT**") upon completion of construction and shall be subject to inspection and

acceptance by the NCDOT. Upon the inspection and acceptance of the Improvements, Developer shall take any steps necessary to transfer title to and possession of the Improvements, and all related easements and fee simple parcels to the NCDOT. Thereafter, the NCDOT shall own the Improvements and have exclusive possession and control of the Improvements. In the event that any defect or breach of warranty claim becomes known after acceptance and dedication of the Improvements, Developer agrees either to pursue its rights and claims against the contractor or other party responsible for the defect or breach of warranty and pay over any recoveries to NCDOT or to assign such rights and claims to NCDOT as directed by NCDOT.

4. Approved Project Costs. The "**Approved Project Costs**" are those costs attributed to Town Improvements, as shown in the estimate provided by the Developer's Engineer and attached hereto as **Exhibit B.** The Town agrees that within thirty (30) days after inspection and acceptance of the Improvements by NCDOT, the Town shall pay to Developer an amount equal to forty percent (40%) of the costs attributed to the construction of the westbound left turn lane, not to exceed $111,000.00, and thirty-four percent (34%) of the costs attributed to the construction of the northbound left turn lane, not to exceed $78,000.00, within the scope of the Improvements as shown in Exhibit B as may be modified as provided herein.

Costs that are not certified by the Developer's Engineer and approved by the Town's Engineer shall not be included in the Approved Project Costs. Approved Project Costs shall not include any costs for designing, bidding, and managing services.

The Town shall not participate in or be responsible to pay or reimburse any change order increasing the costs of the Improvements unless agreed to by the Town and approved by the Town's Engineer in writing prior to execution of the change order. In other words, the costs associated with a change order shall be excluded from the Approved Project Costs unless the change order is pre-approved by the Town's Engineer, which approval will not be unreasonably withheld, conditioned or delayed. Developer shall immediately upon learning of a proposed change order provide the Town with all the documentation and information needed for the Town to evaluate the proposed change order. In addition, the Approved Project Costs incurred by Developer in constructing the Improvements shall reflect any cost savings that reduce the amount that the Developer actually pays to construct the Improvements.

Developer agrees to provide the Town with any additional information reasonably requested by the Town in connection with the Approved Project Costs, provided that the Town requests such additional information within ten (10) business days of receipt of the detailed invoices from Developer.

5. Satisfaction of Traffic Signal Condition. The completion of the Improvements and payment of Approved Project Costs shall satisfy Condition E of the Holland Road Assembly Planned Unit Development zoning conditions which is associated with the approved rezoning # 21CZ14. Developer shall have no further responsibility for signal warrant analysis, installation of traffic signal,

or payment of fee-in-lieu for a traffic signal at the intersection of Holland Road and Old US Highway 1.

6. Notices. Any notice given pursuant to this Agreement shall be deemed given if (a) delivered by hand, or (b) faxed to the addressee and then deposited in the United States Mail to the addressee, postage paid certified mail, return receipt requested and addressed as follows:

If to the Town:
Town of Apex
Post Office Box 250
Apex, NC 27502-0250
Attention: Russell Dalton, Traffic Engineering Manager
Email: russell.dalton@apexnc.org

If to Developer:
Beazer Homes LLC
801 Corporate Center Dr
Raleigh, NC 27607
Attn: Daniel Zinner
Email: daniel.zinner@beazer.com

7. Termination for Failure to Complete. If Developer does not complete construction of the Improvements on or before the fifth anniversary of the full execution of this Agreement absent force majeure delays (as defined below), the Town may terminate this Agreement and have no further obligations to Developer.

8. Delay Beyond the Control of the Parties. Neither Developer nor Town, having taken commercially reasonable precautions, shall be in default of the provisions of this Agreement for delays in performance due to forces beyond the control of the parties. "Forces beyond the control of the parties" shall mean, but is not limited to, delay caused by natural disaster, fire, flood, earthquakes, storms, lightning, epidemic, pandemic, war, riot, civil disobedience, or other event reasonably outside of the parties' control. Due to the ever-changing circumstances surrounding the COVID-19 pandemic, situations may arise during the performance of this Agreement that affect availability of resources and staff of Developer or Developer's contractors or the Town. There could be changes in anticipated performance times and service costs. Developer will exercise reasonable efforts to overcome the challenges presented by current circumstances. In the event of changes in performance times or service costs caused by the COVID-19 pandemic the Town reserves the right to terminate this Agreement in accordance with its terms. The Parties agree that they shall not be liable to each other for any delays, expenses, losses, or damages of any kind arising out of the impact of the COVID-19 pandemic.

9. Indemnification. To the extent permitted by law, the Developer agrees to defend, pay on behalf of, indemnify, and hold-harmless the Town of Apex, its elected and appointed officials, employees, agents, and volunteers against any and all claims, demands, suits or losses, including all costs connected therewith, for any damages which may be asserted, claimed or recovered against or from the Town of Apex, its elected or appointed officials, employees, agents, and volunteers by reason of personal injury, including bodily injury or death and/or property damage, including loss of use thereof resulting from the negligence of the Developer or Developer's contractors.

10. Anti-Human Trafficking. The Developer warrants and agrees that no labor supplied by the Developer or the Developer's subcontractors in the performance of this Agreement shall be obtained by means of deception, coercion, intimidation or force, or otherwise in violation of North Carolina law, specifically Article 10A, Subchapter 3 of Chapter 14 of the North Carolina General Statutes, Human Trafficking.

11. Insurance. The Developer shall maintain valid general liability insurance in the minimum amount of $1,000,000, commercial automobile liability insurance in the minimum amount of $2,000,000, and provide certificates of such insurance naming the Town of Apex as an additional insured by endorsement to the policies. If the policy has a blanket additional insured provision, the contractor's insurance shall be primary and non-contributory to other insurance. Additionally, the Developer shall require all of the Developer's subcontractors to maintain and show proof of workers' compensation and employer's liability insurance in the minimum amount of $1,000,000. The Developer shall provide notice of cancellation, non-renewal or material change in coverage to the Town of Apex within 10 days of their receipt of notice from the insurance company. All required certificates of insurance, endorsements, and blanket additional insured policy provisions are attached and considered part of this document. Notwithstanding the foregoing, neither the requirement of Developer to have sufficient insurance nor the requirement that Town is named as an additional insured, shall constitute waiver of the Town's governmental immunity in any respect, under North Carolina law.

12. Nondiscrimination. Pursuant to Section 3-2 of the Town of Apex Code of Ordinances, Developer hereby warrants and agrees that Developer will not discriminate against a protected class in employment, subcontracting practices, or the solicitation or hiring of vendors, suppliers, or commercial customers in connection with this Agreement. For the purposes of this Agreement "protected class" includes age, race, religious belief or non-belief, ethnicity, color, national origin, creed, sex, sexual orientation, gender identity, marital status, natural hair style, genetic information, pregnancy, familial status, disability, veteran or military status, or disabled veteran status.

13. E-Verify Compliance. The Developer shall comply with the requirements of Article 2 of Chapter 64 of the North Carolina General Statutes (E-Verify). Developer shall require all of the Developer's subcontractors to comply with the requirements of Article 2 of Chapter 64 of the North

Carolina General Statutes (E-Verify). Town shall comply with North Carolina General Statute § 160A-169.1 (E-Verify).

14. Complete Agreement, Modifications, Waiver and Assignment. This Agreement constitutes the entire agreement between the parties hereto and it is understood and agreed that all undertakings, negotiations, representations, promises, inducements and agreements heretofore had between these parties are merged herein. This Agreement may not be changed, modified, or amended orally, but only by an agreement in writing signed by both the Town and the Developer. No waiver of any of the provisions to this Agreement shall be valid unless in writing and signed by the party against whom it is sought to be enforced. This Agreement is not assignable without the written consent of all parties to this Agreement. There are no third-party beneficiaries of this Agreement.

15. No Agency, Joint Venturer Relationship. The Town and the Developer agree to exercise good faith in dealing with each other. The Town and the Developer are not agents, partners, or joint venturers of any kind, and the Town shall have no relationship via this Agreement with any third party with whom the Developer contracts in furtherance of this Agreement.

16. Choice of Law, Jurisdiction, and Venue. This Agreement shall be governed, interpreted and construed under the laws of the State of North Carolina without regard to principals of conflicts of laws. The parties agree that any dispute or other matter concerning this Agreement shall be decided by state or federal courts sitting in Wake County, North Carolina. The parties irrevocably submit to the sole and exclusive jurisdiction of such courts and waive all objections and defenses based on jurisdiction and/or improper or inconvenient venue. The parties agree that this Agreement may be enforced by specific performance.

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

[REMAINDER OF PAGE INTENTIONALLY BLANK – SIGNATURES FOLLOW]

IN WITNESS WHEREOF, the Town and the Developer have duly executed this Agreement under seal as of the day and year first above written.

TOWN OF APEX

BY: Randal E. Vosburg (SEAL)
Randal E. Vosburg, Town Manager

ATTEST:

Allen Coleman, Town Clerk

STATE OF NORTH CAROLINA)
WAKE COUNTY)

I, a Notary Public of the County and State aforesaid, certify that Allen Coleman, personally came before me this day and acknowledged that he is Town Clerk of the Town of Apex, a North Carolina Municipal Corporation, and that by authority duly given and as the act of the corporation, the foregoing instrument was signed in its name by its Town Manager, sealed with its corporate seal and attested by her as its Town Clerk.

Witness my hand and official stamp or seal, this the 4th day of November, 2024.

[Signature of Notary Public] John P. Parris

[AFFIX NOTARIAL STAMP SEAL]

My Commission Expires: 03/29/28

This instrument has been pre-audited in the manner required by the Local Government Budget and Fiscal Control Act

By:
Antwan Morrison, Finance Director
Town of Apex

BEAZER HOMES, LLC

BY: _____
Print Name: Matt Christensen
Title: President Divisional - Raleigh

STATE OF North Carolina
COUNTY OF Wake

I, a Notary Public of the County and State aforesaid, do hereby certify that Matt Christensen, President Divisional - Raleigh of Beazer Homes, LLC a North Carolina limited liability company, personally appeared before me this day and acknowledged due execution of the foregoing instrument on behalf of Beazer Homes, limited liability company.

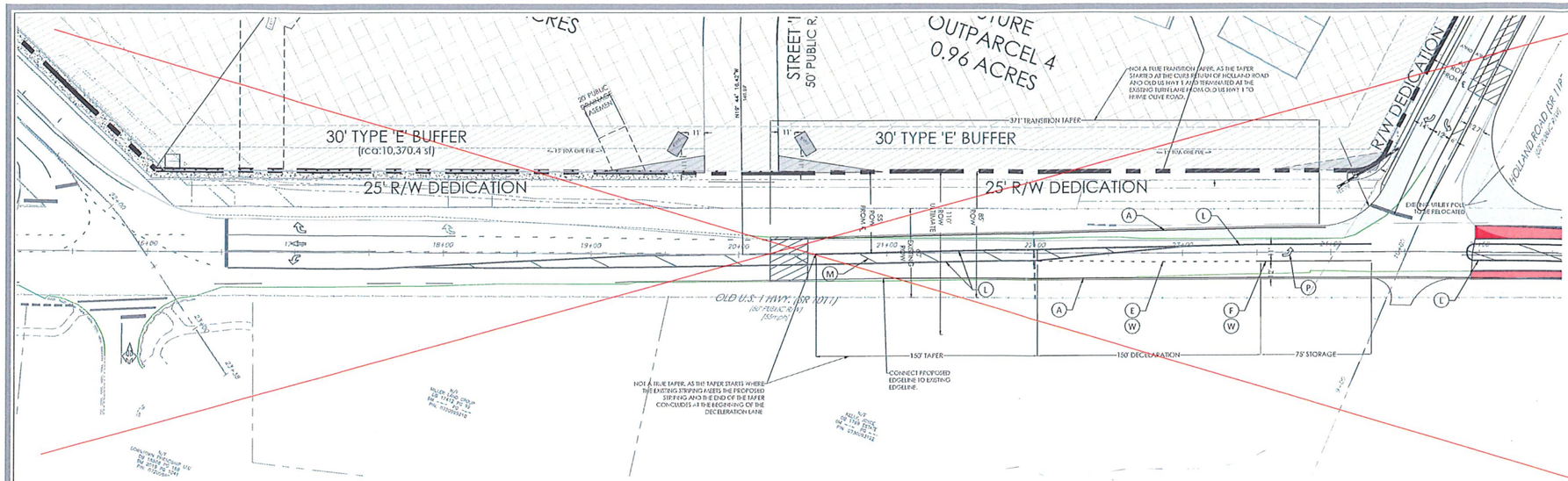
Witness my hand and official stamp or seal, this the 21 day of October, 2024

_____ [AFFIX NOTARIAL STAMP SEAL]
[Signature of Notary Public]

My Commission Expires: 2.8.2029

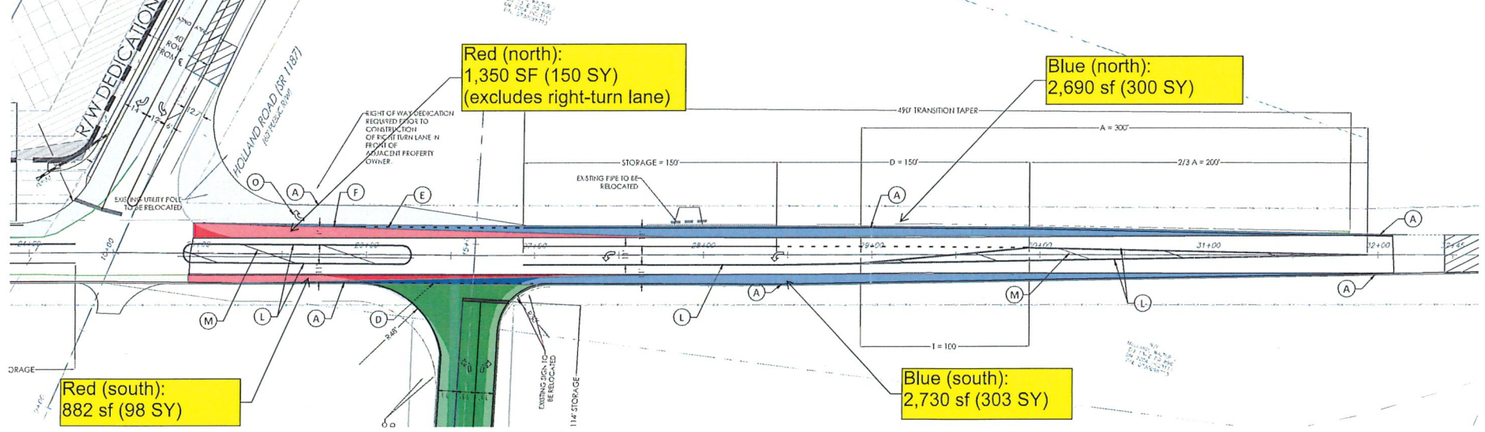
ANN KATHRYN HICKS DANIELS NOTARY PUBLIC WAKE COUNTY, NC

Exhibit A
1 of 2



1 C540 **OLD US1 HWY SIGNAGE & STRIPING PLAN**
SCALE: 1"=40'

0 20 40 80
SCALE: 1" = 40'



2 C540 **OLD US1 HWY SIGNAGE & STRIPING PLAN**
SCALE: 1"=40'

0 20 40 80
SCALE: 1" = 40'

RED Hatch: roadway improvements required per approved Summit TIA, including taper widening for 360 LF east of Holland Road to Holland Road (widening required to off-set the eastbound left turn lane from Old US 1 to Holland Road).

BLUE Hatch: roadway improvements above and beyond the Summit required improvements (as shown in red) for a Town sponsored westbound left turn lane from Old US 1 to Friendship Road. The turn lane adds ~240' of full lane widening to support the 150' full storage, 150' decel, and 200' approach/departure tapers (6' offset x 50 mph design speed).

GREEN Hatch: Friendship Road widening improvements. Cost sharing agreement for Friendship Road is 67% (Town of Apex) and 33% (The Su[illegible]r). See following sheets for total improvements.

- Page 80 -

- (A) THERMOPLASTIC (4" WHITE, 90 MILS) EDGELINE
- (B) THERMOPLASTIC (4" WHITE, 120 MILS) 4"X10' SKIP
- (C) THERMOPLASTIC (12" WHITE, 120 MILS) 12"X3' WITH 3' MINI-SKIP
- (D) THERMOPLASTIC (4" WHITE, 120 MILS) 4"X2' WITH 6' MINI-SKIP
- (E) THERMOPLASTIC (4" WHITE, 120 MILS) 4"X3' WITH 9' MINI-SKIP
- (F) THERMOPLASTIC (4" WHITE, 120 MILS) SOLID LANE LINE
- (G) THERMOPLASTIC (12" WHITE, 90 MILS) DIAGONAL LINE
- (H) THERMOPLASTIC (24" WHITE, 120 MILS) STOP BAR
- (I) THERMOPLASTIC (4" YELLOW, 120 MILS) EDGELINE
- (J) THERMOPLASTIC (4" YELLOW, 120 MILS) 4"X10' SKIP LINE
- (K) THERMOPLASTIC (4" YELLOW, 120 MILS) SINGLE CENTER LINE
- (L) THERMOPLASTIC (4" YELLOW, 120 MILS) DOUBLE CENTER LINE
- (M) THERMOPLASTIC (12" YELLOW, 90 MILS) DIAGONAL LINE 2H:1V SLOPE (REFER TO NCDOT STANDARD DRAWING 1205.09)
- (N) THERMOPLASTIC (WHITE, 120 MILS) DIRECTIONAL ARROW-STRAIGHT
- (N1) THERMOPLASTIC (WHITE, 120 MILS) DIRECTIONAL ARROW-STRAIGHT AND RIGHT
- (O) THERMOPLASTIC (WHITE, 120 MILS) DIRECTIONAL ARROW-RIGHT
- (P) THERMOPLASTIC (WHITE, 120 MILS) DIRECTIONAL ARROW-LEFT
- (Q) 4:1 TAPER
- (R) THERMOPLASTIC (8" WHITE, 120 MILS) PEDESTRIAN CROSSWALK LINE
- (S7) MUTCD R4-7 (KEEP RIGHT)
- (S8) MUTCD OM1-3 (TYPE 1 OBJECT MARKER)
- (S9) MUTCD R3-4 (NO U-TURN)
- (S10) MUTCD R6-1R (ONE WAY ONLY)
- (S11) MUTCD R3-7R (RIGHT TURN ONLY)
- (S12) MUTCD R1-1 (STOP SIGN)
- (S13) MUTCD R3-5R (RIGHT TURN ONLY)
- (T) THERMOPLASTIC (4" WHITE, 120 MILS) SOLID "ONLY" TEXT LINE
- (W) REFER TO DETAIL 1205.01 SHEET C707 FOR WIDE STRIP REFERENCES

The signatures affixed below certify that this sheet has been reviewed and approved solely per the certifications signed on the cover sheet of these construction plans.

Transportation Engineering	Planning
Building Inspections	Planning - Transportation
Water Resources - Utility Engineering	Fire
Water Resources - Stormwater & SBEC	Parks, Recreation & Cultural Resources
Electric	

PEAK Engineering & Design
1125 Apex Parkway | Apex, NC 27502
(919) 249-2000
www.PeakEngineering.com
NC License #P-0673

project: (FKA: HOLLAND ROAD MIXED USE)
THE SUMMIT
2236 OLD US 1 HIGHWAY
BUCKHORN TOWNSHIP
APEX, NORTH CAROLINA 27502

seal:
NORTH CAROLINA PROFESSIONAL ENGINEER SEAL 24427 JEFFREY A. ROACH

no.	date	description	by
1	July 7, 2023	TOWN OF APEX - CD Review No. 1	JR
2	September 15, 2023	TOWN OF APEX - CD Review No. 2	JR
3	November 2, 2023	TOWN OF APEX - CD Review No. 3	JR
4	February 2, 2024	TOWN OF APEX - CD Review No. 4	JR
5	DATE	REVISION	BY

title:
OLD US1 HWY SIGNAGE & STRIPING PLAN

proj #: 200304
date: APRIL 3, 2023
dwg by: FS chkd by: JR
scale: As Noted
sheet: C540
(CONSTRUCTION DRAWINGS)

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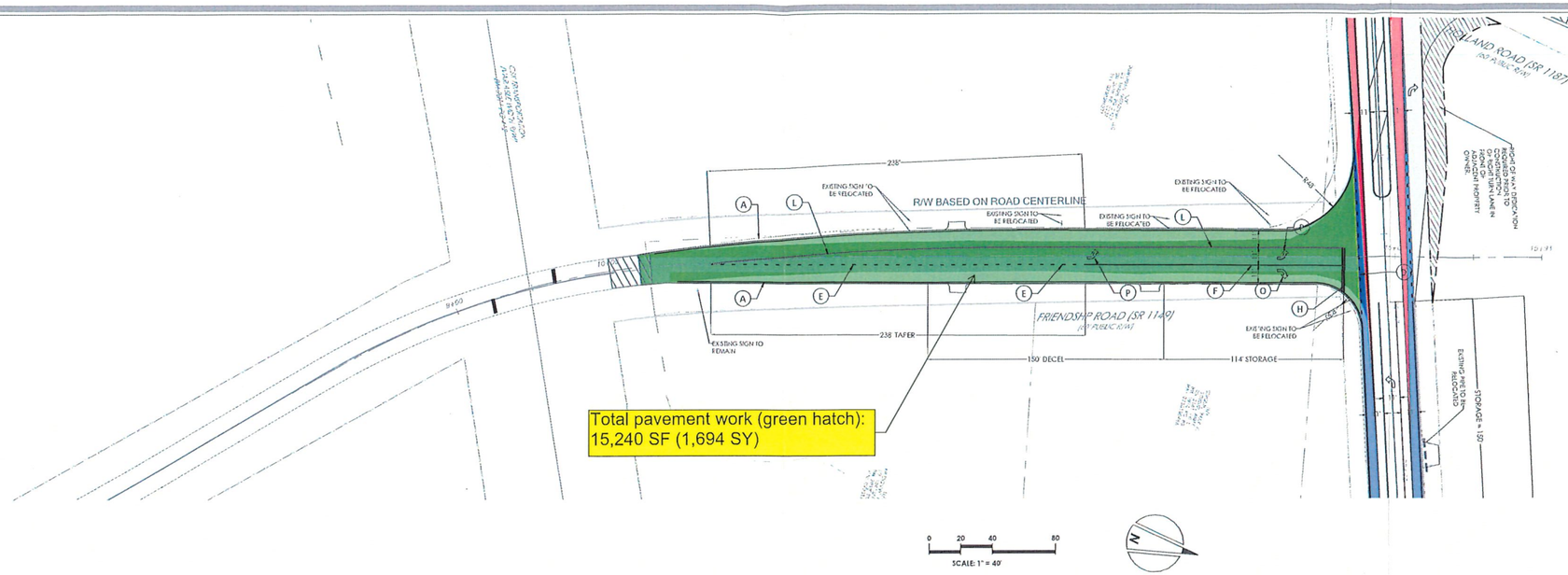

Exhibit A
2 of 2

Total pavement work (green hatch):
15,240 SF (1,694 SY)

1 C510 **FRIENDSHIP ROAD SIGNAGE & STRIPING PLAN**
SCALE: 1"=40'

GREEN Hatch: Friendship Road improvements required per discussions with Town of Apex. Summit zoning required 50' full storage left turn lane while Town of Apex Pleasant Park Phase 2 required 150' full storage.
Overall Friendship Road cost would be split commensurate with required improvements for each project:
- 66.67% (2/3) to Town of Apex
- 33.33% (1/3) to The Summit

Improvement summary provided within the Construction Estimate provided to the Town of Apex for reimbursement agreement.

- (A) THERMOPLASTIC (4" WHITE, 90 MILS) EDGELINE
- (B) THERMOPLASTIC (4" WHITE, 120 MILS) 4"X10' SKIP
- (C) THERMOPLASTIC (12" WHITE, 120 MILS) 12"X3' WITH 3' MINI-SKIP
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- (Q) 4:1 TAPER
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Water Resources - Stormwater & S&EC	Parks, Recreation & Cultural Resources
Electric	

PEAK Engineering & Design
1125 Apex Peakway | Apex, NC 27502
ph: 919.439.0100
www.PeakEngineering.com

NC License #P-0673

project: (FKA: HOLLAND ROAD MIXED USE)
THE SUMMIT
2236 OLD US 1 HIGHWAY
BUCKHORN TOWNSHIP
APEX, NORTH CAROLINA 27502

seal: NORTH CAROLINA PROFESSIONAL SEAL 24427 ENGINEER JEFFREY A. ROACH

No.	DATE	REVISION	BY
1	July 7, 2023	TOWN OF APEX – CD Review No. 1	JC
2	September 15, 2023	TOWN OF APEX – CD Review No. 2	JC
3	November 3, 2023	TOWN OF APEX – CD Review No. 3	JC
4	February 2, 2024	TOWN OF APEX – CD Review No. 4	JC

title:
FRIENDSHIP ROAD SIGNAGE & STRIPING PLAN

proj #: 200304
date: APRIL 3, 2023
dwg by: FS chkd by: JR
scale: As Noted
sheet: C510
(CONSTRUCTION DRAWINGS)

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The Summit - Old US 1 Highway (south-west bound) Left Turn Lane Construction Estimate

June 1, 2024 Revision

			Peak Engineering									
			Overall Project Cost			Town of Apex Reimbursement						
Item	Quantity	Unit	Unit Price		Total	Quantity	%	Reimbursement Quantity		Unit Price		Total
Paving Mobilization	1.00	LS	$5,000.00	LS	$5,000.00	1.00	0.71	0.71		$5,000.00	LS	$3,550.00
Clear, Grub & Haul Off	1.00	LS	$12,000.00	LS	$12,000.00	1.00	0.71	0.71		$12,000.00	LS	$8,520.00
Utility Location	1.00		$3,900.00	LF	$3,900.00	1.00	0.71	0.71		$3,900.00	LF	$2,769.00
Traffic Control	1.00	LS	$40,000.00	LS	$40,000.00	1.00	0.71	0.71		$40,000.00	LS	$28,400.00
Silt Fence/Tree Fence/Limits Dist.	1100.00	LF	$3.50	LF	$3,850.00	1100.00	0.71	781.00		$3.50	LF	$2,733.50
Seeding - Permanent	0.75	ACRE	$2,450.00		$1,837.50	0.75	0.71	0.53		$2,450.00		$1,304.63
Milling (ex. Pvmt section only)	1728.00	SY	$3.25	SY	$5,616.00	1728.00	0.71	1226.88		$3.25	SY	$3,987.36
1.5" Mill & Butt Joints (tie ins) (Cardinal)	200.00	SY			$0.00	200.00	0.50	100.00				$0.00
Butt Joint Milling (Southern Cross)	1.00	LS	$6,000.00		$6,000.00	1.00	0.50	0.50		$6,000.00		$3,000.00
Pavement 1.5" Overlay (entire road overlay)	2641.00	SY	$15.00	SY	$39,615.00	2641.00	0.71	1875.11		$15.00	SY	$28,126.65
Pavement 1.5" (1st Lift)	851.00		$15.00	SY	$12,765.00	851.00	0.71	603.00		$15.00	SY	$9,045.00
Pavement 3" S9.5C	0.00	SY	$0.00	SY	$0.00	0.00	0.71	0.00		$0.00	SY	$0.00
Pavement 4" I19.0	851.00	SY	$35.00	SY	$29,785.00	851.00	0.71	603.00		$35.00	SY	$21,105.00
Pavement 10" ABC	240.00	TON	$48.00	TON	$11,520.00	240.00	0.71	170.40		$48.00	TON	$8,179.20
Pavement 5" B25.0	425.00	SY	$60.00	SY	$25,500.00	425.00	0.71	301.75		$60.00	SY	$18,105.00
ment - Wedge (ALLOWANCE)	30.00	TON	$250.00	TON	$7,500.00	30.00	0.71	21.30		$250.00	TON	$5,325.00
oncrete Driveway (1 driveways)	30.00	SY	$100.00	SY	$3,000.00	30.00	0.67	20.10		$100.00	SY	$2,010.00
ement Markings - Thermo	1.00	LS	$30,000.00	LS	$30,000.00	1.00	0.71	0.71		$24,000.00	LS	$17,040.00
ement Markings - 12"-24" Thermo	0.00	LF	$14.35	LF	$0.00	0.00	0.71	0.00		$14.35	LF	$0.00
ement Markings - 4" Thermo	0.00	LF	$3.50	LF	$0.00	0.00	0.71	0.00		$3.50	LF	$0.00
ement Markings - Symbols	0.00	EA	$215.00	EA	$0.00	0.00	0.71	0.00		$215.00	EA	$0.00
Road Signs	6.00	EA	$500.00	EA	$3,000.00	6.00	0.71	4.26		$500.00	EA	$2,130.00
Earthwork & grading	1.00	LS	$18,500.00	LS	$18,500.00	1.00	0.50	0.50		$18,500.00	LS	$9,250.00
30" Curb and Gutter	0.00	LF	$18.70	LF	$0.00	0.00	0.00	0.00		$18.70	LF	$0.00
Curb Ramps	0.00	EA	$2,000.00	EA	$0.00	0.00	0.00	0.00		$2,000.00	EA	$0.00
Drainage Structures	0.00	EA	$2,500.00	EA	$0.00	0.00	0.00	0.00		$2,500.00	EA	$0.00
18" Storm Pipe	0.00	LF	$81.00	LF	$0.00	0.00	0.00	0.00		$81.00	LF	$0.00
15" RCP Class IV Storm Pipe	40.00	LF	$70.00	LF	$2,800.00	58.00	0.67	38.86		$70.00	LF	$2,720.20
Storm Pipe Bedding	40.00	LF	$20.00	LF	$800.00	58.00	0.67	38.86		$20.00	LF	$777.20
15" FES	0.00	EA	$950.00	EA	$0.00	0.00	0.00	0.00		$950.00	EA	$0.00
Rip-Rap	10.00	TN	$72.00	TN	$720.00	10.00	0.67	6.70		$72.00	TN	$482.40
Dry Utility Relocation ALLOWANCE	1.00	LS	$14,000.00	LS	$14,000.00	1.00	0.50	0.50		$14,000.00	LS	$7,000.00
Total					$277,708.50							$185,560.14
Overhead and Profit					$0.00							$0.00
Final Construction Cost Estimate					**$277,708.50**							**$185,560.14**

Jeffrey A. Roach SEAL 31427 2024.09.19 18:14:19 -04'00'

NORTH CAROLINA PROFESSIONAL ENGINEER SEAL 31427 JEFFREY A. ROACH

The Summit - Friendship Road (northbound) Turn Lane Construction Estimate

June 1, 2024 Revision

			Peak Engineering									
			Overall Project Cost			Town of Apex Reimbursement						
Item	Quantity	Unit	Unit Price		Total	Quantity	%	Reimbursement Quantity	Unit Price		Total
Paving Mobilization	1.00	LS	$5,000.00	LS	$5,000.00	1.00	0.67	0.67	$5,000.00	LS	$3,350.00
Clear, Grub & Haul Off	1.00	LS	$12,000.00	LS	$12,000.00	1.00	0.67	0.67	$12,000.00	LS	$8,040.00
Utility Location	1.00	LS	$3,500.00	LF	$3,500.00	1.00	0.67	0.67	$3,500.00	LF	$2,345.00
Traffic Control	1.00	LS	$28,450.00	LS	$28,450.00	1.00	0.67	0.67	$28,450.00	LS	$19,061.50
Silt Fence/Tree Fence/Limits Dist.	600.00	LF	$3.50	LF	$2,100.00	600.00	0.67	402.00	$3.50	LF	$1,407.00
Seeding - Permanent	0.20	ACRE	$2,450.00		$490.00	0.20	0.67	0.13	$2,450.00		$328.30
Milling (ex. Pvmt section only)	959.00	SY	$3.25	SY	$3,116.75	959.00	0.67	642.53	$3.25	SY	$2,088.22
1.5" Mill & Butt Joints (tie ins) (Cardinal)	150.00	SY			$0.00	150.00	0.67	100.50	$0.00		$0.00
Butt Joint Milling (Southern Cross)	1.00	LS	$6,000.00	LS	$6,000.00	1.00	0.67	0.67	$6,000.00		$4,020.00
Pavement 1.5" Overlay (entire road overlay)	1694.00	SY	$15.00	SY	$25,410.00	1694.00	0.67	1134.98	$15.00	SY	$17,024.70
Pavement 1.5" (1st Lift)	735.00	SY	$15.00	SY	$11,025.00	735.00	0.67	603.00	$15.00	SY	$9,045.00
Pavement 3" S9.5C	0.00	SY	$0.00	SY	$0.00	0.00	0.67	0.00	$0.00	SY	$0.00
Pavement 4" I19.0	765.00	SY	$35.00	SY	$26,775.00	765.00	0.67	603.00	$35.00	SY	$21,105.00
Pavement 10" ABC	382.00	TON	$48.00	TON	$18,336.00	382.00	0.67	255.94	$48.00	TON	$12,285.12
Pavement 5" B25.0	355.00	SY	$60.00	SY	$21,300.00	355.00	0.67	237.85	$60.00	SY	$14,271.00
ment - Wedge (ALLOWANCE)	0.00	TON	$250.00	TON	$0.00	0.00	0.67	0.00	$250.00	TON	$0.00
oncrete Driveway (1 driveways)	0.00	SY	$100.00	SY	$0.00	0.00	0.67	0.00	$100.00	SY	$0.00
ment Markings - Thermo	1.00	LS	$30,000.00	LS	$30,000.00	1.00	0.67	0.67	$30,000.00	LS	$20,100.00
ment Markings - 12"-24" Thermo	0.00	LF	$14.35	LF	$0.00	0.00	0.67	0.00	$14.35	LF	$0.00
ment Markings - 4" Thermo	0.00	LF	$3.50	LF	$0.00	0.00	0.67	0.00	$3.50	LF	$0.00
ment Markings - Symbols	0.00	EA	$215.00	EA	$0.00	0.00	0.67	0.00	$215.00	EA	$0.00
Signs	5.00	EA	$500.00	EA	$2,500.00	5.00	0.67	3.35	$500.00	EA	$1,675.00
Earthwork & grading	1.00	LS	$18,500.00	LS	$18,500.00	1.00	0.67	0.67	$18,500.00	LS	$12,395.00
30" Curb and Gutter	0.00	LF	$18.70	LF	$0.00	0.00	0.67	0.00	$18.70	LF	$0.00
Curb Ramps	0.00	EA	$2,000.00	EA	$0.00	0.00	0.67	0.00	$2,000.00	EA	$0.00
Drainage Structures	0.00	EA	$2,500.00	EA	$0.00	0.00	0.67	0.00	$2,500.00	EA	$0.00
18" Storm Pipe	0.00	LF	$81.00	LF	$0.00	0.00	0.67	0.00	$81.00	LF	$0.00
15" RCP Class IV Storm Pipe	55.00	LF	$70.00	LF	$3,850.00	55.00	0.67	36.85	$70.00	LF	$2,579.50
Storm Pipe Bedding	55.00	LF	$20.00	LF	$1,100.00	55.00	0.67	36.85	$20.00	LF	$737.00
15" FES	0.00	EA	$950.00	EA	$0.00	0.00	0.67	0.00	$950.00	EA	$0.00
Rip-Rap	0.00	TN	$72.00	TN	$0.00	0.00	0.67	0.00	$72.00	TN	$0.00
Dry Utility Relocation ALLOWANCE	1.00	LS	$10,000.00	LS	$10,000.00	1.00	0.67	0.67	$10,000.00	LS	$6,700.00
Total					$229,452.75						$158,557.34
Overhead and Profit					$0.00						$0.00
Final Construction Cost Estimate					**$229,452.75**						**$158,557.34**

Total Town of Apex Reimbursement for Friendship Road Widening (67.7% of total cost) $153,044.98

NORTH CAROLINA PROFESSIONAL SEAL 24421 ENGINEER JEFFREY A. ROACH

Jeffrey A. Roach 2024.09.19 18:13:59 -04'00'

CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY): 10/30/2024

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must have ADDITIONAL INSURED provisions or be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

PRODUCER
Burnham Risk & Insurance Solutions
15901 Red Hill Ave, Ste 100
Tustin CA 92780

License#: 0F69771

CONTACT NAME:
PHONE (A/C, No, Ext): 714-505-7000 **FAX (A/C, No):** 714-573-1770
E-MAIL ADDRESS: info@wgbib.com

INSURER(S) AFFORDING COVERAGE	NAIC #
INSURER A : National Fire & Marine Insuran	20079
INSURER B : Starr Indemnity and Liability	38318
INSURER C : Starr Specialty Insurance Comp	16109
INSURER D : Landmark American Insurance Co	33138
INSURER E :	
INSURER F :	

INSURED
BEAZHOM-03
Beazer Homes USA, Inc.
2002 Summit Blvd NE, 15th Floor
Atlanta, GA 30319

COVERAGES **CERTIFICATE NUMBER:** 1450521565 **REVISION NUMBER:**

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	TYPE OF INSURANCE	ADDL INSD	SUBR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS	
A	X COMMERCIAL GENERAL LIABILITY ☐ CLAIMS-MADE ☒ OCCUR GEN'L AGGREGATE LIMIT APPLIES PER: ☒ POLICY ☐ PRO-JECT ☐ LOC ☐ OTHER:	Y	N	42-HBL-150430-02	6/1/2023	6/1/2025	EACH OCCURRENCE DAMAGE TO RENTED PREMISES (Ea occurrence) MED EXP (Any one person) PERSONAL & ADV INJURY GENERAL AGGREGATE PRODUCTS - COMP/OP AGG $	$ 20,000,000 $ 100,000 $ Included $ 20,000,000 $ 30,000,000 $ 30,000,000 $
B	AUTOMOBILE LIABILITY X ANY AUTO ☐ OWNED AUTOS ONLY ☐ SCHEDULED AUTOS X HIRED AUTOS ONLY X NON-OWNED AUTOS ONLY	Y	N	1000672953241	4/1/2024	4/1/2025	COMBINED SINGLE LIMIT (Ea accident) BODILY INJURY (Per person) BODILY INJURY (Per accident) PROPERTY DAMAGE (Per accident) $	$ 1,000,000 $ $ $ $
D	☐ UMBRELLA LIAB X OCCUR X EXCESS LIAB ☐ CLAIMS-MADE ☐ DED ☐ RETENTION $	N	N	LHA107268	4/1/2024	4/1/2025	EACH OCCURRENCE AGGREGATE $	$ 5,000,000 $ 5,000,000 $
C	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY Y/N ANYPROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? N (Mandatory In NH) N/A If yes, describe under DESCRIPTION OF OPERATIONS below		N	100 0004944	4/1/2024	4/1/2025	X PER STATUTE ☐ OTH-ER E.L. EACH ACCIDENT E.L. DISEASE - EA EMPLOYEE E.L. DISEASE - POLICY LIMIT	 $ 1,000,000 $ 1,000,000 $ 1,000,000

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required)
Excess Liability Policy #LHA101583 is Excess of the underlying Auto and Employer's Liability policies evidenced above.
RE: The Summit
Town of Apex is included as Additional Insured with respect to General Liability and Auto Liability if required by written contract and subject to terms, conditions and exclusions of the policy.
Coverage is provided on a Primary & Non-Contributory basis on the General Liability and Auto Liability if required by written contract and subject to terms, conditions and exclusions of the policy.

CERTIFICATE HOLDER
Town of Apex
PO Box 250
Apex NC 27502

CANCELLATION
SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.

AUTHORIZED REPRESENTATIVE
Raymond Lyon

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However:

1. The insurance afforded to such additional insured only applies to the extent permitted by law; and
2. If coverage provided to the additional insured is required by a contract or agreement, the insurance afforded to such additional insured will not be broader than that which you are required by the contract or agreement to provide for such additional insured.

B. With respect to the insurance afforded to these additional insureds, the following additional exclusions apply:

This insurance does not apply to "bodily injury" or "property damage" occurring after:

1. All work, including materials, parts or equipment furnished in connection with such work, on the project (other than service, maintenance or repairs) to be performed by or on behalf of the additional insured(s) at the location of the covered operations has been completed; or
2. That portion of "your work" out of which the injury or damage arises has been put to its intended use by any person or organization other than another contractor or subcontractor engaged in performing operations for a principal as a part of the same project.

C. With respect to the insurance afforded to these additional insureds, the following is added to **Section III – Limits Of Insurance:**

If coverage provided to the additional insured is required by a contract or agreement, the most we will pay on behalf of the additional insured is the amount of insurance:

1. Required by the contract or agreement; or
2. Available under the applicable Limits of Insurance shown in the Declarations;

whichever is less.

This endorsement shall not increase the applicable Limits of Insurance shown in the Declarations.

All other terms and conditions of this policy remain unchanged.

© Insurance Services Office, Inc., 2012

B. With respect to the insurance afforded to these additional insureds, the following is added to **Section III – Limits Of Insurance:**

If coverage provided to the additional insured is required by a contract or agreement, the most we will pay on behalf of the additional insured is the amount of insurance:

1. Required by the contract or agreement; or

2. Available under the applicable Limits of Insurance shown in the Declarations;

whichever is less.

This endorsement shall not increase the applicable Limits of Insurance shown in the Declarations.

All other terms and conditions of this policy remain unchanged.

© Insurance Services Office, Inc., 2012

THIS ENDORSEMENT CHANGES THE POLICY. PLEASE READ IT CAREFULLY.

ADDITIONAL INSURED – AUTOMATIC STATUS AMENDATORY ENDORSEMENT

Policy Number: 1000672953241 **Effective Date:** 04/01/2024

Named Insured: Beazer Homes USA, Inc.

This endorsement modifies the insurance coverage form(s) listed below that have been purchased by you and evidenced as such on the Declarations page. Please read the endorsement and respective policy(ies) carefully.

AUTO DEALERS COVERAGE FORM
BUSINESS AUTO COVERAGE FORM
MOTOR CARRIER COVERAGE FORM

It is hereby agreed that **SECTION II – COVERED AUTOS LIABILITY COVERAGE, A. COVERAGE, 1. Who Is An Insured** of the Business Auto Coverage Form and Motor Carrier Coverage Form, and **SECTION I – COVERED AUTOS COVERAGES, D. Covered Autos Liability Coverage, 2. Who Is An Insured** of the Auto Dealers Coverage Form are amended to include the following:

Any person or organization whom you become obligated to include as an additional insured under this policy, as a result of any written contract or written agreement you enter into which requires you to furnish insurance to that person or organization of the type provided by this policy, but only with respect to liability for "bodily injury" or "property damage" caused, in whole or in part, by your use of a covered "auto". However, the insurance afforded only applies to the extent permitted by law, and will not exceed the lesser of:

(1) The coverage and/or limits of this policy, or

(2) The coverage and/or limits required by such written contract or written agreement.

All other terms and conditions of this Policy remain unchanged.

Copyright © Starr Indemnity & Liability Company. All rights reserved.
Includes copyrighted material of Insurance Services Office, Inc., with its permission.

Ship To
TOWN OF APEX
PUBLIC WORKS ADMINISTRATION
105-B UPCHURCH ST.
Apex, NC 27502

Bill To
TOWN OF APEX
ACCOUNTS PAYABLE
PO BOX 250
APEX, NC 27502

Purchase Order
No. 2025-00000553

DATE 10/30/2024

VENDOR NO. 6433

PURCHASE ORDER NUMBER MUST APPEAR ON ALL INVOICES, SHIPPERS, BILL OF LADING AND CORRESPONDENCE

Vendor
BEAZER HOMES LLC
801 CORPORATE CENTER DR
RALEIGH, NC 27607

DELIVER BY
FREIGHT TERMS FOB APEX
PAGE **1 of 1**
ORIGINATOR: Steve Maynard

REFERENCE #

QTY	UNIT	DESCRIPTION	VENDOR PART #	UNIT COST	TOTAL COST
189,000.00	Each	Capital Project - Reimburse of construction cost at Old US 1/Friendship Rd 63-9250-1126-47300 - Capital Outlay - Improvements 189,000.00		1.0000	$189,000.00

Purchase Order terms and conditions: http://www.apexnc.org/terms.

SUBTOTAL	$189,000.00
SALES TAX	$0.00
TOTAL DUE	$189,000.00

Finance Director

Purchasing Manager

Special Instructions

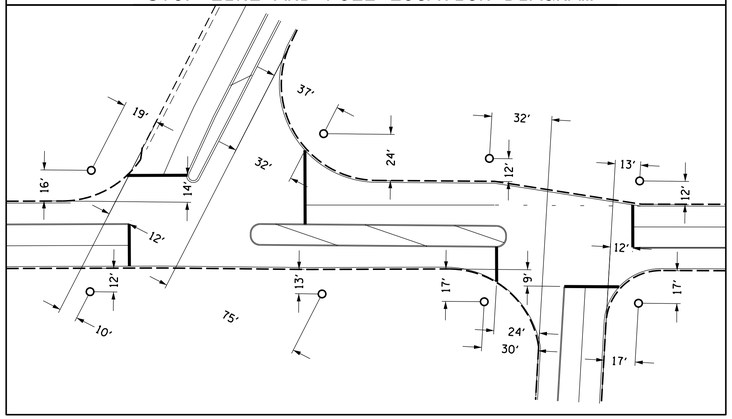
THIS INSTRUMENT HAS BEEN PREAUDITED IN THE MANNER REQUIRED BY THE LOCAL GOVERNMENT BUDGET AND FISCAL CONTROL ACT.

Docusign Envelope ID: 799AE0E9-469E-47FA-86E1-49B1A7FF7420

PROJECT REFERENCE NO.	SHEET NO.
36249.4987	Sig-1.0

Exhibit B - 6 pages

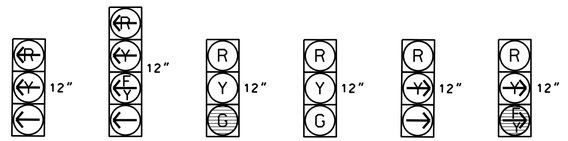
STOP LINE AND POLE LOCATION DIAGRAM



SIGNAL FACE I.D.

All Heads L.E.D.

Denotes Louvered Section



31,33 41,43	11 51	23,24 63,64	21,22 61,62	32 42	65

MAXTIME DETECTOR INSTALLATION CHART

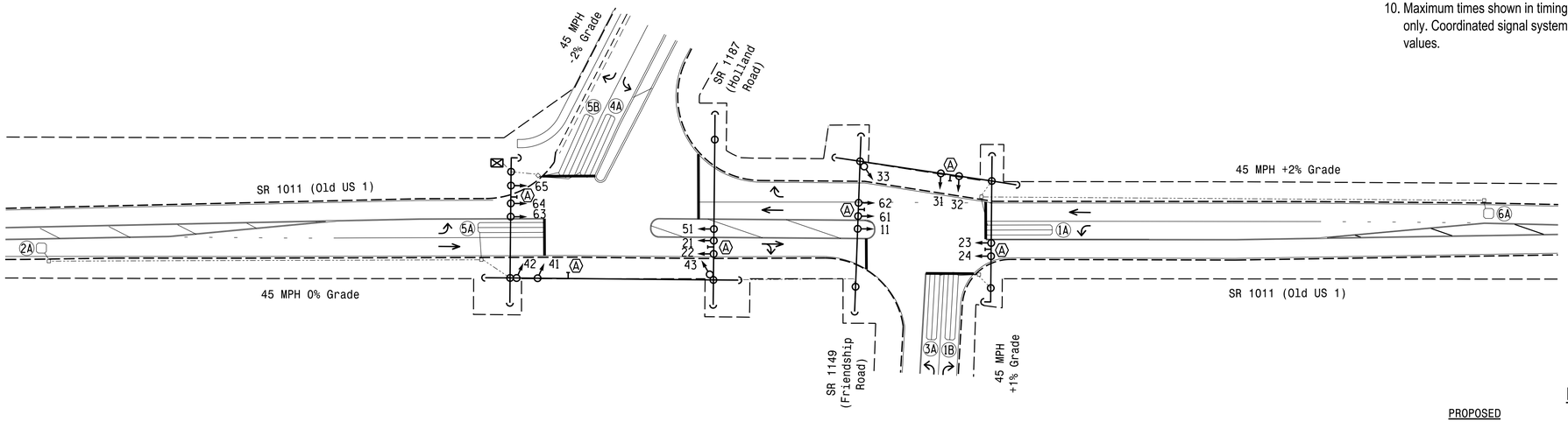
DETECTOR					PROGRAMMING						
LOOP	SIZE (FT)	DISTANCE FROM STOPBAR (FT)	TURNS	NEW LOOP	CALL PHASE	DELAY TIME	EXTEND TIME	EXTEND	ADDED INITIAL	CALL	DELAY DURING GREEN	NEW CARD
1A	6X40	0	2-4-2	X	1	15.0*	-	X	-	X	-	X
					6 #	3.0	-	X	-	X	X	X
1B	6X40	0	2-4-2	X	1	15.0	-	X	-	X	-	X
2A	6X6	300	5	X	2	-	-	X	X	X	-	X
3A	6X40	0	2-4-2	X	3	3.0	-	X	-	X	-	X
4A	6X40	0	2-4-2	X	4	3.0	-	X	-	X	-	X
5A	6X40	0	2-4-2	X	5	15.0*	-	X	-	X	-	X
					2 #	3.0	-	X	-	X	X	X
5B	6X40	0	2-4-2	X	5	15.0	-	X	-	X	-	X
6A	6X6	300	5	X	6	-	-	X	X	X	-	X

* Disable Delay during Alternate Phasing operation.
\# Disable Phase Call during Alternate Phasing operation.

6 Phase
Fully Actuated
W/ EV Preemption
SR 1011 (Old US 1) CLS
Signal System #: D05-47_Apex

NOTES

1. Refer to "Roadway Standard Drawings NCDOT" dated January 2024, "Standard Specifications for Roads and Structures" dated January 2024, and all applicable sections of the latest version of the generic Project Special Provisions. The PSP can be accessed at the following website: https://connect.ncdot.gov/resources/safety/Pages/ITS-DesignResources.aspx
2. Do not program signal for late night flashing operation unless otherwise directed by the Engineer.
3. Phase 1 and/or phase 5 may be lagged.
4. The order of phase 3 and phase 4 may be reversed.
5. Tether signal heads numbered 23, 24, 63, 64, and 65.
6. Set all detector units to presence mode.
7. Locate new cabinet so as not to obstruct sight distance of vehicles turning right on red.
8. This intersection features a GPS preemption system.
9. The Division Traffic Engineer will determine the hours of use for each phasing plan.
10. Maximum times shown in timing chart are for free-run operation only. Coordinated signal system timing values supersede these values.



LEGEND

PROPOSED		EXISTING
	Traffic Signal Head	
	Modified Signal Head	N/A
	Sign	
	Pedestrian Signal Head With Push Button & Sign	
	Signal Pole with Guy	
	Signal Pole with Sidewalk Guy	
	Inductive Loop Detector	
	Controller & Cabinet	
	Junction Box	
	2-in Underground Conduit	
N/A	Right of Way	
	Directional Arrow	
PUE	Permanent Utility Easement	N/A
A	Street Name Sign (D3-1)	A

MAXTIME TIMING CHART

FEATURE	PHASE										
	1	2	3	4	5	6	TOL 1	TOL 2	TOL 3	TOL 4	TOL 7
Walk *	–	–	–	–	–	–					
Ped Clear *	–	–	–	–	–	–					
Min Green *	7	12	7	7	7	12	5	5	5	5	5
Passage *	2.0	6.0	2.0	2.0	2.0	6.0					
Max 1 *	25	90	30	30	25	90					
Yellow Change	3.0	4.5	3.0	3.0	3.0	4.5	3.0	4.3	3.0	4.5	4.3
Red Clear	1.6	1.0	1.4	2.1	1.6	1.0	1.6	1.6	1.6	1.0	1.6
Added Initial *	–	2.5	–	–	–	2.5					
Maximum Initial *	–	34	–	–	–	34					
Time Before Reduction *	–	15	–	–	–	15					
Time To Reduce *	–	45	–	–	–	45					
Minimum Gap	–	3.0	–	–	–	3.0					
Advance Walk	–	–	–	–	–	–					
Non Lock Detector	X	–	X	X	X	–					
Vehicle Recall	–	MIN RECALL	–	–	–	MIN RECALL					
Dual Entry	–	–	–	–	–	–					

* These values may be field adjusted. Do not adjust Min Green and Passage times for phases 2 and 6 lower than what is shown. Min Green for all other phases should not be lower than 4 seconds.

MAXTIME PREEMPTION CHART

FUNCTION	PRE 3	PRE 5
Type	EMERG VEH	EMERG VEH
Exit Phases	2, 6	2, 6
Delay	0	0
Call Extend Time	2.0	2.0
Max Presence	120	120
Enter Min Green	1	1
Enter Walk	0	0
Enter Ped Clear	255 *	255 *
Enter Yellow Change	25.5 *	25.5 *
Enter Red Clear	25.5 *	25.5 *
Dwell Green	7	7
Exit Min Green	255 *	255 *
Exit Yellow Change	25.5 *	25.5 *
Exit Red Clear	25.5 *	25.5 *
Exit Type	EXIT PHASES	EXIT PHASES
Ped Clear Through Yellow	–	–
Require All Red Entry	–	–

* Directs controller to use default phase timing.

NC Dept of Transportation
Division of Highways
Final Drawing Date: 09/03/2025
Signed by: Robert J. Siemba
NCDOT Approval 0E9B4B6B274A494...

EXULT ENGINEERING
NC License #C-4445
203 W. Millbrook Rd., Ste 200
Raleigh, NC 27609
984.500.5426
www.exultengineering.com

New Installation - Sheet 1 of 2

Prepared for: NCDOT Transportation Mobility and Safety Division, Traffic Engineering Branch, Signal Design Section
750 N.Greenfield Pkwy.Garner,NC 27529

SR 1011 (Old US 1)
at
SR 1187 (Holland Road) /
SR 1149 (Friendship Road)
Division 5 Wake County Apex

PLAN DATE:	August 2025	REVIEWED BY:	WJ Hamilton
PREPARED BY:	JA Wendt	REVIEWED BY:	

REVISIONS	INIT.	DATE

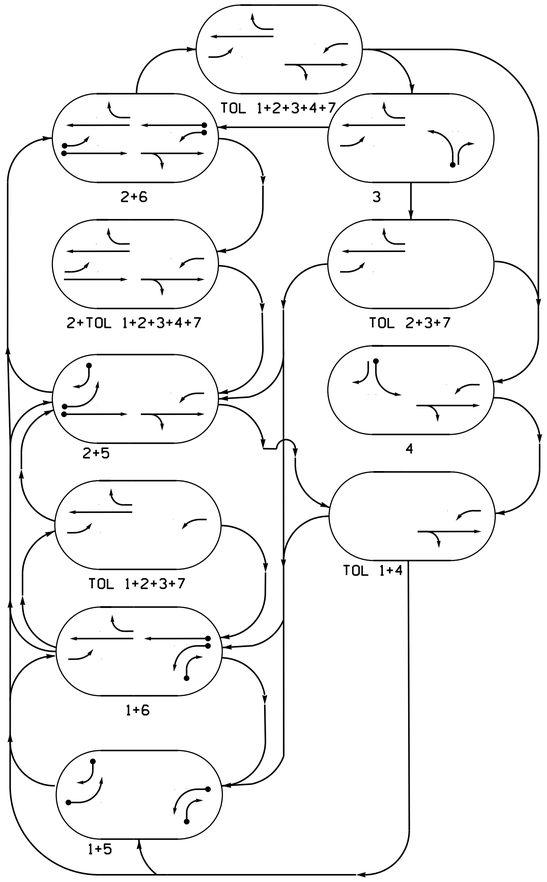
SCALE 0 40 1"=40'

DOCUMENT NOT CONSIDERED FINAL UNLESS ALL SIGNATURES COMPLETED

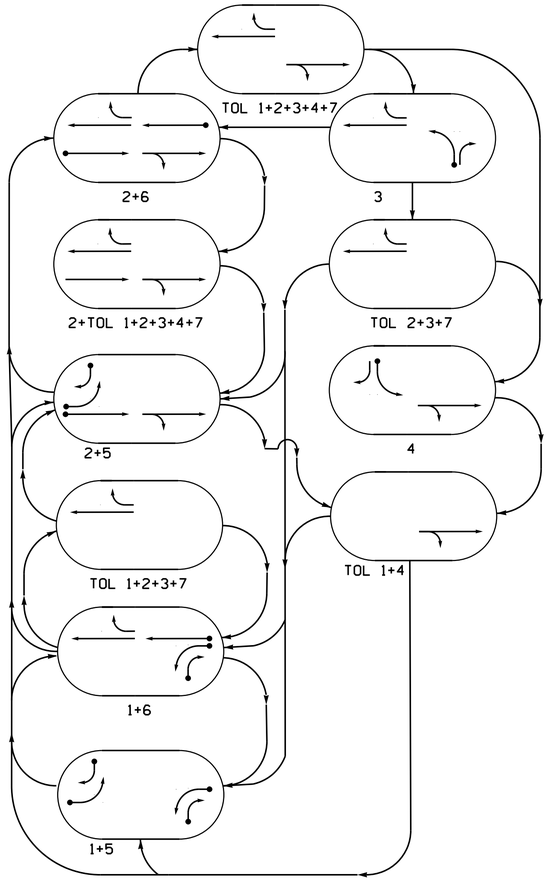
SEAL
NORTH CAROLINA PROFESSIONAL SEAL 032396 ENGINEER WILLIAM J. HAMILTON
Docusigned by: William J. Hamilton 08/12/2025
SIGNATURE DATE
SIG. INVENTORY NO. 05-1295

Docusign Envelope ID: 799AE0E9-469E-47FA-86E1-49B1A7FF7420

DEFAULT PHASING DIAGRAM

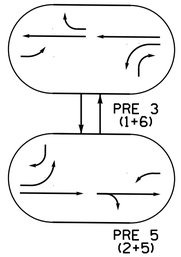


ALTERNATE PHASING DIAGRAM



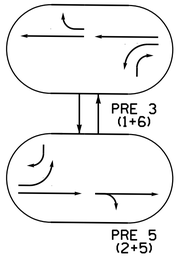
EV PREEMPT PHASES FOR DEFAULT PHASING

(Medium Priority)



EV PREEMPT PHASES FOR ALTERNATE PHASING

(Medium Priority)



PROJECT REFERENCE NO.	SHEET NO.
36249.4987	Sig-1.1

6 Phase
Fully Actuated
W/ EV Preemption
SR 1011 (Old US 1) CLS
Signal System #: D05-47_Apex

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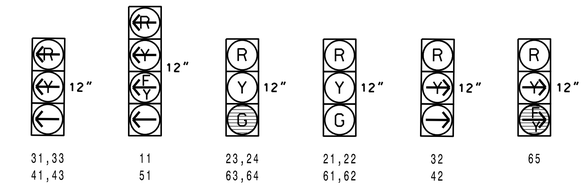
SIGNAL FACE I.D.

All Heads L.E.D.

Denotes Louvered Section



DEFAULT PHASING TABLE OF OPERATION

SIGNAL FACE	PHASE 1+5	1+6	1+T2O+L3+7	2+5	22;33;O+L4;+7	2+6	2+T3O+L4;+7	3	2T+O3L+7	4	T1O+L4	PRE3	PRE5	FLASH
11	~~←~~	~~←~~	FY	FY	FY	FY	FY	~~R~~	~~R~~	FY	FY	~~←~~	FY	~~R~~
21,22	R	R	R	G	G	G	R	R	R	R	R	R	G	R
23,24	R	R	R	G	G	G	G	R	R	G	G	R	G	R
31,33	~~R~~	~~R~~	~~R~~	~~R~~	~~R~~	~~R~~	~~R~~	~~←~~	~~R~~	~~R~~	~~R~~	~~R~~	~~R~~	~~R~~
32	~~←~~	~~←~~	R	R	R	R	R	~~→~~	R	R	R	~~←~~	R	R
41,43	~~R~~	~~R~~	~~R~~	~~R~~	~~R~~	~~R~~	~~R~~	~~R~~	~~R~~	~~←~~	~~R~~	~~R~~	~~R~~	~~R~~
42	~~→~~	R	R	~~→~~	R	R	R	R	R	~~→~~	R	R	~~→~~	R
51	~~←~~	FY	FY	~~←~~	FY	FY	FY	FY	FY	~~R~~	~~R~~	FY	~~←~~	~~R~~
61,62	R	G	R	R	R	G	R	R	R	R	R	G	R	R
63,64	R	G	G	R	G	G	G	G	G	R	R	G	R	R
65	R	FY	FY	R	FY	FY	FY	FY	FY	R	R	FY	R	R

ALTERNATE PHASING TABLE OF OPERATION

SIGNAL FACE	PHASE 1+5	1+6	1+T2O+L3+7	2+5	22;33;O+L4;+7	2+6	2+T3O+L4;+7	3	2T+O3L+7	4	T1O+L4	PRE3	PRE5	FLASH
11	~~←~~	~~←~~	~~R~~	~~R~~	~~R~~	~~R~~	~~R~~	~~R~~	~~R~~	~~R~~	~~R~~	~~←~~	~~R~~	~~R~~
21,22	R	R	R	G	G	G	R	R	R	R	R	R	G	R
23,24	R	R	R	G	G	G	G	R	R	G	G	R	G	R
31,33	~~R~~	~~R~~	~~R~~	~~R~~	~~R~~	~~R~~	~~R~~	~~←~~	~~R~~	~~R~~	~~R~~	~~R~~	~~R~~	~~R~~
32	~~←~~	~~←~~	R	R	R	R	R	~~→~~	R	R	R	~~←~~	R	R
41,43	~~R~~	~~R~~	~~R~~	~~R~~	~~R~~	~~R~~	~~R~~	~~R~~	~~R~~	~~←~~	~~R~~	~~R~~	~~R~~	~~R~~
42	~~→~~	R	R	~~→~~	R	R	R	R	R	~~→~~	R	R	~~→~~	R
51	~~←~~	~~R~~	~~R~~	~~←~~	~~R~~	~~R~~	~~R~~	~~R~~	~~R~~	~~R~~	~~R~~	~~R~~	~~←~~	~~R~~
61,62	R	G	R	R	R	G	R	R	R	R	R	G	R	R
63,64	R	G	G	R	G	G	G	G	G	R	R	G	R	R
65	R	FY	FY	R	FY	FY	FY	FY	FY	R	R	FY	R	R

NC Dept of Transportation
Division of Highways
Final Drawing Date: 09/03/2025
Signed by: Robert J. Ziemba
NCDOT Approval

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New Installation - Sheet 2 of 2

Prepared For: Transportation Mobility and Safety Division, State of North Carolina, Department of Transportation, Signal Design Section
750 N.Greenfield Pkwy.Garner,NC 27529

SR 1011 (Old US 1)
at
SR 1187 (Holland Road) /
SR 1149 (Friendship Road)

Division 5 | Wake County | Apex

PLAN DATE: August 2025 | REVIEWED BY: WJ Hamilton
PREPARED BY: JA Wendt | REVIEWED BY:

SCALE 0 40 1"=40'

REVISIONS	INIT.	DATE

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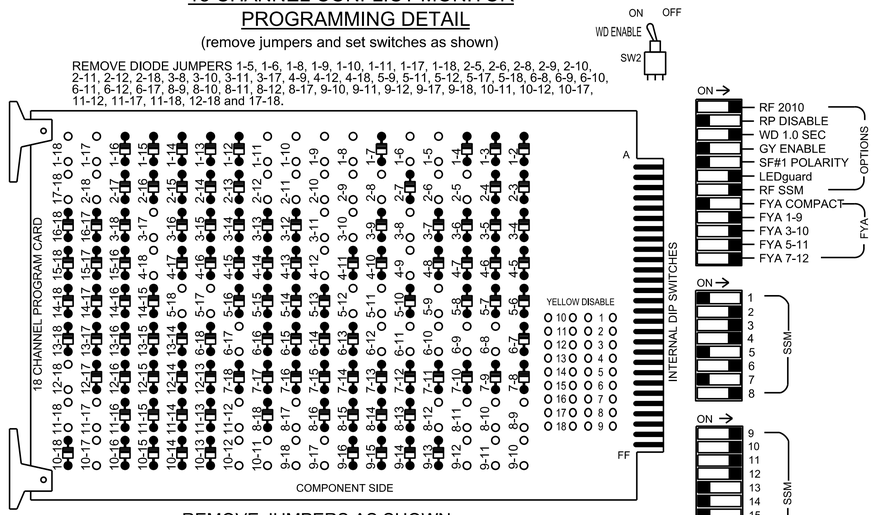
18 CHANNEL CONFLICT MONITOR PROGRAMMING DETAIL

(remove jumpers and set switches as shown)

REMOVE DIODE JUMPERS 1-5, 1-6, 1-8, 1-9, 1-10, 1-11, 1-17, 1-18, 2-5, 2-6, 2-8, 2-9, 2-10, 2-11, 2-12, 2-18, 3-8, 3-10, 3-11, 3-17, 4-9, 4-12, 4-18, 5-9, 5-11, 5-12, 5-17, 5-18, 6-8, 6-9, 6-10, 6-11, 6-12, 6-17, 8-9, 8-10, 8-11, 8-12, 8-17, 9-10, 9-11, 9-12, 9-17, 9-18, 10-11, 10-12, 10-17, 11-12, 11-17, 11-18, 12-18 and 17-18.



REMOVE JUMPERS AS SHOWN

NOTES:

1. Card is provided with all diode jumpers in place. Removal of any jumper allows its channels to run concurrently.
2. Ensure jumpers SEL2-SEL5 and SEL9 are present on the monitor board.
3. Ensure that the Red Enable is active at all times during normal operation.
4. Connect serial cable from conflict monitor to comm. port 1 of 2070 controller. Ensure conflict monitor communicates with 2070.

INPUT FILE POSITION LAYOUT

(front view)

		1	2	3	4	5	6	7	8	9	10	11	12	13	14
FILE "I"	U	ø 1 1A	ø 1 1B	SLOT EMPTY	SLOT EMPTY	ø 3 3A	ø 4 4A	SLOT EMPTY	SLOT EMPTY	SLOT EMPTY	SLOT EMPTY	SLOT EMPTY	SLOT EMPTY	SLOT EMPTY	FS DC ISOLATOR
	L	NOT USED	ø 2 2A			NOT USED	NOT USED								ST DC ISOLATOR
FILE "J"	U	ø 5 5A	ø 5 5B	SLOT EMPTY	SLOT EMPTY	SLOT EMPTY	SLOT EMPTY	SLOT EMPTY	SLOT EMPTY	SLOT EMPTY	SLOT EMPTY	SLOT EMPTY	* GPS PRE		SLOT EMPTY
	L	NOT USED	ø 6 6A												

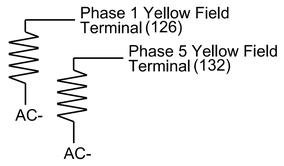
EX. : 1A, 2A, ETC. = LOOP NO.'S
FS = FLASH SENSE
ST = STOP TIME

CONNECT PHASE SELECTOR TO FIELD ETHERNET SWITCH

LOAD RESISTOR INSTALLATION DETAIL

(install resistors as shown)

ACCEPTABLE VALUES	
Value (ohms)	Wattage
1.5K - 1.9K	25W (min)
2.0K - 3.0K	10W (min)



NOTES

1. To prevent "flash-conflict" problems, insert red flash program blocks for all unused vehicle load switches in the output file. The installer shall verify that signal heads flash in accordance with the signal plan.
2. Program controller to start up in phase 2 Green No Walk and 6 Green No Walk.
3. If this signal will be managed by an ATMS software, enable controller and detector logging for all detectors used at this location.
4. The cabinet and controller are part of the D05-47_Apex Signal System.

EQUIPMENT INFORMATION

Controller.....2070LX
Cabinet.....332 w/ Aux
Software.....Q-Free MAXTIME
Cabinet Mount.....Base
Output File Positions.....18 With Aux. Output File
Load Switches Used.....S1, S2, S4, S5, S7, S8, S11, AUX S1, AUX S2, AUX S3, AUX S4, AUX S5, AUX S6
Phases Used.....1, 2, 3, 4, 5, 6
Overlap "1".....*
Overlap "2".....*
Overlap "3".....*
Overlap "4".....*
Overlap "5".....*
Overlap "6".....*
Overlap "7".....*

*See overlap programming detail on sheet 2

INPUT FILE CONNECTION & PROGRAMMING CHART

LOOP NO.	LOOP TERMINAL	INPUT FILE POS.	PIN NO.	INPUT POINT	DETECTOR NO.	CALL PHASE	DELAY TIME	EXTEND TIME	EXTEND	ADDED INITIAL	CALL	DELAY DURING GREEN
1A	TB1-1,2	I1U	56	18	1 ★	1	15.0		X		X	
				-	29 ★	6	3.0		X		X	X
1B	TB2-5,6	I2U	39	1	2	1	15.0		X		X	
2A	TB2-7,8	I2L	43	5	3	2			X	X	X	
3A	TB4-5,6	I5U	58	20	7	3	3.0		X		X	
4A	TB4-9,10	I6U	41	3	8	4	3.0		X		X	
5A	TB3-1,2	J1U	55	17	15 ★	5	15.0		X		X	
				-	31 ★	2	3.0		X		X	X
5B	TB3-5,6	J2U	40	2	16	5	15.0		X		X	
6A	TB3-7,8	J2L	44	6	17	6			X	X	X	

★ For the detectors to work as shown on the signal plan see the Detector Programming Detail for Alternate Phasing on Sheet 2 of this plan.

INPUT FILE POSITION LEGEND: J2L
FILE J
SLOT 2
LOWER

SPECIAL DETECTOR NOTES

Install a GPS preemption system. Perform installation according to manufacturer's directions and NCDOT engineer approved mounting location to accomplish the preemption schemes shown on the Signal Design Plans.

PROJECT REFERENCE NO.	SHEET NO.
36249.4987	Sig-1.2

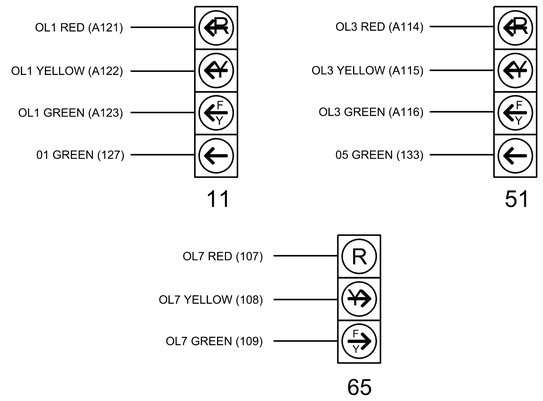
SIGNAL HEAD HOOK-UP CHART

LOAD SWITCH NO.	S1	S2	S3	S4	S5	S6	S7	S8	S9	S10	S11	S12	AUX S1	AUX S2	AUX S3	AUX S4	AUX S5	AUX S6
CMU CHANNEL NO.	1	2	13	3	4	14	5	6	15	7	8	16	9	10	17	11	12	18
PHASE	1	2	2 PED	3	4	4 PED	5	6	6 PED	7	OL7	8 PED	OL1	OL2	OL5	OL3	OL4	OL6
SIGNAL HEAD NO.	11 ★	21,22	NU	31,33	41,43	NU	51 ★	61,62	NU	NU	65 ★	NU	11 ★	63,64	32	51 ★	23,24	42
RED		128						134			107			A124	A111		A101	A104
YELLOW	*	129					*	135						A125			A102	
GREEN		130						136						A126			A103	
RED ARROW				116	101								A121			A114		
YELLOW ARROW				117	102						108		A122		A112	A115		A105
FLASHING YELLOW ARROW											109		A123			A116		
GREEN ARROW	127			118	103		133								A113			A106

NU = Not Used
★ Denotes install load resistor. See load resistor installation detail this sheet.
★ See pictorial of head wiring in detail this sheet.

FYA SIGNAL WIRING DETAIL

(wire signal heads as shown)



NC Dept of Transportation
Division of Highways
Final Drawing Date: 09/03/2025
Signed by: Robert O. Ziemba
NCDOT Approval 1B854B66274A494...

THIS ELECTRICAL DETAIL IS FOR
THE SIGNAL DESIGN: 05-1295
DESIGNED: Aug 2025
SEALED: 08/12/2025
REVISED: N/A

Electrical Detail - Sheet 1 of 3

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ELECTRICAL AND PROGRAMMING DETAILS FOR:

SR 1011 (Old US 1)
at
SR 1187 (Holland Road) /
SR 1149 (Friendship Road)

Division 5 | Wake County | Apex

PLAN DATE:	August 2025	REVIEWED BY:	WJ Hamilton
PREPARED BY:	JA Wendt	REVIEWED BY:	

REVISIONS	INIT.	DATE

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PROJECT REFERENCE NO.	SHEET NO.
36249.4987	Sig-1.3

MAXTIME OVERLAP PROGRAMMING DETAIL FOR ALTERNATE PHASING

Front Panel
Main Menu >Controller >Overlap >Overlap Parameters/Overlap Timings

Web Interface
Home >Controller >Overlap Configuration >Overlaps

In the table view of the web interface, right click on "Overlap" in the top left corner of the table. Copy the entire contents of Overlap Plan 1. Paste Overlap Plan 1 into Overlap Plan 2. Modify Overlap Plan 2 as shown below and save changes.

Overlap Plan 2

Overlap	1	2	3	4	5	6	7
Type	FYA 4 - Section	Normal	FYA 4 - Section	Normal	Normal	Normal	FYA 4 - Section
Included Phases	-	3;6	-	2;4	1;3	4;5	3;6
Modifier Phases	1	-	5	-	-	-	-
Modifier Overlaps	-	-	-	-	-	-	-
Trail Green	5	5	5	5	0	0	5
Add Trail Green	0.0	0.0	0.0	0.0	0.0	0.0	0.0
Trail Yellow	3.0	4.3	3.0	4.5	0.0	0.0	4.3
Trail Red	1.6	1.6	1.6	1.0	0.0	0.0	1.6

← NOTICE INCLUDED PHASE

MAXTIME OVERLAP PROGRAMMING DETAIL FOR DEFAULT PHASING

Front Panel
Main Menu >Controller >Overlap >Overlap Parameters/Overlap Timings

Web Interface
Home >Controller >Overlap Configuration >Overlaps

Overlap Plan 1

Overlap	1	2	3	4	5	6	7
Type	FYA 4 - Section	Normal	FYA 4 - Section	Normal	Normal	Normal	FYA 4 - Section
Included Phases	2;4	3;6	3;6	2;4	1;3	4;5	3;6
Modifier Phases	1	-	5	-	-	-	-
Modifier Overlaps	-	-	-	-	-	-	-
Trail Green	5	5	5	5	0	0	5
Add Trail Green	0.0	0.0	0.0	0.0	0.0	0.0	0.0
Trail Yellow	3.0	4.3	3.0	4.5	0.0	0.0	4.3
Trail Red	1.6	1.6	1.6	1.0	0.0	0.0	1.6

MAXTIME DETECTOR PROGRAMMING DETAIL FOR ALTERNATE PHASING LOOPS 1A & 5A

Front Panel
Main Menu >Controller >Detector >Veh Det Plans

Web Interface
Home >Controller >Detector Configuration >Vehicle Detectors

In the table view of web interface right click on "Detector" in the top left corner of the table. Copy the entire contents of Detector Plan 1. Paste Detector Plan 1 into Detector Plan 2. Modify Detector Plan 2 as shown below and save changes.

Plan 2

1A

Detector	Call Phase	Delay
1	1	0.0
29	0	3.0

5A

Detector	Call Phase	Delay
15	5	0.0
31	0	3.0

PREEMPTION PROGRAMMING

Front Panel
Main Menu >Controller >Preemption >Preempt Phasing/Preempt Parameters

Web Interface
Home >Controller >Preempt Configuration >Preempts

Preempt Configuration

Preempt	3	5
Enabled	Enabled	Enabled
Type	Emergency Veh	Emergency Veh
Track Phases	-	-
Track Overlaps	-	-
Dwell Phases	1; 6	2; 5
Dwell Overlaps	1, 2, 3, 5, 7	1, 3; 4, 6
Cycling Phases	-	-
Cycling Overlaps	-	-
Exit Phases	2; 6	2; 6
Exit Overlaps	1,2,3,4,7	1,2,3,4,7
Delay	0	0
Call Ext Time	2.0	2.0
Max Presence	120	120
Max Pres Act	Terminate	Terminate
Enter Min Green	1	1
Enter Walk	0	0
Enter Ped Clear	255	255
Enter Yellow Change	25.5	25.5
Enter Red Clear	25.5	25.5
Track Green	-	-
Track Yellow Clr	25.5	25.5
Track Red Clear	25.5	25.5
Dwell Green	7	7
Exit Min Green	255	255
Exit Yellow Change	25.5	25.5
Exit Red Clear	25.5	25.5
Dwell Ext Time	2.0	2.0
Exit Type	Exit Phases	Exit Phases
Non Locking Memory	X	X
Not Ovrd Flash	X	X
Not Ovrd Nxt Pre	X	X
Track Clear Ovrd	X	X
Ped Clear During Yellow	-	-
Require All Red Entry	-	-

MAXTIME STARTUP AND SOFTWARE FLASH PROGRAMMING DETAIL

Front Panel
Main Menu >Controller >Unit

Web Interface
Home >Controller >Unit

Modify parameters as shown below and save changes.

Start Up Parameters

StartUp Clearance Hold
6

Unit Flash Parameters

All Red Flash Exit Time
6

MAXTIME ALTERNATE PHASING PATTERN PROGRAMMING DETAIL

Front Panel
Main Menu >Controller >Coordination >Patterns

Web Interface
Home >Controller >Coordination >Patterns

Pattern Parameters

Pattern	Veh Det Plan	Overlap Plan
*	2	2

* The Pattern number(s) are to be determined by the Division Traffic Engineer.

FLASHER CIRCUIT MODIFICATION DETAIL

IN ORDER TO INSURE THAT SIGNALS FLASH CONCURRENTLY ON THE SAME APPROACH, MAKE THE FOLLOWING FLASHER CIRCUIT CHANGES:

1. ON REAR OF PDA - REMOVE WIRE FROM TERM. T2-4 AND TERMINATE ON T2-2.
2. ON REAR OF PDA - REMOVE WIRE FROM TERM. T2-5 AND TERMINATE ON T2-3.
3. REMOVE FLASHER UNIT 2.

THE CHANGES LISTED ABOVE TIES ALL PHASES AND OVERLAPS TO FLASHER UNIT 1.

NC Dept of Transportation
Division of Highways
Final Drawing Date: 09/03/2025
Signed by: Robert O. Ziemba
NCDOT Approval

THIS ELECTRICAL DETAIL IS FOR THE SIGNAL DESIGN: 05-1295
DESIGNED: Aug 2025
SEALED: 08/12/2025
REVISED: N/A

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Electrical Detail - Sheet 2 of 3

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ELECTRICAL AND PROGRAMMING DETAILS FOR:

SR 1011 (Old US 1)
at
SR 1187 (Holland Road) /
SR 1149 (Friendship Road)

Division 5 | Wake County | Apex

PLAN DATE:	August 2025	REVIEWED BY:	WJ Hamilton
PREPARED BY:	JA Wendt	REVIEWED BY:	

REVISIONS	INIT.	DATE

750 N.Greenfield Pkwy.Garner,NC 27529

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36249.4987	Sig-1.4

MAXTIME ALTERNATE PHASING ACTIVATION DETAIL

To run alternate phasing, select a Pattern that is programmed to run Overlap Plan 2 and Detector Plan 2.
A Pattern can be selected through the scheduler or manually by changing the Operational Mode.

PHASING	OVERLAP PLAN	VEH DET PLAN
ACTIVE PLAN REQUIRED TO RUN DEFAULT PHASING	1	1
ACTIVE PLAN REQUIRED TO RUN ALTERNATE PHASING	2	2

ALTERNATE PHASING CHANGE SUMMARY

THE FOLLOWING IS A SUMMARY OF WHAT TAKES PLACE WHEN OVERLAP PLAN 2 AND VEHICLE DETECTOR PLAN 2 ACTIVATE TO CALL THE "ALTERNATE PHASING":

OVERLAP PLAN 2: Modifies overlap included phases for headS 11 and 51 to run protected turns only.

VEH DET PLAN 2: Disables phase 6 call on loop 1A and disables delay for phase 1 call on loop 1A.

Disables phase 2 call on loop 5A and disables delay for phase 5 call on loop 5A.

OUTPUT CHANNEL CONFIGURATION

Front Panel
Main Menu >Controller >More>Channels>Channels Config

Web Interface
Home >Controller >Advanced IO>Channels>Channels Configuration

Channel Configuration

Channel	Control Type	Control Source	Flash Yellow	Flash Red	Flash Alt	MMU Channel
1	Phase Vehicle	1		X	X	1
2	Phase Vehicle	2		X		2
3	Phase Vehicle	3		X	X	3
4	Phase Vehicle	4		X		4
5	Phase Vehicle	5		X		5
6	Phase Vehicle	6		X	X	6
7	Phase Vehicle	7		X		7
NOTICE → 8	Overlap	7		X	X	8
9	Overlap	1		X	X	9
10	Overlap	2		X	X	10
11	Overlap	3		X		11
12	Overlap	4		X		12
13	Phase Ped	2				13
14	Phase Ped	4				14
15	Phase Ped	6				15
16	Phase Ped	8				16
17	Overlap	5		X	X	17
18	Overlap	6		X		18

OL7

NC Dept of Transportation
Division of Highways
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REVISED: N/A

Electrical Detail - Sheet 3 of 3

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ELECTRICAL AND PROGRAMMING DETAILS FOR:

NC Department of Transportation Mobility and Safety Division Traffic Engineering Branch Signals Management Section
750 N.Greenfield Pkwy.Garner,NC 27529

SR 1011 (Old US 1)
at
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SR 1149 (Friendship Road)
Division 5 Wake County Apex

PLAN DATE:	August 2025	REVIEWED BY:	WJ Hamilton
PREPARED BY:	JA Wendt	REVIEWED BY:	

REVISIONS	INIT.	DATE

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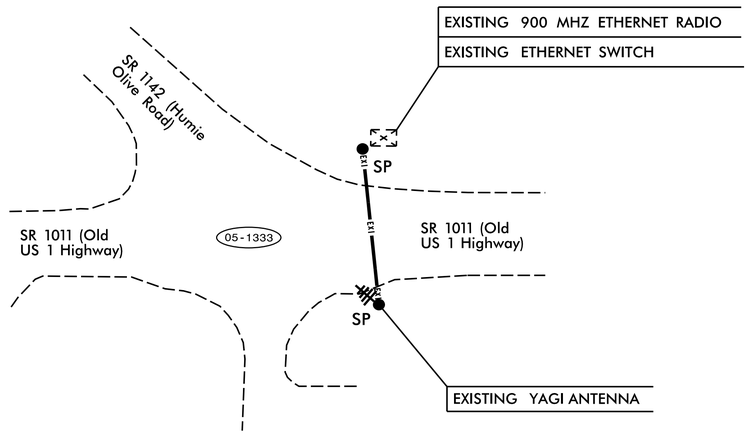
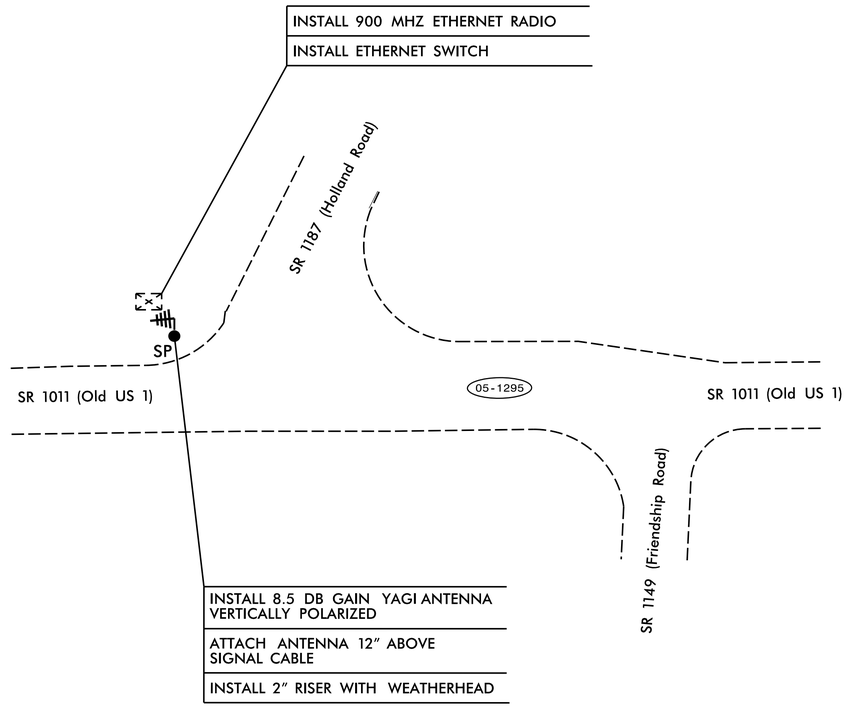
36249.4987	SCP-1

LEGEND

- YAGI ANTENNA (DOUBLE) FOR REPEATER OPERATION
- YAGI ANTENNA (SINGLE)
- EXISTING CONTROLLER AND CABINET
- XX-XXXX — SIGNAL INVENTORY NUMBER
- EXISTING WOOD POLE
- SP — SIGNAL POLE





NOTES FOR WIRELESS COMMUNICATIONS:

1. FIVE (5) DAYS PRIOR TO BEGINNING WORK ON THE SIGNAL SYSTEM, CONTACT THE DIVISION 5 TRAFFIC ENGINNER AT (919) 536–4000. NOTIFY THE DIVISION ENGINNER AFTER ALL WORK IS PERFORMED TO ENSURE THAT ALL WIRELESS CIRCUITS ARE FUNCTIONING PROPERLY. WORK IS NOT WORK IS NOT COMPLETE UNTIL ALL SIGNALS ARE COMMUNICATING WITH THE CENTRAL SYSTEM.
2. INSTALL COAXIAL CABLE:
   A. ON WOOD POLES, REQUIRING A NEW RIGID GALVANIZED STEEL RISER, INSTALL A 2" RISER WITH WEATHERHEAD AND ROUTE THE COAXIAL CABLE TO THE ANTENNA.
   B. ON METAL POLES WITH MAST ARMS, RUN COAXIAL CABLE UP THROUGH THE POLE AND OUT THE MAST ARM; FIELD DRILL A 1/2" HOLE UP THROUGH THE BOTTOM OF MAST ARM FOR INSTALLATION OF THE COAXIAL CABLE TO THE ANTENNA.
   C. ON METAL STRAIN POLES, RUN COAXIAL CABLE UP THROUGH THE POLE AND OUT THE WEATHERHEAD AND ROUTE THE COAXIAL CABLE TO THE ANTENNA
   D. BETWEEN THE POINT OF EXITING THE RISER, METAL POLE OR MAST ARM AND THE ANTENNA, SECURE THE COAXIAL CABLE TO THE STRUCTURE USING 3/4" STAINLESS STEEL STRAPS EVERY 12".
3. IF AN EXISTING 2" SPARE RIGID GALVANIZED STEEL RISER IS AVAILABLE, INSTALL THE COAXIAL CABLE IN THE SPARE RISER WITH 2" WEATHERHEAD.
4. INSTALL WIRELESS ANTENNA ON POLE WITH RF WARNING SIGN.
   (NOTE: RF WARNING SIGN NOT REQUIRED WHEN ANTENNA IS INSTALLED ON AN NCDOT–OWNED POLE.)
5. MAINTAIN PROPER CLEARANCE FROM ALL UTILITIES PER THE NATIONAL ELECTRICAL SAFETY CODE.
6. REFERENCE SPREAD SPECTRUM RADIO ROADWAY STANDARD DRAWINGS 1736.01.
7. CELL MODEMS TO BE SUPPLIED BY THE DEPARTMENT. CONTACT THE DIVISION 5 DEPUTY ENGINEER AT (919) 536–4000 TO REQUEST THE CELL MODEM. ALLOW 8 WEEKS LEAD TIME BEFORE ANTICIPATED DEPLOYMENT.

EXULT ENGINEERING
NC License #C-4445
203 W. Millbrook Rd., Ste 200
Raleigh, NC 27609
984.500.5426
www.exultengineering.com

Prepared For:
Transportation Mobility and Safety Division
Signal Design Section
750 N.Greenfield Pkwy.Garner,NC 27529

SR 1011 (OLD US 1) CLS SIGNAL SYSTEM D05-47_APEX WIRELESS COMMUNICATION PLAN

Division 5 | Wake County | Apex

PLAN DATE:	August 2025	REVIEWED BY:	WJ Hamilton
PREPARED BY:	JA Wendt	REVIEWED BY:	

REVISIONS	INIT.	DATE

DOCUMENT NOT CONSIDERED FINAL UNLESS ALL SIGNATURES COMPLETED

SEAL
NORTH CAROLINA PROFESSIONAL SEAL 32396 ENGINEER WILLIAM J. HAMILTON
Docusigned by: William J. Hamilton
2B10B5659E274A3...
SIGNATURE
08/12/2025
DATE

Cost Share Table - Developer Agreement between Town of Apex and Beazer Homes					
Intersection	**Improvements**	**Total Cost**	**Estimated Funding Breakdown**		
			Beazer Homes	***Apex***	***Holly Springs***
Old US 1 / Holland Rd	**Old US 1 EB LT + WB RT + Holland Rd SB RT**	Unknown	100%	$0	$0
	Holland Rd Traffic signal	$150,000	$0	$150,000	$0
Old US 1 / Friendship Rd	**Old US 1 WB Left Turn Lane**	$278,000	$167,000	$39,890	$71,110
	Friendship Rd NB LT	$230,000	$152,000	$6,890	$71,110
	Friendship Rd Traffic signal	$150,000	$0	$141,967	$8,033
		$808,000	**$319,000**	**$338,747**	**$150,253**
		Est. Cost Share (%):	39.5%	41.9%	18.6%

| Agenda Item | cover sheet

for consideration by the Apex Town Council

Item Type: CONSENT AGENDA

Meeting Date: December 09, 2025

Item Details

Presenter(s): Jonathan Jacobs, P.E., Director

Department(s): Water Resources

Requested Motion

Motion to approve a Master Services Agreement (MSA) between RoadSafe Traffic Systems, Inc., and the Town of Apex, effective December 9, 2025 through June 30, 2028, and to authorize the Town Manager, or their designee, to execute on behalf of the Town.

Approval Recommended?

Yes

Item Details

Upon request, RoadSafe Traffic Systems, Inc. will provide all labor, materials, and equipment necessary to perform planned and emergency on call traffic control services. Contractor will provide a quote and scope of service at the time of request for service by the Town.

The Town's Water Resources Department solicited 3 quotes for this service on October 10, 2025, and received proposals from 2 vendors. RoadSafe Traffic Systems, Inc., met the minimum level of service requested for the overall lowest cost.

Attachments

- CN5-A1: Multi-Year Master Services Agreement – RoadSafe Traffic Systems, Inc.
- CN5-A2: RoadSafe Traffic Systems, Inc. Rate Sheet
- CN5-A3: Flagger Force Rate Sheet (Rejected proposal)

STATE OF NORTH CAROLINA **COUNTY OF WAKE**	**MASTER SERVICES AGREEMENT**

THIS MASTER SERVICES AGREEMENT (hereinafter "Agreement") is entered into this , by and between, RoadSafe Traffic Systems, Inc. , a Delaware corporation with its principal business offices located at 8750 West Bryn Mawr Avenue, Suite 400, Chicago, IL 60631 (the "Contractor"), and the Town of Apex, a municipal corporation of the State of North Carolina, (the "Town"). Town and Contractor may collectively be referred to as "Parties" hereinafter.

WITNESSETH:

WHEREAS, Town, is engaged in the operation of water and sewer utilities including pipes, drains, facilities, and associated equipment, which from time to time requires maintenance, repair, installation, removal, testing, and inspection as well as traffic control necessary to perform said services, as well as other projects related to wastewater treatment and soil and erosion control ; and

WHEREAS, the professional services of outside firms or consultants and/or others will from time to time in the future be needed by the Town for the services as described above; and

WHEREAS, Contractor provides professional services of the nature required by the Town and employs trained and experienced technical personnel possessing adequate knowledge, skills, and experience to provide such professional services to the Town; and

WHEREAS, the Parties contemplate that the services of the Contractor will be performed in various stages in accordance with separate authorizations to be issued by the Town, and the Parties desire to set forth the basic terms of their agreement in this Master Services Agreement rather than in the separate authorizations issued by the Town; and

WHEREAS, the Parties acknowledge and agree that this Agreement shall act as a base agreement under which the Parties can enter into multiple specific transactions by executing a Purchase Order and written confirmation to proceed pursuant to a Scope of Services, quote, and/or rate sheet; and

WHEREAS, the Parties agree that this Agreement is non-exclusive and does not require or commit the Contractor to being available to perform services until a Scope of Services and quote is submitted, and does not preclude the Town from hiring other vendors or contractors to perform the same or similar work.

NOW THEREFORE, in consideration of the foregoing recitals, and the premises and mutual covenants herein contained, the receipt and adequacy of which is hereby acknowledged, the Parties, intending to be legally bound, hereto do contract and agree as follows:

1. SCOPE OF SERVICES.

The Contractor agrees to perform for the Town the following general services when requested by

the Town: All labor, materials, and equipment necessary to perform planned and emergency on-call traffic control services as requested in writing and at the prices provided in a quote from the Contractor.

When service is requested by the Town, Contractor shall provide a detailed Scope of Services and quote that shall be governed by the terms of this Agreement. If a rate sheet is provided and attached to this Agreement then the quote shall be consistent with the rate sheet. The rates provided in the attached rate sheet shall stay in place for at least one year from the date of execution of this Agreement. Contractor shall provide Town with a new rate sheet in advance of any rate changes. The quote and Scope of Services shall reference this Agreement and this Agreement shall be incorporated into and made a part of the Scope of Services and quote whether or not expressly incorporated by reference in the Scope of Services and quote.

In the event of a conflict between the terms of a Scope of Services, rate sheet, quote, or estimate and this Agreement, this Agreement shall control.

2. SPECIFICATIONS.

Upon request by the Town, Contractor will provide plans and specifications prior to engaging in any services under this Agreement. Contractor hereby acknowledges that it is fully licensed to perform the work contemplated by this Agreement. In the event of a conflict between the provided plans and specifications and this Agreement, this Agreement shall control.

3. TIME OF COMMENCEMENT AND COMPLETION.

This Agreement shall terminate on June 30th, 2028 unless terminated sooner in accordance with the terms of this Agreement. Contractor shall commence and complete the work required by this Agreement in accordance with the dates provided in the Scope of Services as agreed upon by the Parties. Contractor shall immediately notify the Town of any event or circumstance that may, immediately or in the future, impede the proper and timely execution of any work so that remedial action may be taken. Contractor shall not begin any work pursuant to this Agreement or a Scope of Services until written confirmation has been provided by the Town. The Parties hereby agree that written confirmation may be provided through electronic communication from the Town's representative identified in Section 13 of this Agreement. If Contractor has not satisfactorily commenced or completed the work within the times specified, the Town may declare such delay a material breach of contract and may pursue all available legal and equitable remedies. Any changes to the schedule(s) provided in the Scope of Services must be agreed to in writing by the Town and the Contractor.

4. CONSIDERATION AND PAYMENT OF SERVICES.

In consideration of the above services, the Town will pay the Contractor the amount authorized by the issued Purchase Order corresponding to the agreed upon Scope of Services and quote. After services are agreed upon pursuant to this Agreement and the associated Scopes of Service, Contractor will invoice the Town for work performed. Town has the right to require the Contractor to produce for inspection all of Contractor's records and charges to verify the accuracy of all invoices. Town shall pay Contractor's invoices within thirty (30) days of receipt unless a bona fide dispute exists between Town and Contractor concerning the accuracy of said

invoice or the services covered thereby.

5. INDEMNIFICATION.

To the extent permitted by law, the Contractor agrees to defend, pay on behalf of, indemnify, and hold-harmless the Town of Apex, its elected and appointed officials, employees, agents, and volunteers against any and all claims, demands, suits or losses, including all costs connected therewith, for any damages which may be asserted, claimed or recovered against or from the Town of Apex its elected or appointed officials, employees, agents, and volunteers by reason of personal injury, including bodily injury or death and/or property damage, including loss of use thereof resulting from the negligence of the Contractor.

6. APPLICABILITY OF LAWS AND REGULATIONS.

The Contractor shall adhere to all laws, ordinances, and regulations of the United States, the State of North Carolina, the County of Wake, and the Town of Apex in the performance of the services outlined in this contract and any attached specifications.

This Agreement shall be governed by the laws of the State of North Carolina. Any and all suits or actions to enforce, interpret or seek damages with respect to any provision of, or the performance or nonperformance of, this Agreement shall be brought in the General Court of Justice of North Carolina sitting in Wake County, North Carolina, or the United States District Court sitting in Wake County, North Carolina, and it is agreed by the Parties that no other court shall have jurisdiction or venue with respect to such suits or actions.

7. E-VERIFY COMPLIANCE.

The Contractor shall comply with the requirements of Article 2 of Chapter 64 of the North Carolina General Statutes (E-Verify). Contractor shall require all of the Contractor's subcontractors to comply with the requirements of Article 2 of Chapter 64 of the North Carolina General Statutes (E-Verify).

8. QUALITY AND WORKMANSHIP.

All work shall be performed to the satisfaction of the Town. The work shall not be considered complete nor applicable payments rendered until the Town is satisfied with the services provided. Contractor shall provide services in accordance with all federal, state and local law and in accordance with all governing agency regulations and shall be held to the same standard and shall exercise the same degree of care, skill and judgment in the performance of services for the Town as is ordinarily provided by a similar professional under the same or similar circumstances at the time in North Carolina.

9. INSURANCE.

The Contractor shall maintain valid general liability insurance in the minimum amount of $1,000,000, commercial automobile liability insurance in the minimum amount of $2,000,000, and provide certificates of such insurance naming the Town of Apex as an *additional insured* by endorsement to the policies. If the policy has a blanket additional insured provision, the contractor's insurance shall be primary and non-contributory to other insurance. Additionally,

the contractor shall maintain and show proof of workers' compensation and employer's liability insurance in the minimum amount of $1,000,000 . The Contractor shall provide notice of cancellation, non-renewal or material change in coverage to the Town of Apex within 10 days of their receipt of notice from the insurance company.

All required certificates of insurance, endorsements, and blanket additional insured policy provisions are attached and considered part of this document. Notwithstanding the foregoing, neither the requirement of Contractor to have sufficient insurance nor the requirement that Town is named as an additional insured, shall constitute waiver of the Town's governmental immunity in any respect, under North Carolina law.

10. PRE-PROJECT SAFETY REVIEW MEETING.

If requested by the Town, the Contractor shall attend a pre-project safety review meeting with the contacting Department Head and Supervisors and Safety and Risk Manager prior to the start of work.

11. DEFAULT.

In the event of substantial failure by Contractor to perform in accordance with the terms of this Agreement, Town shall have the right to terminate Contractor upon seven (7) days written notice in which event Contractor shall have neither the obligation nor the right to perform further services under this Agreement.

12. TERMINATION FOR CONVENIENCE.

Town shall have the right to terminate this Agreement for the Town's convenience upon thirty (30) days written notice to Contractor. Contractor shall terminate performance of services on a schedule acceptable to the Town. In the event of termination for convenience, the Town shall pay Contractor for all services satisfactorily performed.

13. NOTICE.

Any formal notice, demand, or request required by or made in connection with this Agreement shall be deemed properly made if delivered in writing or deposited in the United States mail, postage prepaid, to the address specified below.

TO CONTRACTOR:	TO TOWN: Town of Apex

Attn: Scott Pratt Contractor: RoadSafe Traffic Systems, Inc. Address: 3333 Air Park Road Fuquay Varina, NC, 27526 Email: tpratt@roadsafetraffic.com	Attn: Jonathan Jacobs Water Resources PO Box 250 Apex NC 27502 jonathan.jacobs@apexnc.org Invoices: Apex.Invoices@apexnc.org

14. DELAY BEYOND THE CONTROL OF THE PARTIES.

Neither Contractor nor Town, having taken commercially reasonable precautions, shall be in default of the provisions of this Agreement for delays in performance due to forces beyond the control of the parties. "Forces beyond the control of the parties" shall mean, but is not limited to, delay caused by natural disaster, fire, flood, earthquakes, storms, lightning, epidemic, pandemic, war, riot, civil disobedience, or other event reasonably outside of the parties' control. Due to the ever-changing circumstances surrounding the COVID-19 pandemic, situations may arise during the performance of this Agreement that affect availability of resources and staff of Contractor or the Town. There could be changes in anticipated performance times and service costs. Contractor will exercise reasonable efforts to overcome the challenges presented by current circumstances. In the event of changes in performance times or service costs caused by the COVID-19 pandemic the Town reserves the right to terminate this Agreement in accordance with its terms. The Parties agree that they shall not be liable to each other for any delays, expenses, losses, or damages of any kind arising out of the impact of the COVID-19 pandemic.

15. NONWAIVER FOR BREACH.

No breach or non-performance of any term of this Agreement shall be deemed to be waived by either party unless said breach or non-performance is waived in writing and signed by the parties. No waiver of any breach or non-performance under this Agreement shall be deemed to constitute a waiver of any subsequent breach or non-performance and for any such breach or non-performance each party shall be relegated to such remedies as provided by law.

16. CONSTRUCTION.

Should any portion of this Agreement require judicial interpretation, it is agreed that the Court or Tribunal construing the same shall not apply a presumption that the terms hereof shall be more strictly construed against any one party by reason of the rule of construction that a document is to be more strictly construed against the party who prepared the documents.

17. NO REPRESENTATIONS.

The parties hereby warrant that no representations about the nature or extent of any claims, demands, damages, or rights that they have, or may have, against one another have been made to them, or to anyone acting on their behalf, to induce them to execute this Agreement, and they rely on no such representations; that they have fully read and understood this Agreement before

signing their names; and that they act voluntarily and with full advice of counsel.

18. SEVERABILITY.

In the event for any reason that any provision or portion of this Agreement shall be found to be void or invalid, then such provision or portion shall be deemed to be severable from the remaining provisions or portions of this Agreement, and it shall not affect the validity of the remaining portions, which portions shall be given full effect as if the void or invalid provision or portion had not been included herein.

19. COUNTERPARTS.

This Agreement may be executed in two or more counterparts, each of which shall be deemed an original, and all of which together shall constitute one instrument.

20. MODIFICATION.

This Agreement contains the full understanding of the parties. Any modifications or addendums to this Agreement must be in writing and executed with the same formality as this Agreement.

21. BINDING EFFECT.

The terms of this Agreement shall be binding upon the parties' heirs, successors, and assigns.

22. ASSIGNMENT.

Contractor shall not assign, sublet, or transfer any rights under or interest in (including, but without limitation, monies that may become due or monies that are due) this Agreement without the written consent of the Town. Nothing contained in this paragraph shall prevent Contractor from employing such independent consultants, associates, and sub-contractors as it may deem appropriate to assist Contractor in the performance of services rendered.

23. INDEPENDENT CONTRACTOR.

Contractor is an independent contractor and shall undertake performance of the services pursuant to the terms of this Agreement as an independent contractor. Contractor shall be wholly responsible for the methods, means and techniques of performance.

24. NON-APPROPRIATION.

Notwithstanding any other provisions of this Agreement, the parties agree that payments due hereunder from the Town are from appropriations and monies from the Town Council and any other governmental entities. In the event sufficient appropriations or monies are not made available to the Town to pay the terms of this Agreement for any fiscal year, this Agreement shall terminate immediately without further obligation of the Town.

25. IRAN DIVESTMENT ACT CERTIFICATION.

N.C.G.S. 147-86.60 prohibits the State of North Carolina, a North Carolina local government, or any other political subdivision of the State of North Carolina from contracting with any entity

that is listed on the Final Divestment List created by the North Carolina State Treasurer pursuant to N.C.G.S. 147-86.58. N.C.G.S. 147-86.59 further requires that contractors with the State, a North Carolina local government, or any other political subdivision of the State of North Carolina must not utilize any subcontractor found on the State Treasurer's Final Divestment List. As of the date of execution of this Agreement the Contractor hereby certifies that the Contractor is not listed on the Final Divestment List created by the North Carolina State Treasurer and that the Contractor will not utilize any subcontractors found on the Final Divestment List.

26. ANTI-HUMAN TRAFFICKING.

The Contractor warrants and agrees that no labor supplied by the Contractor or the Contractor's subcontractors in the performance of this Agreement shall be obtained by means of deception, coercion, intimidation or force, or otherwise in violation of North Carolina law, specifically Article 10A, Subchapter 3 of Chapter 14 of the North Carolina General Statutes, Human Trafficking.

27. NONDISCRIMINATION.

Pursuant to Section 3-2 of the Town of Apex Code of Ordinances, Contractor hereby warrants and agrees that Contractor will not discriminate against a protected class in employment, subcontracting practices, or the solicitation or hiring of vendors, suppliers, or commercial customers in connection with this Agreement. For the purposes of this Agreement "protected class" includes age, race, religious belief or non-belief, ethnicity, color, national origin, creed, sex, sexual orientation, gender identity, marital status, natural hair style, genetic information, pregnancy, familial status, disability, veteran or military status, or disabled veteran status.

28. ELECTRONIC SIGNATURE.

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

In witness thereof, the contracting parties, by their authorized agents, affix their signatures and seals this .

RoadSafe Traffic Systems, Inc.	Town of Apex
X _____	X _____
[empty member name] Email: pdimartino@roadsafetraffic.com Timestamp: [empty signing timestamp]	Randal E. Vosburg, Town Manager Email: [empty member email] Timestamp: [empty signing timestamp]
	This instrument has been preaudited in the manner required by the Local Government Budget and Fiscal Control Act. X _____ [empty member name] , Finance Director Email: jon.griffin@apexnc.org Timestamp: [empty signing timestamp]

Paul Di Martino
pdimartino@roadsafetraffic.com
617-590-2793

TRAFFIC CONTROL & FLAGGING RATES - Town of Apex-Water Resources

LABOR

ITEMS	UOM	RATE
Labor - Traffic Control Flagger	PER PERSON, PER HOUR	$50.00
Labor - Traffic Control Flagger **OVERTIME**	PER PERSON, PER HOUR	$75.00

Standard Flagging and TC Crew is 3 person

Labor items include standard equipment requirements for a flagging or lane closure, up to 1,000' in length.

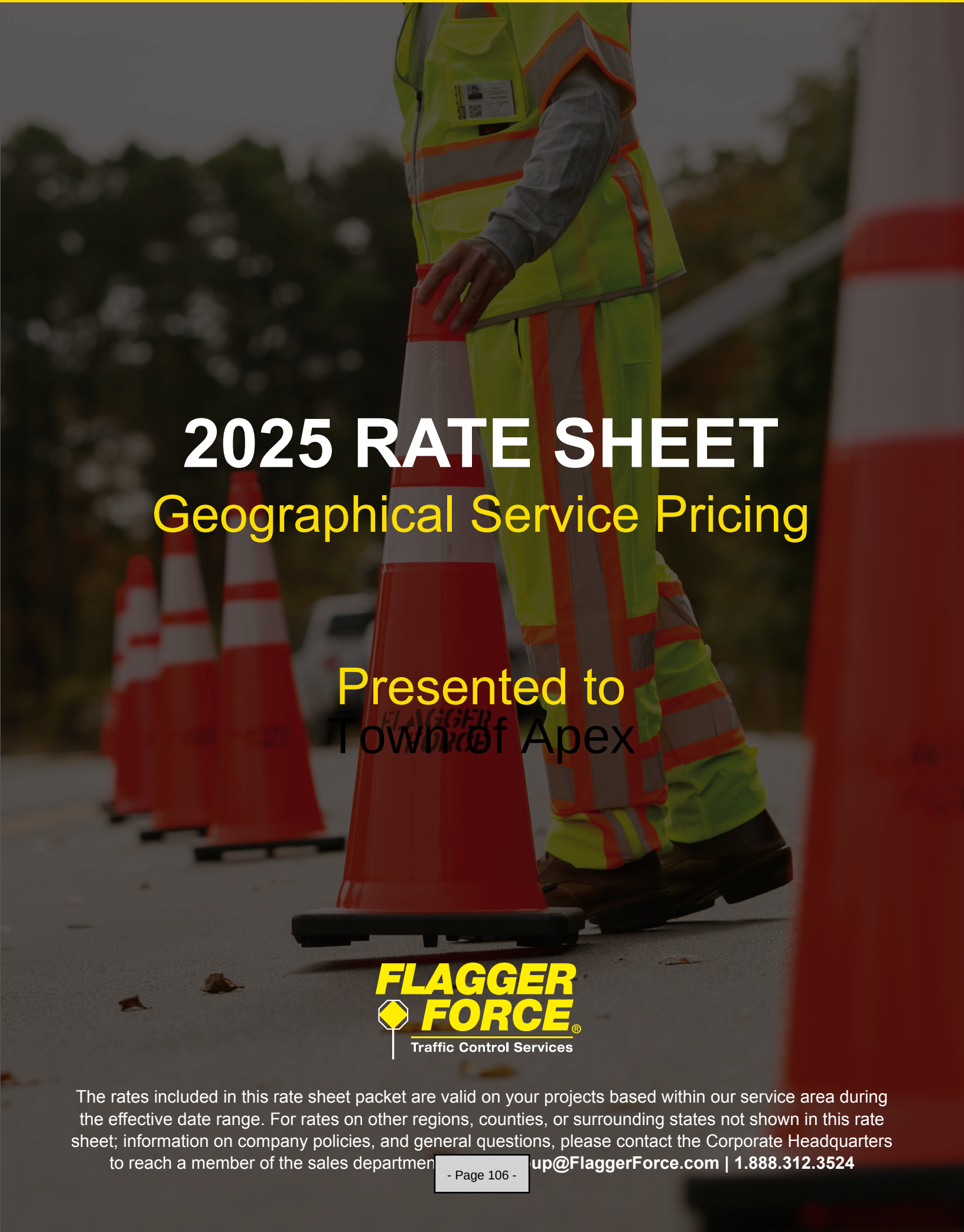
ADDITIONAL EQUIPMENT

ITEMS	UOM	RATE
Message Board	PER DAY	$75.00
Arrow Board	PER DAY	$25.00
Road Closed Barricade (Type III)	PER DAY	$2.50
TMA/Crash Truck (incl. Fuel)	PER DAY	$645.00
Channelizers - (cones, barrels, grabbers, panels)	PER DAY	$0.45
Signs (beyond requirements of Flagging Operation)	PER DAY	$2.00
Procurement of police officers	PER HOUR	$102.50
Specialty Signs/Equip not in RST inventory	PER DAY	$3.00
Traffic Control Plans/Drawings (non-engineer)	PER PAGE	$200.00
Traffic Control Plans/Drawings (engineer)	EACH	cost +20%
Permits	EACH	cost +20%
Per Diem and Lodging	PER PERSON/DAY	$175.00

NOTES

1. Regular Hours: Monday – Friday for the first (8) eight hours between 6:00am to 6:00pm.
2. Overtime Hours: For any hours worked after (8) eight hours in a day or between 6:00pm and 6:00am, over forty hours per week, weekends, emergencies or holidays.
3. Emergency service will be mobilized within 4 hours of the call and OT rates will apply. If out of town work (greater than 1.5 hours away), an estimated arrival time will be given at time request is received.
4. A four-hour minimum charge per flagger/traffic control technician applies for any dispatch. A twelve-hour notice prior to start time is required for any job cancellation or the four hour minimum charge will apply. RoadSafe payment terms are NET 30.
5. CANCELLATION A four-hour minimum charge per flagger/traffic control tech will be charged if canceled within 12 hrs. of scheduled start time.
6. Any equipment needed to perform closures will be billed using our standard daily rates referenced above.
7. Customer will be responsible for parking fees, hotels, ferry fees, tolls or similar charges if the location of the job requires unavoidable
8. All hourly labor rates listed above are non-union, non-prevailing wage rates. RoadSafe has ability to price PW rates if/when necessary.
9. All rates assume a standard lane closure or flagging closure. RoadSafe will quote additional closures as needed/requested.
10. Port to port to be billed at the hourly rates.
11. For out of town work (more than 1.5 hours from our closest location) will require advanced mobilization to be billed at $50.00/hr. per
12. This price list is valid until 12/31/2026. A 4% escalted will be added to each item for each additional year.

Accepted by _____ Date _____



2025 RATE SHEET

Geographical Service Pricing

Presented to
Town of Apex

FLAGGER FORCE®
Traffic Control Services

The rates included in this rate sheet packet are valid on your projects based within our service area during the effective date range. For rates on other regions, counties, or surrounding states not shown in this rate sheet; information on company policies, and general questions, please contact the Corporate Headquarters to reach a member of the sales departmen**up@FlaggerForce.com | 1.888.312.3524**

Geographic Service Area Pricing

Core Area Rate: $49.41
Per hour, per person

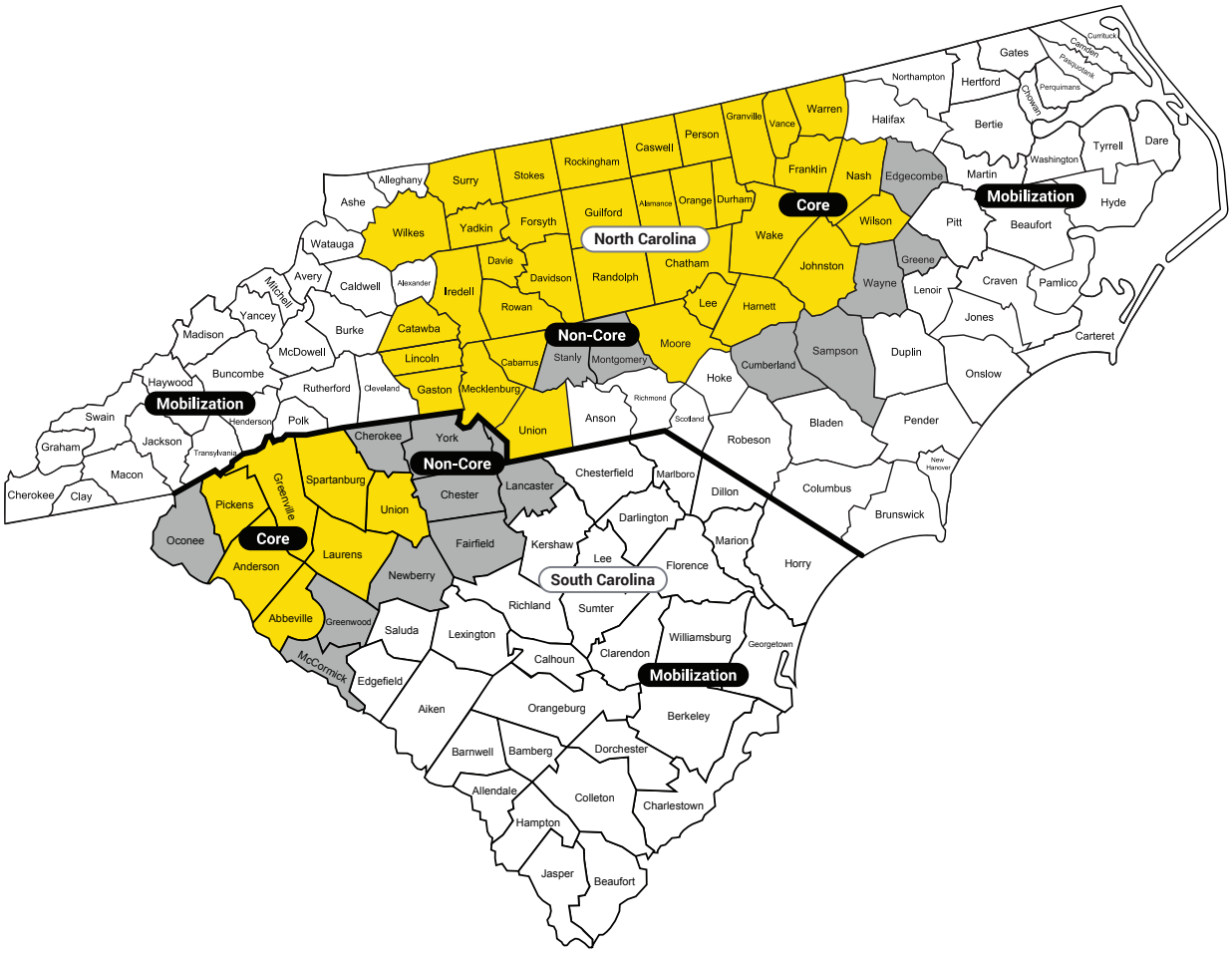
Cancellation Hours: 4
Minimum Hours: 6
Per hour, per person

Non-Core Area Rate: $57.66
Per hour, per person

Cancellation Hours: 6
Minimum Hours: 8
Per hour, per person

Mobilization Area Rate: $57.66
Per hour, per person
+$175.00 daily mobilization charge (per person)

Cancellation Hours: 8
Minimum Hours: 8
Per hour, per person



Additional Equipment and Services Available	Daily Rate	Weekly Rate
Solar Arrow Panel *Includes delivery, set up, and tear down when used with a WZPC.*	**$89.72** *each*	N/A
Lighting Unit *Includes delivery, fuel, set up, and tear down when used with a WZPC.*	**$210.00** *each*	N/A
Stake Body Truck *Includes equipment (man bucket attachment, cones, barrels), fuel, and insurance.*	**$426.00** *each*	N/A
Truck Mounted Attenuator (TMA) *Includes fuel and insurance.*	**$850.00** *each*	**$2,975.00** *each*
Portable Changeable Message Board *Includes delivery, setup, and teardown.*	**$397.05** *each*	**$1,191.10** *each*
Rumble Strips *(Two sets of 3)*	**$397.00** *each*	N/A
Automated Flagger Assistance Devices (AFAD) *(Set of 2)*	**$306.10** *each*	N/A

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Additional Pricing Details

FOR SHORT-TERM TRAFFIC CONTROL INCLUDING BUT NOT LIMITED TO:

- Flagging operations, lane closures, shifting patterns
- High-speed applications, short-term operations, and special events

INCLUDED COSTS FOR WORK ZONE PROTECTION CREW (WZPC):

- Flagger Force truck with all stop/slow paddles, state-standard signs, stands, and cones
- Liability insurance covering our scope of work
- Additional/alternative signage available upon 24-hour advance request

Rates are effective **January 01 - December 31, 2025**
Rates are applicable for planned work orders *(where work is scheduled a minimum of **eight (8)** business hours in advance of the work start time)* and where no wage rates are required *(non-prevailing wage projects)*.

OVERTIME:
Overtime rates are calculated at 1.5 times the regular billing rate and are billed for all hours in excess of **eight (8)** hours a day

NIGHTTIME, WEEKEND, HOLIDAY, AND EMERGENCY WORK:
All orders for nighttime, holiday, weekend or emergency work will be billed at overtime rates.

- Any order starting between the hours of 3:00 p.m. and 5:00 a.m. will be classified as nighttime work.
- Any order with a start time less than **eight (8)** hours after the order was placed.
- Any order placed after 7:00 PM for the next business day.
- Any order placed after 7:00 P.M. on Friday for work beginning the following Monday.

DOUBLE TIME:
Double time rates are calculated at two times the regular billing rate. When a job falls under nighttime/holiday/weekend work and it has a start time less than **eight (8)** hours after the order was called in, or the order was placed after 7:00 p.m. for the next day, all hours on the job will be billed at double time rates.

MINIMUM CHARGES:
In addition to any applicable equipment charges, it is Flagger Force's policy to bill a minimum of **six (6)** hours per crew member per day of scheduled work within our Core service area; **eight (8)** hours per crew member per day of scheduled work within our Non-Core service area; and **eight (8)** hours per crew member per day of scheduled work within our Mobilization service area.

CANCELLATIONS:
Cancellation and order change decisions must be communicated to our operations team no later than **four (4)** hours prior to start time for jobs in our Core service area, **six (6)** hours prior to start time for jobs in our Non-Core service area, and **eight (8)** hours prior to start time in our Mobilization service area. If a job is not canceled or changed with sufficient notice, please refer to the cancellation charges. Please call the Operations Service Center available 24/7/365 with any questions: **888.312.3524**.

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Additional Pricing Details

OFFICIAL FLAGGER FORCE HOLIDAYS INCLUDE:

- New Year's Day
- Memorial Day
- Independence Day
- Labor Day
- Thanksgiving Day
- Christmas Day

TIME SHEET AUTHORIZATION AND CHANGE ORDERS AUTHORIZATION:

Pursuant to work orders that you will place with Flagger Force (each a "Work Order") and according to rates provided by Flagger Force in a price quotation sheet (each a "Quotation"), Flagger Force will pay our employees weekly for hours worked as submitted on time records approved by your authorized representative, which constitutes verification that the recorded time is accurate and billable.

Police Procurement: If uniformed law enforcement is required by the Department of Transportation or any other government entity, Flagger Force will arrange procurement and scheduling. The cost of procurement charged by the agency plus a 20% fee will be invoiced. Flagger Force must be notified seven business days before the start date to allow ample time for procurement scheduling. All pass-through costs, including cancellation fees, will be invoiced with administrative fees.

SAFETY REMINDERS:

We would like to remind all our partners that we are a Safety-Driven® organization, which means we put safety before all else to ensure everyone arrives home safe at the end of the day. Please keep in mind when placing your order that:

- When the services require that the client set up the work zone, the client shall do so pursuant to temporary traffic control standards to ensure the safety of all workers and the public.
- The client shall be responsible for all safety precautions taken in the work area according to industry standards.
- The client shall adhere to all lighting standards as required by law, when applicable.
- The client shall ensure that there are always enough qualified personnel at the work site, including allowances for worker breaks as required by law or necessary for personal reasons.

BACK CHARGES:

Under no circumstances, whether based upon contract, tort (including negligence), strict liability, or otherwise, and whether arising before or after completion of the services, shall Flagger Force, LLC be liable to the client (or any party for whom client is facilitating the provision of the services) for losses or damages caused by the unavailability of the facilities upon which the services are being provided, or for incidental, consequential, or delay damages including, but not limited to, loss of use, profits, revenue, or inventory, or claims of third parties, or special or penal damages of any nature caused by any unusual conditions, unforeseen delay, and/or amendments or modifications agreed to by the parties or third parties.

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Additional Pricing Details

Traffic Control Plans	**$167.50 / Hour**

Two hour minimum per plan. Can be used for permitting and other planning needs.

Note: *Not considered engineered drawings.*

All traffic control plans will be subject to review and possible editing, including a renewed pre-construction meeting at the physical job location, six (6) months following the date of issuance. All are subject to review and/or revision including subsequent charges regarding any changes to existing state traffic control regulation, regardless of date of issuance. This is to be identified at time of order placement.

To request a traffic control plan, please contact: traffic.plans@flaggerforce.com.

Traffic Control Plan Review	**$56.00 / Hour**

Note: *Includes all client provided traffic plans. Also, Flagger Force Traffic Control Plans six (6) months or older.*

Traffic Control Plan Revisions	**$85.00 /.5 Hour**

Note: *This review fee will be waived if any revisions.*

ADDITIONAL NOTES:

Unique or custom signage is subject to availability at rental/purchase cost as charged by our vendors, plus a $100 administrative fee and 15%. Two week's minimum advance notice is required.

Complex Work Zone projects consisting of, but not limited to: five (5) or more leads and/or two (2) or more large vehicles *(truck-mounted attenuators)* and/or two (2) or more Portable Changeable Message Boards. Complex Work Zones require a deposit of 25% of the project's total estimate will be required at the time of order placement. Deposit(s) will be applied to the final invoice if an order is completed as originally scheduled or if it is rescheduled and completed within **six (6)** months from the original order date. Deposit(s) will not be refunded or applied to reschedule work for any order canceled in less than the required 48 business hours.

Cancellation or order changes for a Complex Work Zone must be communicated to the Operations Services Center **48 business hours before the start time**.

How to Place Your Order

Placing an order is easy!

Online: **FlaggerForce.com/Orders**
Email: **Orders@FlaggerForce.com**
Phone: **888.312.3524**

Our team is available to support your needs 24/7/365.

Questions about your order?
Our Operations Services Center is always available.

Have questions about work zones?
Need to know the status of your crew?
Do you need to cancel your order?

Call us: 888.312.3524

Important Reminders When Placing Your Order

- We recommend placing your orders at least **72 hours** in advance with any appropriate **work order** or **job number** details.
- Emergency orders can be placed **24/7/365** in real time via a phone call to our Operations Service Center.
- Place your order for the **duration of the job** and consider potential rain delays or adjustments in your schedule.
- To ensure a successful and safe day, all our jobs start with pre-job briefs between our crew and yours. Please **build at least 15 minutes into the start time** to discuss important topics, such as the traffic plan, scope of work, and break/relief times with our crew.

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| Agenda Item | cover sheet

for consideration by the Apex Town Council

Item Type: CONSENT AGENDA

Meeting Date: December 09, 2025

Item Details

Presenter(s): Jonathan Jacobs, P.E., Director

Department(s): Water Resources

Requested Motion

Motion to approve a Master Services Agreement between Southern Grounds Control, Inc., and the Town of Apex, effective December 9, 2025 through September 30, 2027, to perform general stormwater services and emergency on-call services for stormwater utilities including pipes, drains, facilities and associated equipment repair, replacement, or installation and to authorize the Town Manager, or their designee, to execute on behalf of the Town.

Approval Recommended?

Yes

Item Details

Upon request, Southern Grounds Control, Inc. will provide all labor, materials, and equipment necessary to repair sinkholes caused by storm water deficiencies, clean out streams clogged with debris, repair broken storm drain boxes/pipes, add additional inlets/boxes, general storm water repairs, dissipators, diversion ditches, and perform emergency on-call services. Contractor will provide a quote and scope of service at the time of request for service by the Town.

Attachments

- CN6-A1: Multi-Year Master Services Agreement – Southern Grounds Control, Inc. - On-Call Stormwater Utilities Repair, Replacement, or Installation - December 9, 2025 through September 30, 2027

STATE OF NORTH CAROLINA **COUNTY OF WAKE**	**MASTER SERVICES AGREEMENT**

THIS MASTER SERVICES AGREEMENT (hereinafter "Agreement") is entered into this , by and between, Southern Grounds Control, Inc. , a North Carolina corporation with its principal business offices located at 7113 Beaver Trail, Apex, NC 27502 (the "Contractor"), and the Town of Apex, a municipal corporation of the State of North Carolina, (the "Town"). Town and Contractor may collectively be referred to as "Parties" hereinafter.

WITNESSETH:

WHEREAS, Town, is engaged in the operation of the operation of stormwater utilities including pipes, drains, facilities and associated equipment, which from time to time requires maintenance, repair, installation, removal testing, and inspection as well as other projects related to soil and erosion control ; and

WHEREAS, the professional services of outside firms or consultants and/or others will from time to time in the future be needed by the Town for the services as described above; and

WHEREAS, Contractor provides professional services of the nature required by the Town and employs trained and experienced technical personnel possessing adequate knowledge, skills, and experience to provide such professional services to the Town; and

WHEREAS, the Parties contemplate that the services of the Contractor will be performed in various stages in accordance with separate authorizations to be issued by the Town, and the Parties desire to set forth the basic terms of their agreement in this Master Services Agreement rather than in the separate authorizations issued by the Town; and

WHEREAS, the Parties acknowledge and agree that this Agreement shall act as a base agreement under which the Parties can enter into multiple specific transactions by executing a Purchase Order and written confirmation to proceed pursuant to a Scope of Services, quote, and/or rate sheet; and

WHEREAS, the Parties agree that this Agreement is non-exclusive and does not require or commit the Contractor to being available to perform services until a Scope of Services and quote is submitted, and does not preclude the Town from hiring other vendors or contractors to perform the same or similar work.

NOW THEREFORE, in consideration of the foregoing recitals, and the premises and mutual covenants herein contained, the receipt and adequacy of which is hereby acknowledged, the Parties, intending to be legally bound, hereto do contract and agree as follows:

1. SCOPE OF SERVICES.

The Contractor agrees to perform for the Town the following general services when requested by the Town: Repair sinkholes caused by storm water deficiencies, clean out streams clogged with

debris, repair broken storm drain boxes/pipes, add additional inlets/boxes, general storm water repairs, dissipators, diversion ditches, and all labor, materials, and equipment necessary to perform emergency on-call services as requested at the prices provided in a quote by the Contractor. .

When service is requested by the Town, Contractor shall provide a detailed Scope of Services and quote that shall be governed by the terms of this Agreement. If a rate sheet is provided and attached to this Agreement then the quote shall be consistent with the rate sheet. The quote and Scope of Services shall reference this Agreement and this Agreement shall be incorporated into and made a part of the Scope of Services and quote whether or not expressly incorporated by reference in the Scope of Services and quote. No work covered by a submitted Scope of Services shall exceed thirty thousand dollars ($30,000.00) in cost.

In the event of a conflict between the terms of a Scope of Services, quote, or estimate and this Agreement, this Agreement shall control.

2. SPECIFICATIONS.

Upon request by the Town, Contractor will provide plans and specifications prior to engaging in any services under this Agreement. Contractor hereby acknowledges that it is fully licensed to perform the work contemplated by this Agreement. In the event of a conflict between the provided plans and specifications and this Agreement, this Agreement shall control.

3. TIME OF COMMENCEMENT AND COMPLETION.

This Agreement shall terminate on September 30th, 2027 unless terminated sooner in accordance with the terms of this Agreement. Contractor shall commence and complete the work required by this Agreement in accordance with the dates provided in the Scope of Services as agreed upon by the Parties. Contractor shall immediately notify the Town of any event or circumstance that may, immediately or in the future, impede the proper and timely execution of any work so that remedial action may be taken. Contractor shall not begin any work pursuant to this Agreement or a Scope of Services until written confirmation has been provided by the Town. The Parties hereby agree that written confirmation may be provided through electronic communication from the Town's representative identified in Section 13 of this Agreement. If Contractor has not satisfactorily commenced or completed the work within the times specified, the Town may declare such delay a material breach of contract and may pursue all available legal and equitable remedies. Any changes to the schedule(s) provided in the Scope of Services must be agreed to in writing by the Town and the Contractor.

4. **CONSIDERATION AND PAYMENT OF SERVICES.**

In consideration of the above services, the Town will pay the Contractor the amount authorized by the issued Purchase Order corresponding to the agreed upon Scope of Services and quote. After services are agreed upon pursuant to this Agreement and the associated Scopes of Service, Contractor will invoice the Town for work performed. Town has the right to require the Contractor to produce for inspection all of Contractor's records and charges to verify the accuracy of all invoices. Town shall pay Contractor's invoices within thirty (30) days of receipt unless a bona fide dispute exists between Town and Contractor concerning the accuracy of said

invoice or the services covered thereby.

5. INDEMNIFICATION.

To the extent permitted by law, the Contractor agrees to defend, pay on behalf of, indemnify, and hold-harmless the Town of Apex, its elected and appointed officials, employees, agents, and volunteers against any and all claims, demands, suits or losses, including all costs connected therewith, for any damages which may be asserted, claimed or recovered against or from the Town of Apex its elected or appointed officials, employees, agents, and volunteers by reason of personal injury, including bodily injury or death and/or property damage, including loss of use thereof resulting from the negligence of the Contractor.

6. APPLICABILITY OF LAWS AND REGULATIONS.

The Contractor shall adhere to all laws, ordinances, and regulations of the United States, the State of North Carolina, the County of Wake, and the Town of Apex in the performance of the services outlined in this contract and any attached specifications.

This Agreement shall be governed by the laws of the State of North Carolina. Any and all suits or actions to enforce, interpret or seek damages with respect to any provision of, or the performance or nonperformance of, this Agreement shall be brought in the General Court of Justice of North Carolina sitting in Wake County, North Carolina, or the United States District Court sitting in Wake County, North Carolina, and it is agreed by the Parties that no other court shall have jurisdiction or venue with respect to such suits or actions.

7. E-VERIFY COMPLIANCE.

The Contractor shall comply with the requirements of Article 2 of Chapter 64 of the North Carolina General Statutes (E-Verify). Contractor shall require all of the Contractor's subcontractors to comply with the requirements of Article 2 of Chapter 64 of the North Carolina General Statutes (E-Verify).

8. QUALITY AND WORKMANSHIP.

All work shall be performed to the satisfaction of the Town. The work shall not be considered complete nor applicable payments rendered until the Town is satisfied with the services provided. Contractor shall provide services in accordance with all federal, state and local law and in accordance with all governing agency regulations and shall be held to the same standard and shall exercise the same degree of care, skill and judgment in the performance of services for the Town as is ordinarily provided by a similar professional under the same or similar circumstances at the time in North Carolina.

9. INSURANCE.

The Contractor shall maintain valid general liability insurance in the minimum amount of $1,000,000, commercial automobile liability insurance in the minimum amount of $2,000,000, and provide certificates of such insurance naming the Town of Apex as an *additional insured* by endorsement to the policies. If the policy has a blanket additional insured provision, the contractor's insurance shall be primary and non-contributory to other insurance. Additionally,

the contractor shall maintain and show proof of workers' compensation and employer's liability insurance in the minimum amount of $1,000,000 . The Contractor shall provide notice of cancellation, non-renewal or material change in coverage to the Town of Apex within 10 days of their receipt of notice from the insurance company.

All required certificates of insurance, endorsements, and blanket additional insured policy provisions are attached and considered part of this document. Notwithstanding the foregoing, neither the requirement of Contractor to have sufficient insurance nor the requirement that Town is named as an additional insured, shall constitute waiver of the Town's governmental immunity in any respect, under North Carolina law.

10. PRE-PROJECT SAFETY REVIEW MEETING.

If requested by the Town, the Contractor shall attend a pre-project safety review meeting with the contacting Department Head and Supervisors and Safety and Risk Manager prior to the start of work.

11. DEFAULT.

In the event of substantial failure by Contractor to perform in accordance with the terms of this Agreement, Town shall have the right to terminate Contractor upon seven (7) days written notice in which event Contractor shall have neither the obligation nor the right to perform further services under this Agreement.

12. TERMINATION FOR CONVENIENCE.

Town shall have the right to terminate this Agreement for the Town's convenience upon thirty (30) days written notice to Contractor. Contractor shall terminate performance of services on a schedule acceptable to the Town. In the event of termination for convenience, the Town shall pay Contractor for all services satisfactorily performed.

13. NOTICE.

Any formal notice, demand, or request required by or made in connection with this Agreement shall be deemed properly made if delivered in writing or deposited in the United States mail, postage prepaid, to the address specified below.

TO CONTRACTOR:	TO TOWN: Town of Apex

Attn: Brian Yates Contractor: Southern Grounds Control, Inc. Address: 7113 Beaver Trail Apex, NC, 27502 Email: sogrounds@gmail.com	Attn: Jonathan Jacobs Water Resources PO Box 250 Apex NC 27502 jonathan.jacobs@apexnc.org Invoices: Apex.Invoices@apexnc.org

14. DELAY BEYOND THE CONTROL OF THE PARTIES.

Neither Contractor nor Town, having taken commercially reasonable precautions, shall be in default of the provisions of this Agreement for delays in performance due to forces beyond the control of the parties. "Forces beyond the control of the parties" shall mean, but is not limited to, delay caused by natural disaster, fire, flood, earthquakes, storms, lightning, epidemic, pandemic, war, riot, civil disobedience, or other event reasonably outside of the parties' control. Due to the ever-changing circumstances surrounding the COVID-19 pandemic, situations may arise during the performance of this Agreement that affect availability of resources and staff of Contractor or the Town. There could be changes in anticipated performance times and service costs. Contractor will exercise reasonable efforts to overcome the challenges presented by current circumstances. In the event of changes in performance times or service costs caused by the COVID-19 pandemic the Town reserves the right to terminate this Agreement in accordance with its terms. The Parties agree that they shall not be liable to each other for any delays, expenses, losses, or damages of any kind arising out of the impact of the COVID-19 pandemic.

15. NONWAIVER FOR BREACH.

No breach or non-performance of any term of this Agreement shall be deemed to be waived by either party unless said breach or non-performance is waived in writing and signed by the parties. No waiver of any breach or non-performance under this Agreement shall be deemed to constitute a waiver of any subsequent breach or non-performance and for any such breach or non-performance each party shall be relegated to such remedies as provided by law.

16. CONSTRUCTION.

Should any portion of this Agreement require judicial interpretation, it is agreed that the Court or Tribunal construing the same shall not apply a presumption that the terms hereof shall be more strictly construed against any one party by reason of the rule of construction that a document is to be more strictly construed against the party who prepared the documents.

17. NO REPRESENTATIONS.

The parties hereby warrant that no representations about the nature or extent of any claims, demands, damages, or rights that they have, or may have, against one another have been made to them, or to anyone acting on their behalf, to induce them to execute this Agreement, and they rely on no such representations; that they have fully read and understood this Agreement before

signing their names; and that they act voluntarily and with full advice of counsel.

18. SEVERABILITY.

In the event for any reason that any provision or portion of this Agreement shall be found to be void or invalid, then such provision or portion shall be deemed to be severable from the remaining provisions or portions of this Agreement, and it shall not affect the validity of the remaining portions, which portions shall be given full effect as if the void or invalid provision or portion had not been included herein.

19. COUNTERPARTS.

This Agreement may be executed in two or more counterparts, each of which shall be deemed an original, and all of which together shall constitute one instrument.

20. MODIFICATION.

This Agreement contains the full understanding of the parties. Any modifications or addendums to this Agreement must be in writing and executed with the same formality as this Agreement.

21. BINDING EFFECT.

The terms of this Agreement shall be binding upon the parties' heirs, successors, and assigns.

22. ASSIGNMENT.

Contractor shall not assign, sublet, or transfer any rights under or interest in (including, but without limitation, monies that may become due or monies that are due) this Agreement without the written consent of the Town. Nothing contained in this paragraph shall prevent Contractor from employing such independent consultants, associates, and sub-contractors as it may deem appropriate to assist Contractor in the performance of services rendered.

23. INDEPENDENT CONTRACTOR.

Contractor is an independent contractor and shall undertake performance of the services pursuant to the terms of this Agreement as an independent contractor. Contractor shall be wholly responsible for the methods, means and techniques of performance.

24. NON-APPROPRIATION.

Notwithstanding any other provisions of this Agreement, the parties agree that payments due hereunder from the Town are from appropriations and monies from the Town Council and any other governmental entities. In the event sufficient appropriations or monies are not made available to the Town to pay the terms of this Agreement for any fiscal year, this Agreement shall terminate immediately without further obligation of the Town.

25. IRAN DIVESTMENT ACT CERTIFICATION.

N.C.G.S. 147-86.60 prohibits the State of North Carolina, a North Carolina local government, or any other political subdivision of the State of North Carolina from contracting with any entity

that is listed on the Final Divestment List created by the North Carolina State Treasurer pursuant to N.C.G.S. 147-86.58. N.C.G.S. 147-86.59 further requires that contractors with the State, a North Carolina local government, or any other political subdivision of the State of North Carolina must not utilize any subcontractor found on the State Treasurer's Final Divestment List. As of the date of execution of this Agreement the Contractor hereby certifies that the Contractor is not listed on the Final Divestment List created by the North Carolina State Treasurer and that the Contractor will not utilize any subcontractors found on the Final Divestment List.

26. ANTI-HUMAN TRAFFICKING.

The Contractor warrants and agrees that no labor supplied by the Contractor or the Contractor's subcontractors in the performance of this Agreement shall be obtained by means of deception, coercion, intimidation or force, or otherwise in violation of North Carolina law, specifically Article 10A, Subchapter 3 of Chapter 14 of the North Carolina General Statutes, Human Trafficking.

27. NONDISCRIMINATION.

Pursuant to Section 3-2 of the Town of Apex Code of Ordinances, Contractor hereby warrants and agrees that Contractor will not discriminate against a protected class in employment, subcontracting practices, or the solicitation or hiring of vendors, suppliers, or commercial customers in connection with this Agreement. For the purposes of this Agreement "protected class" includes age, race, religious belief or non-belief, ethnicity, color, national origin, creed, sex, sexual orientation, gender identity, marital status, natural hair style, genetic information, pregnancy, familial status, disability, veteran or military status, or disabled veteran status.

28. ELECTRONIC SIGNATURE.

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

In witness thereof, the contracting parties, by their authorized agents, affix their signatures and seals this .

Southern Grounds Control, Inc. X [empty member name] Email: sogrounds@gmail.com Timestamp: [empty signing timestamp]	**Town of Apex** X Randal E. Vosburg, Town Manager Email: [empty member email] Timestamp: [empty signing timestamp]
Contractor Attest X [empty member name] Email: gayle.yates04@gmail.com Timestamp: [empty signing timestamp]	***This instrument has been preaudited in the manner required by the Local Government Budget and Fiscal Control Act.*** X [empty member name] , Finance Director Email: jon.griffin@apexnc.org Timestamp: [empty signing timestamp]

| Agenda Item | cover sheet

for consideration by the Apex Town Council

Item Type: CONSENT AGENDA

Meeting Date: December 09, 2025

Item Details

Presenter(s): Katie Schwing, Senior Planner – Long Range Transit

Department(s): Planning

Requested Motion

Motion to approve ADA Paratransit Agreement Amendment and Renewal No. 3 between Wake County and Town of Apex, to renew the agreement and to update the maximum operating cost to $132.60 per hour, and to authorize the Town Manager, or their designee, to execute on behalf of the Town.

Approval Recommended?

Yes

Item Details

The ADA Paratransit Service Agreement between Town of Apex and Wake County establishes the terms and responsibilities for the operation of the GoApex Route 1 complementary paratransit service, known as GoApex Door to Door. The main purpose of this proposed amendment is to renew the agreement and to update the maximum operating cost to $132.60 per hour. Note, a similar amendment was approved by Town Council on August 12, 2025; however, it was not executed as Wake County determined it could not provide the service at the previously agreed-upon maximum operating cost of $105.96 per hour.

This amendment also updates Attachment A, the GoApex ADA Paratransit Policy to remove the following language under the section on Schedule: *"At a to-be-determined date, GoApex Route 1 may begin operating on Sundays from 7:00am to 9:00pm and on all holidays except Thanksgiving Day and Christmas Day, and may operate a modified schedule on Christmas Eve."* This change is needed as Wake County has confirmed that they will not be able to expand paratransit service to include Sundays due to limitations of their contract with their contracted service provider. Town staff will be investigating other options.

Attachments

- CN7-A1: Paratransit Agreement Amendment and Renewal #3 (Revised rate) - ADA Paratransit Service - Fiscal Year 2025-2026 (Revised)
- CN7-A2: Attachment A: GoApex ADA Paratransit Policy - ADA Paratransit Service - Fiscal Year 2025-2026 (Revised)


APEX
1873
NORTH CAROLINA

STATE OF NORTH CAROLINA

ADA PARATRANSIT AGREEMENT AMENDMENT AND RENEWAL #3

COUNTY OF WAKE

This ADA Paratransit Services Agreement Amendment and Renewal #3 (the, or this **"Renewal #3"**) is made and entered into this _____ by and between the Town of Apex, a municipal corporation of the State of North Carolina ("**Town**"), and Wake County, a political subdivision of the State of North Carolina ("**County**"). Town and County may hereinafter be referred to collectively as the "**Parties.**"

W I T N E S S E T H

WHEREAS the Town and County entered into an agreement entitled, "ADA Paratransit Services Agreement" on or about July 1st, 2022 (the **"Agreement"**) in which the County agreed to serve as the general Americans with Disabilities Act paratransit operator for the Town in accordance with the GoApex Paratransit Policy; and

WHEREAS the Parties entered into an ADA Paratransit Services Agreement Amendment and Renewal (hereinafter "Renewal #1") on July 1, 2023, which amended and renewed the Agreement; and

WHEREAS the Parties entered into an ADA Paratransit Services Agreement Amendment and Renewal #2 (hereinafter "Renewal #2") in February, 2025, which amended and renewed the Agreement through June 30, 2025; and

WHEREAS the Parties desire to again renew the Agreement in accordance with its terms as well as update certain provisions of the Agreement to address the increase in costs of paratransit trips and to make minor adjustments to the attachments incorporated into the Agreement as the need arises; and

WHEREAS, both Parties wish to memorialize the same through this Renewal #3 and amend certain provisions of the Agreement.

NOW, THEREFORE, in consideration of the foregoing, the Parties do hereby agree to renew and amend the Agreement as follows:

1. Record Keeping, Reporting and Reimbursements. Section 3 of the Agreement, entitled "Record Keeping, Reporting and Reimbursements," subsection "B" is hereby amended to read as follows:

- The invoice will include the actual cost of each trip plus the portion of the annual fee prorated for each month. The cost of each paratransit trip will be adjusted to account for the number of passengers and the number of funding sources contributing to the cost of the entire trip, as this is a shared ride service. In no event shall the cost attributed to the Town exceed $132.60 per hour per trip. The County will include trip cost details in the monthly invoice. The annual overhead fee shall include:
- $5,000 for annual overhead to Wake County.

- $10,400 annual overhead to GoWake Access for the processing of applications.
- $3,660 for the cost of a part-time employee to accept trip reservations on Sunday and holidays.
- $1,200 for the first year of service only for training.

The total annual overhead cost for the first year of Service shall be $20,260 or $1,688.33 per month. The total annual overhead cost for subsequent years of Service shall be $19,060.00 (Nineteen Thousand, Sixty Dollars and Zero Cents) or $1,588.33 per month.

2. Appendices. Attachment A, including all appendices of Attachment A, are hereby amended as shown in the attached which are hereby incorporated into this Renewal #3.

3. Renewal. In accordance with Section 20 of the Agreement, the Parties hereby agree to renew the Agreement, as amended, for one year beginning July 1, 2025, and ending June 30, 2026, unless further renewed or terminated in accordance with the Agreement.

4. Effective Date. This Renewal shall be effective upon execution by both Parties.

The Agreement, Renewal #1, and Renewal #2 are not otherwise modified except as provided herein.

Wake County

By: _____
Wake County Manager or Designee

By: _____
Antonia Pedroza, MBA, MHA
Director, Wake County Social Services
The person responsible for monitoring Wake County's contract performance requirement is Anita Davis.

Department Head Initials: _____

By: _____
Annemarie Maiorano
Deputy Director of Operations

Town of Apex

_____
Randal E. Vosburg, Town Manager

This instrument has been pre-audited in the manner required by the Local Government Budget and Fiscal Control Act.

_____
Jon Griffin, Finance Director

IN WITNESS WHEREOF, the Parties have entered into this Renewal effective this _____.

Attachment A

2025

Americans with Disabilities Act Paratransit Policy

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Introduction

The Americans with Disabilities Act of 1990 (ADA) requires that public entities that operate non-commuter fixed route transportation services also provide complementary Paratransit service for individuals whose disabilities make them unable to use the fixed route system. In addition, public entities subject to the ADA regulations must develop and administer a process for determining if individuals who request service meet the regulatory requirements for eligibility.

Essentially, the ADA requires that Paratransit service be "comparable" to the fixed route service in terms of service levels and availability. There are six (6) service criteria that are used to evaluate ADA Paratransit service comparability to the fixed route. These criteria only represent the minimum service standards and can be exceeded if the local governing body so chooses. The six (6) basic criteria for determining ADA comparability to fixed route service are as follows:

1. Availability in the same area served by the fixed route. Specifically, service must be made available to all origins and destinations within a width of ¾ of a mile on each side of each fixed route. This includes an area within ¾ miles radius at the end of each fixed route as well;
2. Available to any ADA Paratransit eligible persons at any requested time on any particular day in response to a request for service made the previous day;
3. ADA Paratransit fares that are no more than twice the fare that would be charged to an individual paying full fare for a trip of similar length, at a similar time of day on the fixed route system;
4. There can be no trip restrictions or priorities based on trip purpose;
5. Service must be made available to eligible persons on a next day basis; and
6. There can be no constraints on the amount of service that is provided to any eligible person. Specifically, there can be no operating practice that significantly limits the availability of service to ADA Paratransit eligible individuals.

ADA Paratransit service must be provided to all individuals who are unable, because of their disability, to use the fixed route system, some of the time or all of the time. The criteria for determining eligibility are also regulated by the ADA and the Town of Apex must have a documented process in place to determine if an individual qualifies for ADA paratransit service.

The purpose of this ADA Plan is to document how the Town of Apex intends to meet the requirements for providing paratransit service for the GoApex fixed route system.

Transit Service Providers

GoApex will initially consist of one fixed route that will operate from 6:00am to 10:00pm, Monday through Saturday. The fixed route service will be operated by the Town of Cary. The GoApex paratransit service will be operated by Wake County and will meet all requirements of the ADA, the Code of Federal Regulations (CFR) Title 49 (Transportation), Part 37 - Transportation Services for Individuals with Disabilities and Part 38 - Accessibility Specifications for Transportation Vehicles, and the Federal Transit Administration Circular 4710.1 – Americans with Disabilities Act Guidance.

Transit Service Area, Trip Type, Trip Purpose, Schedule

<u>Service Area</u>

A map of GoApex Route 1 is attached as Appendix A. This route is accessible to persons with disabilities and persons who use wheelchairs. GoWake Access will provide ADA paratransit service to origins and destinations within the paratransit service area of GoApex Route 1, which is the area within ¾-mile of

the fixed-route service. All trip origins and destinations will be within the designated service area. A map of the paratransit service area is provided as Appendix B.

Service Type and Trip Purpose

GoApex complementary paratransit service for ADA-eligible users will be origin-to destination service. This includes:

- Paratransit feeder service to an accessible fixed route, where such service enables the individual to use the fixed route bus system for part of the trip;
- Service from a person's origin to their requested destination.
- Providing transportation services only to authorized passengers.
- Providing door-to-door transportation service for clients as long as it is safe to do so, and while the vehicle remains in full view of the driver. Drivers are not permitted to enter passengers' home or other facilities for any reason. Drivers are not permitted to sign passengers in or out of service buildings.
- Passengers in wheelchairs will be given assistance up and down suitable ramps; however, drivers are not permitted to push wheelchairs up or down any number of steps.
- Requiring all passengers, including those in wheelchairs, to wear seatbelts for their safety. Vendor reserves the right to refuse service to passengers who refuse to comply with this request.
- Children under the age of twelve (12) must be transported with adult supervision.
- Children requiring child restraint seats will be properly secured, using an appropriate child restraint seat provided by the adult, prior to departure.

Wake County will accept and handle all disability trip requests on an equal basis and will not prioritize or restrict trip purposes for paratransit riders. Paratransit service will be provided during the same time period as the GoApex fixed route system.

Since paratransit is a shared-ride service, paratransit rides between Point A and Point B will usually take longer, and involve more intermediate stops, than a taxi ride between the same two points. However, trips would be scheduled to avoid a substantial number of intermediate stops and an excessive total trip time to prevent the service from becoming prohibitively inconvenient. GoWake Access would implement the GoApex Route 1: ADA Paratransit Capacity Constraints Policy and Procedures to monitor ADA paratransit service performance to ensure that operational patterns and practices that may indicate capacity constraints are identified in a timely way. The referenced policy and procedures document is provided as Appendix C.

The Town of Apex plans to operate GoApex Route 1 as a fare-free service; therefore, a fare will not be collected from GoApex ADA paratransit passengers.

Schedule

GoApex Door to Door paratransit service currently operates Monday through Saturday from 6:00am – 10:00pm and will not operate on the following holidays: New Year's Day, Martin Luther King Day, Good Friday, Memorial Day, Independence Day, Labor Day, Thanksgiving Day, Christmas Eve, and Christmas Day.

To ensure that complementary paratransit drivers can complete their drop-offs no later than the latest fixed route drop-off, GoWake Access may establish a latest-available return-trip pickup time that reflects the likely travel times for requested trips.

Fleet Inventory, Vehicle Requirements, and Lift Securement and Use

As required by the ADA, per agreements with the Town of Cary and Wake County, the transit fleet serving GoApex Route 1 and the complementary paratransit service will be 100% wheelchair accessible to ensure that persons needing a wheelchair have equivalent access to the transportation services as ambulatory persons.

Vehicles providing the GoApex paratransit service will have the GoWake Access brand. Each vehicle will have capacity for 8 to 10 passengers. Each vehicle will be equipped with a wheelchair lift and will be maintained consistent with the GoWake Access policies. GoWake Access will comply with accessibility specifications for transportation vehicles found in 49 CFR Part 38.

When a lift is discovered to be inoperative, GoWake Access will take the vehicle out of service before the beginning of the vehicle's next service day and ensure that the lift is repaired before the vehicle returns to service. If there is no spare vehicle to take the place of a vehicle with an inoperable lift, such that taking the vehicle out of service would reduce the transportation service GoWake Access is able to provide, GoWake Access will keep the vehicle in service with an inoperable lift for no more than five days.

In accordance with ADA regulations, GoWake Access will provide service to all individuals using mobility devices that fit within the capacity of the lift being operated. Use of the securement system on GoWake Access vehicles will be a required condition of service. All wheelchairs and mobility devices must be secured to the passenger's satisfaction before transport. When transporting passengers using mobility devices, GoWake Access can suggest but not require passengers transfer to a van/bus seat. The passenger, in this case, has the final decision as to whether a transfer is appropriate given the passengers' particular disability.

As the regulations require, a passenger who cannot enter the vehicle using the stairs or ramp, but who does not use a wheelchair, will be allowed to enter the vehicle using the lift. GoWake Access does not provide wheelchairs or other mobility devices.

Eligibility Requirements, Application Process, and Appeals

Paratransit service is available only to individuals with a disability that prevents them from using the fixed route service. The process to initiate eligibility to use paratransit service associated with GoApex Route 1 is consistent with the ADA and the CFR.

GoWake Access will coordinate eligibility screening and determine service provision using an approved Door to Door Application (see Appendix D). According to the CFR, GoWake Access will make an application determination no more than 21 days following the submission of a complete application. If, by a date 21 days following the submission of a complete application, GoWake Access has not made a determination of eligibility, the applicant will be treated as eligible and provided service until and unless GoWake Access denies the application. GoWake Access' determination concerning eligibility will be made in writing. If the determination is that the individual is ineligible, the determination will state the reasons for the finding.

The Town of Apex, in coordination with Wake County, has established an administrative appeal process for denied applicants in the Town of Apex ADA Plan in accordance with the ADA and CFR, this is outlined in Appendix E. For people granted eligibility, the documentation of eligibility will include at least the following information: the individual's name, the name of the transit provider, the telephone number of the GoWake Access paratransit coordinator, an expiration date for eligibility (if applicable), and any conditions or limitations on the individual's eligibility, including the use of a Personal Care Attendant.

Persons denied ADA paratransit eligibility or suspended from service for no-shows or other reasons will have the ability to submit an appeal following the process outlined in Appendix E.

GoWake Access will provide paratransit service for visitors in the GoApex paratransit service area in accordance with the ADA and the CFR. Individuals that other transit agencies have determined to be ADA paratransit eligible can present documentation of eligibility received from these other agencies. GoWake Access will give 'full faith and credit' to the ID card or other documentation from the other transit agency. Visitors with disabilities may not have documentation of ADA paratransit eligibility from another transit agency. For visitors whose disability is apparent, no additional documentation is required. For visitors whose disability is not apparent, requiring documentation of disability, such as a letter from a medical professional will be permitted. GoWake Access will make paratransit service available for any combination of 21 days during any 365-day period beginning with the visitor's first use of the service.

Reservations

Making Reservations and Waiting Lists

Requirements regarding trip reservation will align with the ADA, CFR, and GoWake Access Policy. Every effort will be made to not deny paratransit trips in the GoApex Route 1 paratransit service area during fixed-route operations per the ADA. If a trip is denied, then it will be reported. Waiting lists may not be used to access the ADA paratransit service. Transportation services will be provided on a coordinated, shared ride service design. Disability service will not be limited because of capacity constraints. The number of trips provided to an individual will not be restricted. System capacity will be continually monitored and evaluated to determine the need for modification of resources, such as number of drivers, number of support staff, and number of vehicles. System capacity is considered to be 1 passengers/hour. System performance is measured by the number of passengers/hour the system is carrying, the number of trip denials, and the number of late pickups the system is experiencing.

All transportation reservations must be made through the GoWake Access Call Center. All pickup and drop-off times must be established during the time of trip reservation. GoWake Access will have the option to make trip reservations up to 14 days in advance of an eligible individual's desired trips. Riders must call at least the day before the trip to schedule a ride. GoWake Access will make next-day trip reservation service available during all normal business hours of its administrative offices, as well as during times, comparable to normal business hours, on a day when the entity's offices are not open before a service day. The reservation service on any day does not have to be provided directly by a "real person". An answering machine or other technology will suffice. An individual will be able to reserve service for any time during the next day of service. If an eligible rider leaves a voicemail on a day when GoWake Access offices are not open before a day of service and the eligible rider is unable to be reached, GoWake Access will provide the trip at the time requested. GoWake Access may negotiate pickup times with the passenger, but GoWake Access will not require an eligible rider to schedule a trip to begin more than one hour before or after the individual's desired departure time. The negotiation

window of one hour before or after the individual's desired departure time can be used unless the trip has constraints with respect to when they can begin (e.g., not before the end of the individual's workday or not until after an appointment is over). When scheduling by appointment time, a rider may request either a pickup time or a drop-off time for a given trip, but not both.

Pickup Times

Pickup windows will be consistent with the FTA Circular. Pickup windows will be no longer than 30 minutes in total. GoWake Access will establish a pickup window policy for GoApex Route 1 paratransit service to "bracket" the 30-minute window around the negotiated pickup time (-15/+15 window). If GoWake Access needs to adjust the pickup window, the agency will renegotiate the pickup time with the rider. Such renegotiations with the rider will occur no later than a day before the scheduled travel day. Any negotiations are subject to rider acceptance; if the rider refuses, GoWake Access will provide the trip as previously negotiated. If GoWake Access is unable to reach the rider, the agency will provide the trip as previously negotiated. A driver is considered late if he/she arrives outside of the pickup window.

Drop-off Times

Drop-off times will be consistent under the GoWake Access policy. If the eligible individual gives a time by which they must arrive at their destination, the paratransit trip drop-off must be on time or early. If the passenger arrives at their destination past the designated drop-off time, this would be considered a late trip. If the eligible individual makes a trip reservation for a specific pickup time then a drop-off time does not apply, other than it cannot be an excessively long trip.

No Show Definition and Policy

The Town of Apex maintains a paratransit no-show policy and is included as Appendix F. This policy requests that passengers be ready to be transported within the scheduled 30-minute pick-up window. A No-Show occurs when all of the following criteria are met:

- There has been no call by the rider to cancel the scheduled trip at least 1 hour prior to the start of the pickup window.
  AND
- The vehicle arrives at the scheduled pickup location within the 30-minute pickup window.
  AND
- The driver has waited 5 minutes after arriving during the pickup window.

After waiting for 5 minutes, the driver is instructed to leave a No-Show tag, and proceed to the next destination.

Accompanying Passengers, Attendants and Companions

The CFR requires that paratransit service be provided to one person accompanying the eligible individual in addition to the eligible individual's Personal Care Attendant (PCA). Other accompanying passengers will be served on a space-available basis. In order to be considered "accompanying" the eligible individual, the other individual(s) must have the same origin and destination as the eligible individual. GoWake Access will require that the eligible individual reserve space for the companion(s) when the individual reserves his or her own ride.

Assistance

Drivers are trained to provide minimal assistance only. Drivers are not trained to provide medical assistance. Passengers are advised that drivers are not permitted to operate a scooter or electric wheelchair onto the lift. The passenger is responsible for getting onto the lift with minimal driver assistance for these devices.

Packages

Passengers will be transported with up to two packages, so long as they can carry them on their own. Packages must fit under seats or be secured to the satisfaction of the driver'.

Accommodating Other Mobility Devices, Life Support Equipment or Service Animals

GoWake Access will permit the use of a lift for personal transportation devices when used as a mobility device by eligible customers as long as it does not exceed the capacity of the lift utilized including the user, per 49 CFR §38. All paratransit passengers will be permitted to travel with service animals trained to assist them.

Use of Portable Oxygen/Respirator Equipment

As required by the ADA, persons using GoWake Access may bring respirator, portable oxygen, and/or other life support equipment on board our vehicles, as long as they do not violate the law or rules relating to the transportation of hazardous materials. All equipment must be small enough to fit into the vehicle safely without obstructing the aisle and/or blocking emergency exits.

Other Assistance

All material made available to applicants and passengers of GoApex complementary paratransit service will be provided in accessible formats upon request. For visually-impaired customers, phone calls will be made in addition to letters referenced in this document. Mobility training will be made available upon request.

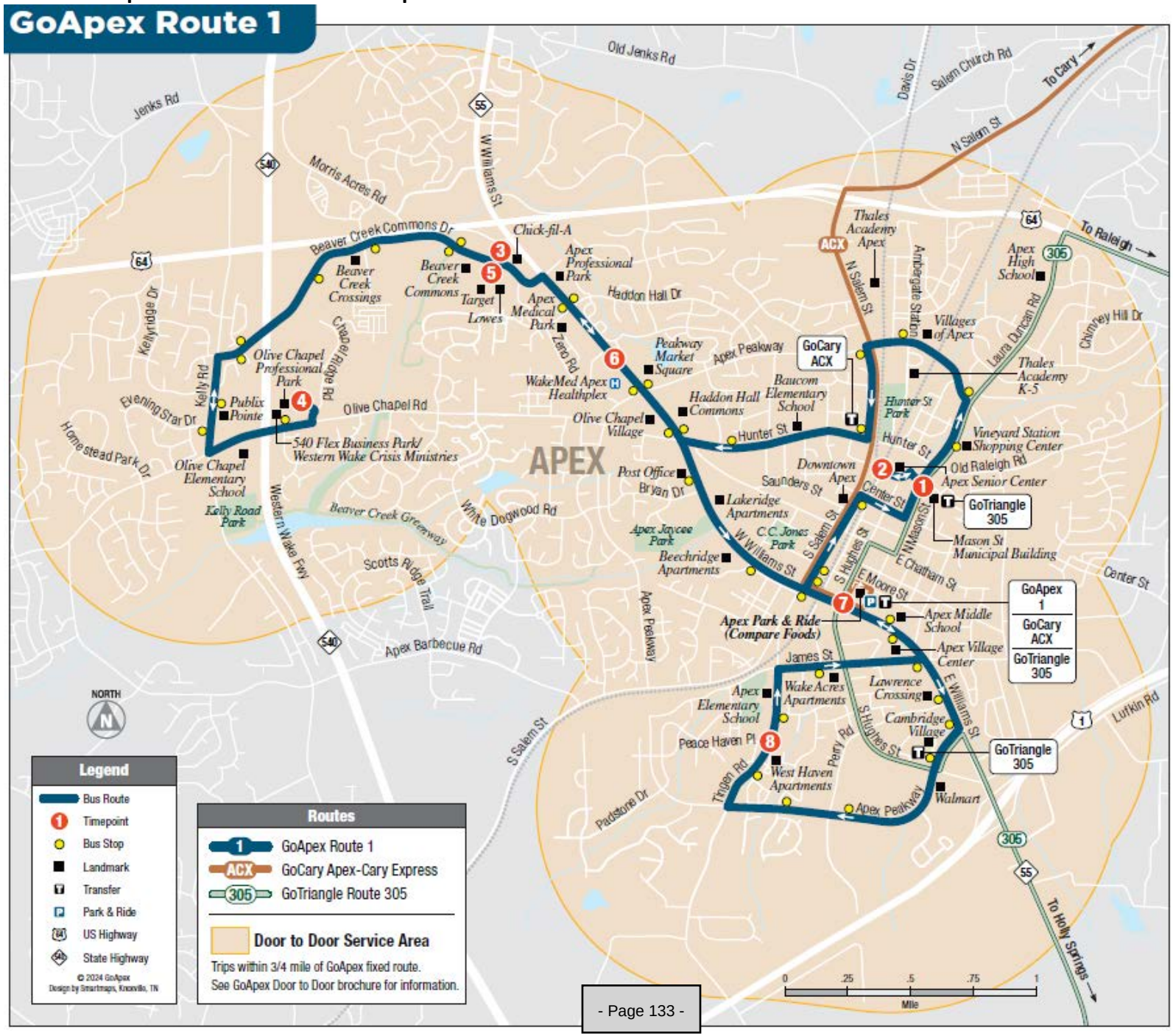
Appeals Process

If you have been denied ADA paratransit eligibility or suspended from service for no-shows or other reasons you have the ability to submit an appeal. The appeal process is outlined in Appendix E.

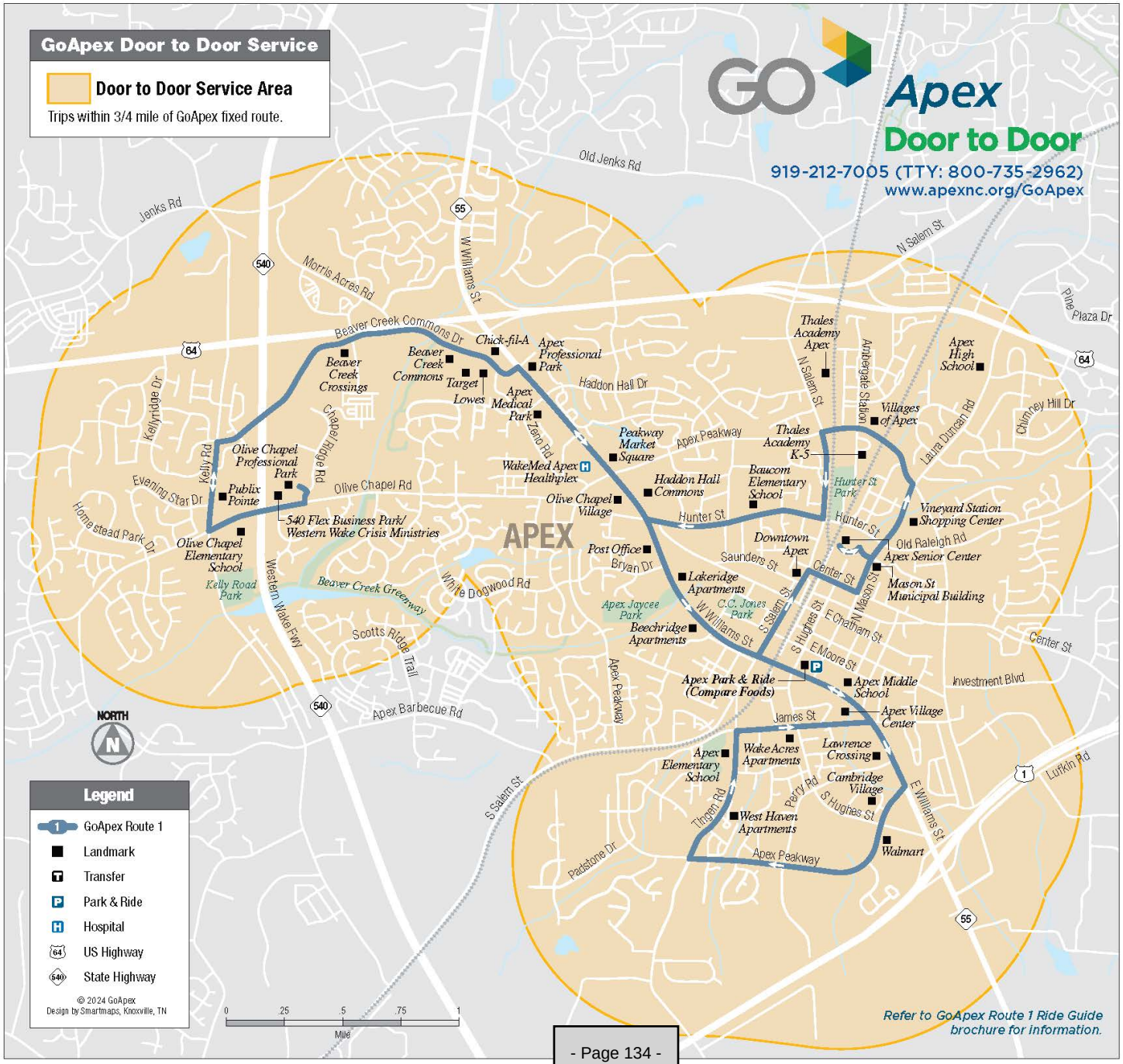
Attachments:

Appendix A: GoApex Route 1 Fixed Route Map
Appendix B: GoApex Route 1 Paratransit Service Area Map
Appendix C: GoApex Route 1 ADA Paratransit Capacity Constraints Policy and Procedures
Appendix D: Town of Apex Door to Door Application
Appendix E: Town of Apex Appeal Process
Appendix F: Town of Apex No-Show Policy
Appendix G: Subscription Service Policy

Appendix A: GoApex Route 1 Fixed Route Map



Appendix B: GoApex Route 1 Paratransit Service Area Map



Appendix C: GoApex Route 1 ADA Paratransit Capacity Constraints Policy and Procedures

GoApex Route 1: ADA Paratransit Capacity Constraints Policy and Procedures

It is important for GoWake Access and the Town of Apex to monitor ADA paratransit service performance to ensure that operational patterns and practices that may indicate capacity constraints are identified in a timely way.

Excessive Trip Length Policy and Standard

The length of a GoApex paratransit client's ride should be comparable to a ride on the fixed-route service. This includes walk time at both ends of a trip, wait time for a bus, onboard ride time, and transfer time, if applicable. After a year of paratransit operations, The Town of Apex will set a standard for the percentage of ADA paratransit trips with travel times equal to or less than a similar fixed route trip.

Data Analysis Procedures

1. GoWake Access will identify the average paratransit travel time for all GoApex Route 1 paratransit trips. Average travel time can be calculated by reservations/scheduling software. Average travel time over a year's period, which would take into account seasonable variations, will be collected during the first year of service operations.
2. GoWake Access will use scheduling software to generate a list of trips with travel times exceeding that average based on an analysis of the trips taken that month.
3. The Town of Apex will compare travel times for those trips to fixed route itineraries for the same origin and destination and day of week/time of day. Fixed route itineraries should include an estimate of walk, travel, and transfer time for the fixed routes a client would use to make a comparable fixed route trip.
   Travel times of comparable fixed route trips will be generated by Google Transit or some other online trip planner, as long as all the elements of the trip (walk, wait, travel, transfer) are included in the itinerary.
   Depending on how many trips are on the long trips list, all trips or a sample (every Xth trip, for example) will be analyzed. A sample of 20-30 trips is sufficient.
4. The Town of Apex will calculate the percentage of paratransit trips with travel times that exceed their fixed route equivalents, based on the month's sample. This percentage will be compared against the Town of Apex's standard. The Town of Apex will share these results with GoWake Access.
5. Regardless of the percentage of trips with excessive trip length is within the standard, GoWake Access will also take a closer look at the long trips to see if there is a pattern that should be addressed. For example, clients who are the first on and the last off the vehicle on a regular run to a human service program may experience long travel times every day that could be alleviated by splitting that run in two.

Appendix D: GoApex Paratransit Service Application

www.apexnc.org/GoApex

Application for GoApex Door to Door Complementary ADA Paratransit Service

GoApex Door to Door is a shared ride service for persons with disabilities that prevent them from using GoApex fixed route service. This service will be provided by GoWake Access.

Interested individuals must complete an eligibility application and receive approval from GoWake Access before reservations will be accepted.

Instructions

Applicants should complete and sign parts A and B of the application. A qualified human services or medical professional with knowledge of your disability must then complete Part C. The fully completed, signed application must then be submitted to GoWake Access for review.

Once your completed application is received it will be reviewed for eligibility. You will be notified in writing of the determination of eligibility within 21 days by GoWake Access. If eligibility is not determined within 21 days of receipt of a completed application, the applicant will be treated as eligible and provided service until a final eligibility determination is made.

Submit your application by Mail to:

GoWake Access
Attn: GoApex ADA Eligiblity Intake
4401 Bland Rd
Raleigh, NC 27609

OR, Submit your application by Email to:
TransportationADAApplications@wake.gov

Version Effective September 2023

Application

Please complete Parts A and B, then have a medical professional with knowledge of your disability complete Part C. This application will not be reviewed for eligibility until all three parts have been completed.

Date of Application: _____

Part A. General Information (please complete all fields)

Name _____

Date of Birth _____

Physical Address _____

City _____ State _____ Zip Code _____

Mailing Address (if different) _____

City _____ State _____ Zip Code _____

Home Phone _____ Cell Phone _____

Email Address _____

Note: *By providing your email address, you agree to receive email communication from GoWake Access and/or The Town of Apex. If you subscribe to the email service option, your email address will not be given to third parties in accordance with state law. We will only use the email to: (1) communicate with you about GoApex matters; (2) share emergency information with you; and/or (3) contact you regarding any email subscriber administrative issues that may arise. For questions, please call (919) 249-1043 or (919) 212-7005.*

Part A, Continued:

Emergency Contact Information

Name _____ Relationship _____

Home Phone _____Cell Phone _____

Are you:

Deaf / Hard of Hearing ☐ Yes ☐ No

Dial 711? ☐ Yes ☐ No

Part A, Continued:

Do you require any of the following? (check all that apply)

Manual Wheelchair	☐ Yes	☐ No
Power Wheelchair	☐ Yes	☐ No
Motorized Scooter	☐ Yes	☐ No
Cane	☐ Yes	☐ No
Walker	☐ Yes	☐ No
Crutches	☐ Yes	☐ No
Braces	☐ Yes	☐ No
Service Animal	☐ Yes	☐ No
Oxygen	☐ Yes	☐ No

Other (please explain):

If you use a wheelchair or scooter:

What is the combined weight (_____ lbs) of the passenger and the wheelchair/scooter?

What is the length (_____ inches) and width (_____ inches) of the wheelchair/scooter?

Is your home equipped with a wheelchair ramp? ☐ Yes ☐ No

IMPORTANT NOTE: Passengers who use wheelchairs/scooters must have a ramp if steps are present. Driver's will not "bump" passengers up/down stairs or in/out of houses/buildings. Lastly, please be aware that the lift capacity is 750lbs.

I understand that the purpose of the application is to determine if I am eligible for GoApex's Door to Door transportation service. I certify that the information provided in this application is true and correct to the best of my knowledge and that the application will be returned to me if it is not complete, which delays processing. I understand that falsification or misrepresentation of facts, or changes in my medical condition, may result in changes to my certification status. I further understand that additional information from my healthcare professional related to my disability or medical condition may be required for ADA complementary paratransit service and will be used to help determine my eligibility. I agree to notify GoWake Access if I no longer need to use the GoApex Door to Door service.

Signature of Applicant: _____ **Date**: _____

(Applicants must be 18 years of age to sign independently. Otherwise, the signature of a guardian is required.)

If someone other than the applicant has completed this application, the following information must be provided.

Printed Name: _____

Signature: _____

Daytime Telephone Number: _____

Relationship to Applicant: _____ **Date**: _____

Applicant Name _____

Part B. Disabling Condition and Certification

1. What is the disability or health condition that prevents you from using GoApex's fixed route buses? (Please be specific but use layman's terms).

2. How does this disability or health condition limit or prevent you from using GoApex's fixed route service? Please be specific.

3. Are the conditions you described:

   ☐ Permanent ☐ Vary day to day ☐ Temporary

   If Temporary, what is the anticipated end date? _____

4. Do you have medically defined cold sensitivity? ☐ Yes ☐ No

   Above or below what temperatures? _____

   If Yes, please explain: _____

5. Do you have medically defined heat sensitivity? ☐ Yes ☐ No

   Above or below what temperatures? _____

   If Yes, please explain: _____

Part B, Continued:

6. Do other weather conditions affect your disability? ☐ Yes ☐ No

   If Yes, please explain:

7. Do you have a visual impairment? ☐ Yes ☐ No ☐ Sometimes

   If Yes or Sometimes, please explain:

8. Is your breathing affected by weather or environmental conditions?
   ☐ Yes ☐ No ☐ Sometimes

   If Yes or Sometimes, please explain:

9. Are any of the following skills affected by your disability?

   If the answer is Sometimes, Never, or Not Sure, please explain by describing the effect and the extent of limitation caused by the disability.

   Applicant can:

   a) Cross a street with ☐ 2-3 lanes ☐ 4-6 lanes ☐ Never

      Comments: _____

   b) Step on/off curbs ☐ Always ☐ Sometimes ☐ Never ☐ Not Sure

      Comments: _____

Part B, Continued:

c) Stand on a moving bus holding onto a handrail

☐ Always ☐ Sometimes ☐ Never ☐ Not Sure

If sometimes, how long (in minutes)?_____

Comments: _____

d) Find my own way to the bus stop without assistance

☐ Always ☐ Sometimes ☐ Never ☐ Not Sure

Comments: _____

e) Find my own way to the bus stop if I receive training

☐ Always ☐ Sometimes ☐ Never ☐ Not Sure

Comments: _____

f) Travel alone outside the house

☐ Always ☐ Sometimes ☐ Never ☐ Not Sure

Comments: _____

g) Leave the house on time

☐ Always ☐ Sometimes ☐ Never ☐ Not Sure

Comments: _____

Part B, Continued:

h) Seek and act on directions

☐ Always ☐ Sometimes ☐ Never ☐ Not Sure

Comments: _____

i) Safely and independently travel ¼ of a mile (4 blocks) without help from another person

☐ Always ☐ Sometimes ☐ Never ☐ Not Sure

Comments: _____

j) Wait at a bus stop ☐ Always ☐ Sometimes ☐ Never ☐ Not Sure

If sometimes, how long (in minutes)? _____

Comments: _____

k) Board the correct bus ☐ Always ☐ Sometimes ☐ Never ☐ Not Sure

Comments: _____

l) Transfer from one bus to another

☐ Always ☐ Sometimes ☐ Never ☐ Not Sure

Comments: _____

m) Exit at the correct destination

☐ Always ☐ Sometimes ☐ Never ☐ Not Sure

Comments: _____

Part B, Continued:

n) Tell/monitor time ☐ Always ☐ Sometimes ☐ Never ☐ Not Sure

Comments: _____

o) Walk on hills/steep terrain

☐ Always ☐ Sometimes ☐ Never ☐ Not Sure

Comments: _____

p) Deal with unexpected situations

☐ Always ☐ Sometimes ☐ Never ☐ Not Sure

Comments: _____

10. If GoApex offered free training on how to ride the fixed route buses, would you be interested?

☐ Yes ☐ No

If No, please explain: _____

_____

11. Do you require a Personal Care Attendant (PCA) to assist with travel? A PCA is any individual who assists you with carrying out your life activities and is different than a guest or companion. Your PCA may accompany you at no additional charge.

☐ Yes, Sometimes ☐ Yes, Always ☐ No

12. How far can you walk/travel by yourself or with the assistance of a mobility aid (choose one of the options below and fill in a number beside it)?

☐ Feet ☐ Blocks ☐ Miles

Applicant Name _____

Authorization for Release of Information

I authorize the professional who has completed part C of this application to release to GoWake Access, information about my disability or health condition and its effect on my ability to travel on the GoApex fixed route service. I understand that I may revoke this authorization at any time.

I, the applicant, understand that the purpose of this application is to determine my eligibility to use the GoApex Door to Door services. I agree to release the information requested to GoWake Access and any eligibility review panel and understand that the information contained herein will be treated confidentially, unless otherwise required by law. I understand further that GoWake Access reserves the right to request additional information at its discretion. I agree to notify GoWake Access of any changes in the status of my disability that affects my ability to use the GoApex Door to Door services. I also understand that this may affect my eligibility as a rider.

C. Health Care Provider Verification

Signature of Applicant: _____ **Date**: _____

(Applicants must be 18 years of age to sign independently. Otherwise, the signature of a guardian is required.)

Dear Verifying Professional:

You are being asked by the applicant named in Part A of this application to provide information regarding their ability to use the public transportation services of GoApex, as described in Part B. GoApex provides transportation services to eligible persons with disabilities who cannot use regular fixed route bus services. The information you provide

will allow us to evaluate the request and determine the individual's specific needs. Thank you for your cooperation in this matter.

PLEASE NOTE: The GoApex fixed route bus service available within the Town of Apex is accessible to persons with disabilities.

The individual applying for service under the Americans with Disabilities Act (ADA) **MUST BE UNABLE TO ACCESS THESE SERVICES** due to:

- Conditions which prevent them from getting to or from a GoApex fixed route bus stop, or transferring between vehicles **and/or**

- Conditions which prevent them from being able to plan for, board, ride, or disembark an ADA accessible fixed-route vehicle

The completed application must be submitted to GoWake Access within thirty (30) days of completion by the selected professional and can be returned to the applicant or sent to the following:

By Mail: GoWake Access
Attn: GoApex ADA Eligibility Intake
4401 Bland Rd
Raleigh, NC 27609

By Email: TransportationADAApplications@wake.gov

(PLEASE PRINT)

Name of Applicant: _____

1. Capacity in which you know the applicant: _____

2. When was the applicant last treated or seen by you? _____

3. On average, how frequently is the applicant seen by you? _____

4. Has the applicant been diagnosed with a physical, cognitive, psychological, or other disability that would prevent them from using GoApex's fixed route bus service?

   ☐ Yes ☐ No

5. Is the applicant's disability:

   ☐ Physical ☐ Cognitive ☐ Psychological ☐ Other

6. What is the applicant's disability (Please be specific but use layman's terms)?

7. What is the date of onset? _____

8. Does the applicant's disability or condition prevent the use of regular fixed route bus service?

   ☐ Yes, Sometimes ☐ Yes, Always ☐ No

   If Sometimes or Always, please explain:

9. Could the applicant use regular fixed route buses with travel training? Travel training is an instructional process where individuals learn how to navigate and ride public transit safely and independently. It can be offered through one-on-one training or group training.

☐ Yes, Sometimes ☐ Yes, Always ☐ No

If Sometimes or Always, please explain:

11. How far can the applicant walk/travel by themselves or with the assistance of a mobility aid? (choose one of the options below and fill in a number beside it)

☐ Feet ☐ Blocks ☐ Miles

12. What is the expected duration of this individual's condition?

☐ Temporary: Approximate expected duration until ____ ____ _____

☐ Long-term: Potential for improvement or periods of remission

☐ Permanent: No expectation of functional improvement

I have read Parts A and B in their entirety ☐ Yes ☐ No

I agree with the information provided in Part B ☐ Yes ☐ No

If no, please explain:

Please choose the statement below which best represents your professional opinion regarding the applicant's use of public transportation:

☐ The applicant should be able to access fixed route public transportation successfully.

☐ The applicant can use fixed route public transportation successfully but may need to utilize Door to Door service **under certain conditions** due to a disabling condition or functional limitation.

Please explain conditions:

☐ The applicant cannot use fixed route public transportation due to a disabling condition or functional limitation and requires Door to Door service **without conditions**.

Printed Name _____

Title _____
(If not a licensed physician, please indicate Title & Certification)

Organization/Practice _____

Address: _____

City: _____ State: _____ Zip Code: _____

Phone #: _____

Fax #: _____

Email address: _____

Signature: _____ **Date**: _____

Applicant Name _____

FOR GOWAKE ACCESS USE ONLY

APPROVED ____ DENIED ____

UNCONDITIONAL ____ CONDITIONAL ____ TEMPORARY ____

ISSUED BY _____ TITLE _____

DATE _____ FILE NUMBER _____

Appendix E: GoApex Appeal Process

Denial of Paratransit Service

GoWake Access will carefully review each application to ensure that only qualified persons are approved. Upon completion of review, a letter of certification or denial will be mailed. If your application for paratransit service was denied, you have the right to appeal this decision.

ADA Application Appeals

To appeal the decision, you will need to submit your request in writing, sixty (60) days within receipt of the denial letter.

Appeals may be mailed to:

ATTN: Paris Butler, GoWake Access
4401 Bland Road Raleigh, NC 27609

Your appeal will be heard by an ADA Appeals Board. The ADA Appeals Board consists of individuals who are not involved in the initial certification process. Their decision is made independently of the ADA Certification Process.

Upon receipt of your letter, GoApex will set up a meeting with the ADA Appeals Board. You will be notified by mail of the date and time of this meeting. You will have the opportunity to submit any additional information and written evidence and/or arguments to support your qualifications for service. You may bring a representative with you to this meeting.

You will be notified of the Appeals Board's decision in writing within thirty (30) days of the hearing. The Board's decision is final.

Denial of Paratransit Service Due to No-Show:

If a rider has a pattern and practice of No-Shows/Late Cancellations as provided above, GoWake Access will send them a suspension letter or email, proposing to suspend service with instructions on the appeals process (with an option for an in-person appeal). The notice will specify the basis of the proposed action and set forth the proposed suspension. The notice will advise the individual of the right to appeal the assessment of any no-shows/late cancellations and/or suspensions of service by submitting a letter of appeal to GoWake Access. Individuals will have 60 days (or 90 days if the individual has a good reason for delay) from the date of the written notice to submit their request for an appeal. GoWake Access will not require such requests to include the basis or reasons for the appeal. The choice to submit written information in advance of or instead of an appeal hearing would be for the appellant to make. GoWake Access will provide the individual with a hearing to present information and arguments and review the situation and provide the individual with transportation services if the decision to suspend transportation services was wrong. A local hearing will be held within five (5) days of the individual's request unless the individual asks for it to be postponed. The hearing can be postponed (for a good reason), for as much as 10 calendar days. To the extent practicable, the individuals deciding appeals will not be those involved with the initial decision to suspend service. GoWake Access will provide written

notification of the decision and the reasons for it. GoWake Access will not be required to provide paratransit service to the individual pending the determination on appeal. However, if a decision has not been made within 30 days of the completion of the appeal process, GoWake Access will provide paratransit service from that time until and unless a decision to deny the appeal is issued. Critical needs clients such as, dialysis and chemotherapy patients will not have their paratransit services suspended. All appeals must be submitted in writing within 30 days. Please include the time, date and pickup address of the no-showed ride you are appealing.

Appendix F: GoApex No Show Policy

No-Shows and Late Cancellations

No-Show and Late Cancellation policies will be in compliance with the ADA and CFR. To avoid a No-Show or late cancellation, the client must be ready at the designated place for pickup within the pickup window given by the Customer Service Representative.

No-Show

A No-Show occurs when all of the following criteria are met:

- There has been no call by the rider to cancel the scheduled trip at least 1 hour prior to the start of the pickup window.
  AND
- The vehicle arrives at the scheduled pickup location within the 30-minute pickup window.
  AND
- The driver has waited 5 minutes after arriving during the pickup window.

After waiting for 5 minutes, the driver is instructed to leave a No-Show tag, and proceed to the next destination.

Late Cancellation

A late cancellation occurs when the rider does not call to cancel a specific scheduled trip at least 1 hour prior to start of the pickup window. Late cancellations will be treated as “No-Shows”.

No-Shows Beyond Passenger’s Control

Trips cancelled for reasons that are beyond the rider’s control will not be considered “No-Shows”. This includes missed trips resulting due to sudden illness, family or personal emergency, transit connection delay, appointment delay, extreme weather conditions, operator error, paratransit lateness, or other unforeseen reasons for which it is not possible to call to cancel in time or to take trips as scheduled.

Subsequent Trips

If a rider has a No-Show for the outgoing portion of a round trip, they will still keep return trips and subsequent trips on schedules unless there was an indication from a rider or other reliable source that they will not need the return trips. GoWake Access will attempt to contact the client to see if they need the return trip to avoid another No-Show.

No-Show Notifications

GoWake Access will send a written warning after five (5) No-Shows. The written correspondence will list the total number of No-Shows and the percent of No-Shows in reference to the total number of trips booked in the calendar month. Specific dates, times, and locations of each No-Show in the calendar month will be provided in writing upon rider request.

Pattern and Practice of No-Shows

Riders may be suspended from paratransit service when they show a “pattern and practice” of No-Shows, which occurs when:

- A rider has five (5) or more No-Shows in a calendar month; AND
- The number of No-Shows represents more than 15% of the trips booked by the rider in a calendar month.

Suspension Periods

The following suspension periods shall apply:

- 1st violation: Warning Letter/Email
- 2nd violation: 7-day suspension
- 3rd violation: 14-day suspension
- 4th violation: 30-day suspension

Notification of No-Show Policy

ADA Patron Address

Dear

It is the policy of GoApex to inform our patrons of factors that may affect their transit services. No-shows are one of those factors.

No-Shows, as well as late cancellations, result in wasted trips which could have been used by other passengers. It is the policy of GoApex to record each customer's no-shows and apply appropriate sanctions when customers establish a pattern of excessive No-Shows.

For your information, attached is the policy that provides what defines a No-Show and what actions may be taken.

Thank you for your patronage.

Appendix G: Subscription Service Policy

For GoApex Door to Door passengers who need a ride to the same place, at the same time, on a daily, weekly, or monthly basis, "Subscription Service" is offered as a privilege to help meet passengers' scheduling and transit needs. This service allows a passenger to schedule their ongoing trips with one call. The passenger will then be automatically placed on the Door to Door schedule each week. Passengers may ask the GoWake Access call center representative for more details regarding this option. All GoApex Door to Door customers are able to request multiple trips in one call as long as the advance notice requirements are met (i.e., trip requests are made between one (1) and fourteen (14) days in advance). Subscription trips are different in that once the recurring reservation is set up, the customer does not have to call in to reserve those ongoing trips over time.

- This service is a privilege. Based on demand, it may be necessary to limit the number of subscription trips, to allow for providing service to the greatest number of customers. If this happens, requests may be resubmitted at a later date if the time slot becomes available.
- GoApex reserves the right to limit subscription trips to maintain 50% or less subscription trips at any given time period per Americans with Disabilities Act guidelines for paratransit service (see 49 CFR §37.133). Subscriptions trips are taken on a first-come, first-served basis and are limited based on overall demand by time of day.
    - Time periods are considered an hourly period (ex. 8am-9am) on any given day of the week, and apply to both outgoing and return trips. For example, subscription trips may be fully booked at the 8am hour on Mondays, but be available at the 2pm hour.
- The GoApex Door to Door No Show Policy applies to subscription service.

Subscription Trip Cancellations:

- If you are receiving subscription service, it is important to let GoWake Access know immediately if you do not need a ride on a particular pre-scheduled day. This way, GoWake Access can make the adjustment on their paratransit service schedule in advance.
    - For example, if a passenger has subscription service for a trip to school each weekday, they will need to cancel trips in advance of holiday and vacation times when school is not in session. This will help us avoid unnecessary trips or missed connections.
    - Trips cancelled less than one week in advance will jeopardize the ability of others to reserve that time slot and are subject to the GoApex No-Show policy.
    - Passengers cancelling one-third (33%) of their subscription trips in one month may lose the recurring time slot, even if cancellations are made with adequate notice.
- Passengers may cancel their subscription service by calling the trip reservation line. Please be clear about whether you are cancelling <u>one</u> trip or <u>all</u> subscription trips.

| Agenda Item | cover sheet

for consideration by the Apex Town Council

Item Type: CONSENT AGENDA

Meeting Date: December 09, 2025

Item Details

Presenter(s): Allen Coleman, Town Clerk

Department(s): Town Clerk's Office

Requested Motion

Motion to adopt a Resolution Directing the Town Clerk to Investigate Petition Received, to accept the Certificate of Sufficiency by the Town Clerk, and to adopt a Resolution Setting the Date of a Public Hearing for January 13, 2025, on the Question of Annexation - Apex Town Council's intent to annex 4.80 acres, located at 2224 New Hill Olive Chapel Road (PIN 0710-77-2057), Annexation No. 798, into the Town Corporate limits.

Approval Recommended?

Yes

Item Details

The Town Clerk certifies to the investigation of said annexation.

Adoption of the Resolution authorizes the Town Clerk to advertise said public hearing by electronic means and on the Town of Apex's website.

Attachments

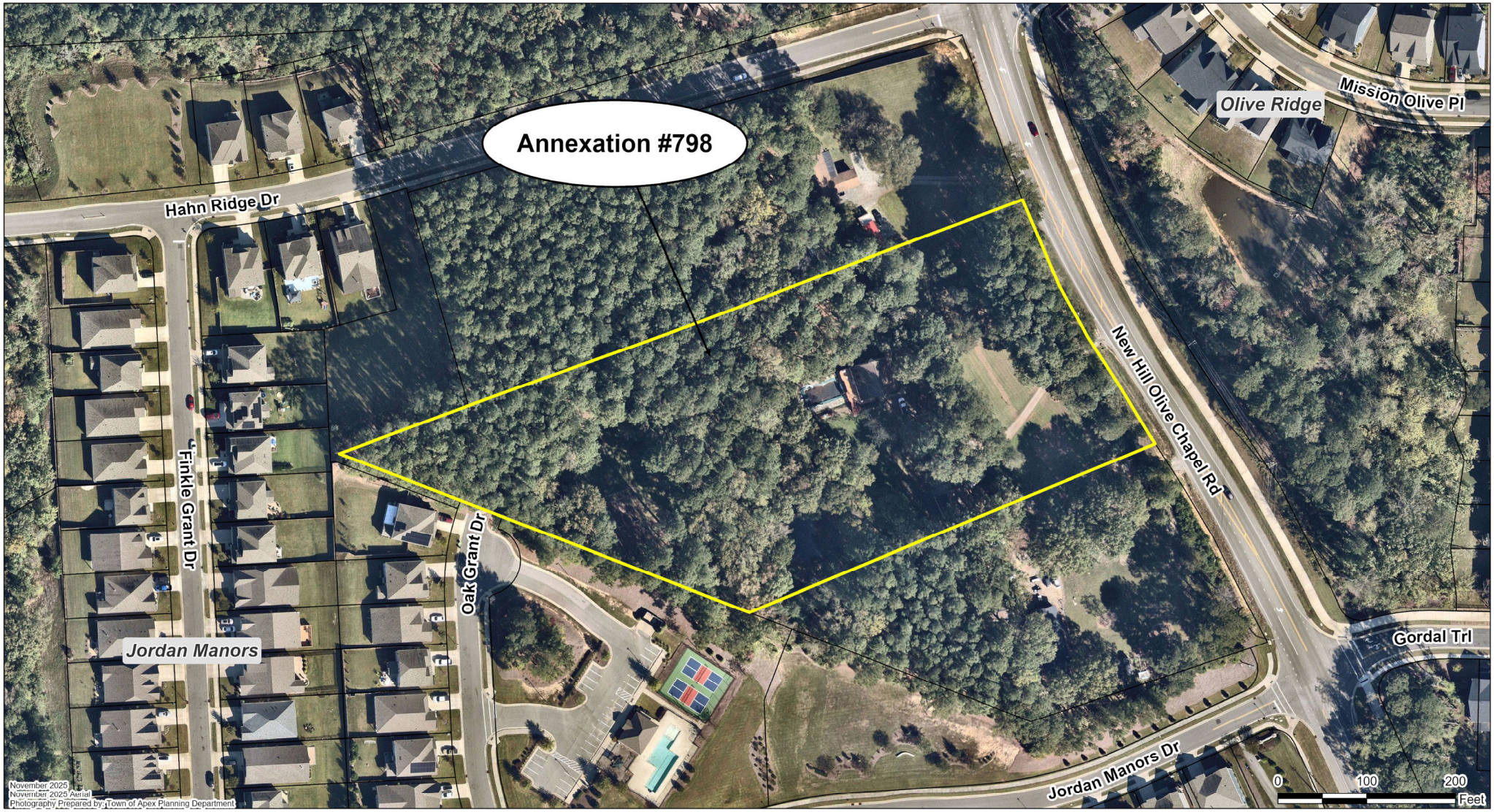
- CN8-A1: Resolution Directing the Town Clerk to Investigate Petition
  - Certificate of Sufficiency by the Town Clerk
  - Resolution Setting Date of Public Hearing
- CN8-A2: Legal Description – Annexation No. 798 – 2224 New Hill Olive Chapel Road – 4.80 acres
- CN8-A3: Aerial Map – Annexation No. 798 – 2224 New Hill Olive Chapel Road – 4.80 acres
- CN8-A4: Plat Map – Annexation No. 798 – 2224 New Hill Olive Chapel Road – 4.80 acres
- CN8-A5: Annexation Petition – Annexation No. 798 – 2224 New Hill Olive Chapel Road – 4.80 acres

Smith & Smith Surveyors, P.A.
P.O. Box 457
Apex, N.C. 27502
(919) 362-7111
Firm License No. C-0155

Lying and being in Buckhorn Township, Wake County, North Carolina and being described more fully as follows to wit:

BEGINNING at a point on the western right-of-way of New Hill Olive Chapel Road (N.C.S.R. No. 1141) being the southeastern corner of Michael; D, Mitchell, thence with the aforesaid right-of-way the following four (4) courses and distances: South 23º01'30" East, 50.65 feet to a calculated point, South 27º10'23" East, 80.70 feet to a calculated point, South 31°01'35" East, 104.51 feet, and South 33°25'09" East, 75.72 feet to a calculated point, being the northeastern property corner of Scott Brown; thence with the northern property line of Scott Brown, South 67°18'45" West, 496.24 feet to a calculated point in an eastern property line of Jordan Manors Homeowners Association, Inc.; thence with the aforesaid Homeowners Association property, the terminus of Oak Grant Drive and Jordan Manors Homeowners Association, Inc. northern property lines, North 68°49'51" West, 494.95 feet to a calculated point; thence another property line of aforementioned Home Owners Association, North 69°41'49" East, 154.85 feet to the southwestern corner of Michael D. Mitchell; thence with Michael D. Mitchell's southern property line North 69°41'49" East, 663.13 feet to the point and place of BEGINNING, containing 4.80 acres more or less. The above-described tract of land is all of Wake County PIN 0710-77-2057 similarly as described in Deed Book 6645, Page 649 of the Wake County Registry.

This description was prepared without the benefit of an actual survey for the sole purpose of municipal boundary annexation.


Annexation #798
Hahn Ridge Dr
Finkle Grant Dr
Oak Grant Dr
Jordan Manors
New Hill Olive Chapel Rd
Olive Ridge
Mission Olive Pl
Gordal Trl
Jordan Manors Dr
November 2025
November 2025 Aerial
Photography Prepared by: Town of Apex Planning Department
0
100
200
Feet

ANNEXATION # _____

I, ALLEN COLEMAN, CMC, NCCC, TOWN CLERK, Apex, North Carolina certify this is a true and exact map of annexation adopted this the _____ day of _____, 2025. by the Town Council. I set my hand and seal of the Town of Apex, _____, 2025.

_____
ALLEN COLEMAN, CMC, NCCC, TOWN CLERK

I, STALEY C. SMITH, CERTIFY THAT THIS PLAT WAS DRAWN UNDER MY SUPERVISION USING REFERENCES SHOWN HEREON: THAT THE BOUNDARIES NOT SURVEYED ARE SHOWN AS BROKEN LINES PLOTTED FROM INFORMATION SHOWN HEREON: THAT THE RATIO OF PRECISION AS CALCULATED WAS 1: N/A AND THAT THIS PLAT MEETS THE REQUIREMENTS OF THE STANDARDS OF PRACTICE OF LAND SURVEYING IN NORTH CAROLINA (21 NCAC 56.1600)

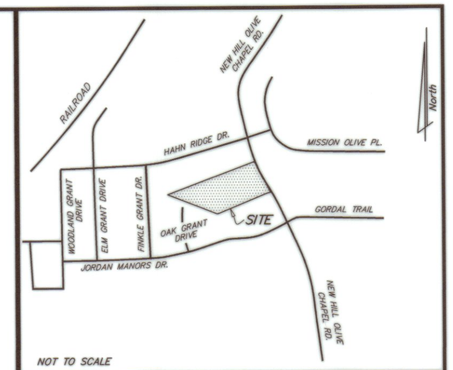
THIS MAP OR PLAT IS EXEMPT FROM THE REQUIREMENTS OF G.S. 47-30 PURSUANT TO G.S. 47-30(i).

WITNESS MY ORIGINAL SIGNATURE, LICENSE NUMBER, AND SEAL THIS THE 15TH DAY OF OCTOBER, A.D., 2025.

NORTH CAROLINA PROFESSIONAL SEAL L-3766 LAND SURVEYOR STALEY C. SMITH

Staley C. Smith
Professional Land Surveyor

L-3766
License Number



VICINITY MAP

MAP NORTH
B.M. 2015, PG. 1019

JORDAN MANORS
HOMEOWNERS ASSOCIATION, INC.
"Open Space"
D.B. 19070, PG. 1761
B.M. 2017, PG. 1727
PIN 0710-67-7125
ANNEXATION # 534 ~ B.M. 2015, PG. 1019

(145)

(146)
B.M. 2017, PG. 1726

(IN) (OUT)

N 69°41'49" E
154.85'

MICHAEL D. MITCHELL
DEBRA H. MITCHELL
D.B. 4405, PG. 92
B.M. 1978, PG. 21 (LOT 5)
PIN 0710-77-0360

N 69°41'49" E
663.20'

TOWN OF APEX CORPORATE LIMITS

TOWN OF APEX
CORPORATE LIMITS
R/W

S 23°01'30" E
50.65'

S 27°10'23" E
80.70'

(IN) (OUT)

S 31°01'35" E
104.51'

S 33°25'09" E
75.72'

R/W

NCSR No. 1141 (NEW HILL OLIVE CHAPEL ROAD)
PUBLIC R/W

WEEKLEY HOMES, LLC
"Open Space"
D.B. 19015, PG. 367
B.M. 2022, PG. 783
PIN 0710-77-7260
ANNEXATION # 652
B.M. 2019, PG. 689

TOWN OF APEX
DRAINAGE, WATER & SEWER
EASEMENT
D.B. 16431, PG. 2658

FLOW

2224

4.80 ACRES TOTAL ANNEXED

D.B. 6645, PG. 649
B.M. 1978, PG. 21 (Lot 3)
PIN 0710-77-2057

NOT A PHYSICAL SURVEY

IMPROVEMENTS NOT SHOWN HEREON

(145)

EKENEDILICHUKWU OKORIE
BRIDGET E. OKORIE
D.B. 17989, PG. 2055
B.M. 2017, PG. 1726
PIN 0710-66-9726

TOWN OF APEX CORPORATE LIMITS

494.95'
N 68°49'51" W
BASE BEARING

(OUT)
(IN)

OAK GRANT DRIVE
(50' PUBLIC R/W)
R/W
R/W

JORDAN MANORS
HOMEOWNERS ASSOCIATION, INC.
D.B. 19070, PG. 1761
B.M. 2017, PG. 1725
PIN 0710-66-9785
ANNEXATION # 534 ~ B.M. 2015, PG. 1019

496.24'
S 67°18'45" W

TOWN OF APEX CORPORATE LIMITS

SCOTT BROWN
EMILY BROWN
D.B. 15718, PG. 473
B.M. 1978, PG. 21 (LOT 2)
PIN 0710-77-7260

60 0 30 60 120 240
(IN FEET)
1 inch = 60 ft.

REFERENCES: DEED BOOK 6645, PAGE 649
BOOK OF MAPS 1978, PAGE 21

LEGEND

XXXX - Street Address (Typical)
NCSR - North Carolina Secondary Road
PIN - Parcel Identification Number
R/W - Approximate Right Of Way Line (not surveyed)
Line Not Surveyed
Line Not Surveyed
Line Not Surveyed
Existing Town of Apex Corporate Limits (not surveyed)
Approximate Location of Drainageway (Source: Wake Co. GIS 2021 Imagery)

SURVEYOR NOTES:

1. THE PROPERTY SHOWN HEREON MAY BE SUBJECT TO COVENANTS, CONDITIONS, RESTRICTIONS, RIGHTS OF WAY, AND EASEMENTS OF RECORD AFFECTING THE SAME.
2. NO TITLE SEARCH HAS BEEN PERFORMED BY THIS FIRM DURING THE COURSE OF THIS SURVEY. OF WAY, AND EASEMENTS OF RECORD AFFECTING THE SAME.
3. THIS SURVEYOR DOES NOT CERTIFY TO THE EXISTENCE OR NON-EXISTENCE OF ANY UNDERGROUND UTILITIES, BURIAL GROUNDS ,OR ANY OTHER SUBSURFACE FEATURES THAT MAY OR MAY NOT BE PRESENT ON THIS SITE.
4. ALL DISTANCES ARE HORIZONTAL U.S. SURVEY FOOT UNIT GROUND MEASUREMENTS.
5. AREA DETERMINED USING THE COORDINATE GEOMETRY METHOD.
6. SITE ZONE: R-80W & R-40W (SOURCE: WAKE COUNTY GIS)
7. THIS MAP WAS PREPARED FOR THE SOLE PURPOSE OF MUNICIPAL BOUNDARY ANNEXATION. THIS MAP SHOULD NOT BE USED TO TRANSFER PROPERTY SHOWN HEREON.
8. SITE ADDRESS: 2224 NEW HILL OLIVE CHAPEL ROAD
NEW HILL, N.C. 27562-9700

RECORDED IN BOOK OF MAPS 2025 ,PAGE _____.

ANNEXATION MAP for the TOWN OF APEX

D. STEPHEN SCRUGGS
AND WIFE
LISA K. SCRUGGS

BUCKHORN TOWNSHIP, WAKE COUNTY, NORTH CAROLINA

OWNER:
(NOT TITLE VERIFICATION)
D. STEPHEN SCRUGGS
& WIFE LISA K. SCRUGGS
2224 NEW HILL OLIVE CHAPEL ROAD
NEW HILL, N.C. 27562-9700

P.I.N. 0710-77-2057

Smith & Smith, Surveyors, P.A.
P.O. BOX 457
APEX, N.C. 27502
(919) 362-7111
FIRM LICENSE No. C-0155

DATE FEBRUARY 24, 2025
SCALE 1" = 60'
DRAWN BY J.A.B.
PROJECT NO. 2025-25

PETITION FOR VOLUNTARY ANNEXATION

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

Application #: Annexation # 778 Submittal Date: 3-5-2025

Fee Paid ~~$200~~ 300.00 Check # CC

TO THE TOWN COUNCIL APEX, NORTH CAROLINA

1. We, the undersigned owners of real property, respectfully request that the area described in Part 4 below be annexed to the Town of Apex, ■ Wake County, ☐ Chatham County, North Carolina.
2. The area to be annexed is ■ contiguous, ☐ non-contiguous (satellite) to the Town of Apex, North Carolina and the boundaries are as contained in the metes and bounds description attached hereto.
3. If contiguous, this annexation will include all intervening rights-of-way for streets, railroads, and other areas as stated in G.S. 160A-31(f), unless otherwise stated in the annexation amendment.

OWNER INFORMATION

D. Stephen and Lisa K. Scruggs	PIN # 0710772057
Owner Name (Please Print)	Property PIN or Deed Book & Page #
919-819-9352	steve_scruggs@bellsouth.net
Phone	E-mail Address
Owner Name (Please Print)	Property PIN or Deed Book & Page #
Phone	E-mail Address
Owner Name (Please Print)	Property PIN or Deed Book & Page #
Phone	E-mail Address

SURVEYOR INFORMATION

Surveyor: Ben Smith of Smith and Smith Surveyors, PA

Phone: 919-362-7111 Fax:

E-mail Address: ben@smithandsmithsurveyors.net

ANNEXATION SUMMARY CHART

Property Information		Reason(s) for annexation (select all that apply)	
Total Acreage to be annexed:	4.8	Need water service due to well failure	☑
Population of acreage to be annexed:	2	Need sewer service due to septic system failure	☐
Existing # of housing units:	1	Water service (new construction)	☐
Proposed # of housing units:	0	Sewer service (new construction)	☐
Zoning District*:	Apex ETJ	Receive Town Services	☐

*If the property to be annexed is not within the Town of Apex's Extraterritorial Jurisdiction, the applicant must also submit a rezoning application with the petition for voluntary annexation to establish an Apex zoning designation. Please contact the Planning Department with questions.

PETITION FOR VOLUNTARY ANNEXATION

Application #: Annexation # 798 Submittal Date: 3-5-2025

COMPLETE IF SIGNED BY INDIVIDUALS:

All individual owners must sign. (If additional signatures are necessary, please attach an additional sheet.)

D. Stephen Scruggs Please Print	D. Stephen Scruggs Signature
Lisa K. Scruggs Please Print	Lisa K. Scruggs Signature
Please Print	Signature
Please Print	Signature

STATE OF NORTH CAROLINA
COUNTY OF WAKE

Sworn and subscribed before me, Geraldine Ransom, a Notary Public for the above State and County, this the 27TH day of, FEBRUARY, 2025.

GERALDINE RANSOM NOTARY PUBLIC CUMBERLAND COUNTY, N.C. My Comm. Exp. 09-13-2028

SEAL

Geraldine Ransom
Notary Public

My Commission Expires: 09/13/2028

COMPLETE IF A CORPORATION:

In witness whereof, said corporation has caused this instrument to be executed by its President and attested by its Secretary by order of its Board of Directors, this the _____ day of _____, 20_____.

Corporate Name _____

SEAL

By: _____
President (Signature)

Attest:

_____
Secretary (Signature)

STATE OF NORTH CAROLINA
COUNTY OF WAKE

Sworn and subscribed before me, _____, a Notary Public for the above State and County, this the _____day of _____, 20____.

_____
Notary Public

SEAL

My Commission Expires: _____

| Agenda Item | cover sheet

for consideration by the Apex Town Council

Item Type: CONSENT AGENDA

Meeting Date: December 09, 2025

Item Details

Presenter(s): Allen Coleman, Town Clerk

Department(s): Town Clerk's Office

Requested Motion

Motion to adopt a Resolution Directing the Town Clerk to Investigate Petition Received, to accept the Certificate of Sufficiency by the Town Clerk, and to adopt a Resolution Setting the Date of a Public Hearing for January 13, 2025, on the Question of Annexation - Apex Town Council's intent to annex 3.35 acres, located at 8905 Castleberry Road (PIN 0713-71-9698 and PIN 0713-71-9580), Annexation No. 807, into the Town Corporate limits.

Approval Recommended?

Yes

Item Details

The Town Clerk certifies to the investigation of said annexation.

Adoption of the Resolution authorizes the Town Clerk to advertise said public hearing by electronic means and on the Town of Apex's website.

Attachments

- CN9-A1: Resolution Directing the Town Clerk to Investigate Petition
  - Certificate of Sufficiency by the Town Clerk
  - Resolution Setting Date of Public Hearing
- CN9-A2: Legal Description – Satellite Annexation No. 807 – 8905 Castleberry Road – 3.35 acres
- CN9-A3: Aerial Map – Satellite Annexation No. 807 – 8905 Castleberry Road – 3.35 acres
- CN9-A4: Plat Map – Satellite Annexation No. 807 – 8905 Castleberry Road – 3.35 acres
- CN9-A5: Annexation Petition – Satellite Annexation No. 807 – 8905 Castleberry Road – 3.35 acres

2025-09-04

8905 Castleberry Road

Area to Be Annexed:
REID 0062234 (8905 Castleberry Road), REID 0529629, and p/o Castleberry Road Right-of-Way

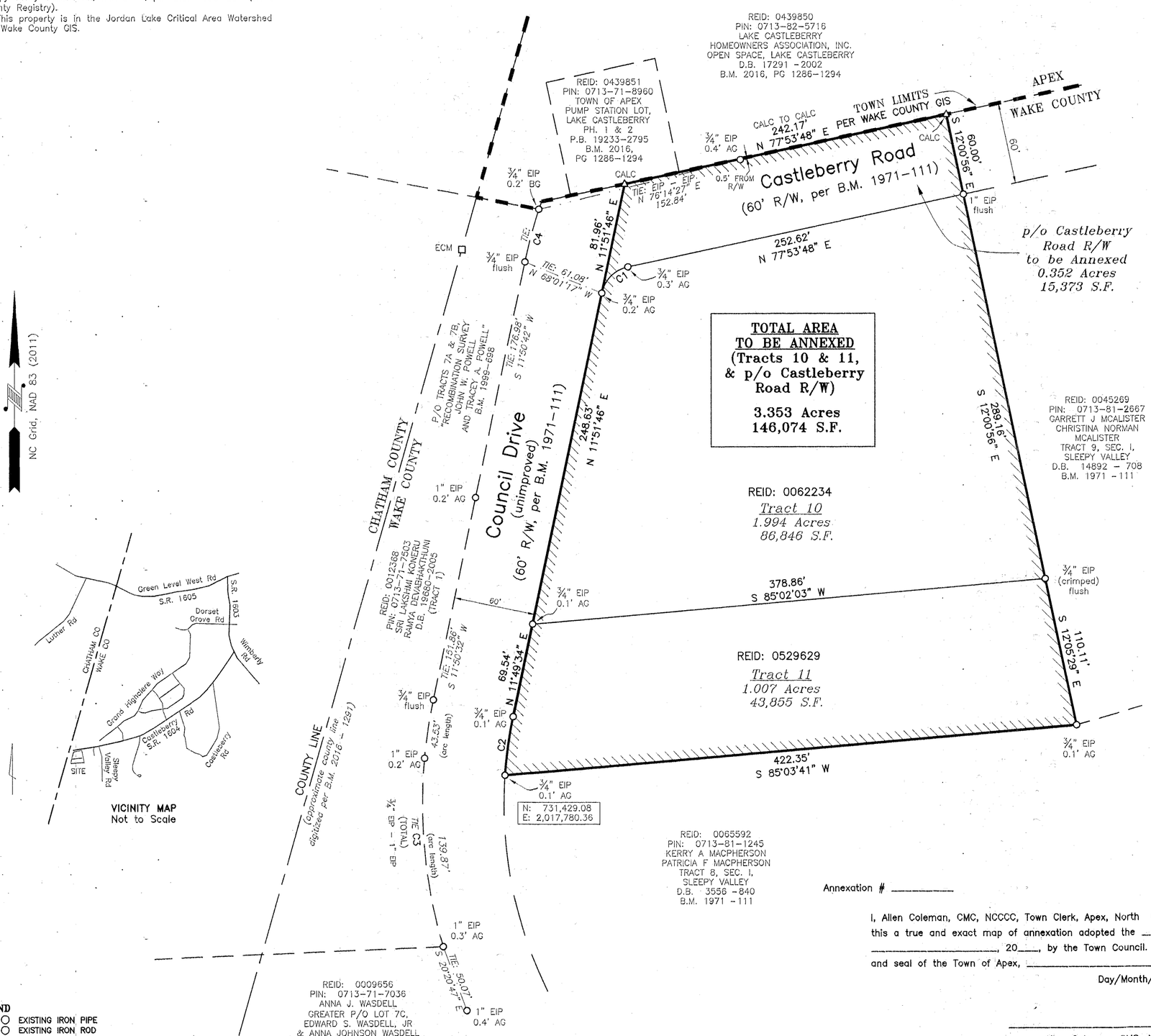
Lying and being in the White Oak Township, Wake County, State of North Carolina, and being more particularly described as BEGINNING at a 3/4" existing iron pipe 0.1' above grade with NC Grid Coordinates Northing 731,429.08, Easting 2,017,780.36, in the eastern side of Council Drive Right-of-Way, said existing iron pipe being the southwestern corner of Tract 11, Section I, Sleepy Valley Subdivision, recorded in Book of Maps 1971, Page 111, Wake County Registry; running thence along Council Drive with a curve turning to the right with an arc length of 43.62', with a radius of 310.38', with a chord bearing of N 07°57'10" E, with a chord length of 43.59', to a 3/4" existing iron pipe 0.1' above grade; running thence N 11°49'34" E a distance of 69.54' to a 3/4" existing iron pipe 0.1' above grade; running thence N 11°51'46" E a distance of 248.63' to a 3/4" existing iron pipe 0.2' above grade; running thence N 11°51'46" E a distance of 81.96' to a calculated point in the northern side of Castleberry Road Right-of-Way (S.R. 1604); running thence along Castleberry Road N 77°53'48" E a distance of 242.17' to a calculated point; running thence S 12°00'56" E a distance of 60.00' to a 1" existing iron pipe flush in the southern side of Castleberry Road; running thence S 12°00'56" E a distance of 289.16' to a 3/4" existing iron pipe (crimped) flush; running thence S

12°05'29" E a distance of 110.11' to a 3/4" existing iron pipe 0.1' above grade; running thence S 85°03'41" W a distance of 422.35' to a 3/4" existing iron pipe 0.1' above grade, which is the POINT OF BEGINNING, containing an area of 3.353 acres, 146,074 square feet, and being in accordance with a survey by Stephen M. Hallstrom, Professional Land Surveyor, dated September 4, 2025, and entitled "Satellite Annexation Map For The Town Of Apex Property Of Sri Lakshmi Koneru & Ramya Devabhakthuni."


Annexation #807
Castleberry Rd
Lake Castleberry
Grand Highclere Way
Pendennis Park Pl
Sleepy Valley Rd
CHATHAM COUNTY
November 2025
November 2025 Aerial
Photography Prepared by: Town of Apex Planning Department
0
200
400
Feet

Notes
1) This survey was performned without the benefit of a title report. This survey is subject to any facts and easements which may be disclosed by a full and accurate title search.
2) All distances are horizontal ground distances, unless otherwise noted. All areas by coordinate computation.
3) This property is not in a flood hazard zone per DFIRM panel 0713, map #3720071300K, effective 7/19/2022.
4) State Plane coordinates were established for this survey using a Spectra SP85 GPS antenna with the RTK method.
5) This property may be subject to Protective Covenants of Sleepy Valley Subdivision, Section 1, per D.B. 1990-281 (Wake County Registry).
6) This property is in the Jordan Lake Critical Area Watershed per Wake County GIS.

CURVE	RADIUS	ARC LENGTH	CHORD LENGTH	CHORD BEARING	DELTA ANGLE
C1	25.00'	28.75'	27.19'	S 44°41'22" W	65°53'17"
C2	310.38'	43.62'	43.59'	S 07°57'10" W	8°03'10"
C3	370.38'	183.40'	181.53'	N 02°17'45" W	28°22'16"
C4	377.92'	40.05'	40.03'	N 14°38'00" E	6°04'17"



VICINITY MAP
Not to Scale

LEGEND
- EIP ○ EXISTING IRON PIPE
- EIR ○ EXISTING IRON ROD
- ECM □ EXISTING CONCRETE MONUMENT
- CALC △ CALCULATED POINT
- AG ABOVE GRADE
- BG BELOW GRADE
- TOWN LIMITS
- AREA TO BE ANNEXED

Annexation # _____

I, Allen Coleman, CMC, NCCCC, Town Clerk, Apex, North Carolina certify this a true and exact map of annexation adopted the _____ day of _____, 20____, by the Town Council. I set my hand and seal of the Town of Apex, _____.
Day/Month/Year

_____
Allen Coleman, CMC, NCCCC, Town Clerk

-Seal-

I CERTIFY THAT THIS MAP WAS DRAWN UNDER MY SUPERVISION FROM AN ACTUAL SURVEY MADE UNDER MY SUPERVISION (DEED DESCRIPTION RECORDED IN DEED BOOK 19680, PAGE 2005); THAT THE BOUNDARIES NOT SURVEYED ARE INDICATED AS DRAWN FROM SOURCES NOTED HEREON; THAT THE RATIO OF PRECISION IS 1:10,000 OR BETTER; THAT THIS PLAT WAS PREPARED IN ACCORDANCE WITH G.S. 47-30 AS AMENDED.

I FURTHER CERTIFY:
A. THAT THE SURVEY CREATES A SUBDIVISION OF LAND WITHIN THE AREA OF A COUNTY OR MUNICIPALITY THAT HAS AN ORDINANCE THAT REGULATES PARCELS OF LAND.
B. THAT THE SURVEY IS LOCATED IN A PORTION OF A COUNTY OR MUNICIPALITY THAT IS UNREGULATED AS TO AN ORDINANCE THAT REGULATES PARCELS OF LAND.
C. ANY ONE OF THE FOLLOWING:
1. THAT THE SURVEY IS OF AN EXISTING PARCEL OR PARCELS OF LAND OR ONE OR MORE EXISTING EASEMENTS AND DOES NOT CREATE A NEW STREET OR CHANGE AN EXISTING STREET.
2. THAT THE SURVEY IS OF AN EXISTING FEATURE, SUCH AS A BUILDING OR OTHER STRUCTURE, OR NATURAL FEATURE, SUCH AS A WATERCOURSE.
3. THAT THE SURVEY IS A CONTROL SURVEY.
4. THAT THE SURVEY IS OF A PROPOSED EASEMENT FOR A PUBLIC UTILITY AS DEFINED IN G.S. 62-3.
D. THAT THE SURVEY IS OF ANOTHER CATEGORY, SUCH AS THE RECOMBINATION OF EXISTING PARCELS, A COURT-ORDERED SURVEY, OR OTHER EXEMPTION OR EXCEPTION TO THE DEFINITION OF SUBDIVISION.
E. THAT THE INFORMATION AVAILABLE TO THE SURVEYOR IS SUCH THAT THE SURVEYOR IS UNABLE TO MAKE A DETERMINATION TO THE BEST OF THE SURVEYOR'S PROFESSIONAL ABILITY AS TO PROVISIONS CONTAINED IN (A) THROUGH (D) ABOVE.

WITNESS MY ORIGINAL SIGNATURE, LICENSE NUMBER, AND SEAL THIS 18th DAY OF November, 2025.

STEPHEN M. HALLSTROM PROFESSIONAL LAND SURVEYOR L-5083

NORTH CAROLINA PROFESSIONAL SEAL L-5083 LAND SURVEYOR STEPHEN M. HALLSTROM

SATELLITE ANNEXATION MAP for the TOWN OF APEX

PROPERTY OF
SRI LAKSHMI KONERU & RAMYA DEVABHAKTHUNI

PROPERTY ADDRESS: 8905 CASTLEBERRY ROAD
TRACT 10, SECTION I, SLEEPY VALLEY
REID: 0062234
PIN REFERENCE: 0713-71-9698
DEED REFERENCE: 19680-2005 (TRACT 2)
PLAT REFERENCE: B.M. 1971 - 111 (TRACT 10)

TRACT 11, SECTION I, SLEEPY VALLEY
REID: 0529629
PIN REFERENCE: 0713-71-9580
DEED REFERENCE: 19680-2005 (TRACT 2)
PLAT REFERENCE: B.M. 1971 - 111 (TRACT 11)

OWNERS' ADDRESS:
SRI LAKSHMI KONERU
RAMYA DEVABHAKTHUNI
709 VINE POND CT.
APEX, NC 27523

WHITE OAK TOWNSHIP
WAKE COUNTY
NORTH CAROLINA

PLAT REV DATE: OCT. 27, 2025
PLAT REV DATE: SEPT. 4, 2025
PLAT DATE: JULY 28, 2025
SURVEY DATE: APRIL 12, 2024

SCALE: 1" = 60'

0 30 60 120 180 240

FREEHOLD LAND SURVEYS, INC. C-165
mailing address: P.O. BOX 188, CARRBORO, NC 27510
office address: 1777 FORDHAM BLVD. SUITE 104 CHAPEL HILL, NC 27514
phone: 919-929-8090
website: www.freeholdlandsurveys.com

STEPHEN M. HALLSTROM PROFESSIONAL LAND SURVEYOR L-5083

J26252

PETITION FOR VOLUNTARY ANNEXATION

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

Application #: _____ Submittal Date: _____

Fee Paid $ _____ Check # _____

TO THE TOWN COUNCIL APEX, NORTH CAROLINA

1. We, the undersigned owners of real property, respectfully request that the area described in Part 4 below be annexed to the Town of Apex, ☒ Wake County, ☐ Chatham County, North Carolina.
2. The area to be annexed is ☐ contiguous, ☒ non-contiguous (satellite) to the Town of Apex, North Carolina and the boundaries are as contained in the metes and bounds description attached hereto.
3. If contiguous, this annexation will include all intervening rights-of-way for streets, railroads, and other areas as stated in G.S. 160A-31(f), unless otherwise stated in the annexation amendment.

OWNER INFORMATION

Sri Lakshmi Koneru Owner Name (Please Print)	0713-71-9698 & 0713-71-9580 Property PIN or Deed Book & Page #
 Phone	kp@konerugroup.com E-mail Address
Ramya Devabhakthuni Owner Name (Please Print)	0713-71-9698 & 0713-71-9580 Property PIN or Deed Book & Page #
 Phone	 E-mail Address
 Owner Name (Please Print)	 Property PIN or Deed Book & Page #
 Phone	 E-mail Address

SURVEYOR INFORMATION

Surveyor: Freehold Land Surveys, Inc. - Steve Hallstrom, PLS

Phone: (919) 929-8090 Fax: _____

E-mail Address: steve@freeholdlandsurveys.com

ANNEXATION SUMMARY CHART

Property Information		Reason(s) for annexation (select all that apply)	
Total Acreage to be annexed:	3.35	Need water service due to well failure	☐
Population of acreage to be annexed:	0	Need sewer service due to septic system failure	☐
Existing # of housing units:	1	Water service (new construction)	☐
Proposed # of housing units:	4	Sewer service (new construction)	☐
Zoning District*:	LD	Receive Town Services	☑

*If the property to be annexed is not within the Town of Apex's Extraterritorial Jurisdiction, the applicant must also submit a rezoning application with the petition for voluntary annexation to establish an Apex zoning designation. Please contact the Planning Department with questions.

PETITION FOR VOLUNTARY ANNEXATION

Application #: 807 Submittal Date: 8-1-2025

COMPLETE IF SIGNED BY INDIVIDUALS:

All individual owners must sign. (If additional signatures are necessary, please attach an additional sheet.)

SRI LAKSHMI KONERU
Please Print

Srilakshmi K.
Signature

Please Print

Signature

Please Print

Signature

Please Print

Signature

STATE OF NORTH CAROLINA
COUNTY OF WAKE

Sworn and subscribed before me, Geraldine Ransom, a Notary Public for the above State and County, this the 30th day of JUNE, 2025

SEAL

Geraldine Ransom
Notary Public

My Commission Expires: 09/13/2028

COMPLETE IF A CORPORATION:

In witness whereof, said corporation has caused this instrument to be executed by its President and attested by its Secretary by order of its Board of Directors, this the _____ day of _____, 20_____.

Corporate Name _____

SEAL

By: _____
President (Signature)

Attest:

_____
Secretary (Signature)

STATE OF NORTH CAROLINA
COUNTY OF WAKE

Sworn and subscribed before me, _____, a Notary Public for the above State and County, this the _____day of _____, 20____.

_____
Notary Public

SEAL

My Commission Expires: _____

PETITION FOR VOLUNTARY ANNEXATION

Application #: 807 Submittal Date: 8-1-2025

COMPLETE IF SIGNED BY INDIVIDUALS:

All individual owners must sign. (If additional signatures are necessary, please attach an additional sheet.)

RAMYA DEVABHAKTHUNI — D. Ramya
Please Print — Signature

Please Print — Signature

Please Print — Signature

Please Print — Signature

STATE OF NORTH CAROLINA
COUNTY OF WAKE

Sworn and subscribed before me, Rucha Patel, a Notary Public for the above State and County, this the 1st day of, July, 2025.

Notary Public

SEAL

RUCHA PATEL
Notary Public, North Carolina
Wake County
My Commission Expires
March 26, 2027

My Commission Expires: March 26, 2027

COMPLETE IF A CORPORATION:

In witness whereof, said corporation has caused this instrument to be executed by its President and attested by its Secretary by order of its Board of Directors, this the _____ day of _____, 20_____.

Corporate Name _____

SEAL

By: _____
President (Signature)

Attest:

_____
Secretary (Signature)

STATE OF NORTH CAROLINA
COUNTY OF WAKE

Sworn and subscribed before me, _____, a Notary Public for the above State and County, this the _____day of _____, 20____.

_____
Notary Public

SEAL

My Commission Expires: _____

| Agenda Item | cover sheet

for consideration by the Apex Town Council

Item Type: CONSENT AGENDA

Meeting Date: December 09, 2025

Item Details

Presenter(s): Allen Coleman, Town Clerk

Department(s): Town Clerk's Office

Requested Motion

Motion to adopt a Resolution Directing the Town Clerk to Investigate Petition Received, to accept the Certificate of Sufficiency by the Town Clerk, and to adopt a Resolution Setting the Date of a Public Hearing for January 13, 2025, on the Question of Annexation - Apex Town Council's intent to annex 0.50 acres, located at 2236 Old US 1 Highway (aka The Summit Apex) (PIN 0720-99-4626), Annexation No. 808, into the Town Corporate limits.

Approval Recommended?

Yes

Item Details

The Town Clerk certifies to the investigation of said annexation.

Adoption of the Resolution authorizes the Town Clerk to advertise said public hearing by electronic means and on the Town of Apex's website.

Attachments

- CN9-A1: Resolution Directing the Town Clerk to Investigate Petition
  - Certificate of Sufficiency by the Town Clerk
  - Resolution Setting Date of Public Hearing
- CN9-A2: Legal Description – Annexation No. 808 – 2236 Old US 1 Highway – 0.50 acres
- CN9-A3: Aerial Map – Annexation No. 808 – 2236 Old US 1 Highway – 0.50 acres
- CN9-A4: Plat Map – Annexation No. 808 – 2236 Old US 1 Highway – 0.50 acres
- CN9-A5: Annexation Petition – Annexation No. 808 – 2236 Old US 1 Highway – 0.50 acres

ANNEXATION DESCRIPTION

BEGINNING AT AN IRON PIPE ON THE NORTHERN RIGHT OF WAY OF HUMIE OLIVE ROAD HAVING NC GRID COORDINATES N: 709673.11', E: 2028829.22', THENCE LEAVING RIGHT OF WAY, SOUTH 88 DEGREES 20 MINUTES 53 SECONDS EAST FOR A DISTANCE OF 40.13 FEET TO A POINT ON A LINE. THENCE, SOUTH 66 DEGREES 25 MINUTES 27 SECONDS EAST FOR A DISTANCE OF 289.02 FEET TO A POINT ON A LINE. THENCE, NORTH 23 DEGREES 47 MINUTES 37 SECONDS EAST FOR A DISTANCE OF 146.21 FEET TO A POINT ON A LINE. THENCE, SOUTH 87 DEGREES 58 MINUTES 43 SECONDS EAST FOR A DISTANCE OF 487.86 FEET TO A POINT ON A LINE. THENCE, SOUTH 05 DEGREES 15 MINUTES 54 SECONDS WEST FOR A DISTANCE OF 24.92 FEET TO A POINT ON A LINE. THENCE, NORTH 88 DEGREES 18 MINUTES 19 SECONDS WEST FOR A DISTANCE OF 125.81 FEET TO A POINT ON A LINE. THENCE, NORTH 88 DEGREES 19 MINUTES 24 SECONDS WEST FOR A DISTANCE OF 339.43 FEET TO A POINT ON A LINE. THENCE, SOUTH 23 DEGREES 47 MINUTES 37 SECONDS WEST FOR A DISTANCE OF 143.33 FEET TO A POINT ON A LINE. THENCE NORTH 66 DEGREES 25 MINUTES 04 SECONDS WEST A DISTANCE OF 356.15 FEET TO THE POINT OF BEGINNING, CONTAINING 21,696 SQUARE FEET OR 0.50 ACRES.


Annexation #808
The Summit
Humie Olive Rd
Old US 1 Hwy
November 2025
November 2025 Aerial
Photography Prepared by: Town of Apex Planning Department
0
200
400
Feet

NORTH CAROLINA PROFESSIONAL SEAL L-4720 LAND SURVEYOR RONALD T. FREDERICK

10-2-2025

CERTIFICATE OF SURVEY AND ACCURACY

I, RONALD T. FREDERICK, CERTIFY THAT THIS PLAT WAS PREPARED FROM AN ACTUAL SURVEY MADE UNDER MY SUPERVISION (DEED DESCRIPTION RECORDED IN DEED BOOK 19878 AND PAGE 2064); THAT THE BOUNDARIES NOT SURVEYED ARE SHOWN AS BROKEN LINES; THAT THE RATIO OF PRECISION IS 1:20,000; AND THAT THIS PLAT MEETS THE REQUIREMENT OF G.S. 47-30 AS AMENDED.

THAT THE SURVEY IS OF ANOTHER CATEGORY, SUCH AS THE RECOMBINATION OF EXISTING PARCELS, A COURT-ORDERED SURVEY, OR OTHER EXEMPTION OR EXCEPTION TO THE DEFINITION OF SUBDIVISION.

WITNESS MY ORIGINAL SIGNATURE, SEAL THIS 02 DAY OF OCTOBER, 2025.

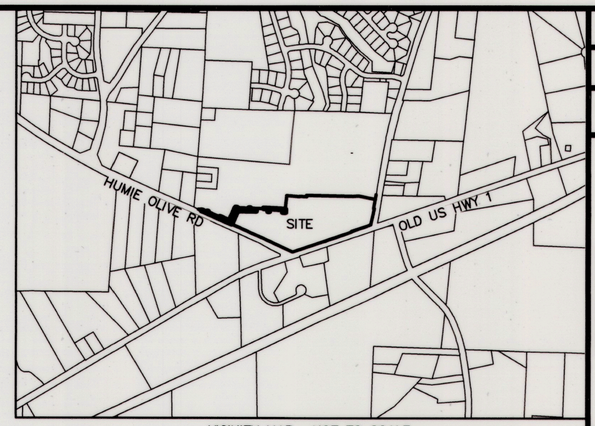
RONALD T. FREDERICK NCPLS: L-4720

NOTES:

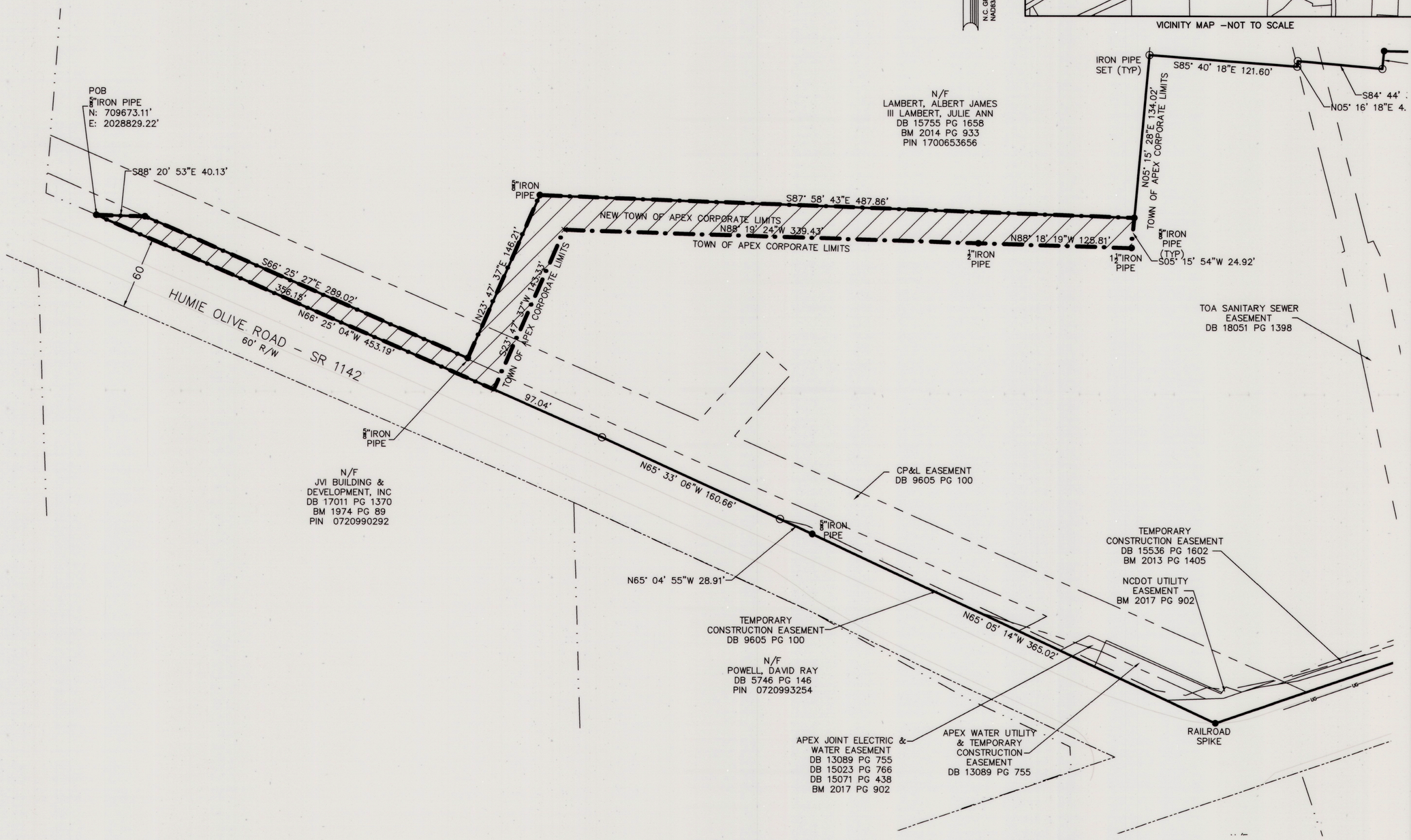
1. THE PURPOSE OF THIS PLAT IS TO ANNEX THE PROPERTY SHOWN INTO THE TOWN OF APEX
2. BEARINGS FOR THIS SURVEY ARE BASED NC GRID NAD83(2011).
3. ALL DISTANCES ARE HORIZONTAL GROUND DISTANCES.
4. AREA BY COORDINATE GEOMETRY.
5. FLOOD NOTE: THIS SITE IS NOT IN ANY SPECIAL FLOOD HAZARD AREAS OR FUTURE CONDITIONS FLOOD HAZARD AREAS AS SHOWN ON FIRM PANEL #3720072000K REVISED JULY 19, 2022.
6. REFERENCES: DB 19878, PG 2064, BM 2025, PG 131, DB 19519, PG 244, BM 2024, PG 1254, BM 2023, PG 1758 OF THE WAKE COUNTY REGISTRY.
7. UTILITY STATEMENT
   THE UNDERGROUND UTILITIES SHOWN HAVE BEEN LOCATED FROM FIELD SURVEY INFORMATION AND EXISTING DRAWINGS. THE SURVEYOR MAKES NO GUARANTEE THAT THE UNDERGROUND UTILITIES SHOWN COMPRISE ALL SUCH UTILITIES IN THE AREA, EITHER IN SERVICE OR ABANDONED. THE SURVEYOR FURTHER DOES NOT WARRANT THAT THE UNDERGROUND UTILITIES SHOWN ARE IN THE EXACT LOCATION INDICATED ALTHOUGH HE DOES CERTIFY THAT THEY ARE LOCATED AS ACCURATELY AS POSSIBLE FROM INFORMATION AVAILABLE. THE SURVEYOR HAS NOT PHYSICALLY LOCATED THE UNDERGROUND UTILITIES.

N

N.C. GRID NORTH NAD83/2011



VICINITY MAP –NOT TO SCALE



BAR SCALE 1"=60'

0 30 60 120

TOTAL AREA OF ANNEXATION: 0.50 AC

SYMBOL LEGEND

○ ● – CORNER FOUND (AS NOTED)

× – COMPUTED POINT

ABBREVIATION LEGEND

EIP – EXISTING IRON PIPE
CMF – CONCRETE MONUMENT FOUND
AXF – AXLE FOUND
N/F – NOW OR FORMERLY
DB – DEED BOOK
PG – PAGE

LINE LEGEND

– PROPERTY LINE
– ADJOINING PROPERTY LINE
– NEW APEX CORPORATE LIMITS
– RIGHT-OF-WAY LINE
– EASEMENT LINE (LABELED)

SCALE:	1"=60'
DRAWN BY:	JAS
REVIEWED BY:	RTF

BGE
5438 WADE PARK BLVD, SUITE 420
RALEIGH NC 27607
WWW.BGEINC.COM
NC LICENSE #C-4397

©2023

SURVEY FOR:
INSPIRE COMMERCIAL, LLC

ADDRESS:
1124 GROGANS MILL DRIVE
CARY, NC 27519

LOCATED AT:
2236 OLD US 1 HWY,
APEX, NC 27502

ANNEXATION MAP FOR THE TOWN OF APEX

APEX, WAKE COUNTY, NORTH CAROLINA

PROJECT#: 13502-00

FILE NAME: 13502-00_ANNX

DATE: 08/14/2025

SHEET 1 OF 1

PETITION FOR VOLUNTARY ANNEXATION

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

Application #:	808	Submittal Date:	8/1/2025
Fee Paid	$ 300.00	Check #	3304

TO THE TOWN COUNCIL APEX, NORTH CAROLINA

1. We, the undersigned owners of real property, respectfully request that the area described in Part 4 below be annexed to the Town of Apex, ☒ Wake County, ☐ Chatham County, North Carolina.
2. The area to be annexed is ☒ contiguous, ☐ non-contiguous (satellite) to the Town of Apex, North Carolina and the boundaries are as contained in the metes and bounds description attached hereto.
3. If contiguous, this annexation will include all intervening rights-of-way for streets, railroads, and other areas as stated in G.S. 160A-31(f), unless otherwise stated in the annexation amendment.

OWNER INFORMATION

Inspire Commercial LLC Owner Name (Please Print)	0720994626 Property PIN or Deed Book & Page #
919-413-2120 Phone	macpatel1@gmail.com E-mail Address
Inspire Commercial LLC Owner Name (Please Print)	0720990529 Property PIN or Deed Book & Page #
919-413-2120 Phone	macpatel1@gmail.com E-mail Address
Owner Name (Please Print)	Property PIN or Deed Book & Page #
Phone	E-mail Address

SURVEYOR INFORMATION

Surveyor: Ronald T Fredrick, NCPLS

Phone: 984-212-8219 Fax:

E-mail Address: rfredrick@bgeinc.com

ANNEXATION SUMMARY CHART

Property Information		Reason(s) for annexation (select all that apply)	
Total Acreage to be annexed:	0.5	Need water service due to well failure	☐
Population of acreage to be annexed:	0	Need sewer service due to septic system failure	☐
Existing # of housing units:	0	Water service (new construction)	☑
Proposed # of housing units:	0	Sewer service (new construction)	☑
Zoning District*:	RR	Receive Town Services	☑

*If the property to be annexed is not within the Town of Apex's Extraterritorial Jurisdiction, the applicant must also submit a rezoning application with the petition for voluntary annexation to establish an Apex zoning designation. Please contact the Planning Department with questions.

PETITION FOR VOLUNTARY ANNEXATION

Application #: 808 Submittal Date: 8/1/2025

COMPLETE IF SIGNED BY INDIVIDUALS:

All individual owners must sign. (If additional signatures are necessary, please attach an additional sheet.)

Please Print	Signature
Please Print	Signature
Please Print	Signature
Please Print	Signature

STATE OF NORTH CAROLINA
COUNTY OF WAKE

Sworn and subscribed before me, _____, a Notary Public for the above State and County, this the _____day of, _____, 20____.

_____
Notary Public

SEAL

My Commission Expires: _____

COMPLETE IF A CORPORATION:

In witness whereof, said corporation has caused this instrument to be executed by its President and attested by its Secretary by order of its Board of Directors, this the _____ day of _____, 20_____.

Corporate Name _____

SEAL

By: _____
President (Signature)

Attest:

_____
Secretary (Signature)

STATE OF NORTH CAROLINA
COUNTY OF WAKE

Sworn and subscribed before me, _____, a Notary Public for the above State and County, this the _____day of _____, 20____.

_____
Notary Public

SEAL

My Commission Expires: _____

PETITION FOR VOLUNTARY ANNEXATION

Application #: 808 Submittal Date: 8-1-2025

COMPLETE IF IN A LIMITED LIABILITY COMPANY

In witness whereof, Inspire Commercial, LLC a limited liability company, caused this instrument to be executed in its name by a member/manager pursuant to authority duly given, this the 1st day of August, 2025.

Name of Limited Liability Company Inspire Commercial, LLC

By: [signature], Manager
Signature of Member/Manager

STATE OF NORTH CAROLINA
COUNTY OF WAKE

Sworn and subscribed before me, Manenda S. Patel, a Notary Public for the above State and County, this the 1 day of August, 2025. [signature]
Notary Public

SEAL

BRITTANY DASH
NOTARY PUBLIC
DURHAM County, North Carolina
My Commission Expires 04/29/2028

My Commission Expires: April 28, 2028

COMPLETE IF IN A PARTNERSHIP

In witness whereof, _____, a partnership, caused this instrument to be executed in its name by a member/manager pursuant to authority duly given, this the _____ day of _____, 20____.

Name of Partnership _____

By: _____
Signature of General Partner

STATE OF NORTH CAROLINA
COUNTY OF WAKE

Sworn and subscribed before me, _____, a Notary Public for the above State and County, this the _____ day of _____, 20____.

_____
Notary Public

SEAL

My Commission Expires: _____

VOLUNTARY ANNEXATION-PLAT CHECKLIST

FOR APPLICANT USE ONLY
PLEASE DO NOT INCLUDE THIS CHECKLIST WITH YOUR APPLICATION SUBMITTAL

COMMON ACRONYMS/DEFINITIONS			
GeoCivix (IDT)	Electronic Plan Review	UDO	Town's Unified Development Ordinance
TOA	Town of Apex	NCDEQ	North Carolina Dept. of Environmental Quality
RCA	Resource Conservation Area	DDM	Design & Development Manual

CONTACT INFORMATION			
Planning Department	(919) 249-3426	Water Resources (Utilities)	(919) 372-7478
Development Services	(919) 249-3394	Clerk's Office	(919) 249-1260

#	REQUIRED PLAT ITEMS
1	The exact boundary lines of the area to be annexed fully dimensioned by lengths and bearings, and the location of intersecting boundary lines of existing town limits, labeled and distinctly marked. Include full right-of-way if the area on both sides is or will be in the corporate limits.
2	Show and label any utility easements with metes and bounds.
3	Accurate locations and descriptions of all monuments, markers, and control points.
4	Ultimate right-of-way widths on all streets.
5	Entitle "ANNEXATION MAP for the TOWN OF APEX" or "SATELLITE ANNEXATION MAP for the TOWN OF APEX", as appropriate.
6	Name of property owner.
7	Name, seal, and registration of Professionally Licensed Surveyor (PLS).
8	Date of the survey and map preparation; a north arrow indicating whether the index is true magnetic North Carolina grid (NAD 83 of NAD 27) or deed; graphic scale; and declination.
9	Names of the township, county, and state.
10	A detailed vicinity map.
11	Include address of property if assigned.
12	Show all contiguous or non-contiguous town limits.
13	The following certification must be placed on the map near a border to allow the map to be sealed: Annexation # _____ I, Allen Coleman, CMC, NCCCC, Town Clerk, Apex, North Carolina certify this a true and exact map of annexation adopted the _____ day of _____, 20___, by the Town Council. I set my hand and seal of the Town of Apex, _____. Day/Month/Year _____ Allen Coleman, CMC, NCCCC, Town Clerk -Seal-
14	Leave 2 inch by 2 inch space for the Wake County or Chatham County Register of Deeds stamp on the plat. All final plats must be stamped and signed before they can be accepted by the Town.

| Agenda Item | cover sheet

for consideration by the Apex Town Council

Item Type: CONSENT AGENDA

Meeting Date: December 09, 2025

Item Details

Presenter(s): Allen Coleman, Town Clerk

Department(s): Town Clerk's Office

Requested Motion

Motion to confirm the following leadership position on the Apex Board of Adjustment (BOA) for calendar year 2026:

- Robert Carmac, Chair of the Apex Board of Adjustment (BOA)
- William Hart, Vice-Chair of the Apex Board of Adjustment (BOA)

Approval Recommended?

Yes

Item Details

On Tuesday, November 18, 2025, the Apex Board of Adjustment unanimously (5-0) voted to nominate and recommend both Robert Carmac as Chair and William Hart as Vice-Chair for the leadership positions on the Town's Board of Adjustment (BOA) for calendar year 2025. Mayor Jacques K. Gilbert is supportive of the Board of Adjustments' recommendations.

Pursuant to the Town's Unified Development Ordinance (UDO) Section 2.1.3 (C)(1), the chair and vice-chair of the Board of Adjustment shall be appointed by the Mayor from the members of the Board of Adjustment. The term of the chair and vice-chair shall be one (1) year.

The current BOA members were reminded that the facilitated nomination process would be treated as a recommendation only and the final appointing authority rested solely with the Mayor for both leadership positions on this Board.

Attachments

- N/A

| Agenda Item | cover sheet

for consideration by the Apex Town Council

Item Type: CONSENT AGENDA

Meeting Date: December 09, 2025

Item Details

Presenter(s): Allen Coleman, Town Clerk

Department(s): Town Clerk's Office

Requested Motion

Motion to confirm the following leadership position on the Apex Planning Board for calendar year 2026:

- Keith Braswell, Chair of the Apex Planning Board

Approval Recommended?

Yes

Item Details

The Town of Apex has two statutorily required resident advisory boards which are the Board of Adjustment (BOA) and the Planning Board. The Planning Board is charged with discussing matters related to land use and development.

The Chair for the Town's Planning Board, Mr. Tim Royal, will end his term on the Board effective December 31, 2025. As such it is appropriate for the Mayor and Town Council to appoint a new Chair for the purposes of the meeting scheduled in January.

Mayor Jacques K. Gilbert recommends Keith Braswell for the Town Council to confirm. The Vice-Chair position will be discussed after the January meeting when membership is determined.

Attachments

- N/A

| Agenda Item | cover sheet

for consideration by the Apex Town Council

Item Type: CONSENT AGENDA

Meeting Date: December 09, 2025

Item Details

Presenter(s): Jon Griffin, Director

Department(s): Finance

Requested Motion

Motion to approve Budget Ordinance Amendment No. 8 appropriating funds for transactions that are currently accounted for as liabilities to instead be budgeted as revenues and expenditures, consistent with Governmental Accounting Standards Board (GASB) Rule 84 standards.

Approval Recommended?

Yes

Item Details

Budget Ordinance Amendment No. 8 allocates an estimated $867,000 of funds that pass through the town's accounting records as revenues and expenditures. These resources are already collected by the town, but currently flow through balance sheet accounting lines which is not consistent with GASB 84's rules about reporting non-exchange and fiduciary transactions.

1. Health & Dental Fund – the Town provides a variety of fringe benefits to its employees, including 5 supplemental insurance programs (life, accident, disability, etc.) and 3 flexible spending accounts. These transactions are pass-through in nature but represent the exchange of service in exchange for payroll deductions. Since the Health and Dental fund provides a similar service to town employees, it is reasonable and consist with governmental accounting rules to present these transactions as revenue and expense the same way that the town already presents its health and dental insurance program.

2. As the town budgets employees through 4 funds (General, Electric, Water and Sewer and Stormwater), this creates the need for the Finance Department to maintain 32 individual reconciliations for the pro-rated liabilities associated with each program. Budgeting the collection of these revenues and their expenditures as a single service provided by the Health and Dental fund is also an opportunity for streamlining and clarifying accounting workload.

3. General Fund – NCGS 87-15.6 requires that when a general contractor applies for a permit to construct a single-family residential dwelling unit, the inspections department must collect $10 from the contractor. Of the $10, the Town must pass $9 onto the North Carolina General Contractors Licensing Board and may retain $1 to offset the cost of collections by the Inspections Department.

4. The town has previously accounted for this as $9 passing through a liability account with $1 as revenue in the inspections department, with the corresponding invoice payable to the Licensing Board as charging against the liability account. This is not consistent with GASB 84 – as the town's inspectors are collecting the $9, it is revenue for the town. Correspondingly, the payment to the Licensing Board becomes an expense.

5. Penalties, fines and forfeitures collected by local governments have a constitutional requirement to be turned over to operate public schools. The Town of Apex has historically reconciled the collection of fines as an increase in liabilities and the payment to Wake County Public Schools as a reduction in that liability. Pursuant to GASB 84, and the LGC Memorandum 2021-04, the collection of fines and forfeitures should be considered a revenue, and the payment to Wake County Public Schools as an expenditure. Per LGC guidance, fines and forfeitures should be collected and budgeted in a special revenue fund and not in the Town's general fund.

Attachments

- CN13-A1: Budget Ordinance Amendment No. 8 - Reporting of Non-Exchange and Fiduciary Transactions Consistent w-GASB 84 Rules

Town of Apex

Budget Ordinance Amendment No. 8

BE IT ORDAINED, by the Council of the Town of Apex that the following Budget Amendment for the Fiscal Year 2025-2026 Budget Ordinance be adopted:

Health & Dental Fund

Section 1. Revenues:

45073	Retiree Health Contribution	106,000
45080	Other Insurance Premiums	470,000
45090	FSA/HSA Employee Contributions	270,000
Total Revenues		**$846,000**

Section 2. Expenditures:

52050	Group Insurance - Retirees	106,000
52340	Other Insurance Expenditures	470,000
52350	FSA/HSA Reimbursements	270,000
Total Expenditures		**$846,000**

General Fund

Section 1. Revenues:

44101	Homeowner Recovery Fees	13,000
Total Revenues		**$13,000**

Section 2. Expenditures:

56600	NC Licensing Board for Contractors	13,000
Total Expenditures		**$13,000**

Grants & Special Revenue Fund

Section 1. Revenues:

44600	Fines and Penalties	8,200
Total Revenues		**$8,200**

Section 2. Expenditures:

56700	Fines & Forfeitures to Public Schools	8,200
Total Expenditures		**$8,200**

Section 3. Within five (5) days after adoption, copies of this Amendment shall be filed with the Finance Officer and Town Clerk.

Adopted this the 9th day of December 2025.

Attest:

Jacques K. Gilbert, Mayor

Allen L. Coleman, CMC, NCCCC, Town Clerk

| Agenda Item | cover sheet

for consideration by the Apex Town Council

Item Type: CONSENT AGENDA

Meeting Date: December 09, 2025

Item Details

Presenter(s): Angela Reincke, Assistant Director- Parks Planning and Operations

Department(s): Parks, Recreation and Cultural Resources

Requested Motion

A. Motion to approve Great Trails State Program Grant Agreement between North Carolina Department of Natural and Cultural Resources and the Town of Apex, effective November 1, 2025 through October 31, 2026, for $200,000 Grant Funding for the new trail development and extension of existing trails, and to authorize the Town Manager, or their designee, to execute on behalf of the Town.
B. Motion to adopt Capital Project Ordinance Amendment No. 2026-4 to accept and allocate $200,000 in grant funds for the Design and Engineering for Reedy Branch Greenway (Kelly Road to Goliath Lane) GTSP2025-0003.

Approval Recommended?

Yes

Item Details

The Town received notification of a "Great Trails State Program" Grant Award in the amount of $200,000. These funds are given for the purpose of providing grant funding to the Grantee for new trail development and extension of existing trails across North Carolina, including for planning, land and easement acquisition. Period Covered by This Contract is November 1, 2025, through October 31, 2028, and covers the following scope: Deliverables include design services, CLOMR/LOMR environmental permitting, 401/404 permit and wetland mitigation fees, bidding services, structural engineering boardwalks & bridges, and surveyor exhibits.

Attachments

- CN14-A1: Reedy Branch Greenway Great Trails State Agreement – Grant Award $200,000
- CN14-A2: Capital Project Ordinance Amendment No. 2026-4 - Reedy Branch Greenway Great Trail State Grant Award - $200,000

Great Trails State Program Grant Agreement

STATE OF NORTH CAROLINA GRANTEE'S FEDERAL TAX I.D.#_____
COUNTY OF WAKE

Great Trails State Program Grant Agreement

This grant contract ("Contract") is hereby entered into by and between the North Carolina Department of Natural and Cultural Resources (the "Agency") and the Town of Apex (the "Grantee") (referred to collectively as the "Parties") for the purpose of providing grant funding to the Grantee for new trail development and extension of existing trails across North Carolina, including for planning, land and easement acquisition, construction, and maintenance.

Grantee Information:

Grantee: Town of Apex

Grantee Address and Contact Information:
Tyler Gumpright, Parks and Greenways Planning Technician
53 Hunter Street
Apex, NC 27502
tyler.gumpright@apexnc.org

Grantee Fiscal Year End Date: June 30

Grant Award Date: July 7, 2025

Project Number: GTSP2025-0003

Project Title: Design and Engineering for Reedy Branch Greenway

Period Covered by This Contract: November 1, 2025, through October 31, 2028

Project Scope (Description of Project): Deliverables include design services, CLOMR/LOMR environmental permitting, 401/404 permit and wetland mitigation fees, bidding services, structural engineering boardwalks & bridges, and surveyor exhibits

Project Costs:	**Grant Award Amount:**	**$200,000**
	Grantee-Provided Match:	**$250,000**

The Parties agree to be bound by and comply with the terms, requirements, promises, conditions, plans, specifications, estimates, procedures, project proposals, maps, and assurances appearing either directly or by reference in this Contract, as well as described in Section 14.6 of N.C. Session Law 2023-134, the Great Trails State Program ("GTSP") grant application, and the Great Trails State Program Application Guide (the "Guide"), and the following documents, which are incorporated herein by reference, as though fully set forth herein:

1) The Scope of Work, description of services (Attachment A)
2) The Line-Item Budget and Narrative (Attachment B)
3) Notice of Certain Reporting and Audit Requirements (Attachment C)
4) State Grant Certification – No Overdue Tax Debts form (Attachment D)

5) Waiver of Retroactivity (Attachment E)

Upon execution of this Contract, the Agency hereby promises, in consideration of the promises by the Grantee herein, to provide to the Grantee the grant amount shown above. The Grantee hereby promises to efficiently and effectively manage the funds in accordance with the approved budget, to promptly complete grant-assisted activities described above in a diligent and professional manner within the project period, and to monitor and report work performance.

DEFINITIONS

Except as otherwise provided in the Contract documents, the terms below shall have the following meanings in this Contract.

"Agency" means the North Carolina Department of Natural and Cultural Resources.

"Audit" means an examination of records or financial accounts to verify their accuracy.

"Certification of Compliance" means a report provided by the Grantee to the Agency that states that the Grantee has met the reporting requirements established by this Contract and included as a statement of certification by the Agency as part of the Grantee reporting package.

"Compliance Supplement" refers to the North Carolina State Compliance Supplement, maintained by the State and Local Government Finance Agency within the North Carolina Department of State Treasurer that has been developed in cooperation with agencies to assist the local auditor in identifying program compliance requirements and audit procedures for testing those requirements.

“Deliverable(s)” means any tangible and original works of authorship created by or on behalf of Grantee under the Contract.

“Director of State Budget” means the State Budget Director of North Carolina.

"Fiscal Year" means the annual operating year of the non-State entity.

"Financial Statement" means a report providing financial statistics relative to a given part of an organization's operations or status.

"Grant" means financial assistance provided by DNCR to an eligible grantee to carry out the activities and purpose identified in this Contract.

“Grantee” means an entity that receives State financial assistance.

"Non-State Entity" has the meaning in G.S. 143C-1-1(d)(18).

"Single Audit" means an audit that includes an examination of an organization's financial statements, internal controls, and compliance with the requirements of Federal or State awards.

“State financial assistance" means State funds disbursed as a grant, cooperative agreement, non-cash contribution, food commodities, or direct appropriation to a grantee or subrecipient as defined in this Contract.

"Special Appropriation" means a legislative act authorizing the expenditure of a designated amount of public funds for a specific purpose.

“State Funds" means any funds appropriated by the North Carolina General Assembly or collected by the State of North Carolina. State funds include federal financial assistance received by the State and transferred or disbursed to non-State entities. Both Federal and State funds maintain their identity as they are disbursed as financial assistance to other organizations.

"Subrecipient" means a non-State entity that receives State financial assistance from a Grantee to carry out part of a State program; but does not include an individual that is a beneficiary of such program.

TERMS AND CONDITIONS

1. **Great Trails State Grant Program Terms and Conditions**
    a) Grant funds awarded from the funds allocated in Section 14.6 of N.C. Session Law 2023-134 must be matched in accordance with the tier ranking of the county where the project is located below. In the case of trail projects in more than one county, the match shall be based on the lowest county tier. The required match is as follows:

        (i) Tier 1: in the amount of one non-State dollar ($1.00) of matching funds for every four dollars ($4.00) of State funds;
        (ii) Tier 2: in the amount of one non-State dollar ($1.00) of matching funds for every two dollars ($2.00) of State funds; or
        (iii) Tier 3: in the amount of one non-State dollar ($1.00) of matching funds for every one dollar ($1.00) of State funds.

    The match may include cash, fee waivers, in-kind services, the donation of assets, the provision of infrastructure, or a combination of these. Non-cash matches must be quantifiable and documented. Eligible matching funds shall follow the requirements outlined in the Guide.

    b) To be eligible, project costs must be incurred during the period covered by this Contract, be documented in the grant application, described in the project scope of this Contract, and initiated and/or undertaken after execution of this Contract by the Grantee and the Agency, unless the Grantee has obtained a Waiver of Retroactivity approved by the Agency. The Agency shall only pay or reimburse the Grantee for reasonable, eligible costs actually incurred by the Grantee that do not exceed the grant award amount for the Project outlined in this Contract.

    c) Land acquisition costs, and property value used as match, for fee title and easement acquisition shall be based on the fair market value of real property or the sales price, whichever is less. The value must be based upon an independent appraisal completed by a licensed appraiser holding a general or residential certification from the North Carolina Appraisal Board who certifies that it meets the Uniform Standard of Professional Appraisal

Practices (USPAP) or Uniform Appraisal Standards for Federal Land Acquisitions (Yellow Book appraisal). Properties valued at over $750,000 require two appraisals. Appraisals must be dated within 12-18 months of the effective date of the grant contract. The Agency shall review the appraisal as to content and valuation. Approval of appraised amounts rests with the Agency.

d) Fee title land or easement purchases acquired prior to the Grant being awarded shall only be considered an eligible cost if the Grantee obtained a Waiver of Retroactivity approved by the Agency prior to the acquisition.

e) The Grantee agrees that all fee simple land purchases or easements acquired with GTSP assistance shall be used for recreational trail purposes for the use and benefit of the general public for a minimum period of fifteen (15) years after acquisition. The Grantee agrees to maintain and manage GTSP-assisted development/renovation projects for public recreation use for a minimum period of fifteen (15) years after project completion. GTSP-assisted development/renovation project, land purchases, and easements shall not be converted to other than public recreational trail use without the prior written approval of the Agency or its successor agency. If the GTSP-assisted development/renovation project, land purchases, or easements is converted without prior Agency approval, the Agency reserves the right to require the Grantee to reimburse the Agency for the full grant award amount.

   This 15-year trail use requirement shall be binding upon the Grantee and all parties having any right, title, or interest in the property, and their heirs, successors, and assigns, and shall be binding upon all those claiming by, through, or under each such party. Furthermore, the Agency, and its agents, employees, and representatives shall have a right of entry and access to the property for the purpose of inspecting the property and exercising its enforcement rights during the 15-year period.

f) In the event the Grantee, its successors or assigns, wishes to transfer the property or any interest therein during the 15-year period, it shall notify the Agency in writing of the names and addresses of any party to whom the property is intended to be transferred at least sixty (60) days prior to the time said transfer is to be consummated. Any transferee of the property or any interest therein shall take title subject to the 15-year trail use requirement referenced herein or applicable to the property. The Grantee, its successors and assigns, shall make specific reference to the 15-year trail use requirement in a separate paragraph of all subsequent leases, deeds, or other legal instruments by which the Property or any interest therein is conveyed.

g) In the event that a Grantee obtains a Waiver of Retroactivity for fee title land or easement purchases acquired prior to the Grant being awarded, the Grantee shall file a notice of restriction in the property records of the county in which the property is located using language provided by the Agency which includes restrictive language that recognizes the State's interest in the property and the property's perpetually restricted use as a State Trail. This notice shall be in lieu of the language required for insertion into the fee interest deed or easement deed as described in Section 1(e) of this Contract.

h) The Grantee shall provide a copy to the Agency of the fee interest deed, easement deed, or notice of restriction within thirty (30) days of recording.

i) The Grantee agrees to begin development on property acquired with GTSP assistance within three (3) years of the project closeout date in order to allow general public access and use.

j) The Grantee agrees to permit periodic audits and site inspections by the Agency to ensure work progress in accordance with the approved project, including a required close-out inspection upon project completion. After project completion, the Grantee agrees to conduct compliance inspections at least once every five (5) years and to submit an Agency-provided inspection report to the Agency.

k) Wherever possible and appropriate, bridges, boardwalks, signage, and other trail facilities shall follow standard designs and specifications as the Agency may specify.

l) The Grantee agrees to operate and maintain the project site so as to appear attractive and inviting to the public, kept in reasonably safe repair and condition, and open for public use at reasonable hours and times of the year, according to the type of facility and area.

m) All facilities funded by GTSP shall comply with the Americans with Disabilities Act Accessibility Guidelines ("ADAAG") and any amendments thereto.

n) The Grantee shall only use seeds and plants classified by the U.S. Department of Agriculture as native to North Carolina in all project design and construction, except (i) nonnative seeds and plants may be used in landscaping for locations where the primary purpose is crop cultivation, crop and horticulture research, science, botanical gardens, or zoos and (ii) the use of nonnative turf grass is acceptable.

o) If the project site is rendered unusable for any reason whatsoever, the Grantee agrees to immediately notify the Agency of said conditions and to make repairs, at its own expense, in order to restore use and enjoyment of the project by the public.

2. **Grantee's Duties, Line-Item Adjustments, and Scope of Work:** The Grantee shall provide the services as described in Attachment A, Scope of Work and Description of Services and in accordance with the approved budget in Attachment B. The Grantee may make line-item adjustments of less than ten percent (10%) for budgeted expenditures without prior approval from the Agency, except if the adjustment would exceed the total grant amount.

   For line-item adjustments of ten percent (10%) or more for budgeted expenditures, the Grantee shall submit a written request for approval to the Agency and include a justification for the adjustment. Line-item adjustments requiring approval shall be effective only upon a dually executed amendment between the parties, in accordance with Paragraph 21 of this Contract.

   Amendments executed under this Paragraph shall include the new line-item adjustment(s) (Attachment B) and any changes in the Scope of Work and Description of Services (Attachment A) related to the duties and services affected by the line-item adjustment. An amendment that fails to comply with the requirements of this Paragraph shall not be binding upon the parties. A violation of this Paragraph shall constitute a material breach and shall entitle the Agency to terminate the contract and pursue all rights and actions available to it under the law.

3. **Grant Invoices and Payments: Payment** shall be made in accordance with this Contract, the Scope of Work (Attachment A), and the Line-Item Budget and Narrative (Attachment B). The total amount paid by the Agency to the Grantee under this Contract is **$200,000.** Invoices shall be submitted to the Contract Administrator quarterly. Final invoices, including accounting records that document all expenditures, must be received by the Agency prior to or at the time of the close-out inspection.

   Accounting records should be based on generally accepted accounting standards and principles. All accounting records and supporting documents shall clearly show the Project Number and Project Title to which they are applicable. The Agency may provide monitoring and oversight through a combination of periodic e-mails, calls, visits, and review of reports, invoices and deliverables.

4. **No Employment Relationship Between State and Grantee: The** Grantee is and shall be wholly responsible for the performance of this Contract and as such shall be wholly responsible for the work to be performed and for the supervision of its employees in the performance of this Contract. The Grantee's performance of this Contract does not create or establish any employment relationship, joint venture, or partnership between the Grantee and the State or the Agency. The Grantee represents that it has, or shall secure at its own expense, all personnel required to perform the services under this Contract. Such personnel of Grantee shall not be employees of, or have any individual contractual relationship with, the State or the Agency.

5. **Assignment:** No assignment of the Grantee's obligations or the Grantee's right to receive payment hereunder shall be permitted. However, upon written request approved by the Agency, the Agency may:

   (a) Forward the Grantee's payment check(s) directly to any person or entity designated by the Grantee; or
   (b) Include any person or entity designated by Grantee as a joint payee on the Grantee's payment check(s).

   In no event shall such approval and action obligate the Agency to anyone other than the Grantee and the Grantee remain responsible for fulfillment of all contract obligations.

6. **Beneficiaries:** Except as otherwise provided herein, this Contract shall inure to the benefit of and be binding upon the Parties hereto and their respective successors. It is expressly understood and agreed that the enforcement of the terms and conditions of this Contract, and all rights of action relating to such enforcement, shall be strictly reserved to the Agency and the named Grantee. Nothing contained in this document shall give or allow any claim or right of action whatsoever by any other third person. It is the express intention of the Agency and Grantee that any such person or entity, other than the Agency or the Grantee, receiving services or benefits under this Contract shall be deemed an incidental beneficiary only.

7. **Indemnification:** The Grantee shall hold and save the State, its officers, agents, and employees, harmless from liability of any kind, including all claims and losses accruing or resulting to any other person, firm, or corporation furnishing or supplying work, services, materials, or supplies in connection with the performance of this Contract, and from any and all claims and losses accruing or resulting to any person, firm, or corporation that may be injured or damaged by the Grantee in the performance of this Contract and that are attributable to the negligence or intentionally tortious acts of the Grantee.

8. **Noncompliance and Use of Grant Funds:** The Grantee may only use the grant funds disbursed hereto in the manner allowed under this Contract. The Agency shall review reporting from the Grantee to ensure that grant fund expenditures meet the requirements of this Contract, as well as any applicable laws, rules, or regulations. If the Agency finds that the Grantee is noncompliant with any requirements of this Contract or law, the Agency may declare the Grantee ineligible for further participation in future GTSP grant cycles and/or take action consistent with applicable laws and regulations, including, but not limited to, the requirements of 09 NCAC 03M .0801, until such time as compliance has been obtained to the satisfaction of the Agency.

9. **Termination by Mutual Consent:** The Parties may terminate this Contract by mutual consent with 60 days' written notice to the other Party, or as otherwise provided by law.

10. **Termination for Cause: If**, through any cause, the Grantee shall fail to fulfill its obligations under this Contract in a timely and proper manner, the Agency shall have the right to terminate this Contract by giving written notice to the Grantee and specifying the effective date thereof.

11. **Effect of Termination**:
    (a) In the event the Contract is terminated by either party, the Grantee shall be paid for work that is satisfactorily completed under the terms of this Contract, as determined by the Agency and under the terms herein.
    (b) The Grantee shall not incur new obligations for the terminated portion of the Contract and shall cancel as many outstanding obligations as possible, immediately after receiving the notification of termination from the Agency or providing the Agency with the same if the Grantee is terminating the Contract. Costs incurred after receipt or provision of termination notice shall be disallowed.
    (c) The Grantee shall not be relieved of any liability owed to the Agency because of any breach of the Contract by the Subgrantee. The Agency may, to the extent authorized by law, withhold payments to the Subgrantee for the purpose of set-off until the exact amount of damages due the Agency from the Subgrantee is determined.
    (d) In the event of termination by either Party, the Grantee shall provide to the Agency an itemized list of all Deliverables created under the Contract.
    (e) In addition, in the event of default by the Grantee under this Contract, the Agency may, to the extent and in the manner allowed under law, immediately cease doing business with the Grantee, immediately terminate for cause all existing contracts the Agency has with the Grantee, and de-bar the Grantee from doing future business with the Agency.

12. **Waiver of Default:** Waiver by the Agency of any default or breach in compliance with the terms of this Contract by the Grantee shall not be deemed a waiver of any subsequent default or breach and shall not be construed to be modification of the terms of this Contract unless stated to be such in writing, signed by an authorized representative of the Agency and the Grantee and attached to the Contract.

13. **Reversion of Unused Funds at Termination or Expiration of Contract and upon Certain Audit Findings**: The Grantee agrees to refund to the Agency, subsequent to an audit of the project's financial records, any costs disallowed or required to be refunded to the Agency on account of audit exceptions. The Grantee agrees that any unused State-awarded funds remaining after the completion of the project or termination of this Contract shall revert back to the Agency to be deposited into GTSP for distribution by the Agency.

14. **Availability of Funds: The** Parties to this Contract agree and understand that the payment of the sums specified in this Contract is dependent and contingent upon and subject to the allocation and appropriation of funds for this purpose to the Agency.

15. **Force Majeure:** Neither Party shall be deemed to be in default of its obligations hereunder if and so long as it is prevented from performing such obligations by any act of war, hostile foreign action, nuclear explosion, riot, strikes, civil insurrection, earthquake, hurricane, tornado, or other catastrophic natural event or act of God.

16. **Survival of Promises: Except** as otherwise provided herein or unless superseded by applicable federal or State statute of limitations, all promises, indemnifications, requirements, terms, conditions, provisions, representations, guarantees, and warranties contained herein shall survive the Contract expiration or termination date.

17. **Intellectual Property Rights, Licensing, and Ownership of Deliverables:** The Grantee shall own all rights, title, and interest in deliverable items produced pursuant to this Contract. Notwithstanding the foregoing, the Grantee agrees to grant to the Agency, at no charge to the Agency, a non-exclusive, royalty-free, and irrevocable right and license to reproduce, publish, or otherwise use any deliverable item for Agency purposes, as well as purposes of the State, and to authorize others to do so. Further, the Grantee shall require all subrecipients and subcontractors to include in all agreements relating to this Contract a clause giving the Agency the same rights, title, and license granted herein.

    This license is not to be construed as a conveyance or surrender of copyright, trademark, or any other right or interest, based in intellectual property or otherwise, that is or may be vested in the Grantee's ownership of the deliverable items. Furthermore, the Grantee warrants and represents that it shall only create deliverable items in which the Grantee is the sole owner of all rights, title, and interest thereto. Such rights, title, and interests include, but are not limited to, copyright, trademark, and any other intellectual property rights. The Grantee warrants and represents that this Contract and the rights licensed herein do not violate any other party's rights or interests in intellectual property or otherwise. In addition, the Grantee agrees to not use the deliverable items in any manner to suggest speech on the part of the Agency or the State of North Carolina or which would be unlawful by a government agency.

18. **Federal Intellectual Property Bankruptcy Protection Act:** The Parties agree that the Agency shall be entitled to all rights and benefits of the Federal Intellectual Property Bankruptcy Protection Act, Public Law 100-506, codified at 11 U.S.C. 365(n) and any amendments thereto.

19. **Compliance with Laws:** All Parties to this Contract shall comply with all laws, ordinances, codes, rules, regulations, and licensing requirements that are applicable to its conduct and to the administration of this Contract.

20. **Equal Employment Opportunity: The** Grantee shall comply with all federal and State laws relating to equal employment opportunity and fair and equal employment, including, but not limited to, Governor Cooper's Executive Order 24 as well as Title VII of the Civil Rights Act of 1964, as applicable.

21. **Access to Persons and Records: The** Grantee shall provide to authorized State entities such access to persons and records required under law, including, but not limited to, access required under N.C.G.S.

§§ 143-49 and 147-64-7. The Grantee shall retain all records for a period of five years following completion of the Contract.

22. **Record Retention:** The Grantee shall retain documents and records relating to this Contract for a minimum of five years or until all audit exceptions have been resolved, whichever is longer. Also, if any litigation, claim, negotiation, audit, disallowance action, or other action involving this Contract has been started before expiration of the five-year retention period described above, the records must be retained until completion of the action and resolution of all issues which arise from it, or until the end of the regular five-year period described above, whichever is later.

23. **Amendment**: This Contract may not be amended orally or by performance. Amendments shall be made in writing on a form prepared by the Agency and duly executed by an authorized representative of the Agency and the Grantee.

24. **Severability:** In the event that a court of competent jurisdiction holds that a provision or requirement of this Contract violates any applicable law, each such provision or requirement shall continue to be enforced to the extent it is not in violation of law or is not otherwise unenforceable and all other provisions and requirements of this Contract shall remain in full force and effect.

25. **Headings: The** Section and Paragraph headings in these General Terms and Conditions are not material parts of the Contract and should not be used to construe the meaning of any text or content thereof.

26. **Sales/Use Tax Refunds:** If eligible, the Grantee and all subrecipients shall: (a) ask the North Carolina Department of Revenue for a refund of all sales and use taxes paid by them in the performance of this Contract, pursuant to N.C.G.S. § 105-164.14; and (b) exclude all refundable sales and use taxes from all reportable expenditures before the expenses are entered in their reimbursement reports.

27. **Travel Expenses:** Travel expenses shall not be reimbursed in the performance of this Contract. If travel is necessary in the performance of this Contract, it shall be included in the approved project budget and narrative.

28. **Gifts and Favors Regulated:** Under Governor Perdue's Executive Order 24 and N.C.G.S. §133-32, it is unlawful for any vendor or contractor (e.g., architect, bidder, contractor, construction manager, design professional, engineer, landlord, offeror, seller, subcontractor, supplier, or vendor) to make gifts or to give favors to any State employee of the Governor's Cabinet Agencies. This prohibition covers those vendors and contractors who:

    (1) have a contract with a government agency;
    (2) have performed under such a contract within the past year; or
    (3) anticipate bidding on such a contract in the future.

    The requirements of N.C.G.S. § 133-32 are hereby incorporated by reference, including any subsequent amendments thereto, and shall apply to all vendors and subcontractors under this Contract.

29. **Effective Period:** This Contract shall be effective upon signature by all Parties to this Contract and shall terminate upon final expenditure of all funds and submission of all reports as required by law and this Contract.

30. **Conflict of Interest Policy:** The Grantee shall have on file with the Agency a copy of the Grantee's policy addressing conflicts of interest that may arise involving the Grantee's management employees and the members of its governing body as set forth in N.C.G.S. § 143C-6-23(b). The policy shall address situations in which any of these individuals may directly or indirectly benefit, except as the Grantee's employees or members of its board or other governing body, from the Grantee's disbursing of State Funds and shall include actions to be taken by the Grantee or the individual, or both to avoid conflicts of interest and the appearance of impropriety. The policy shall be filed before Agency may disburse the grant funds.

31. **Statement of No Overdue Tax Debts:** The Grantee's sworn written statement pursuant to N.C.G.S. § 143C-6-23(c), stating that the Grantee does not have any overdue tax debts, as defined by N.C.G.S. § 105-243.1, at the federal, state, or local level, is attached as Attachment D. Grantee acknowledges that the written statement must be filed before the Agency may disburse the grant funds.

32. **Compliance with Certain Reporting and Audit Requirements:** The Grantee shall follow all relevant State laws, rules, and regulations relating to reporting and audit requirements. In addition, this Contract is subject to the reporting requirements described in the Notice of Certain Reporting and Audit Requirements (Attachment C).

33. **Disbursements:** As a condition of this Contract, the Grantee acknowledges and agrees to make disbursements in accordance with the following requirements:
    (a) Implement adequate internal controls over disbursements.
    (b) Ensure sufficient account coding information to provide for tracking of grant funds through the Grantee's accounting system.
    (c) Assure adequate control of signature stamps/plates.
    (d) Assure adequate control of negotiable instruments; and
    (e) Implement procedures to ensure that all account balances are solvent and reconcile the account monthly.

34. **Outsourcing/Assignability/Subcontracting:** The Grantee shall not subgrant or subcontract any of the work contemplated under this Contract without prior written approval from the Agency. The Agency shall not be obligated to pay for any work performed by any unapproved subgrantee, subrecipient, or subcontractor. The Grantee is not relieved of any of the duties and responsibilities of this Contract. Furthermore, any subrecipient or subgrantee must agree to abide by the standards contained in this Contract and to provide all information to allow the Grantee to comply with these standards.

35. **Cap State-Funded Portion of Nonprofit Salaries:** Pursuant to Section 5.4 of Session Law 2023-134, no more than one hundred forty thousand dollars ($140,000) in State funds, including any interest earnings accruing from those funds, may be used for the annual salary of any individual employee of the Grantee.

36. **Contract Administrators:** All notices permitted or required to be given by one Party to the other and all questions about the Contract from one Party to the other shall be addressed and delivered to the other Party's Contract Administrator. The name, post office address, street address, telephone

number, fax number, and email address of the Parties' respective initial Contract Administrators are set out below. Either Party may change the name, post office address, street address, telephone number, fax number, or email address of its Contract Administrator by giving written notice to the other Party within 30 calendar days of such change.

Agency Contact Information	Grantee Contact Information
Vonda Martin Program Manager Grants & Outreach NC Division of Parks & Recreation 1615 Mail Service Center Raleigh, NC 27699-1615 919-707-9338 grants@ncparks.gov	Tyler Gumpright Parks and Greenways Planning Technician Town of Apex 53 Hunter Street Apex, NC 27502 tyler.gumpright@apexnc.org

37. **Choice of Law:** The validity of this Contract and any of its terms or provisions, as well as the rights and duties of the Parties to this Contract, are governed by the laws of North Carolina. The Grantee, by signing this Contract, agrees and submits, solely for matters concerning this Contract, to the exclusive jurisdiction of the courts of North Carolina and agrees, solely for such purpose, that the exclusive venue for any legal proceedings shall be Wake County, North Carolina. The place of this Contract and all transactions and understandings relating to it, and their situs and forum, shall be Wake County, North Carolina, where all matters shall be determined.

38. **Entire Agreement:** This Contract and any documents incorporated specifically by reference represent the entire agreement between the Parties and supersede all prior oral or written statements or agreements. This Contract and any addenda thereto, are incorporated herein by reference as though set forth verbatim. All promises, requirements, terms, conditions, provisions, representations, guarantees, and warranties contained herein shall survive the Contract expiration or termination date unless specifically provided otherwise herein, or unless superseded by applicable Federal or State statutes of limitation.

39. **Signature Warranty:** The undersigned represent and warrant that they are authorized to bind their principals to the terms of this Contract.

[THIS SPACE INTENTIONALLY LEFT BLANK]

Great Trails State Program Grant Agreement

In Witness Whereof, the Grantee and the Agency have executed this Contract in duplicate originals, with one original being retained by each Party.

Grantee: Town of Apex

Signature of Chief Elected Official Date

Printed Name Title

(Notary Public Completes)

State of North Carolina

County of

On this _____ day of _____, 20___,
_____ personally appeared before me the said named _____, in their capacity as _____ for Grantee, to me known and known to me to be the person described in and who executed the foregoing instrument, and he (or she) acknowledged that he (or she) executed the same and being duly sworn by me, made oath that the statements in the foregoing instrument are true.

My commission expires: _____, 20_____.

(Seal Here)

Signature of Notary Public

Great Trails State Program Grant Agreement

North Carolina Department of Natural and Cultural Resources
Pamela B. Cashwell, Secretary

By:	**Director, NC Parks & Recreation**	
Department Head or Authorized Agent for Secretary Cashwell	**Title**	**Date**

North Carolina Source of Funds: Account Code: 56600188

Great Trails State Program Grant Agreement

Attachment A
Scope of Work

North Carolina Division of Parks and Recreation
Great Trails State Program

Grantee: Town of Apex

Title of Project: Design and Engineering for Reedy Branch Greenway

Project Number: GTSP2025-0003

Contract Number: GTSP2025-0003

Amount of Grant: $200,000

Amount of Match: $250,000

Contact Person for Project: Tyler Gumpright,

Title: Parks and Greenways Planning Technician

Address: 53 Hunter Street, Apex, NC 27502

Contact email address: tyler.gumpright@apexnc.org

Scope of Project: Deliverables include design services, CLOMR/LOMR environmental permitting, 401/404 permit and wetland mitigation fees, bidding services, structural engineering boardwalks & bridges, and surveyor exhibits

Length of Project: 11/1/2025 through 10/31/2028

Schedule for funding drawdown: Grantee may submit drawdown requests quarterly, and grantee must submit detailed expenditure report and invoices quarterly to reconcile grant expenditures. Not more than 90% of the grant will be released until the grantee completes the project elements specified in the grant (refer to detailed budget submitted with grant application).

The grant application and support documentation are, by reference, part of the Agreement.

Attachment B
Line-Item Budget and Narrative

Project Description

The Town of Apex is requesting funding for design engineering services to complete a 1.08-mile segment of the Reedy Branch Greenway, a multi-use trail connecting the American Tobacco Trail (ATT) to 6 neighborhoods, 2 commercial centers, a daycare, medical offices and Western Wake Crisis Ministry. Completing this gap in the corridor will provide a safe off-road alternative for students at Olive Chapel Elementary School, visitors to Kelly Road Park and connect to the Beaver Creek Greenway corridor. Starting from side path on the east side of Kelly Rd (near the Publix Point Shopping center), a mid-block crossing is proposed which will connect to a section of sidewalk that will be widened to 10ft. Continuing to the west the trail will be located on the south side of the creek behind a day care before running on the north side of Homestead Park and Creekside Commons neighborhoods where easements are needed. The trail will cross the creek adjacent to existing sanitary sewer lines to the north side of the creek (south of the Stratford at Abbington) and terminate at the Sweetwater neighborhood where it ties into existing trail completed to the ATT. Neighborhood connections are proposed at Rothwood Way, Homestead Park Dr, Evening Star Dr and Windy Creek Ln. A feasibility study indicated that this project lies within a 100-year floodplain, requiring 1 segment of bridge (100 linear ft.) and 4 timber boardwalks (170 linear ft.) with a recommended budget of $3,276,000. Funding from the grant will include services to make the project shovel ready: 1) FEMA Environmental Permitting including a Conditional Letter of Map Revision CLOMR and Letter of Map Revision LOMR, 2) NCDEQ 401/404 Permit and Wetland Mitigation fees, 3) Structural Engineering for four boardwalk segments, and 4) Surveyor Exhibits for easement or property acquisition. This project will be designed to US Access Board and AASHTO, Local Development Ordinance Guidelines, and standard specifications and details.

Project Budget (Design & Engineering)

Planning, Feasibility, Design, and Engineering Costs

Project Element	**Total Cost**
Design Services	$275,000.00
CLOMR/LOMR Environmental Permitting	$50,000.00
401/404 Permit and Wetland Mitigation Fees	$45,000.00
Bidding Services	$5,000.00
Structural Engineering Boardwalks & Bridges	$50,000.00
Surveyor Exhibits	$25,000.00
Total Costs:	**$450,000**

Non-State Match

Type of Match	Amount of Match	Source of Match	Availability
Cash	$250,000	Town of Apex Greenway Fund	Funds will be secured within 6 months--are available immediately.

Budget Summary

Total Project Cost: $450,000.00

Total Non-State Match: $250,000.00

Total Grant Request: $200,000.00

County Tier Designation: Tier 3

Attachment C
Notice of Certain Reporting and Audit Requirements

The Grantee shall comply with all rules and reporting requirements established by State statute or administrative rules. For convenience, the requirements are set forth in this Attachment.

Reporting Thresholds.
There are three reporting levels established for grantees and subrecipients receiving State financial assistance. Reporting levels are based on the level of State financial assistance from all funding sources. The reporting levels are:

(1) Level I – A grantee or subrecipient that receives, holds, uses, or expends State financial assistance in an amount less than twenty-five thousand dollars ($25,000) within its fiscal year.

(2) Level II - A grantee or subrecipient that receives, holds, uses, or expends State financial assistance in an amount of at least twenty-five thousand ($25,000) or greater, but less than five hundred thousand dollars ($500,000) within its fiscal year.

(3) Level III – A grantee or subrecipient that receives, holds, uses, or expends State financial assistance in an amount equal to or greater than five hundred thousand dollars ($500,000) within its fiscal year.

Reporting requirements for grantees that meet the following reporting standards on an annual basis:

(1) All grantees and subrecipients shall provide a certification that State financial assistance received or, held was used for the purposes for which it was awarded.

(2) All grantees and subrecipients shall provide an accounting of all State financial assistance received, held, used, or expended.

(3) Level II and III grantees and subrecipients shall report on activities and accomplishments undertaken by the Grantee, including reporting on any performance measures established in this Contract.

(4) Level III grantees and subrecipients shall have a single or program-specific audit prepared and completed in accordance with Generally Accepted Government Auditing Standards, also known as the Yellow Book.

All reports shall be filed with the Agency in the format and method specified by the Agency no later than three months following the end of the Grantee's fiscal year. Audits must be provided to the funding Agency no later than nine months following the end of the Grantee's fiscal year. The Grantee shall use the reporting package forms provided by the Agency in making and submitting reports to the Agency.

Unless prohibited by law, the costs of audits made in accordance with the provisions of this Contract shall be allowable charges to State and Federal awards. The charges may be considered a direct cost or an allocated indirect cost, as determined in accordance with cost principles outlined in the Code of Federal Regulations, 2 CFR Part 200. The cost of any audit not conducted in accordance with this Contract shall not be charged to State awards.

Notwithstanding the provisions of this Contract, a grantee may satisfy the reporting requirements of this Contract by submitting a copy of the report required under federal law with respect to the same funds.

Great Trails State Program Grant Agreement

Attachment D
State Grant Certification – No Overdue Tax Debts Form

THIS PAGE IS INTENTIONALLY LEFT BLANK AS A PLACEHOLDER FOR ATTACHMENT D. NON-PROFIT ORGNIZATIONS SHOULD USE PROVIDE A NO OVERDUE TAX DEBTS FORM CERTIFICATION WITH THEIR CONTRACT.

Great Trails State Program Grant Agreement

Attachment E
Waiver of Retroactivity

Not Applicable to the Town of Apex

Town of Apex

CAPITAL PROJECT ORDINANCE AMENDMENT 2026-4

220 - Recreation Capital Project Fund

BE IT ORDAINED, by the Council of the Town of Apex that the Capital Project Ordinance previously entitled "Recreation Capital Project Fund" be amended as follows:

SECTION 1: The project authorized by this ordinance consists of parks and recreation capital projects.

SECTION 2: The officers of this unit are hereby directed to proceed with the capital project within the terms of the budget contained herein.

SECTION 3: The following revenues are anticipated to be available to complete these projects:

Type	Increase/(Decrease)	Amended Fund Totals
Grants (County/State/Federal)	200,000	9,432,629
Transfer from Recreation Reserve	-	16,796,744
Transfer from General Fund	-	7,381,500
Bond Proceeds/Premium	-	51,550,342
Miscellaneous Revenue	134,400	134,400
Subdivision Recreation Fees	-	445,634
Donations & Sponsorship	-	345,000
Interest Earned - Debt Proceeds	-	1,018,500
Interest Earned	-	1,190,500
Total Revenues		**$88,295,249**

SECTION 4: The following amounts are appropriated for the project funds:

Type	Increase/(Decrease)	Amended Fund Totals
Recreation Capital Project Expenditures	334,400	88,295,249
Total Expenditures		**$88,295,249**

SECTION 5: The Finance Officer hereby directed to maintain within the project funds detailed accounting records.

SECTION 6: The Budget Officer is directed to include a detailed analysis of the past and future costs and revenues on this capital project in every budget submission made to the Town Council.

SECTION 7: The Town Manager is authorized to amend expenditures within the fund for expenditures that are authorized per section I of this ordinance that do not change the total appropriation within the fund.

SECTION 8: Copies of this capital project ordinance shall be furnished to the Clerk to the Town Council, and to the Budget Officer and the Finance Officer for direction in carrying out this project within five (5) days after adoption.

SECTION 9: All ordinances in conflict with this ordinance are hereby repealed or amended to reflect the controlling nature of this Ordinance.

Adopted this the 9th day of December 2025.

Attest:

Jacques K. Gilbert, Mayor

Allen L. Coleman, CMC, NCCCC Town Clerk

| Agenda Item | cover sheet

for consideration by the Apex Town Council

Item Type: CONSENT AGENDA

Meeting Date: December 09, 2025

Item Details

Presenter(s): John Mullis, Director

Department(s): Public Works

Requested Motion

Motion to approve a Multi-Year Solid Waste and Recyclable Materials Collection, Transportation and Disposal/Processing Agreement between Waste Industries, LLC and Town of Apex, effective through June 30, 2036, for the collection of residential curbside solid waste and recyclable materials, and to authorize the Town Manager, or their designee, to execute on behalf of the Town, and authorize the Town Manager, upon consultation with the Town Attorney, to execute amendments to the contract that do not increase the cost to the Town.

Approval Recommended?

Yes

Item Details

The Town's current Solid Waste contract expires on June 30th, 2026. As such, staff began preliminary discussions with the current provider 15 months prior to contract expiration specifically addressing Town Facilities and Residential customers. Staff has negotiated the following key strategic wins and recommends approval.

Rate Freeze: Existing fee structure will remain as is through June 30th, 2028 with no fee increases.
Rate Cap: The maximum annual rate adjustment increase in any Fiscal Year is 2.5 % beginning July 1, 2028.
Residential recycling capacity increased by 47 % under phased approach at no extra cost to residents.
Dedicated Customer Service Support Center provided to assist ASK APEX with resident inquiries.
Dedicated Field Representative supporting Town's Solid Waste Manager to resolve operational issues.
Performance standards established, with financial penalties for exceeding the allowable limit of qualifying complaints.
Supports Town Sustainability initiatives by providing quarterly weights from Town Facility Recycling 3(e).
Estimated households serviced as of 10-31-25 (Exhibit B- Solid Waste Routes): 25,305.

FY 25-26 Budget: Sanitation Services $5,300,000.

Budgetary impacts to consider:

1). Parks, Recreation, and Cultural Resources (PRCR) has requested 1 additional dumpster service (8 Cyd) per week at Apex Community Park, Apex Nature Park, and Pleasant Park to accommodate increased weekend usage. This represents an increased cost of $312/month or $1560 (Feb-June) above what is currently budgeted for the remainder of FY 25-26. These additional services are listed in Exhibit B and can be deferred until FY 26-27.

2) As part of this agreement, Public Works will be responsible for the placement of up to 1000 96-gallon Recycling carts per month under a phased agreement. Public Works does not have funding to facilitate mass delivery as is typical in the Solid Waste Industry. Public Works intends to internally manage new cart deliveries with existing staff and equipment for the remainder of FY 25-26 and evaluate cost effective deployment options in future budget years until full transition has been completed.

Attachments

- CN15-A1: Contract Multi-Year Agreement – Waste Industries LLC dba GFL Environmental - Solid Waste and Recyclable Materials Collection, Transportation and Disposal/Processing Agreement – through June 30, 2036
- CN15-A2: Peer Community Comparison Chart - Contract Multi-Year Agreement – Waste Industries LLC dba GFL Environmental - Solid Waste and Recyclable Materials Collection, Transportation and Disposal/Processing Agreement – through June 30, 2036

SOLID WASTE and RECYCLABLE MATERIALS COLLECTION, TRANSPORTATION AND DISPOSAL/PROCESSING AGREEMENT

This SOLID WASTE and RECYCLABLE MATERIALS COLLECTION, TRANSPORTATION AND DISPOSAL/PROCESSING AGREEMENT (this "Agreement") is made and entered into this the __ day of 2025, by and between the Town of Apex, a North Carolina municipal corporation, hereinafter referred to as "CUSTOMER" or "Town", and Waste Industries, LLC dba GFL Environmental, with its principal business offices located at 1000 Social Street, Ste. 1100, Raleigh, NC 27609, hereinafter referred to as "CONTRACTOR." CUSTOMER and CONTRACTOR may be individually referred to as "Party" or collectively referred to as "Parties" throughout this Agreement.

WITNESSETH

WHEREAS, pursuant to Article 16 of Chapter 160A of the North Carolina General Statutes, CUSTOMER is authorized to provide for the collection of residential curbside solid waste and recyclable materials of its residents; and

WHEREAS, CONTRACTOR is in the business of solid waste and recyclables collection and desires to provide such services to CUSTOMER; and

WHEREAS, CUSTOMER desires to engage CONTRACTOR to collect residential curbside solid waste and recyclable materials from within its boundaries as described in this Agreement, and in accordance with all applicable laws, including, without limitation, the ordinances of the Town of Apex and the law of the State of North Carolina.

NOW, THEREFORE, in consideration of the foregoing, the mutual covenants and agreements set forth herein, and for other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the Parties hereby agree as follows:

1. Term: This Agreement shall be binding on the Parties for a period of ten and one-half (10 1/2) years beginning February 1, 2026, and ending June 30, 2036 (the "Initial Term"), unless terminated earlier in accordance with the terms of this Agreement. The Parties hereto may, by mutual consent, extend the term of the Agreement for additional two (2)- one- year extensions (or any term allowable by law). This Term shall not apply to the limited provision of commercial services as described in Section 3(f) of this Agreement.

2. Definitions. The following definitions shall apply to this Agreement:

2.01 **Accessibility Exception** (also referred to as "Special Collection Customers" or "Back Door Service") means rear-yard or other special handling service provided to individuals who are unable to place their Solid Waste or Recyclable Materials curbside due to a Physical Impairment, and where no other person capable of doing so resides in the dwelling. Special needs Accessibility Exception households are verified by Town of Apex Public Works, assuring a single resident within the household has a physical impairment precluding them from bringing Cart to the curb.

2.02 **Building Material** See **Construction Debris**.

2.03 **Bulky Waste** means residential waste items that are too large to fit in the supplied Solid Waste Cart.

2.04 **Cart** means a Solid Waste or Recyclable Materials receptacle furnished by the CONTRACTOR, with a capacity between 65 and 96 gallons. It must be constructed of plastic and metal with wheels, handles, and a tight-fitting lid capable of preventing vector entrance. It must also be designed to be lifted and emptied mechanically, and its mouth must be wider than or equal to its base. CONTRACTOR is responsible for the repair and replacement of damaged Carts for Residential Unit and Town Facility customers, the bulk delivery of Carts to designated Town Facilities, and providing the CUSTOMER with Cart inventory.

2.05 **Cityworks** means Enterprise Asset Management (EAM) software platform designed to manage infrastructure, assets, and work processes.

2.06 **Collection Schedule** means the days of collection authorized by the Contract.

2.07 **Complaint** means an expression of dissatisfaction, made through any channel, regarding the standard of service, actions, or lack of action by the CONTRACTOR or its staff. Complaints include, but are not limited to: Missed Pick Up, spills, grease deposits on carts, hydraulic leaks (excluding unexpected ruptured hoses beyond the CONTRACTOR's control), dropped trash, broken glass, broken waste containers, and misplaced containers.

2.08 **Construction Debris** Means waste building materials resulting from construction, remodeling, repair, or demolition operations conducted by the property owner or tenant.

2.09 **Dedicated Customer Service Support Center** Means a CONTRACTOR-operated and human-staffed support center with a Local Presence. It must be capable of receiving real-time phone calls, voicemails, texts, and inbound emails during normal business hours (8:00 a.m. to 5:00 p.m., Monday through Friday) on Scheduled Collection days. The CONTRACTOR is responsible for providing a dedicated phone number and email address for this center.

2.10 **Dedicated Field Representative** Means a dedicated employee provided by the CONTRACTOR exclusively for the Town, who must be physically present within Town limits at all times during collection operations. This person serves as the primary liaison to the Town, responsible for complaint resolution, customer engagement, and working directly with the Town’s Solid Waste Manager or Contract Administrator. This is a non-collection role, and the representative is prohibited from performing routine collection tasks. However, they are authorized to perform a single-location collection if it is done specifically to respond to and resolve a complaint.

2.11 **Dumpster Container** Means a large receptacle (typically 2, 4, 6, or 8 cubic yards) designed to be lifted and emptied mechanically. Dumpsters are furnished by the CONTRACTOR for use at commercial, industrial, or Town properties with waste streams that exceed the capacity of Roll-Out Carts. The CONTRACTOR is responsible for the repair and replacement of damaged dumpsters.

2.12 **Garbage** means animal and vegetable matter resulting from the handling, preparation, cooking, and consumption of food, including the minimum amount of incidental liquid; non-

hazardous waste; properly contained medical waste; discarded food/beverage containers; glass; and discarded items. This definition *excludes* any items defined as Bulky Waste, Construction Debris, Hazardous Waste, or Unacceptable Solid Waste.

2.13 **Hazardous Waste** Means waste in any amount that is defined, characterized, or designated as hazardous by the U.S. Environmental Protection Agency or appropriate State Agency, or is otherwise regulated under Federal or State Law. For the purposes of this Contract, this term also includes (but is not limited to) motor oil, gasoline, paint, paint cans, and household cooking oils.

2.14 **Littering** means allowing spilled or wind-blown materials to fall from the CONTRACTOR'S truck hopper or to fall to the ground during the process of emptying Carts and Dumpster containers.

2.15 **Local Presence** means to have a tangible, physical, and established base of operations within Wake County or within a 30-mile radius of Apex.

2.16 **Missed Pick Up** means a Complaint alleging that the Scheduled Collection of Solid Waste or Recyclable Materials was not made on the scheduled date and the pick up was not made by 8:00 p.m. on the day after it was reported. Complaints that are verified to be the result of a Resident Error are not considered a Missed Pick Up.

2.17 **Qualifying Complaint** means a Complaint against the CONTRACTOR that is not resolved by 8:00 p.m. on the following business day. A Complaint that is invalid due to an error on the part of the complainant, inaccuracy of the information provided as support for the Complaint, or Resident Error is not a Qualifying Complaint. The CONTRACTOR must provide evidence (e.g., photos, video) to dispute any Qualifying Complaint.

2.18 **Recyclable Materials** means materials that are collected, separated, or processed and reused as raw materials or products:

- **Recyclable Materials** includes aluminum and metal cans, newspapers, non- hazardous plastics that pour (opening is smaller than base of the body) such as milk jugs, water jugs, soft drink bottles, and detergent bottles, paper, magazines, cardboard, glass (green, brown, clear), glass bottles and jars, paper, paperboard (e.g., cereal/shoe boxes), cardboard egg cartons, plastic bottles, plastic tubs, plastic jugs, plastic jars, juice boxes, table-top paper cartons, metal food cans, yogurt cups, sports drink bottles, magazines, junk mail, catalogs, and phone books.

  Margarine containers, frozen food trays, plastic wrap, plastic bags, Styrofoam, stamps/stickers in junk mail, motor oil bottles, aerosol cans, batteries, aluminum foil, clothing, ceramic materials, clothing, diapers, electronics, medical waste, plastic cups, lids and straws, shredded paper, scrap metal/wood, tires, toys, hoses and wires, and pesticide bottles are not considered Recyclable Materials for the purpose of this Agreement.

  Items included in the definition of Recyclable Materials may be added or deleted based on whether items are accepted at the material recycling facility.

2.19 **Resident** means an individual living in a Residential Unit that is included in the Services.

2.20 **Resident Error** means a collection was missed for reasons within the Resident's control and outside the CONTRACTOR'S control, including the Cart not being at the curb when required, or otherwise being inaccessible, blocked, overfilled, lid open, contaminated, or prohibited items being placed in the Cart.

2.21 **Residential Unit** means a dwelling within the corporate limits of the Town of Apex occupied by a person or group of persons comprising not more than four (4) families. A condominium dwelling, whether of single or multi-level construction, consisting of separate single-family dwelling units, shall be treated as a Residential Unit. However, each single-family dwelling within such a unit shall be billed separately, *unless* their service is provided by a dumpster, in which case they will be billed according to the dumpster rate schedule.

2.22 **Scheduled Collection** means the day and frequency which CONTRACTOR is to provide Solid Waste and Recyclable Materials collection to Residential Units and Town Facilities as determined by this Agreement.

2.23 **Solid Waste** means a mixture of Garbage, refuse, or trash, generated from Residential Units, Town Facilities, and commercial businesses. This includes non-hazardous organic and inorganic materials such as paper, plastics, and food scraps. Solid Waste does not include construction and building materials including earth, stone, cement and gravel and any other debris left from work performed in residences including castings, sheet rock, plaster, lumber, doors and windows, leaf and Yard Waste, automobile parts including batteries, any bulk item or any hazardous material or otherwise material not accepted at landfill.

2.24 **Town Facility** means any property owned or managed by the Town of Apex, North Carolina and designated in Exhibit B.

2.25 **Unacceptable Solid Waste** means:

(i) any material which by reason of its composition characteristics or quantity is hazardous waste as defined in the Resource Conservation and Recovery Act of 1976, 42 U.S.C. 6901 et seq., and the regulations thereunder or any material which by reason of its composition or characteristics is hazardous waste, a hazardous substance or hazardous material as defined in or under any other federal, state or local law, and the applicable regulations thereunder, and any other material which any governmental agency or unit having or claiming appropriate jurisdiction shall determine from time to time to be harmful, toxic or dangerous, or otherwise ineligible for disposal at the applicable disposal facility;

(ii) explosive materials, corrosive materials, pathological waste, radioactive materials, cesspool and other human waste, human remains, motor vehicles, batteries, tires, refrigerators, gasoline tanks, gas cylinders, asbestos insulation, closed metal containers, barrels, more than an incidental amount of tires, refrigerators that have not been properly evacuated, liquid waste

including chemical wastes, sewage and other highly diluted water-carried materials or substances and those in gaseous forms, special nuclear or by-product materials within the meaning of the Atomic Energy Act of 1954, as amended; and

(iii) any other material which may present a substantial endangerment to public health or safety, would cause applicable air quality or water effluent standards to be violated by the normal operation of the Transfer Station or because of its size, durability or composition cannot be managed or disposed of at the applicable disposal facility or has a reasonable possibility of otherwise adversely affecting the operation of the applicable disposal facility outside the normal usage expected for the facility.

2.26 **Yard Waste** means organic materials harvested from a residential lot, typically consisting of grass clippings, brush, pine needles, tree limbs, shrubbery clippings, and leaves.

3. Services. CONTRACTOR hereby agrees to collect and transport Solid Waste and Recyclable Materials in the Town of Apex from Residential Units and Town Facilities, and Solid Waste and Recyclable Materials from commercial properties, as described in this Agreement, from the point of pickup to a solid waste disposal site or materials recycling facility (the "Services"). For the purposes of this Agreement, the CONTRACTOR shall dispose of Solid Waste at the South Wake Landfill located at 6300 Old Smithfield Rd., Apex, NC 27539. Recyclable Materials shall be disposed of at a recycling processing/separation center of the CONTRACTOR'S choosing as long as the center is licensed and permitted by the appropriate regulatory bodies and is in compliance with all applicable law, rules, and regulations. The Services are more particularly described below:

a) Residential Solid Waste Collection - CONTRACTOR shall provide a 96-gallon Cart, and provide Services for said Cart, on a once per week basis at each Residential unit. Carts must be placed at the curb no later than 6:00 a.m. on the Scheduled Collection day. Carts must be placed in a manner suitable to be emptied by the automatic dumping arm of the refuse vehicle where available/appropriate.

b) Residential Recyclable Materials Collection – CONTRACTOR shall provide a 96-gallon Cart, and provide Services for said Cart, on a once per week basis at each Residential Unit. To receive Services, Carts must be placed at the curb no later than 6:00 a.m. on the scheduled day of service and must be placed in a manner suitable to be emptied by the automatic dumping arm of the refuse vehicle where available/appropriate.

c) CONTRACTOR will provide an Accessibility Exception to elderly, injured, ill, or handicapped Residents receiving Services that are incapable of placing Carts curbside. Such Residents shall be identified and approved by CUSTOMER and qualifications for such special collection shall be determined by a written doctor's note. CUSTOMER shall maintain and provide the CONTRACTOR with a list of these addresses for this Accessibility Exception service. Such collection will be from a front or side door that is visible to the street. This collection will include CONTRACTOR physically taking the Cart by hand to the collection vehicle, emptying the Cart, and returning it to the location upon which it was placed on the

Scheduled Collection day. CONTRACTOR shall not charge any additional cost for this service but may request CUSTOMER to re-evaluate any address where evidence of abuse of the service may exist. These Accessibility Exception collections will not exceed 5% of total Carts serviced.

d) CONTRACTOR shall provide Services to all Residential Units approved by the Town and shall provide Services from publicly and privately maintained streets and roads, including but not limited to, alleyways, cul-de-sacs, hammerhead turnarounds, and similar locations. Notwithstanding the foregoing, CONTRACTOR is not required to provide collection to any street that is not safely passable by the CONTRACTOR's equipment. CONTRACTOR shall notify the CUSTOMER of the limitations and impassability of CONTRACTOR's equipment on such streets so items for collection can be relocated and placed where practicable for collection.

e) CONTRACTOR shall provide a 96-gallon Cart for Solid Waste and a 96-gallon Cart for Recyclable Materials and shall provide Services for Town of Apex Town Facilities identified in this Agreement. Current 65-gallon Carts shall be serviced in accordance with this subsection (e) until replaced with 96-gallon Carts by CONTRACTOR. The CONTRACTOR will perform said Services at the locations and cost as set forth in Exhibit B, attached hereto and incorporated herein. Service frequencies and/or Dumpster Container quantities and/or sizes may be adjusted upon the CUSTOMER'S request to the CONTRACTOR.

CONTRACTOR agrees to weigh the Recyclable Materials and Solid Waste Carts and Dumpster Containers upon request, as a group, on a quarterly basis at no additional cost to the CUSTOMER and will provide feedback regarding said weight to the CUSTOMER. CONTRACTOR will maintain all Carts and Dumpster Containers and repair/replace as needed.

CONTRACTOR shall empty Dumpster Containers at Town Facilities at the locations and frequencies and for the rates shown in Exhibit B. Dumpster Containers shall be labeled with the CONTRACTOR'S logo and clearly marked as either garbage or solid waste, or recycling and shall be kept in good working condition. CONTRACTOR is responsible for removing Solid Waste or Recycling Materials that fall off or out of the Dumpster Container during service.

f) CONTRACTOR currently provides Solid Waste and Recyclable Materials Services at certain commercial locations in the Town of Apex ("Commercial Services") pursuant to the Recycling Collection and Solid Waste Collection and Disposal Services Agreement entered into between Waste Industries, LLC and the Town of Apex in June 2016 ("Prior Agreement"). These Commercial Services will be provided at the rates provided for in the Prior Agreement. Notwithstanding anything to the contrary in this Agreement, CONTRACTOR will continue to provide those Commercial Services as provided for in the Prior Agreement until a date mutually agreed upon by the Parties but no later than June 30, 2026, after which Commercial Services will no longer be provided to CUSTOMER as part of either the Prior Agreement or this Agreement. For the purposes of this subsection (f) only, the Parties may agree to the termination of

Commercial Services at any time prior to June 30, 2026, via confirmation through electronic mail.

4. Special Provisions. The following special provisions shall apply to the Services.

4.01 Manner of Services.

a) The CONTRACTOR shall provide curbside Services to each Residential Unit every week and on the corresponding Scheduled Collection day.
b) Scheduled Collection days are subject to change and all changes will be mutually agreed upon by the CUSTOMER and the CONTRACTOR. The CONTRACTOR shall notify the Town of Apex Public Works Director to request a re-rebalancing of any Residential Unit route.
c) If any Scheduled Collection route will not be collected due to circumstances beyond the control of the Parties, the CONTRACTOR shall be responsible for communicating any changes to the Services to the Town of Apex Solid Waste Manager (or designee) at no cost to the CUSTOMER.

4.02 Solid Waste Services

a) All Solid Waste must be bagged and placed inside the Carts for collection.
b) Cart lids are expected to be closed for health and safety reasons; however, Service is required if the lid is open 6 inches or less.
c) Should Solid Waste spill during collection, CONTRACTOR shall pick up any scattered Solid Waste from the from the street, roadway, or public property.
d) CONTRACTOR is not responsible for the collection, transportation and disposal of Unacceptable Solid Waste, as defined in this Agreement.
e) Title to Unacceptable Solid Waste shall remain with the generator and shall not be deemed to pass to CONTRACTOR at any time.

4.03 Recycling Materials Services

a) Recyclable Materials will be collected and transported separately from Solid Waste.
b) All Recyclable Materials must be cut down to fit into the supplied Cart.
c) Should Recyclable Materials spill during collection, CONTRACTOR shall pick up any scattered Recyclable Materials from the street, roadway, or public property.
d) Cart lids are expected to be closed; however, Service is required if the lid is open 6 inches or less.

e) The CONTRACTOR will take precautions to prevent the mixing of Solid Waste and Recyclable Materials.

4.04 Location of Residential Carts

a) Carts to be serviced shall be located curbside. Curbside refers to the side of a road, street, or alley that is closest to a curb. Carts that are located in alleyways which may be safely traveled by CONTRACTOR'S vehicles or equipment shall also be serviced.
b) Carts are to be placed as close to the street or road as practicable without interfering with or endangering the movement of vehicles or pedestrians.
c) When construction work is being performed on the street, road, or right-of-way, the Cart shall be placed as close as practicable to an access point for the CONTRACTOR'S collection vehicle.
d) The CONTRACTOR may decline to collect any Cart not properly placed, except for those that are otherwise placed as part of an Accessibility Exception.

4.05 Collection Criteria

a) CONTRACTOR shall collect Solid Waste and Recyclable Materials separately from each other, and shall not combine loads of different material types.
b) CONTRACTOR is responsible for all disposal and processing costs.
c) CONTRACTOR'S employees shall provide Services with as minimal an amount of noise and disturbance to Residents and businesses as possible, shall be courteous at all times, and shall not use loud or profane language.
d) CONTRACTOR shall exercise all reasonable care and diligence in the performance of Services.
e) Carts and Dumpster Containers shall be completely emptied and shall be returned to an upright position following collection.
f) After being emptied, Carts and Dumpster Containers shall be returned in a manner so as not to block driveway access or block or obstruct sidewalks.
g) CONTRACTOR'S employees shall follow established walkways for pedestrians while on private property, shall not trespass or loiter on private property, shall not cross property lines to the adjoining property, and shall not disturb or tamper with property not connected with the Services.
h) CONTRACTOR'S vehicles shall not unduly interfere with vehicular

or pedestrian traffic.

i) CONTRACTOR'S vehicles shall not be left on the street unattended. The CONTRACTOR acknowledges that collection points on roads, streets, or public rights of way may be within utility easements. CONTRACTOR'S vehicles and employees shall not interfere with, damage, or destroy mailboxes, water meters, transformers, guy wires, utility poles, decorative walls, plant material, and irrigation structures.

j) CONTRACTOR is responsible for any damage caused by the Services and shall promptly repair or have repaired at no cost to the CUSTOMER or a private property owner any damage caused by the Services. If such repairs are made by or at the direction of the CUSTOMER or a private property owner, the CONTRACTOR shall reimburse the CUSTOMER or private property owner for said repairs.

k) CONTRACTOR shall not Litter or cause any spillage to occur during the Services. All collected Solid Waste and Recyclable Materials shall be contained, tied, or enclosed to prevent leaking, spilling, or falling from the collection vehicle. In the event CUSTOMER is required to remove any Solid Waste or Recyclable Materials that have fallen or spilled over from any Service vehicle, CONTRACTOR will reimburse CUSTOMER for the cost of said removal.

l) In the event of any confirmed spillage, leakage, or Solid Waste or Recyclable Materials falling from a CONTRACTOR'S vehicle, CONTRACTOR shall immediately, and no later than the end of the same day, clean up all spillage or leakage at no cost to the CUSTOMER. The CONTRACTOR is fully responsible for cleaning such spills, leaks, or fallen Solid Waste or Recyclable Materials per local, state, and federal regulatory standards and to the satisfaction of the Town of Apex Solid Waste Manager. Remediation shall include resealing or resurfacing of the street or road if warranted due to the severity of the damage.

m) CONTRACTOR will not be responsible for the cleanup of spillage or leakage caused by a third party and upon satisfactory proof of the same provided to the Town of Apex Solid Waste Manager the same shall not be counted as a Qualifying Complaint.

n) CONTRACTOR shall use competent, qualified, sober, drug-free personnel to provide the Services pursuant to this Agreement. CONTRACTOR'S employees shall adhere to a no smoking policy while performing Services for the CUSTOMER.

o) CONTRACTOR shall devote sufficient personnel, time, and attention to the Services to CUSTOMER to ensure satisfactory performance to

the CUSTOMER.

p) In the performance of the Services, CONTRACTOR shall not employ any person who engages in illegal activity, unprofessional or detrimental conduct, or is incompetent or negligent in the due and proper performance of his or her duties pursuant to this Agreement. The CONTRACTOR shall furnish such supervision, labor, and equipment as is considered necessary for the fulfillment of the Services in an acceptable manner and schedule.

q) CONTRACTOR'S employees shall wear company uniforms clearly labeled with the name of the CONTRACTOR and the employee. CONTRACTOR'S employees shall wear CONTRACTOR shirts at all times, but if weather conditions require, employees may wear t-shirts with the CONTRACTOR'S logo prominently displayed. In lieu of uniforms, temporary or leased labor may wear brightly colored safety vests with the CONTRACTOR'S logo prominently displayed. Clothing will be as neat and clean as circumstances reasonably permit.

r) All of the CONTRACTOR'S employees shall be qualified and appropriately trained for the tasks assigned to them. The CONTRACTOR shall provide refresher courses and additional training to its employees, as needed, to ensure compliance with the requirements of this Agreement and all applicable laws. CUSTOMER has the right to review CONTRACTOR'S training records upon request.

s) Employees driving the CONTRACTOR'S vehicles shall at all times possess and carry a valid Commercial Driver's License issued by the State of North Carolina for the class appropriate to the weight of the vehicle being driven. CUSTOMER reserves the right to require the CONTRACTOR to provide proof of compliance with all laws regarding Commercial Driver's Licenses, specifically information regarding drug testing.

t) The CONTRACTOR'S employees, officers, agents, and subcontractors shall, at no time, identify themselves or in any way represent themselves as being employees of the Town of Apex.

u) CONTRACTOR shall obtain, at its own expense, all permits and licenses required by law and maintain the same in full force and effect. Any revocation of CONTRACTOR'S licenses or permits shall be reported to the Town of Apex Solid Waste Manager within three (3) business days.

v) The CONTRACTOR shall notify the Town of Apex Public Works Director, by telephone, of all vehicular accidents occurring during the

performance of the Services within twenty-four (24) hours of the accident.

4.06 Service Vehicles

a) CONTRACTOR shall provide an adequate number of vehicles that are compatible (in size and weight) with, and appropriate for, the areas where such vehicles are to be utilized to collect Solid Waste and Recyclable Materials.

b) All vehicles required to provide the Services specified herein shall be on hand and in good working order while performing the Services.

c) All of the CONTRACTOR'S vehicles used in performance of the Services shall have waterproof seals and shall be watertight to a depth sufficient to prevent the discharge or leaking of liquids that have accumulated in the vehicle's hopper area during loading and transport operations.

d) All vehicles shall be kept in clean condition at all times.

e) All vehicles shall be licensed in the State of North Carolina and shall operate in compliance with all applicable state, federal, and municipal regulations.

f) All vehicles shall be manufactured and maintained to conform to ANSI Standard Z245.1.

g) Service vehicles shall be painted a uniform color and exterior paint and markings must be kept in good condition.

- Each vehicle shall be serially numbered in lettering at least five (5) inches high and shall also bear the name and phone number of the CONTRACTOR plainly visible on both sides of the vehicle.
- All vehicles shall be sufficiently secure to prevent Littering of any material and leakage of fluid. No vehicles shall be willfully overloaded.
- Each vehicle shall be equipped at all times with all safety supplies, equipment, and first aid supplies required by applicable law; fire extinguisher; heavy-duty broom, rake, and large dustpan; spill response kit; audible backup warning device.
- The CONTRACTOR shall also have on hand and maintain sufficient reserve Service vehicles.
- The use of reserve Service vehicles shall include, but not be limited to, occasions when frontline vehicles are out of service, or when unanticipated delays will prevent frontline vehicles from completing the collection route(s) within the established hours of collection.
- Reserve vehicles shall be in service within two (2) hours of any breakdown or delay of frontline vehicles. Reserve vehicles shall

be similar in size and capacity to that of frontline vehicles.

- The CUSTOMER reserves the right during the term of the Agreement, with reasonable notice to the CONTRACTOR, to inspect the CONTRACTOR'S service facility and vehicles providing Services to the CUSTOMER.

h) Certain collection points in the Town of Apex require a special-sized Solid Waste/Recyclable Materials vehicle that can maneuver a twelve (12) foot wide one-way alley for collection. These locations are listed as Alley Streets in Exhibit B. CONTRACTOR warrants and agrees that it has such vehicles in its possession and agrees to utilize them at the locations specified herein.

4.07 Service Impediments

4.07.1 During the term of this Agreement impediments to Service may arise that require special effort by the CONTRACTOR to perform Services. When conditions require special efforts to complete the Services, the CONTRACTOR shall make these additional efforts at no additional cost to the CUSTOMER.

4.07.2 If the impassability of a road, street, or alley due to extreme weather conditions is anticipated to last for only one or two Scheduled Collection days, CUSTOMER may elect to delay Services until conditions improve. When this occurs, the CONTRACTOR shall provide Services as described in an Adverse Weather Plan which shall be submitted by the CONTRACTOR to the CUSTOMER for review and approval within 30 days of execution of this Agreement and again by July 1 of each year of the Agreement.

4.07.3 Periodically, major renovation is necessary to maintain the infrastructure of the CUSTOMER, including such activities as replacing gas, water, and sewer lines, surfacing, or resurfacing streets, and replacing wiring for telephone, electricity, or cable television. In such event, the following shall apply:

a) If the Town of Apex Solid Waste Manager (or designee) is notified in advance of these activities, the CONTRACTOR will be notified and the Parties will work in good faith to identify an alternative route or methodology for providing Services. CONTRACTOR shall identify an alternative collection method for the CUSTOMER to review and approve.

b) In the event of an impassable obstruction in a road, street, or alley that makes performance of Services impossible, the CONTRACTOR shall immediately notify the CUSTOMER.

c) If an illegally parked vehicle blocks a road, street, or alley, the CONTRACTOR must inform the Town of Apex Solid Waste Manager. If the vehicle is removed within four hours of notification, Services must be provided on the Scheduled Collection

day. If the vehicle is not removed by the end of the Scheduled Collection day and there is no other access to the Carts, the CONTRACTOR shall, upon notification to and approval by the Town of Apex Solid Waste Manager, provide collection at the start of shift on the following day. The CONTRACTOR is responsible for follow-up with the Town of Apex Solid Waste Manager until the vehicle is removed.

5. Equipment: All equipment utilized is to be reliable and presentable during the performance of this Agreement, including backup equipment. All equipment shall be marked by CONTRACTOR name and/or CONTRACTOR logo. All equipment shall be maintained, by CONTRACTOR, in a safe condition throughout the Term of this Agreement. CONTRACTOR will be responsible for repair/replacement for all Carts due to normal wear and tear. All Carts remain the property of the CONTRACTOR.

6. Employees: CONTRACTOR'S employees will be required to wear uniforms that display the name of the CONTRACTOR. Each employee will carry a valid driver's license to operate the type of vehicle he/she is required to operate. The CONTRACTOR shall be responsible for the safety training of each of their employees.

7. Schedule. CONTRACTOR shall operate on a schedule to ensure timely service and will comply with the following:

7.1 Routes and Scheduled Collection days are as detailed in Exhibit B. Solid Waste and Recyclable Material collection shall occur on the same day for each Residential Unit and Town Facility unless modified in accordance with Section 4.01(b).

7.2 Services shall not start before 6:00 am or continue after 8:00 pm without prior approval from the Town of Apex Public Works Director.

7.3 Except for Town Facilities, collection from Dumpster Containers is not permitted on Saturdays or Sundays except by permission of the CUSTOMER or on a scheduled holiday collection.

7.4 All routes shall be completed on the regular Scheduled Collection day, unless the CONTRACTOR has notified the Town of Apex Solid Waste Manager via email that conditions, including weather, make collection at the scheduled time impossible and receives approval to extend or modify operating hours in order to provide Services for the maximum number of Residential Units possible.

7.5 A route shall be deemed incomplete if two percent (2%) or more of the Residential Units on the route did not receive regularly scheduled Service.

7.6 The following shall be holidays for purposes of this Agreement: Labor Day, New Year's Day, Independence Day, Memorial Day, Thanksgiving Day, Christmas Day, and any other day the South Wake Landfill is closed.

7.7 CONTRACTOR may decide to observe any and all of the above-mentioned holidays by suspension of Services on the holiday, but such decisions in no manner relieve the

CONTRACTOR of CONTRACTOR'S obligation to provide Services at least once per week for Residential Units and as per the schedule for Dumpster Collection service detailed in Exhibit B.

7.8 During the week on which a holiday falls, Services may be pushed back by one day to accommodate the holiday observance. Friday routes may be collected on Saturday if needed.

7.9 CONTRACTOR is expected to provide Services on a Monday through Friday schedule provided that the receiving disposal facility is open and provided that the receiving recycling facility is open. Should either of these facilities close without notice, CONTRACTOR is to resume collection as soon as practicable following re-opening.

7.10 To ensure smooth service, the CONTRACTOR will provide sufficient resources to manage the higher Solid Waste and Recyclable Materials volumes after the Thanksgiving, Christmas and New Year holidays. If Services are delayed, the CONTRACTOR will pick up extra bags of Solid Waste and Recyclable Materials placed outside the Carts.

8. Service Standards.

8.1 CONTRACTOR shall promptly resolve all Complaints, received from residents or from the CUSTOMER, no later than 8:00 p.m. the next business day after receiving the Complaint. When a Complaint is received on a Saturday or the day preceding a holiday, it shall be resolved by the CONTRACTOR no later than the close of the next business day.

8.2 CONTRACTOR shall establish and operate a Dedicated Customer Service Support Center with a Local Presence located in Wake County. This site will handle all electronic and phone service inquiries and Complaints from both the CUSTOMER and Residents. The office must be open to assist Town of Apex staff as well as Residents on Scheduled Collection days Monday to Friday, 8:00 a.m. to 5:00 p.m.

8.3 The CONTRACTOR'S office shall be equipped with adequate and appropriate personnel and equipment to receive, document, and respond to inquiries, issues, and Complaints by the next business day. The CONTRACTOR'S office staff shall be familiar with the CUSTOMER and CONTRACTOR'S obligations under the Agreement.

8.4 CONTRACTOR shall supply an answering method to receive service inquiries and Complaints during those times when the office is closed.

8.5 Messages transmitted electronically via software application platform (currently Cityworks) prior to 12:00 noon, shall be responded to by CONTRACTOR in the software application the same day by 5:00 p.m. Messages transmitted after 12:00 noon, shall be responded to by CONTRACTOR no later than noon the following business day.

8.6 Should the answering method be used during office hours, such as during lunchtime or when all telephone lines are full, messages must be monitored regularly, so that the CONTRACTOR can respond to the message promptly.

8.7 CONTRACTOR shall provide to the Town a contact person's email address and cell phone number to whom the Town can report issues.

8.8 All issues related to the Services reported to CUSTOMER staff will be documented in the CUSTOMER'S software reporting application (currently Cityworks). This process will also generate an email notification to the CONTRACTOR, requesting resolution. The CONTRACTOR will be granted specific data entry permissions within Cityworks to provide status updates and is required to acknowledge receipt of the issue within the application (typically done with a comment and status change). CONTRACTOR will be provided the ability to comment in the Cityworks application and is obligated to monitor and respond. In the event CONTRACTOR fails to provide the required data entry into Cityworks as noted above, CONTRACTOR shall send a summary email to the Town of Apex Solid Waste Manager the day following receipt of a Complaint or Missed Pick Up or after a delay or Service failure.

8.9 CONTRACTOR agrees to a Service standard of no more than 10 Qualifying Complaints per ten thousand collection point stops (Solid Waste and Recyclable Materials combined) every month. Exceeding 10 Qualifying Complaints will result in a two per cent reduction in the CONTRACTOR'S invoice to CUSTOMER for the corresponding month. If there are more than 40 Qualifying Complaints per ten thousand collection point stops (Solid Waste and Recyclable Materials combined) in a month, then 4% will be deducted from CONTRACTOR'S invoice to the CUSTOMER for the corresponding month. If there are more than 40 Qualifying Complaints per ten thousand collection stop points in a month, on two (2) or more occasions during the term of this Agreement, it shall be considered a breach of the Agreement. In the event CONTRACTOR'S invoice does not reflect the reduction noted in this Section 8.9, CUSTOMER may withhold payment until a corrected invoice is provided. Failure to make payment on an incorrect invoice is not considered a breach of this Agreement.

8.10 CONTRACTOR shall submit its process and procedure for receiving and addressing emergency calls, both during and after business operating hours, to the Town of Apex Solid Waste Manager for approval. Upon approval, said process and procedure shall be followed. An emergency call is one in which an immediate response is required due to a potential threat to the public health, welfare, or safety, including but not limited to, motor vehicle accidents, fatalities, environmental contamination, chemical spills, improperly disposed of hazardous materials, or spills or waste that create a fire hazard.

8.11 CONTRACTOR shall keep a computerized list of all Residential Units that are included in the Services.

8.12 All communications with the CUSTOMER and Residents shall be logged by the CONTRACTOR in the Cityworks platform. These entries will contain all new starts, additional service requests, Accessibility Exception Residential Units, Complaints, and inquiries, including the street address and Resident's name.

8.13 The CONTRACTOR'S response to when and how a Complaint or inquiry was managed shall be readily available to the CUSTOMER'S employees with access to the Cityworks application.

8.14 Each week CONTRACTOR shall send an email to the Town of Apex Solid Waste Manager identifying new Residential Units being serviced for the first time in the week prior,

and identifying Cart repairs and Cart change outs completed the week prior. CONTRACTOR shall submit a monthly report to the Town of Apex Solid Waste Manager no later than the 14th of each month, including the weights of Solid Waste collected and disposed of the month prior, the weights of Recyclable Materials collected and disposed of the month prior, a summary of Complaints and Missed Pick Ups, and a summary of non-collections due to Resident Errors.

9. Complaints

9.1 All Complaints received by CUSTOMER shall be given promptly to the CONTRACTOR for resolution. Complaints received by the CONTRACTOR for spills, dropped Solid Waste or Recyclable Materials, grease deposits, broken glass, broken Carts, and misplaced Carts should be resolved promptly, or scheduled for repair, within the day the Complaint was received. If not resolved by 8:00 P.M. the following business day the Complaint shall be deemed a Qualifying Complaint.

9.2 Complaints for Missed Pick Ups received by the CONTRACTOR during a Scheduled Collection day shall be resolved the same day the Complaint is received. If not resolved by 8:00 P.M the following business day the Complaint shall be deemed a Qualifying Complaint.

Notwithstanding anything to the contrary in Section 9.1 or 9.2, spills or leaks involving Garbage waste, hydraulic fluid, or any other fluid used for the operation of CONTRACTOR'S vehicle shall be cleaned up within 2 hours of CONTRACTOR being notified.

10. Newly Developed and Annexed Areas: CONTRACTOR will, within thirty (30) days of notification by the CUSTOMER, provide the Services to newly developed and annexed areas. As new homes are constructed and occupied, CONTRACTOR shall provide Services on the next scheduled day of collection following notification thereof. CONTRACTOR shall be responsible for notifying CUSTOMER of all collection locations being serviced which do not appear on the billing register. Billing will be adjusted by CONTRACTOR as promptly as practicable following the addition of new or annexed properties including, to the extent necessary, adding any prior months' billing for such new or annexed properties that have been serviced but not previously billed and including prorated billing for partial months, as appropriate.

11. Rates; Number of Units: Total compensation due to CONTRACTOR for Residential Unit Services is set forth in Exhibit A, which is incorporated by reference and made a part of this Agreement. This amount is the "Service Fee" for Residential Unit Services. The Service Fee shall be adjusted as provided in Section 12 of this Agreement. Services for Town Facilities shall be invoiced as detailed in Exhibit B. CONTRACTOR shall invoice CUSTOMER no later than the 10th of each month. Payment is due by the 10th day of the following month in which the invoice is submitted. The number of Residential Units to be serviced and billed will be reviewed and adjusted on a monthly basis to reflect the actual number of Residential Units serviced. CUSTOMER is responsible for billing its residents for services.

12. Adjustments:

a) The Service Fee will be adjusted annually every July 1st beginning on July 1, 2028, to reflect the annual adjustment based on Table 1 of the Consumer Price Index for All Urban Consumers (CPI-U): U.S. Town Average, by expenditure category and commodity and service group, Trash and Garbage Collection Services (2) not to annually exceed 2.5% (No cost-of-living fees shall be assessed for budget years July 1, 2026, through June 30, 2028.) Any proposed modification to the Service Fee shall be provided to the CUSTOMER, through notification to the Town of Apex Public Works Director, no later than February 15th of the year during which the modification would go into effect.

b) The Service Fee may be adjusted through negotiations more often than annually if such adjustments arise out of changes in CONTRACTOR'S direct operational costs related to the provision of the Services over which CONTRACTOR has ***no control***, including by way of example, but not limited to:

1. Relocation of or change in disposal or recycle processing facility or fees.
2. Disposal or recycle processing facility operational or acceptance changes.
3. Governmental regulations including, but not limited to, state or federal taxes or fees.
4. Extra services performed outside the normal working hours of the company, natural disaster, or on a federal holiday when requested by CUSTOMER.
5. Natural Disaster or other acts of nature such as but not limited to flooding or hurricanes that cause an increase in normal volume of solid waste.

Documentation justifying any proposed adjustment will be provided with any such request. Any such adjustment will not be unreasonably withheld or refused. Adjustments will not be effective until an amendment to this Agreement reflecting said changes is signed by the Parties.

13. Representations of CONTRACTOR: CONTRACTOR currently has, and will maintain throughout the term, all permits and licenses required by law for the provision of the Services and will provide the Services in accordance with all applicable federal, state, and local laws and regulations. CONTRACTOR will comply with all Federal, State, and local requirements concerning fair employment and concerning the treatment of all employees without regard or discrimination by reason of race, color, religion, sex, national origin or physical disability. Pursuant to Section 3-2 of the Town of Apex Code of Ordinances, CONTRACTOR hereby warrants and agrees that CONTRACTOR will not discriminate against a protected class in employment, subcontracting practices, or the solicitation or hiring of vendors, suppliers, or commercial customers in connection with this Agreement. For the purposes of this Agreement "protected class" includes age, race, religious belief or non-belief, ethnicity, color, national origin, creed, sex, sexual orientation, gender identity, marital status, natural hair style, genetic information, pregnancy, familial status, disability, veteran or military status, or disabled veteran status.

14. Point of Contact: All dealings, contacts, and notifications, etc. between CONTRACTOR and CUSTOMER shall be directed by CONTRACTOR to the Public Works Director or their designee. CUSTOMER will direct all interaction related to this Agreement to the General Manager or their designee.

15. Local Presence: CONTRACTOR will provide a dedicated local and/or toll-free telephone number to its office for the use of CUSTOMER to communicate with CONTRACTOR if the need arises during normal business hours of 8:00 a.m. to 5:00 p.m. Any call will be answered with attempted resolution during the call or call back within sixty minutes of a message being left during normal business hours.

A Field Representative will be physically present in the Apex Town limits during all Scheduled Collection days. This person will be assigned to CUSTOMER for the purposes of responding to CUSTOMER calls, issues, concerns, or disruptions to the Services provided to the CUSTOMER. There may be a substitute for vacations, illness, etc. The substitute will call to inform the CUSTOMER and provide their contact information for the day.

16. Notification of Customer and/or Residents: CONTRACTOR will notify CUSTOMER about Service inquiry procedures, regulations and days of collection prior to the date Services begin under this Agreement. In addition, excluding schedule changes listed in Section 7, as and when approved by CUSTOMER, CONTRACTOR will notify the Residents with respect to any changes in Scheduled Collection day or other similar information due to a change by the CONTRACTOR. CUSTOMER will ensure that any Resident phone numbers provided by CUSTOMER to CONTRACTOR will have been provided in compliance with the Telephone Consumer Protection Act with the consent of the Resident to receiving phone calls related to the Services.

17. Breach; Termination: If either Party reasonably concludes that the other is in material breach of this Agreement, such Party shall so notify the other Party in writing, including a detailed description thereof. The Party alleged to be in breach shall be allowed up to thirty (30) days after notice by the other Party in which to make necessary adjustments to remedy said deficiencies or to take action to remedy any deficiencies that require longer than thirty (30) days to cure. In the event the breaching Party fails to correct (or take action to correct) such deficiencies within thirty (30) days after written notice of the deficiencies or breach, then the other Party may terminate this Agreement.

18. Indemnification: CONTRACTOR agrees to indemnify and hold CUSTOMER, its elected officials, and employees harmless from and against any and all claims, liabilities, demands and causes of action arising out of CONTRACTOR'S performance of the Services, any other service included in this Agreement, or arising out of CONTRACTOR'S failure to comply with the provisions of this Agreement. Notwithstanding the foregoing, under no circumstances will CONTRACTOR be required to indemnify CUSTOMER with respect to any claims, liabilities, demands or causes of action arising in whole or in part out of the CUSTOMER'S negligence, willful misconduct or failure to comply with the provisions of this Agreement.

19. Force Majeure: CONTRACTOR shall not be liable for failure to perform under this Agreement if that failure arises out of causes beyond the control and without the fault or negligence of CONTRACTOR. Such causes may include but not be limited to acts of the government in its sovereign or contracted capacity, fires, floods, strikes, epidemics, quarantine restriction, freight embargoes, and unusually severe weather; but in every case the failure to perform must be beyond the reasonable control and without fault or negligence of CONTRACTOR.

20. Assignment: Neither Party may assign this Agreement, or the rights hereunder, without prior written approval of the other, which approval will not be unreasonably withheld.

21. Insurance: CONTRACTOR shall be required to carry and keep insurance coverage as outlined below:

Coverage	Minimum Limits of Liability
Workers Compensation	Statutory
Employer Liability	$1,000,000
General Liability	
Bodily Injury	$2,000,000 each occurrence
Property Damage	$2,000,000 aggregate
Automobile Liability	
Bodily Injury	$2,000,000 each person
	$2,000,000 each occurrence
Property Damage	$2,000,000 each occurrence
Excess Umbrella Coverage	$10,000,000 each occurrence

Certificates of insurance shall be provided to CUSTOMER by CONTRACTOR prior to Services beginning and CUSTOMER will be named as additional insured on the general liability and automobile liability policies. CONTRACTOR shall provide CUSTOMER with thirty (30) days' prior notice in the event of cancellation of, or major change in the insurance coverage. Notwithstanding the foregoing, neither the requirement of CONTRACTOR to have sufficient insurance nor the requirement that Town is named as an additional insured, shall constitute waiver of the Town's governmental immunity in any respect, under North Carolina law.

22. Dispute Resolution. CUSTOMER and CONTRACTOR agree that they shall first submit any and all unsettled claims, counterclaims, disputes and other matters in question between them arising out of or relating to this Agreement or the breach thereof to mediation, pursuant to The Mediated Settlement Conference Rules of the 10th Judicial District, Superior Court Division, Wake County. If such mediation is unsuccessful in resolving a dispute, then either Party may seek to have the dispute resolved by a court of competent jurisdiction as set forth in Section 28.

23. Notice. All notices and other communications hereunder will be in writing and may be given by personal delivery, nationally recognized express courier, registered or certified mail (return receipt requested), or facsimile (receipt confirmed). Such notice will be deemed effective when received if it is given by personal delivery, nationally recognized express courier, or facsimile, and will be effective three (3) days after mailing by registered or certified mail, so long as it is actually received within five (5) days (and, if not so received within five (5) days, is effective when actually received) by the Parties at the following addresses (or at such other address for a party as will be specified by like notice):

If to CONTRACTOR, to:

Waste Industries, LLC dba GFL Environmental
3301 Benson Drive, Suite 601
Raleigh, NC 27609
Attn: Matthew Terrell, VP

If to CUSTOMER, to:

Town of Apex
PO BOX 250
Apex, NC 27502
Attn: Town Manager

24. Entire Agreement. This Agreement constitutes the entire understanding between the Parties, and except as noted in Section 3(f), cancels and supersedes all prior negotiations, understandings and agreements, oral or written, relating to the provision of the Services described herein.

25. Execution in Counterparts. This Agreement may be executed in several counterparts, each of which shall be an original and all of which shall constitute but one and the same instrument.

26. Modification. This Agreement constitutes the entire agreement and understanding between Parties hereto, and it shall not be considered modified, altered changed or amended in any respect unless in writing and signed by the Parties hereto.

27. Severability. Any provision or part of this Agreement held to be void or unenforceable under any law or regulation shall be deemed stricken, and all remaining provisions shall continue to be valid and binding upon CUSTOMER and CONTRACTOR, who agree that the Agreement shall be reformed to replace such stricken provision or part thereof with a valid and enforceable provision that comes as close as possible to expressing the intention of the stricken provision.

28. Laws to Govern. This Agreement shall be governed by the laws of the State of North Carolina both as to interpretation and performance. Any dispute that may arise with respect to any term or provision of this Agreement shall be resolved in the General Court of Justice, Wake Count, Superior Court Division, it being the clear intent of the Parties hereto to consent to said jurisdiction and venue.

29. Nonwaiver for Breach. No breach or non-performance of any term of this Agreement shall be deemed to be waived by either party unless said breach or non-performance is waived in writing and signed by the Parties. No waiver of any breach or non-performance under this Agreement shall be deemed to constitute a waiver of any subsequent breach or non-performance and for any such breach or non-performance each Party shall be relegated to such remedies as provided by law.

30. Independent Contractor. CONTRACTOR is an independent contractor and shall undertake performance of the Services pursuant to the terms of this Agreement as an independent contractor. CONTRACTOR shall be wholly responsible for the methods, means and techniques of performance.

31. E-Verify Compliance. CONTRACTOR shall comply with the requirements of Article 2 of Chapter 64 of the North Carolina General Statutes (E-Verify). CONTRACTOR shall require all of the CONTRACTOR'S subcontractors to comply with the requirements of Article 2 of Chapter 64 of the North Carolina General Statutes (E-Verify).

32. Anti-Human Trafficking. CONTRACTOR warrants and agrees that no labor supplied by the CONTRACTOR or the CONTRACTOR'S subcontractors in the performance of this Agreement shall be obtained by means of deception, coercion, intimidation or force, or otherwise in violation of North Carolina law, specifically Article 10A, Subchapter 3 of Chapter 14 of the North Carolina General Statutes, Human Trafficking.

33. Non-Appropriation. Notwithstanding any other provisions of this Agreement, the Parties agree that payments due hereunder from the CUSTOMER are from appropriations and monies from the Apex Town Council and any other governmental entities. In the event sufficient appropriations

or monies are not made available to the CUSTOMER to pay the terms of this Agreement for any fiscal year, this Agreement shall terminate immediately without further obligation of the CUSTOMER.

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

IN WITNESS WHEREOF, the Town of Apex and Waste Industries, LLC dba GFL Environmental, have executed this Solid Waste and Recyclable Materials Collection, Transportation and Disposal/ Processing Agreement as of the date first set forth above.

CUSTOMER	CONTRACTOR
The Town of Apex	Waste Industries, LLC dba GFL Environmental
By: _____	By: _____
Title: _____	Title: _____
Date: _____	Date: _____

This instrument has been pre-audited in the manner required by the Local Government Budget and Fiscal Control Act.

_____
Jon Griffin, Finance Officer

Exhibit A

Solid Waste and Recyclable Materials Collection - The monthly charge for once per week Residential Unit Solid Waste collection and once per week Residential Unit Recyclable Materials collection to CUSTOMER from CONTRACTOR shall be:

1. CONTRACTOR provided 96-gallon Cart emptied one time per week for Solid Waste - $10.15 each per Cart per month (includes disposal fees).

2. CONTRACTOR provided 96-gallon Cart emptied once per week for Recyclable Materials- $4.10 each per Cart per month.

3. Recyclable Material Processing Fees are $1.34 per recycle Cart per month.

Recyclable Materials Carts will be 65-gallon upon the commencement of this Agreement. Beginning January 1, 2026, CONTRACTOR will deliver one thousand (1000) 96-gallon Recyclable Materials Carts per month to a CUSTOMER designated area. This will be done until all Carts being serviced are 96-gallon Carts. The CUSTOMER will, on a mutually agreed upon schedule, accept delivery of new Carts from the manufacturer and will execute the exchange of Carts with Residents.

EXHIBIT B
Solid Waste and Recyclable Materials – Town Facilities

Town of Apex Facilities as of (10/31/25)

Commercial Trash and Recycling by Container size, service frequency, rate

Description	Container Type	Qty	Service frequency	Rate	Unit
Roll-Off Dumpster - 20 CY **Town owned** -MSW Dewatering B	20ROMSW	1	on call		
			dump	$ 125.28	each pull
			disposal	$ 34.85	per ton landfil disposal rate
Roll-Off Dumpster - 30 Cubic Yards- Construction Debris	30ROCD	1	on call		
			rent	$ 84.86	per mo
			dump	$ 108.32	each pull
			disposal	$ 38.95	per ton landfil disposal rate
Office Paper Recycling	OFFICEPAPE	1	1xwk	$ 38.64	per mo
Roll-Out Cart- Trash - 96 gallons	96GAL TRASH	1	1xwk	$ 10.15	per mo
Roll-Out Cart- Trash - 96 gallons	96GAL TRASH	1	2xwk	$ 21.19	per mo
Roll-Out Cart- Recycling - 96 gallons	96RCYREC	1	1xwk	$ 5.44	per mo
Front Load Dumpster - 2 Cubic Yards- Trash	02FLMSW	1	2xwk	$ 153.48	per mo
Front Load Dumpster - 8 Cubic Yards- Recycling-Cardboard	08FLOCC	1	1xwk	$ 59.99	per mo
Front Load Dumpster - 8 Cubic Yards- Recycling	08FLREC	1	1xwk	$ 108.76	per mo
Front Load Dumpster - 8 Cubic Yards- Recycling	08FLREC	1	2xwk	$ 210.00	per mo
Front Load Dumpster - 8 Cubic Yards- Trash	08FLMSW	1	2xwk	$ 207.37	per mo
Front Load Dumpster - 8 Cubic Yards- Trash	08FLMSW	1	3xwk	$ 311.00	per mo

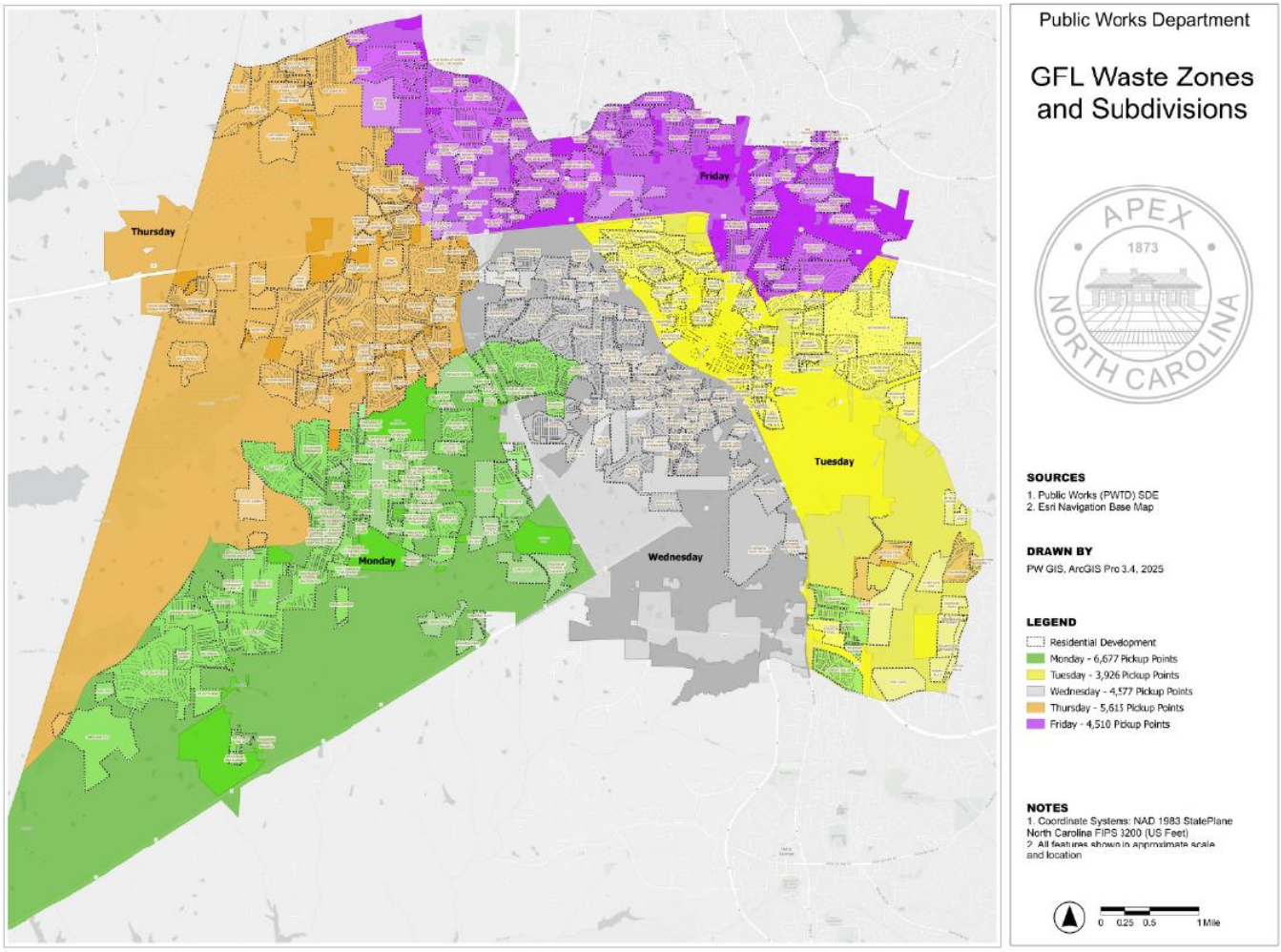
Town of Apex Facilities (as of 10/31/25):

Town of Apex Facilities as of (10/31/25)

Commercial Trash and Recycling by Container size, service frequency, rate, and location

Site Name	Address	Container	Qty	Service frequency	Rate	Unit
Apex Town Hall	73 Hunter St	08FLREC	1	2xwk	$ 210.00	per mo
Apex Town Hall	73 Hunter St	08FLMSW	1	2xwk	$ 207.37	per mo
Apex Town Hall	73 Hunter St	08FLMSW	1	2xwk	$ 207.37	per mo
Apex Community Center	53 Hunter St	96RCYREC	1	1xwk	$ 5.44	per mo
Apex Community Center	53 Hunter St	08FLMSW	1	2xwk	$ 207.37	per mo
Town of Apex Public Works	105 Upchurch St #A	96RCYREC	1	1xwk	$ 5.44	per mo
Town of Apex Public Works	105 Upchurch St #A	OFFICEPAPE	1	1xwk	$ 38.64	per mo
Town of Apex Public Works	105 Upchurch St #A	30ROCD	1	on call		
				rent	$ 84.86	per mo
				dump	$ 108.32	each
				disposal	$ 38.95	per ton
Town of Apex Owned- Dewatering Box	Perry Rd	20ROMSW	1	on call		
				dump	$ 125.28	each
				disposal	$ 34.85	per ton
Town of Apex Water Resources/TID	105 Upchurch St #B	96Gal Trash	2	2xwk	$ 42.38	per mo
Town of Apex Water Resources/TID	105 Upchurch St #B	96CY Rec	2	1xwk	$ 10.88	per mo
Apex Water WWTP	300 Pristine Water Dr	02FLMSW	3	2xwk	$ 460.45	per mo
Apex Police Station	205 Saunders St	08FLMSW	1	2xwk	$ 207.37	per mo
Apex Police Station	205 Saunders St	96RCYREC	3	1xwk	$ 16.32	per mo
Apex Community Park	2200 Laura Duncan Rd	08FLMSW	1	3xwk	$ 311.00	per mo
Apex Community Park	2200 Laura Duncan Rd	08FLREC	1	1xwk	$ 108.76	per mo
Apex Warehouse/Purch Bldg	105 Upchurch St #C	08FLMSW	1	2xwk	$ 207.37	per mo
Apex Warehouse/Purch Bldg	105 Upchurch St #C	08FLOCC	1	1xwk	$ 59.99	per mo
Apex Nature Park	2600 Evans Rd	08FLMSW	1	3xwk	$ 311.00	per mo
Apex Nature Park	2600 Evans Rd	08FLREC	1	1xwk	$ 108.76	per mo
Apex Nature Park Maintenance Buildin	2500 Evans Rd	30ROCD	1	on call		
		rent			$ 84.86	per mo
		haul			$ 108.32	each
		disposal			$ 38.95	per ton
Pleasant Park Maintenance Building	2241 Recreation Dr	08FLREC	1	1xwk	$ 108.76	per mo
Pleasant Park Maintenance Building	2241 Recreation Dr	08FLMSW	1	3xwk	$ 311.00	per mo
Mason Street Municipal Building	322 N Mason St	08FLREC	1	2xwk	$ 210.00	per mo
Mason Street Municipal Building	322 N Mason St	08FLMSW	1	2xwk	$ 207.37	per mo
Halle Cultural Arts Center	237 N Salem St	96RCY REC	1	1xwk	$ 5.44	per mo
Halle Cultural Arts Center	237 N Salem St	96GAL TRASH	8	2xwk	$ 169.52	per mo
Electric Dept Facility	2850 Milano Avenue	8CYLMSW	1	2xwk	$ 207.37	per mo
Electric Dept Facility	2850 Milano Avenue	8FLREC	1	1xwk	$ 108.76	per mo
Electric Dept Facility	2850 Milano Avenue	30ROCD	1	on call		
		rent			$ 84.86	per mo
		haul			$ 108.32	each
		disposal			$ 38.95	per ton
Fire Administration	315 W Williams St	96GAL TRASH	3	2xwk	$ 63.57	per mo
Fire Administration	315 W Williams St	96RCYREC	2	1xwk	$ 10.88	per mo
Public Safety Station 1	210 N Salem St	96GAL TRASH	4	2xwk	$ 84.76	per mo
Public Safety Station 1	210 N Salem St	96RCYREC	4	1xwk	$ 21.76	per mo
Public Safety Station 2	3045 New Hill Holleman	96GAL TRASH	3	2xwk	$ 63.57	per mo
Public Safety Station 2	3045 New Hill Holleman	96RCYREC	2	1xwk	$ 10.88	per mo
Public Safety Station 3	736 Hunter St	96GAL TRASH	3	2xwk	$ 63.57	per mo
Public Safety Station 3	736 Hunter St	96RCYREC	2	1xwk	$ 10.88	per mo
Public Safety Station 4	1615 E Williams St	96GAL TRASH	4	2xwk	$ 84.76	per mo
Public Safety Station 4	1615 E Williams St	96RCYREC	3	1xwk	$ 16.32	per mo
Public Safety Station 5	2050 Kelly Rd	96GAL TRASH	4	2xwk	$ 84.76	per mo
Public Safety Station 5	2050 Kelly Rd	96RCYREC	3	1xwk	$ 16.32	per mo
Public Safety Station 6	1201 Wimberly Rd	96GALREC	3	1xwk	$ 16.32	per mo
Public Safety Station 6	1201 Wimberly Rd	96GAL TRASH	3	1xwk	$ 30.45	per mo

Solid Waste and Recyclable Material Routes (As of 10/31/2025):



Solid Waste Routes by Day by Area (As of 10/31/2025):

GFL ROUTE DAYS by SUBDIVISION as of 10/31/25

MONDAY		TUESDAY	WEDNESDAY	THURSDAY	FRIDAY	
Neighborhood/Subdivision		Neighborhood/Subdivision	Neighborhood/Subdivision	Neighborhood/Subdivision	Neighborhood/Subdivision	
Ananda		55 James at Midtown	Abbey Run	Abbington	540 Townes	
Beaver Creek		Apex Mobile Estates	Amherst	Alderwood	Beaver Creek Apartments	
Bella Casa		Avalon Peaks (recycle ONLY)	Ashley Downs	Arcadia Ridge	Brookfield	
Belterra		Bladestone	Beckett Crossing	Arcadia West	Camden Lake Pine	
Buckhorn Preserve		Brittany Trace	Bradley Park	Bristol Walk	Castlereagh	
Bungalow Park at Scotts Mill		Buckingham	Bradley Terrace	Castleberry Estates	Castlewood	
Crockett's Ridge		Center Heights	Cameron Park	Castleberry Trails	Charleston Village	
Friendship Station		Center Park	Carriage Downs	Chelsea Run	CitiSide	
Green at Scotts Mill		Center Street Station	Depot 499	Colvin Park	Crestmont	
Grey's Landing		Clairmont	Dogwood Ridge	Covington	Edgewater	
Holland Farm		Crossings at Haddon Hall	Downtown	Creekside Commons	Ellingtonplace	
Holleman Hills		Damont Hills	Germaine Village	Deer Creek	Ellsworth	
Jordan Manors		Dogwood Acres	Glen Arbor	Green Level Estates	Greenmoor	
Jordan Oaks		Downtown Apex area	Goldenview	Greenbrier	Howell Road	
Jordan Pointe		Edwards Creek	Green at Scotts Mill	Haley Farm	Hudson Landing	
Kelly Glen		Edwards Pond	Hempstead at Beaver Creek	Holland Cove	Indian Trails	
Kelly Grove/Toad Hollow		Fairview Road	Iron Gate	Hollands Crossing	Jainix Green	
King's Grant		Glens at Haddon Hall	James Street Station	Homestead Park	Knollwood Estates	
Madison		Golders Green	Justice Heights	Kelly West	Meadows at Walden Creek	
McKenzie Ridge		Haddon Hall	Lexington	Lake Castleberry	Meridian at Nichols Plaza	
Miramonte		Haddon Place	Olive Chapel Park	Linden	Middleton	
Olive Ridge		Heatherwood	Peakway Village	Lucas Farms	Montclair	
Parkside at Bella Casa		Hunter Valley	Pearson Farms	Peak 502 at Beaver Creek	Oak Pointe	
Parkside		Lakefield	Perry Farms	Retreat at Cedar Crossing	Prestwick	
Pemberley		Linwood Apartments	Perry Hills	Riley's Pond	Rambelwood	
Retreat at Friendship		Magnolia Walk	Perry Village	Saddlebrook	Reams Grove	
Reunion Pointe		Old Mill Village	Promenade at Beaver Creek	Smith Farm	Roberts Crossing	
Scotts Mill		Peakway Commons	Salem Creek Townhomes	Stratford at Abbington	Salem Pointe	
Siena and Verona at Bella Casa		Salem Oaks	Salem Village	Sweetwater	Salem Woods	
Stillwater		Seagrove's Farm	Shangri-La Mobile Home Park	The Park at Wimberly	Shepherds Vineyard	
Sunset Hills		Shepherds Vineyard	South Walk	The Point at Lake Castleberry	St. James Villages	
The Cottages at Bella Casa		Sterling at Buckingham	Stone Glen Apartments	The Preserve at White Oak Creek	Sutton Place	
The Estates at Bella Casa		Surrey Meadows	Sugarland Run	Townes at Westford	The Courtyards on Holt	
The Manors at Bella Casa	NO SUBDIVISION	The Groves	Sunny Side	Villagio	The Enclave at Trackside	
Village at Crocketts Ridge	EVANS RD	The Orchard Villas	Townes at Sugarland	Weddington	The Glen at Green Level Crossin	NO SUBDIVISION
West Village	HUMIE OLIVE RD	Villages of Apex	Village at Broadstone Station	White Oak Creek	The Glen at Westhigh	CHAMPLAIN CREST WAY
Whistling Quail	KELLY RD	Vintage Grove	West Haven Townhomes	Willow Hills	The Pines at Wake Crossing	FARMPOND RD
Winston	NEW HILL HOLLEMAN RD	Waterford Green	West Haven Townhomes	Woodridge	The Trace II	GREEN LEVEL CHURCH RD
Woodall Estates	NEW HILL OLIVE CHAPEL RD		West Haven Townhomes		Townes at North salem	HOLT RD
Woodbury	OLD US 1 HWY		White Oak Villas		Tullamore	HOWELL RD
			Whitehall Manor		Villages of Apex	KENNETH RIDGE CT
			Whitehall Village Phase 1 & 2		Walden Creek	OLD IVEY RD
			Whitehall Village Reserve		Walden Townes	OLD JENKS RD
			Winslow		Wayland Grove	ROOSONDALL CT
					White Oak Creek	SALEM CHURCH RD
					Woods at Walden Creek	TWIN CREEK RD

Special Collection Customers (As of 10/31/2025):

Special Collection Counts as of 10/31/25	
Monday	6
Tuesday	38
Wednesday	18
Thursday	3
Friday	5
Total	**70**

Households located on Private Streets (As of 10/31/2025):

Households located on Private Streets		*As of 10/31/2025*
Private Street Location	**Household Count**	**Comments**
Bradley Terrace	173	173 (all on/with private streets)
Bungalow Park at Scotts Mill	120	120 on/with private alleys (179 total in subdivision)
Glen Arbor - Arbor Valley Lane	33	33 on private streets (44 total in subdivision)
Green at Scotts Mill (pt1)	57	57 with private alleys/streets (379 total in subdivision)
Green at Scotts Mill (pt2)	39	39 with private alleys (379 total in subdivision)
Havenfield Court	5	5 (all on private street)
Herbert Street	6	6
Linwood Street	12	This is based on nonmetered services addresses
Salem Towne Court	22	22 (total subdivision on private street)
Shangri-La Mobile Home Park	5	5 private streets
Villages of Apex	314	314 with private alleys (344 total in subdivision)
	786	

Alley overview by Subdivision (as of 10/30/25):

Apex Communities with Alley Access (as of 10/30/25)				
Development Name	**Construction Status**	**Residential Units**	**Alley Status**	**Day of Week**
540 Townes	Existing	38	Public	Friday
Bradley Park	Existing	12	Private	Wednesday
Bungalow Park at Scotts Mill	Existing	125	Private	Monday
Creekside Commons	Existing	72	Private	Thursday
Depot 499 (Wednesday 1)	Existing	51	Public	Thursday
Depot 499 (Wednesday 2)	Existing	272	Public	Wednesday
Ennis Branch	Future	71	Public	Thursday
Green at Scotts Mill (pt1)	Existing	159	Mix	Monday
Green at Scotts Mill (pt2)	Existing	39	Mix	Monday
Hempstead at Beaver Creek	Existing	82	Public	Wednesday
Horton Park	Future/Under Construction	33	Public	Tuesday
Humie Olive Place	Existing	3	Public	Monday
Huxley	Future/Under Construction	82	Public	Thursday
Old Mill Village	Existing	182	Private	Tuesday
Olive Ridge	Existing	29	Public	Monday
Olive Street	Existing	5	Private	Tuesday
Parkside PUD	Existing	54	Public	Monday
Prestwick	Existing	22	Public	Friday
Retreat at Friendship	Under Construction	90	Public	Monday
Seagrove's Farm	Existing	42	Private	Tuesday
Smith Farm (Phase 1-4)	Existing	298	Public	Thursday
Sweetwater	Existing	248	Public	Thursday
Townes at Westford	Existing	167	Public	Thursday
Tunstall Square	Existing	9	Private	Tuesday
Villages of Apex	Existing	343	Private	Friday
Villages of Apex (South Phase 1)	Existing	130	Private	Tuesday
Total		**2,658**		

Peer Community Comparison

12/4/2025

Peer Communities - Fee Comparison	Garbage	Garbage annual collections	Recycling	REC. Frequency	REC. annual collections	Yard Waste	YW Containerized	YW Frequency	Total monthly fee per household	NOTES
APEX	$10.35	52	$5.44	Weekly	52	$7.83	N	Weekly	**$23.62**	Recyling base rate is $4.10/mo and includes $1.34/mo material processing fee adjusted annually - not subject to 2.5% cap
CARY	-	52	-	Bi-weekly	26	-	Y	Weekly	**$26.00**	$26 covers trash, recycle, yard waste
FUQUAY-VARINA	-	52	-	Bi-weekly	26	-	Y	Weekly	**$23.00**	$23 covers trash, recycle, yard waste is by scheduled collection
GARNER		52		Bi-weekly	26		Y	Weekly		Awaiting info
HOLLY SPRINGS	$10.22	52	$4.16	Bi-weekly	26	$7.50	Y	Bi-weekly	**$21.88**	
KNIGHTDALE	$13.13	52	$5.25	Weekly	52	-	Y	Weekly	**$18.38**	**YW Fee added into property tax bill.**
MORRISVILLE	-	52	-	Weekly	52	-	Y	Twice per month	-	Solid Waste Services included in general fund and are not separated out.
RALEIGH	$14.60	52	$5.05	Bi-weekly	26	$6.30	Y	Bi-weekly	**$25.95**	
ROLESVILLE	$11.36	52	$6.57	Weekly	52	$7.22	Y	Bi-weekly	**$26.65**	**Current fee is $25/month = $300 per year which is added onto the resident's property tax bill**. Increase will take place soon which can be seen in breakdown to the left with an added "overhead" cost of $1.50, bringing the total monthly fee up to $26.65.
WAKE FOREST	$15.50	52	$6.50	Weekly	52	$2.00	Y	Weekly	**$24.00**	
WENDELL	$11.83	52	$4.02	Bi-weekly	26	$3.88	Y	Weekly	**$28.00**	**Trash, recycle, yard waste = $19.73** plus Wendell charges residents a "Town's fee" of $8.27
ZEBULON	$11.69	52	$4.18	Bi-weekly	26	$3.00	N	Bi-weekly	**$24.75**	**Trash, recycle, yard waste = $18.87** plus Zebulon charges residents $0.84 (City of Raleigh billing fee) and a Bulky Waste Collection $5.04

Peer communities that operate Solid Waste Enterprise Funds typically do not receive subsidies from the General Fund.
Conversely, communities that provide solid waste services without an Enterprise Fund generally set fees commensurate with service costs; however, they often rely on General Fund subsidies to cover the gap between collected fees and established cost recovery targets.
It remains unclear whether any peer communities have secured rate freezes or pricing caps comparable to those negotiated by the Town of Apex.

| Agenda Item | cover sheet

for consideration by the Apex Town Council

Item Type: CONSENT AGENDA

Meeting Date: December 09, 2025

Item Details

Presenter(s): Allen Coleman, Town Clerk

Department(s): Town Clerk's Office

Requested Motion

Motion to approve, as submitted or amended, Meeting Minutes from the following meetings:

- October 10, 2025 – Town Council Strategic Planning Session Meeting Minutes
- October 28, 2025 – Town Council Regular Meeting Minutes
- November 13, 2025 – Town Council Regular Meeting Minutes
- November 18, 2025 – Town Council Work Session Meeting Minutes Cancellation Statement

Approval Recommended?

The Town Clerk recommends the Town Council approve the meeting minutes as presented or amended.

Item Details

In accordance with 160A-72 of North Carolina General Statues (NCGS), the Governing Board has the legal duty to approve all minutes that are entered into the official journal of the Board's proceedings.

Attachments

- CN16-A1: **DRAFT** Minutes – October 10, 2025 – Town Council Strategic Planning Session Meeting Minutes
- CN16-A2: **DRAFT** Minutes – October 28, 2025 – Town Council Regular Meeting Minutes
- CN16-A3: **DRAFT** Minutes - November 13, 2025 – Town Council Regular Meeting Minutes
- CN16-A4: **DRAFT** Minutes - November 18, 2025 – Town Council Work Session Meeting Minutes Cancellation Statement

DRAFT MEETING MINUTES

TOWN OF APEX
TOWN COUNCIL STRATEGIC PLANNING SESSION
FRIDAY, OCTOBER 10, 2025
12:00 M

The Apex Town Council met for a Regular Town Council Meeting on Friday, October 10th, 2025 at 12:00 PM in the Council Chambers at Apex Town Hall, located at 73 Hunter Street in Apex, North Carolina.

This meeting was open to the public. Members of the public were able to attend this meeting in-person or watch online via the livestream on the Town's YouTube Channel. The recording of this meeting can be viewed here:
https://www.youtube.com/watch?v=JJ0mvmTEdss

[ATTENDANCE]

Elected Body
Mayor Jacques K. Gilbert (presiding)
Mayor Pro Tempore Ed Gray
Councilmember Audra Killingsworth
Councilmember Terry Mahaffey
Councilmember Brett Gantt
Councilmember Arno Zegerman

Town Staff
Town Manager Randy Vosburg
Deputy Town Manager Shawn Purvis
Assistant Town Manager Marty Stone
Assistant Town Manager Demetria John
Town Attorney Laurie Hohe
Town Clerk Allen Coleman
All other staff members will be identified appropriately below

[COMMENCEMENT]

Mayor Gilbert called the meeting to order at 12:00 PM. He made a note that he would be leaving at 2:00 p.m.

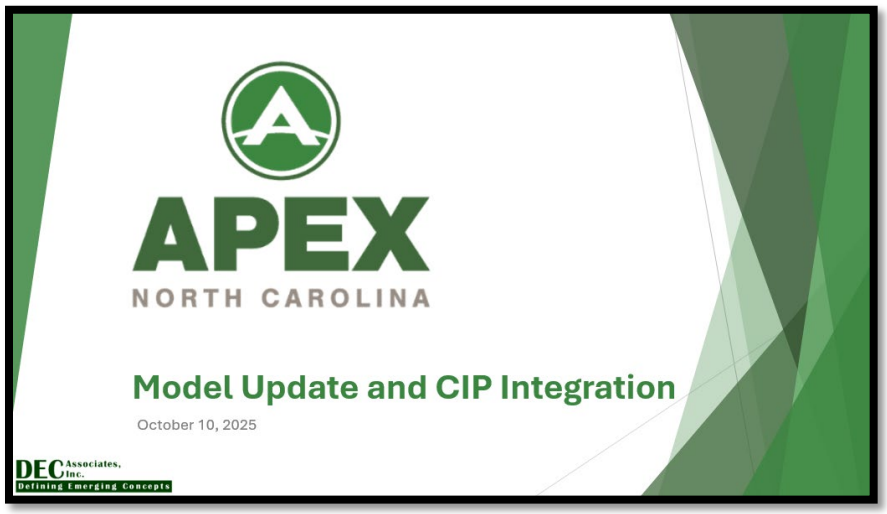
Town Manager Vosburg said that this is one of two major meetings done throughout the fiscal year, the second is the Budget Retreat, typically held in February, and with two new Council Members coming then, several of the items will be covered in this meeting and a

more robust retreat will be in February. He introduced the Director team and introduced the new Finance Director, Jon Griffin.

[FINANCIAL ADVISORS – COMMUNITY INVESTMENT FUND (CIF) AND CAPITAL PLAN REVIEW]

Financial Advisors Douglas Carter, DEC Associates Inc., Andrew Carter, DEC Associates Inc. and Jeremy Carter, DEC Associates Inc. gave an overview, laying the groundwork of where Apex is financially and for future planning. Andrew and Jeremy were introduced as the newest associates with DEC Associates. Andrew and Jeremy gave the following presentation:

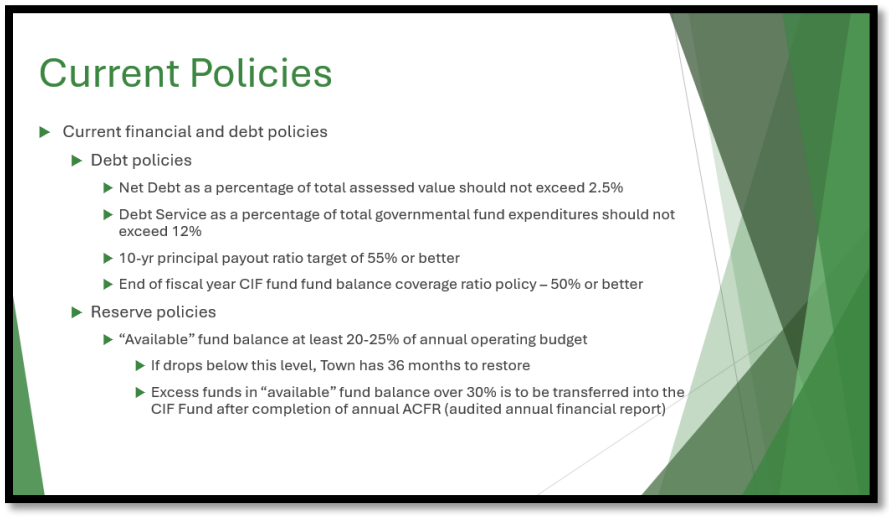
[SLIDE 1]



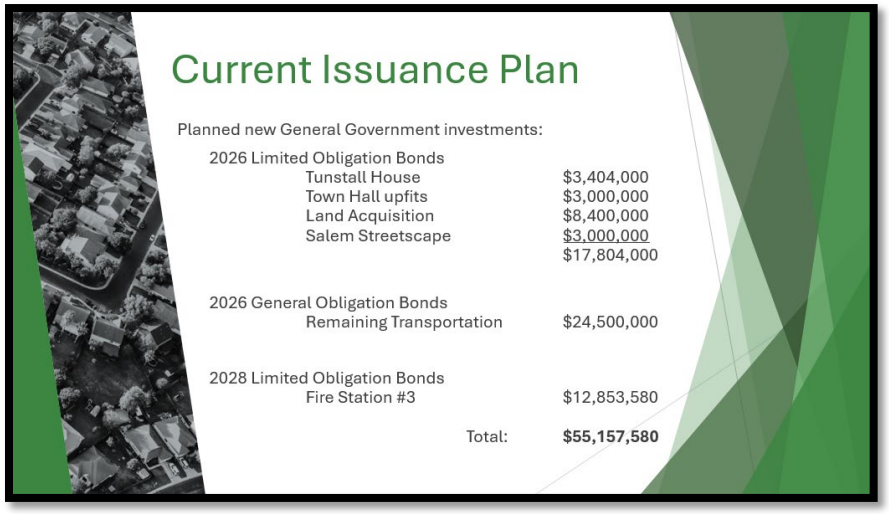
[SLIDE 2]



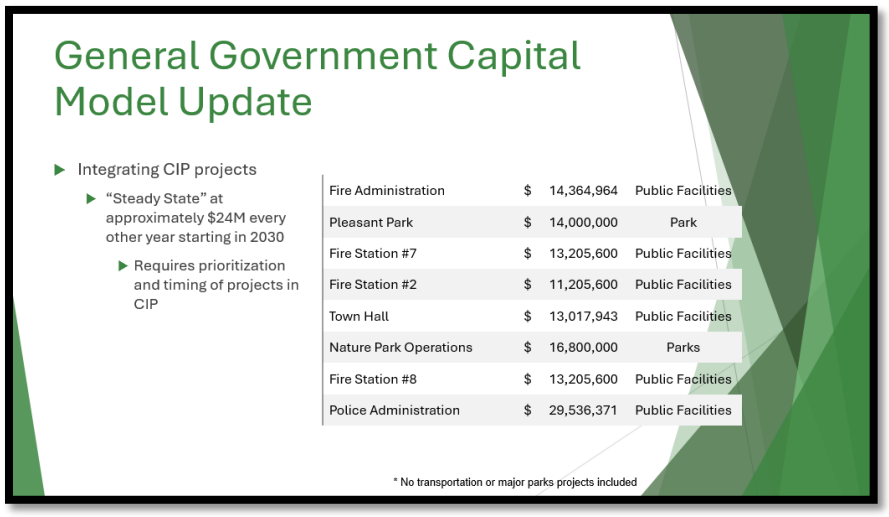
[SLIDE 3]



[SLIDE 4]



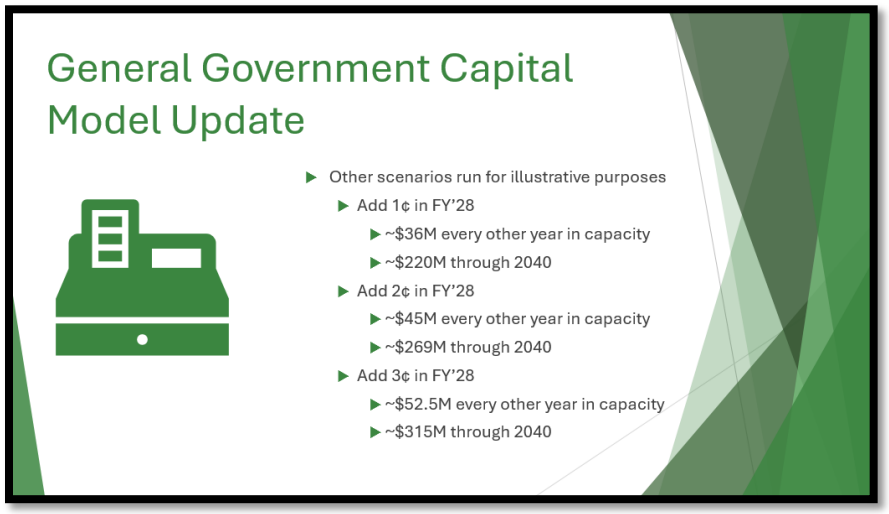
[SLIDE 5]



Councilmember Gantt asked if certain bonds were only for certain purchases, and how they are used.

Mr. Carter explained the difference between General Obligation bonds (GO), Limited Obligation Bonds, and two-third bonds. He said that GO bonds require voter approval and can fund any project listed on the ballot question, Limited Obligation Bonds (LOBs) do not require a vote and may be used for most Capital projects at the discretion of the Board, and Two-thirds bonds are another financing tool that allows issuance of up to two-thirds of the previous year's debt service without voter approval. GO bonds are for projects like streets and sidewalks that don't have physical assets to serve as collateral and LOBs can be used for building projects that qualify as assets.

[SLIDE 6]



Councilmember Zegerman asked if a penny tax could be $12 million, why does another penny only generate $11 million.

Mr. Carter said that it has to do with the ratio with the 50% payoff to the debt service. He said it gets way far out where there is a 50% fund balance and the CIF starts flashing and then the pennies are added and it is then getting to the guard rails with debt service ratio grows a little faster.

Councilmember Mahaffey said that last year there was a CIF created and a 7 cents funding which included a penny and a half, which was a little aggressive, he asked for a sense of how that level of funding for a town is the size of Apex compared to other towns this size.

Councilmember Gantt said that Holly Springs is putting in more.

Mr. Carter said that they had a large project and increased it 3 to 5 pennies by vote and it seems higher because of the parks. He said that Apex's funding is in a good place but there is room to be prepared and may consider CIF. He said it depends on what percentage of the budget goes to Capital and there is room before getting to the guard rails in CIF.

Councilmember Zegerman asked if instead of putting pennies all in one year, about staggering a penny in for each year, and would this help with a negative financial impact.

Mr. Carter said that this approach may be helpful and this would be something that would come back to the February budget meeting to evaluate. He said the more revenue you have, the more you can have in funds.

Deputy Town Manager Purvis said that there are multiple options that the current version reflects, and it would be a separate piece for Council to consider a GO approach where that additional tax impact is not included in the current mode.

Director Jessica Hoffman, Budget and Performance Management, gave an overview of conclusions using the model that DEC Associates has created with steady State and there are three pages, with the first two pages showing all the projects that are fundable with the funding source. She said that the City typically allocates about $7 million annually in pay-go funding, provided through General Fund transfers or capital allocations within the operating budget included in grants and other governmental funds, all of the debt models are included that are currently anticipated. She said that there are rolling stock loans for the larger equipment. She said the 2nd and 3rd page is not based on cost, it includes how fund year and two are funded and this is how staff went through and assigned funds to projects, and with these funding guidelines is what could potentially be funded and this is the amount that is left. She said this gives you the overall picture of the total that can be found.

Councilmember Zegerman asked if items could move between funded and unfunded areas and what criteria was used to determine what should be funded and stay unfunded.

Director Hoffman said the first project funded was pay go, then projects with deadlines are prioritized first and then current projects are prioritized. She said that other projects are prioritized in their entirety to make it a little simpler, but this is flexible.

Town Manager Vosburg said that it can be changed in the future.

Director Hoffman said that this method was just to get a total baseline and around $215 million can be funded in this model, and then there would be $300 million unfunded, this is an overall total and will be prioritized through the process.

Councilmember Mahaffey asked if the model included the GO bond for the PO work and to clarify the General Fund transfer.

Director Hoffman explained that these items were funded through direct transfers from the General Fund into Capital projects each year.

Mayor Pro-Tempore Gray asked why the same project is in both the funded and unfunded categories.

Director Hoffman said the project is in both categories because the total cost of the project is $2 million, but only $1 million was funded in this fiscal year and the remaining part of the project will be completed in next fiscal year.

Town Manager Vosburg asked Assistant Town Manager, Marty Stone, to talk about projects that have increased costs recently.

Assistant Town Manager Stone spoke on the most recent project which was estimated at $450,000 and is now in at $1 million. He said that construction costs are extremely high, far above what they were a decade ago.

Councilmember Zegerman asked if it was possible to bring some of the projects in house.

Assistant Town Manager Stone said that is a construction item and some projects could be done by staff, like a small water line extension but projects like grading a site could not be done in house.

Councilmember Zegerman said that things that are being done repetitively may be worth hiring for that skill and renting the equipment.

Councilmember Gantt said this plan and planning through 2040 will help decide these types of things.

Town Manager Vosburg asked staff to discuss concerns regarding the interplay of the model where there is an operational need that isn't associated with the project and isn't reflected in this model.

Mr. Carter said there are operational needs that aren't associated with the projects that aren't reflected such as staffing a new building, for example the new school being built. He said that when projects start, the money is issued for the facility and it takes 18-36 months to build, this money is in two budget years. He said it can fund what Council wants it to fund, but it is not the intent. He said that the model does not include operational costs, but it could at Council's direction. He said the model is primarily focused on debt service but is now being expanded to incorporate the City's existing pay-go funding which is approximately $7 million annually, which brings both debt and pay-go together allowing the decisions about whether to fund projects through debt or pay-go to be evaluated together rather than separate processes in the future.

Councilmember Gantt asked what Cary's situation was with new generation needs, and GO bonds, two of which failed on the ballot, and what lessons can be learned.

Councilmember Mahaffey asked if that was more of a political question.

Town Manager Vosburg said it was partly political and partly mechanical, with the volume of what they asked for possibly intimidating voters, it was a big ask of $500 million.

Mayor Pro-Tempore Gray said that the model being used seemed the appropriate one from the departmental standpoint because in 5 to 10 years if a new Council comes in and changes the priority list then money is reshuffled and that delays projects, which will cost more. He said this model seems to create a longer form of stability and ease of planning, giving the ability to maintain a good picture of how much the cost will be and how stable the cost will be.

Councilmember Gantt asked if the recommendation was to spread out the projects and plan out further.

Mr. Carter said yes, this is what the tool helps you do.

Councilmember Gantt asked how much was on the General Government Capital Model.

Mr. Carter said it has pay go and debt and it's about $7 million.

[SLIDE 7]



Town Manager Vosburg asked what the next steps are.

Director Hoffman said that next steps are in December and will get Council highlights on project submissions from this year and will bring the results from the resident budget priority survey as well as staff scoring. She said Council will take that information and the project prioritization survey and Council will have all of the information to prioritize projects for February's budget meetings where discussions will be had with placement of projects more realistically.

Town Manager Vosburg said that Googling other communities in the area will show that they haven't done what Apex is doing in taking financial planning to this level. He thanked Council.

Councilmember Zegerman said that he likes this model because of the steady state baseline investment that staff can plan for or count on.

[SPECIAL EVENTS UPDATES]

Lisa Raschke, Special Events Manager, Parks, Recreation, and Cultural Resources Department gave the following presentation:

[SLIDE 1]



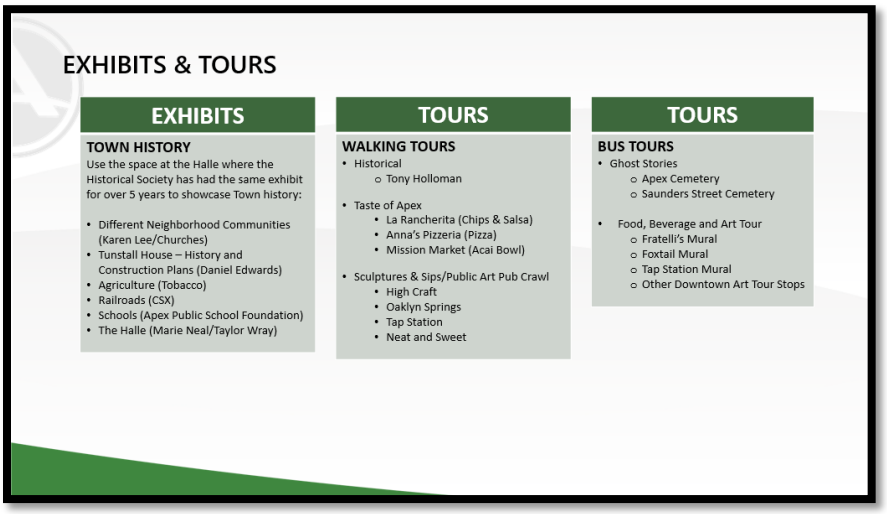
[SLIDE 2]



[SLIDE 3]



[SLIDE 4]



[SLIDE 5]



Councilmember Zegerman asked why Apex is doing events like ghost tours instead of businesses and the community and how does the events become more permanent instead of one-off events that people can do on their own.

Ms. Raschke said that the dinner and movie series is something to look into seriously because it is something that a lot of different municipalities are currently doing and the art museum does it. She said that she likes the idea of self-guided tours but wants to make sure they are being used. She gave a list of ideas for events and how the public can engage staff but these events she highlighted she isn't sure that businesses would do.

Town Manager Vosburg said currently businesses aren't involved and there is a void, but it doesn't mean that they won't get involved. He said that if Apex does the logistics of an event that asked businesses to partner that may be a better way to get them engaged. He said that the presentation shows where there is a lack for capital to invest, but there are spaces that aren't utilized 100% that could be possibly used.

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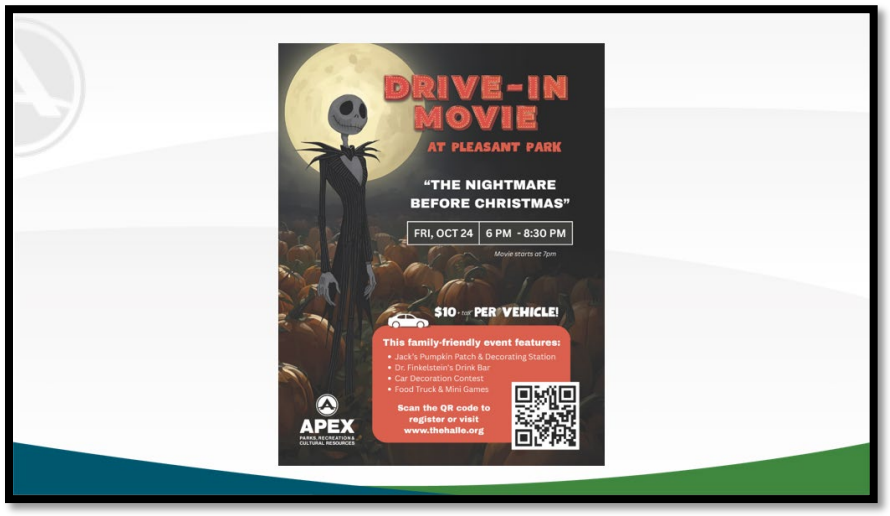

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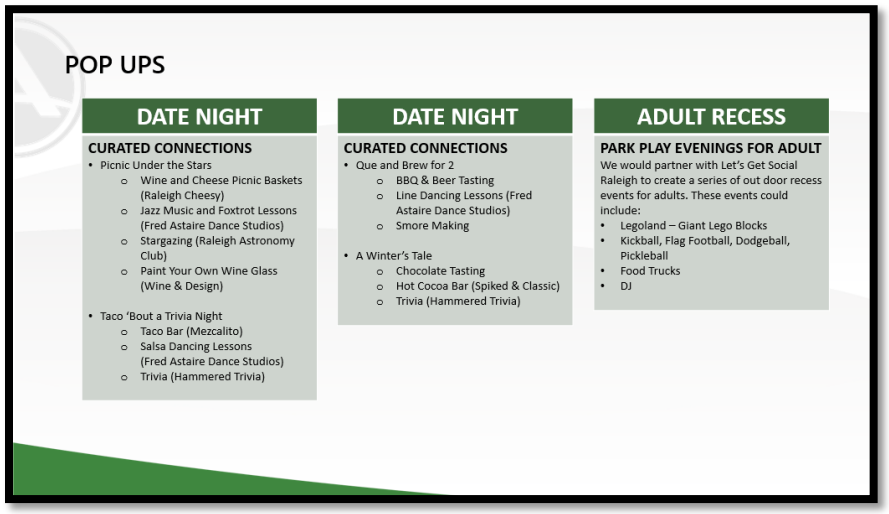

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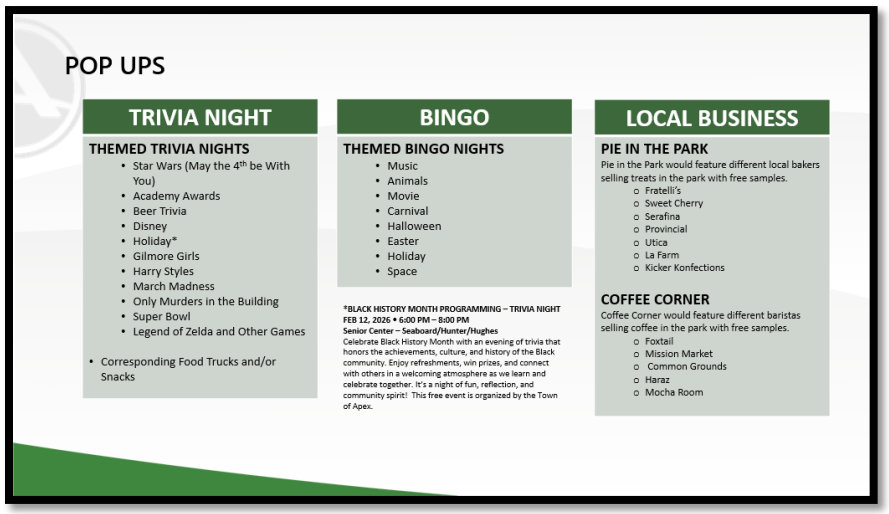

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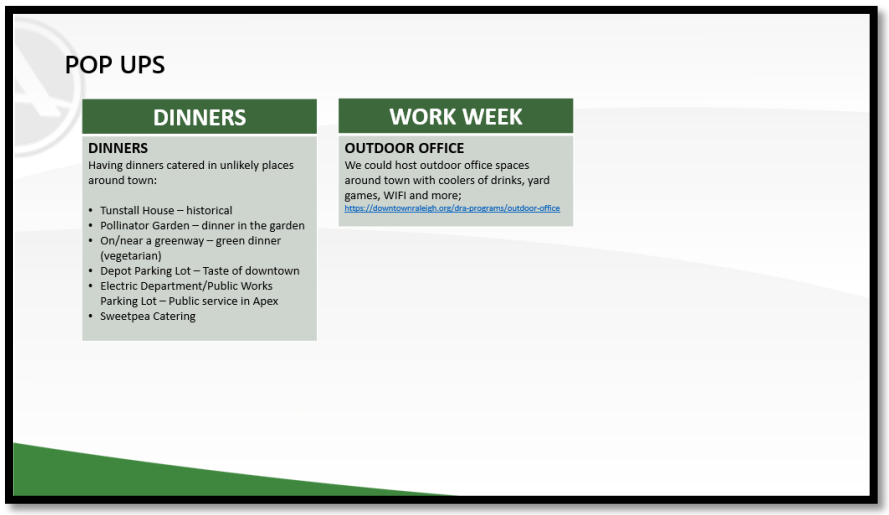


Councilmember Gantt asked what the plan looks like as to the town's involvement.

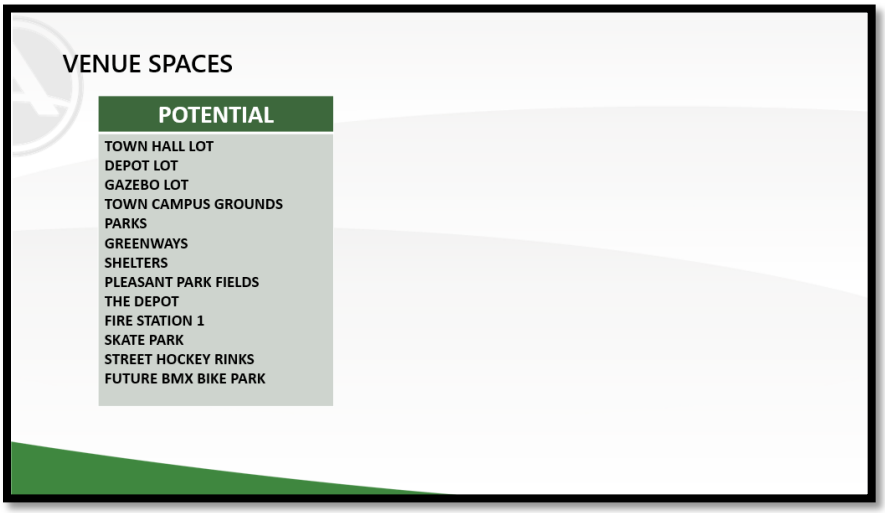
Ms. Raschke said it depends on the fact that there isn't a lot of space for different activities and the idea is to use Apex's space and bring in different groups and businesses in town and surrounding areas to draw people to Apex with small businesses downtown and beyond. She said this had not been done before so it is unsure on how this will be done.

Town Manager Vosburg said in the beginning it will be a heavy lift for Apex in the interim but then they can partner with businesses or others.

[SLIDE 12]



[SLIDE 13]

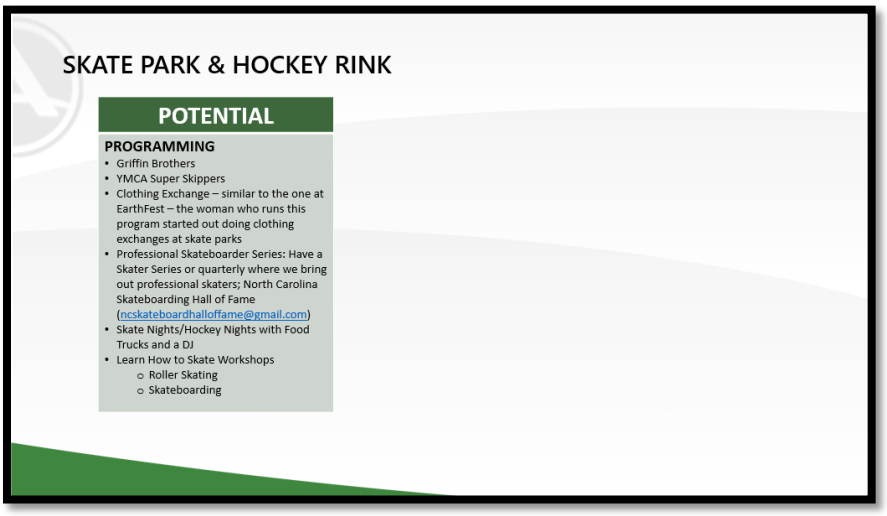


Councilmember Gantt said recent discussions by State Representatives about the possibility of realignment of hospitality tax to be based on population growth could result in additional funding and the projects should be ready to submit.

Ms. Raschke said that these events should keep expanding and look forward. She is currently trying to build things now with the resources that are available, and that could be multifunctional.

Councilmember Gantt said that he agreed and next November will be the time that the funding may come to the municipalities if the law is passed.

[SLIDE 14]



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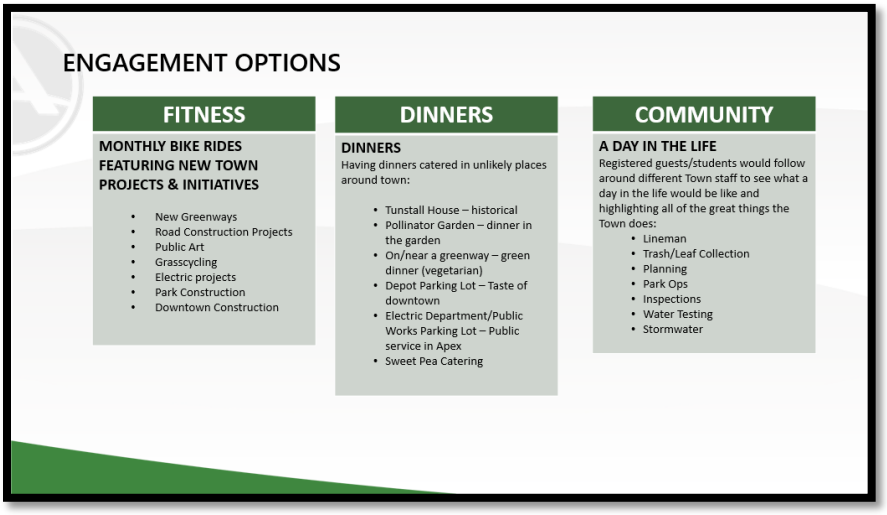

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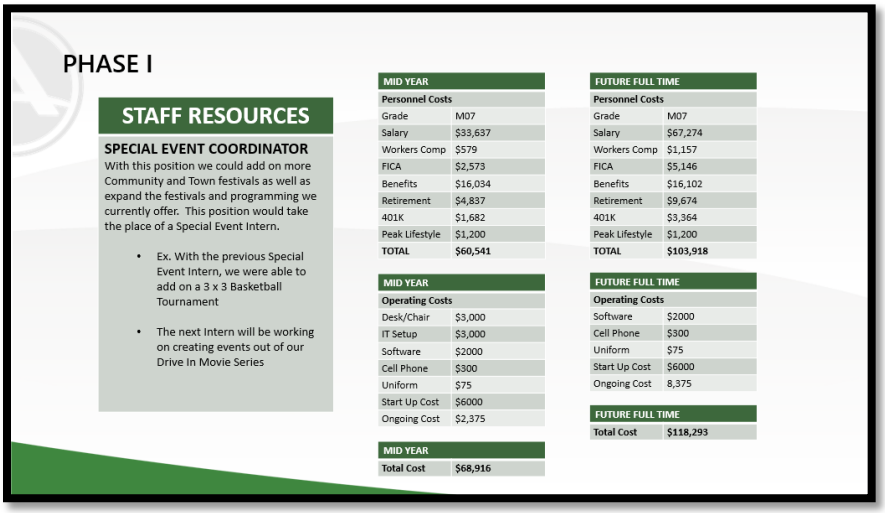

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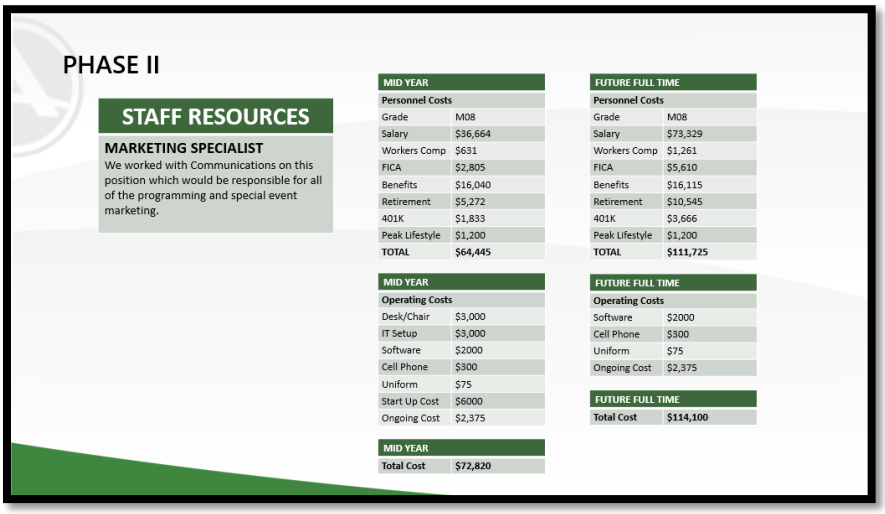

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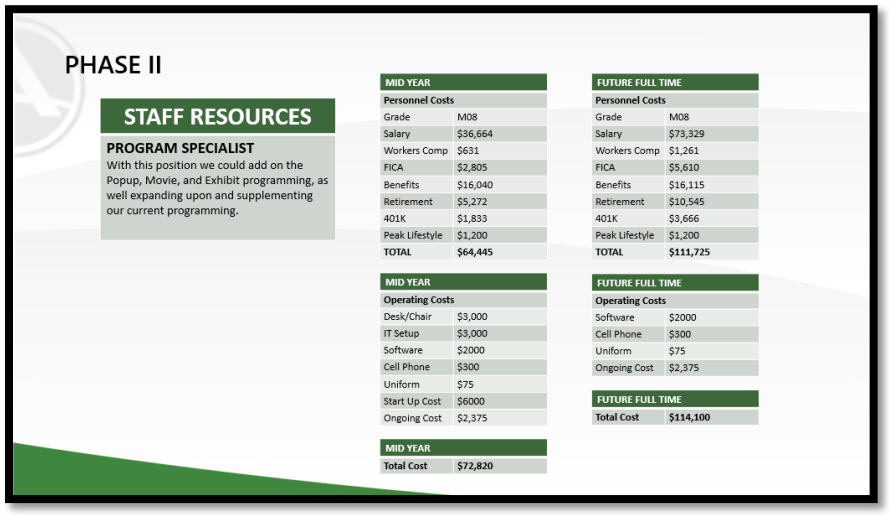

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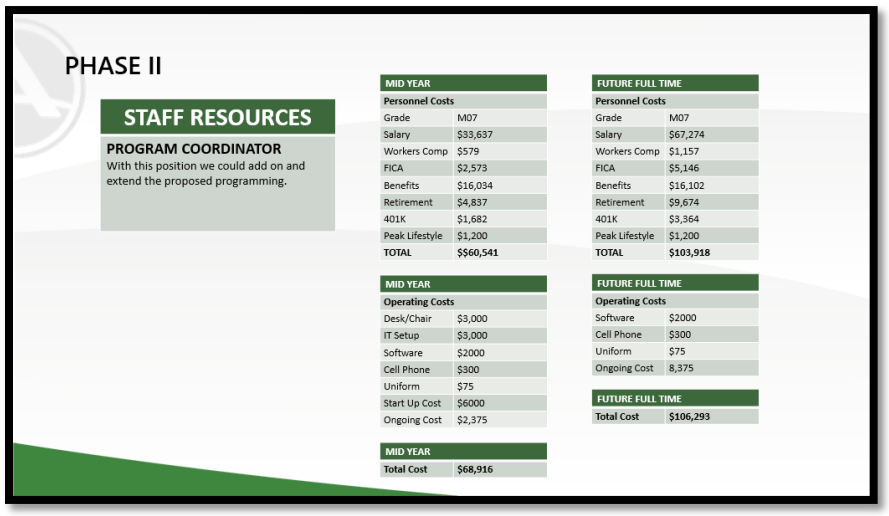

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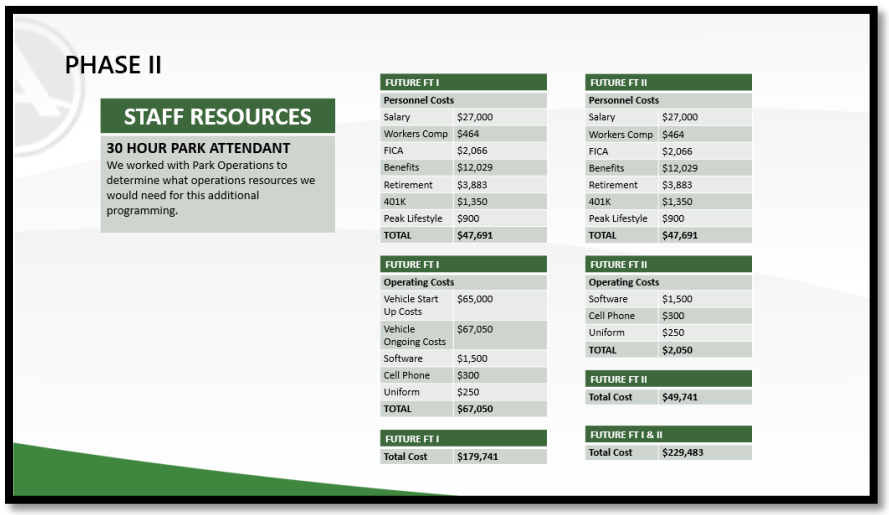

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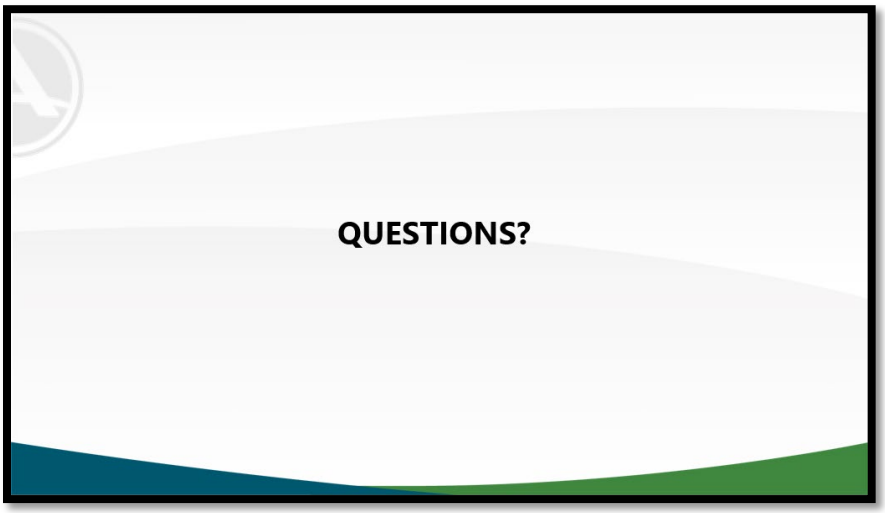


Town Manager Vosburg recognized Craig Setzer, Director of Parks and Recreation and Assistant Town Manager John, as this has been a collaborative effort today and wanted to give them an opportunity to speak.

Director Setzer said that this is part of the master plan and there are spaces in the park that aren't used to capacity, but ball fields and gyms are packed all the time. He said there is a little space at the Senior Center typically at night. He said that this is an opportunity to embrace the entertainment in Apex but it should be a private public combination and they are stretched from a special events perspective.

Ms. Raschke said that she has been working with Nora Skinner and has talked with the Environmental Food Symposium and they want to come to Apex, making this a Triangle event.

Councilmember Gantt asked if there were programs that had been considered similar to Launch Apex that focus specifically on supporting service-based small businesses to utilize resources.

Ms. Raschke said that a lot of other towns have that and businesses are already meeting and doing this and Apex is in a transitional period currently. She is not aware of a lot of forums or ways that businesses are getting together. She said the avenues for businesses to come together and create things like this may not be available, but it's also a private piece.

Director Setzer said that there are communities that have rivers, oceans and lakes which will draw the community in, Apex has a railroad and this falls on Apex to draw people in and the events that are offered are one way to draw people in.

Councilmember Zegerman appreciated the creativity. He said that it would be interesting to see the short-term plan. He said they should look at events that were sustained with public private partnerships and with the full intent to transition to private overtime. He would like to see more details over the year or so.

Ms. Raschke said that most events in the presentation could be done if there was a Special Events Coordinator, there is already a plan in place and this could be done quick. She

said that the events listed in the New Special Events slide could be done now if there was one more staff person.

Mayor Gilbert asked how the plan may include different communities and how they will evolve over 20 or 40 years. He also asked if public safety staffing costs were factored into the planning process.

Ms. Raschke said that other than the festivals most of that work is with Special Events and Parks and Recreation and she gave some examples of events that would not need public safety.

Director Setzer said that parking facilities need to be increased to help with additional events.

Mayor Gilbert asked if there was another option besides bluegrass for music.

Ms. Raschke said yes, there were bands that play music just for children and many other options. She said that if they start doing events the downtown businesses may get more involved and partner with Apex to support these events.

Councilmember Gantt asked if there could be a survey to see what the community's interests are and what may be missing in Apex.

Ms. Raschke said that there was an unofficial survey with the Cultural Advisory groups but there could be a more formal survey to help inspire people to see what they would like to see in Apex.

Assistant Town Manager John said it would be good to take this from the Master Plan and recap it in the survey for what the community would like to see in Apex.

Mayor Pro-Tempore Gray asked if there was a survey of the facilities that are available and the likelihood of them being able to support an event.

Ms. Raschke said there are different ideas, Sue Helton Park would not be a good location for a large event but Salem Pond Park might be and this is where the details would come in to determine more location options.

Mayor Pro-Tempore Gray said it would be a benefit to understand what will be needed for personnel anticipated and locations available for budgeting purposes. He supports this idea but would want more information.

Ms. Raschke said that they were taking a phased approach and would need another staff member either way for what events are being held currently. She said that this would not be done all at once, and once Phase I was complete then that would be assessed to move to Phase II.

Mayor Pro-Tempore Gray said that with small events, like the Candidate Forum, there were 2 Police Officers there, and how that impacted the Police Department's operations is a question to have since there is a cost associated with these events.

Director Setzer said that costs can be built per event.

Ms. Raschke said that staffing numbers can be given for the events that she has presented and an estimate of cost. She gave some numbers based on size of events and said that she would get an estimate for Council.

Assistant Town Manager John noted that no matter what size the event is public safety should always be considered and those costs should be factored into the budget for the event.

Mayor Pro-Tempore Gray said that not only public safety but also other departments that are involved need to be factored in.

Ms. Raschke said this is why these events should start slowly; the other piece is if there is alcohol. She said that they have done some research on how to have alcohol at the events and what that would entail.

Town Manager Vosburg said it sounded like there was general support for this concept and there are some events already being planned that can be accomplished with existing staff and they would continue planning for more robust events and what that would look like. He said this would be discussed further during budget discussions.

Councilmember Mahaffey asked if there was an ask for additional staff in Phase I.

Ms. Raschke said that they were asking for additional staff when Council is ready.

Councilmember Mahaffey said to hire the position now.

Mayor Pro-Tempore Gray asked if they were asking to hire staff immediately.

Councilmember Mahaffey said if the process is started now, it will take several months to bring on that person.

Councilmember Mahaffey said that there are a lot of good ideas and this was an awesome presentation. He said this is a heavy lift for a lot of people over a long period of time and the popup type events may be easier and these have been well received and have usually done well.

Mayor Pro-Tempore Gray said that these are things that Council would need to see to justify the budget.

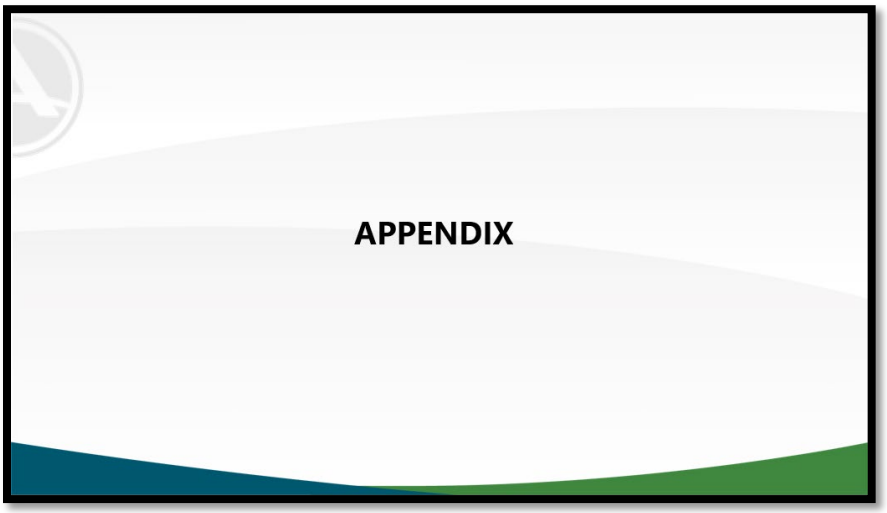
Town Manager Vosburg asked if Council was potentially open to a position sooner rather than later.

The consensus of Council was yes.

Councilmember Killingsworth said that it wasn't expected to be able to do these events without another staff member and the town should move forward with that.

Councilmember Mahaffey said that event attendance has grown significantly and the Town needs additional staffing support today and not just for future expansion, because current events are reaching capacity.

[SLIDE 26]



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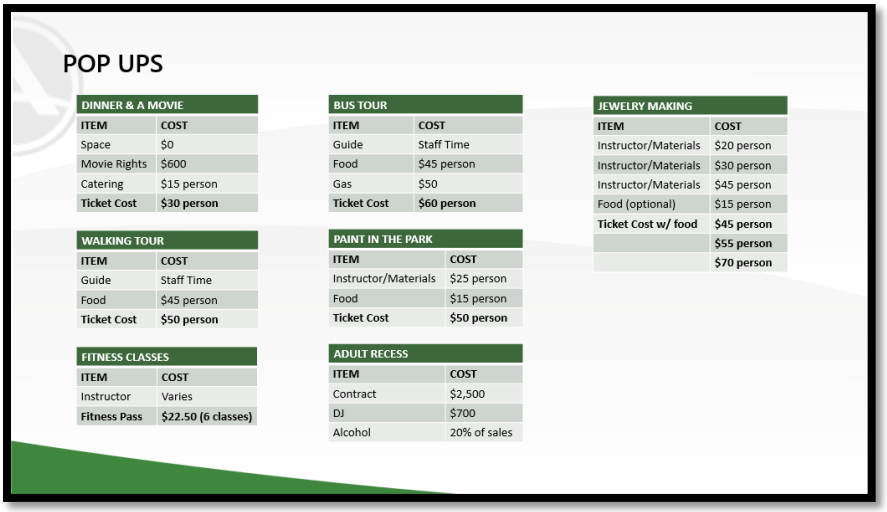

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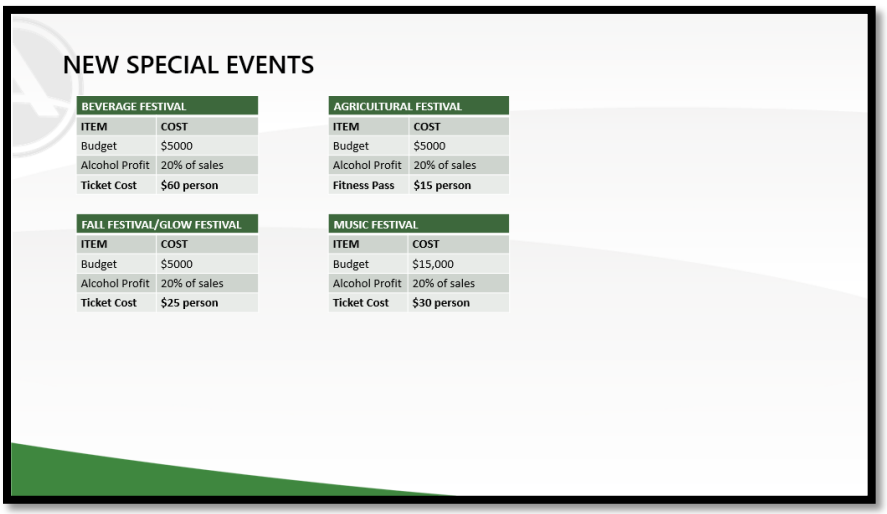

Mayor Gilbert left the meeting at **2:03 p.m.**

[NORTH CAROLINA CHILDREN'S HOSPITAL UPDATES]

Town Manager Vosburg said that Assistant Town Manager Stone will be giving an update on North Carolina Children's hospital and where the project is at this time.

Marty Stone, Assistant Town Manager – Development and Operations Portfolio gave an overview of the progress with the NC Children's Hospital in the following presentation:

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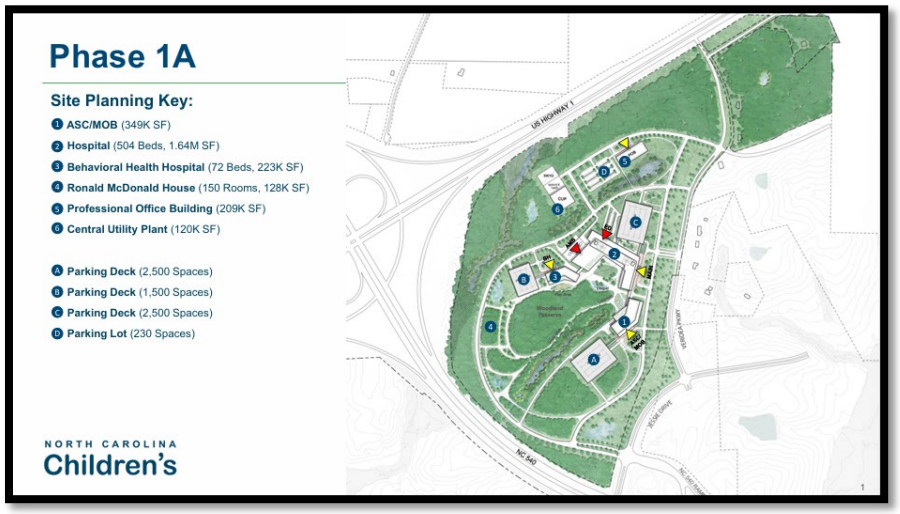

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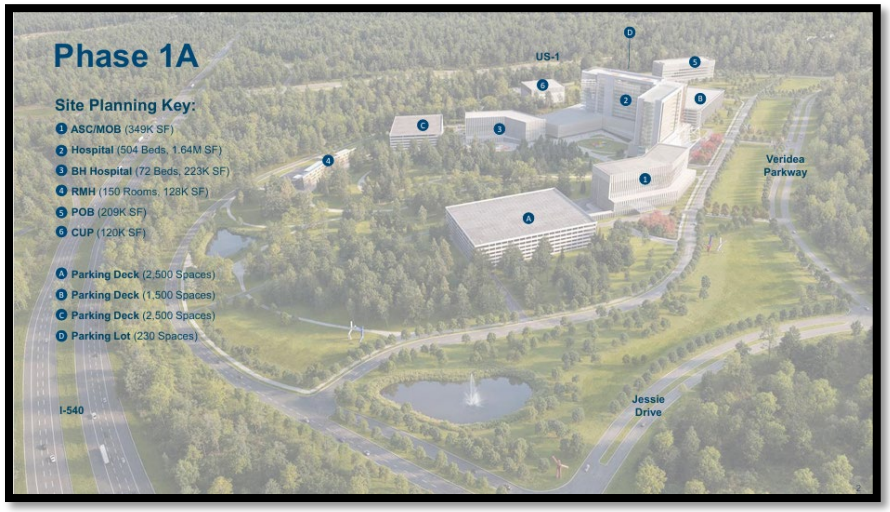

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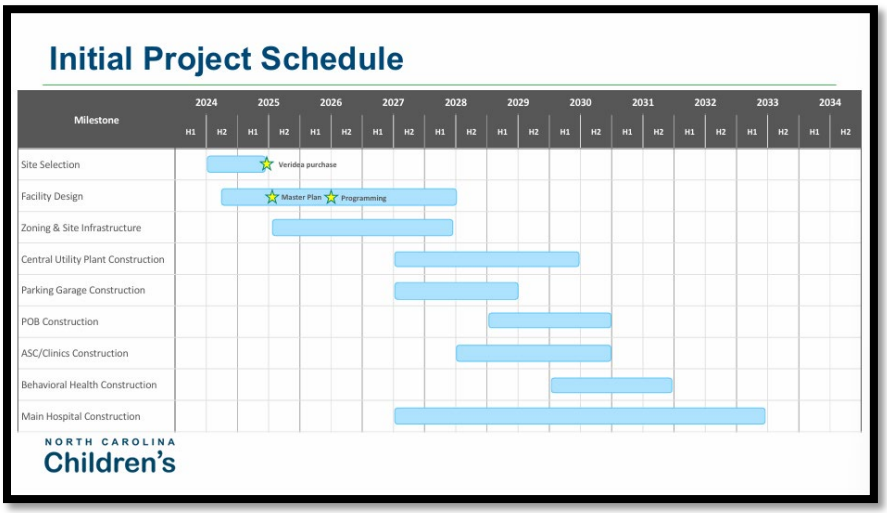


Councilmember Zegerman asked if there is a trench being dug, could there be a plan for the reverse to drop a second pipe in there so we don't have to dig a hole.

Assistant Town Manager Stone said the more direct route would probably be to use some of the corridor that will be used to get into the plant with the temporary line but the route that it would take to get the reused water back to the hospital would most likely be down on Dead End Prince Road but they would utilize anywhere they can.

Councilmember Zegerman said if there is an opportunity to trench and drop one line into the ground this is the suggestion.

Assistant Town Manager Stone said that they were looking at all options. He said that they were in the process of hiring a staff member that should be on board on December 27th to help with the Big Basin project and other projects.

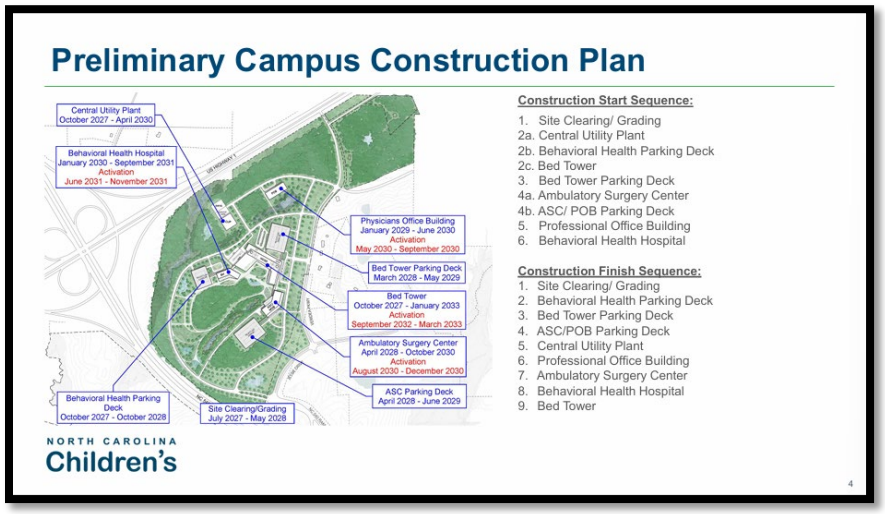
Mayor Pro-Tempore Gray asked if Apex would be providing power.

Assistant Town Manager Stone said that is the plan.

Councilmember Zegerman asked if the physician's building will become operational before the main hospital.

Assistant Town Manager Stone said that is his understanding.

[SLIDE 4]



[SLIDE 5]



Councilmember Gantt asked what the future choices that the Council would have with this project, for example transit or greenways other than what was done at the December 9th meeting with the rezoning.

Assistant Town Manager Stone said that the transit would be talked about at the end of the presentation.

Town Manager Vosburg asked for a show of hands from the leadership team that this project would significantly impact your department in the future. He said that most of the hands are up so there will be multiple points from that perspective on staffing and decisions as it relates to stations and transit.

Councilmember Gantt asked if it would have an operational impact more than a policy choice.

Town Manager Vosburg said that it is true, it would also have a staffing and budgetary impact as well.

Councilmember Mahaffey asked what the effect on the operations of the rest of the town was.

Town Manager Vosburg said impacts are already being seen on staff and it is pulling resources, this is huge piece of growth.

Mayor Pro-Tempore Gray said that it is a realistic expectation that there will be an increase in at least the major departments because this will absorb everyone's time, so being staffed is important.

Town Manager Vosburg said this is a great point and this Strategic Planning meeting specifically is to keep help with planning and the impact.

Councilmember Zegerman said that between now and 2033 they should start layering in the operational support and other support from the town.

Councilmember Mahaffey asked if any of these could be contracted, as opposed to hiring a full-time person which may take six months to get on board and then also leading to the possibility of being overstaffed in three years.

Assistant Town Manager Stone said that with Veridia and other ongoing projects for development that this was the start of at least 10 to 15 years of solid work and it's going to change which departments are affected. He said that Water Resources have got plans and are working on those now for the Big Branch water and sewer needs.

Councilmember Zegerman asked what could be expected to have to layer into the various departments over the next couple of decades as some of these developments are coming.

Assistant Town Manager Stone said that they are currently updating staffing plans which means that once the plans are finalized then the Master Space Plan Study that was just completed will be outdated.

Councilmember Zegerman said that multi story buildings should be planned.

Assistant Town Manager Stone said that they are planning on multi story buildings, right now they are looking at possibly increasing the footprint by combining the warehouse with the fire station by adding a couple of bays and some other things.

Councilmember Killingsworth asked if there were any discussions about expanding down 55 for traffic in respect to Wake Tech, the school, and hospital that are coming.

Russell Dalton, Traffic Engineering Manager, said that the traffic study was just submitted but as an overall Master Plan for Veridia we do have some framework structure that is being followed and will be reviewed to make traffic recommendations for the opening site. He said that some portions of NC 55 widened, and the HL0007 DOT project is a major interchange intersection upgrade at Technology Drive, a four-lane connector of Forest Light Way up to Jesse Drive to Veridia Parkway and it will connect to 540 so that is given a lot of options for people locally to go north and not have to be on 55 to 540. He said that NC55 will continue to be very busy but there will be alternate routes to avoid this.

Councilmember Zegerman said that he had not heard how the bridge over US1 would be impacted and that he would like to see some bike lanes somewhere in this rendering especially on the north south corridor going into town along Veridia Parkway.

Councilmember Gantt asked could there be an interchange if it is far enough away from the 540 interchanges.

Mr. Dalton said that it would not be far enough away, but the Engineer that worked on Grace Christian and Seymour PUD did look at the regional model and the volume on Veridia Parkway and that road was downgraded from a four-lane to a three-lane road, the four-lane road only extends up to just south of US1 and transitions to a three lane road based on volumes of car, Perry Road is the major four lane road all the way up now.

Councilmember Gantt asked if Perry Road was in proximity to the 55 interchanges.

Mr. Dalton said it was actually a weaving section to 540.

Councilmember Gantt asked if it could be an in and out like on Wade Avenue.

Mr. Dalton said that it was not looked upon very favorably.

Councilmember Mahaffey asked if Jesse Drive for Phase II is under the CIP for the future or would it need private development.

Mr. Dalton said that there is a section of Jesse Drive both east and west of 55 that Veridia will not be building, they will build Forest Light Way but there will be a gap. He said that much of Phase II will be built by private development and it will be very expensive so this has been pushed out.

Councilmember Mahaffey asked if it was considered important for overall traffic to the site or is it more for 540.

Mr. Dalton said that for the overall network it's important for the future but not necessarily essential for this site.

Councilmember Gantt asked if the hospital has had discussions with Apex about the needs for hotels, restaurants and shops to the east they will want or need.

Assistant Town Manager Stone said they do not yet have numbers on that.

Assistant Director Amanda Bunce, Planning, said that they have not solidified their vision for what they want to do in West Village. She said that it may include hotels and restaurants.

Councilmember Gantt said that hospitals across the country presumably have amenities close by.

Assistant Town Manager Stone said that RXR has stated that their vision has changed but have not provided what that vision is.

Councilmember Gantt said that planning was for them to do.

Assistant Town Manager Stone said yes that it would be up to RXR for the planning but they could have more units now than previously planned, but they haven't confirmed this.

Councilmember Gantt asked if there were any grade separated crossings at Jessie Drive, Veridia Parkway, and the hospital road.

Assistant Town Manager Stone said that not that he was aware of.

Councilmember Zegerman asked if there could be a roundabout at Jesse Drive and Veridia parkway.

Councilmember Gantt said that it would be 5 lanes. He said that it would be a perfect place for a roundabout.

Assistant Town Manager Stone said that they are still in the process of making decisions which also includes adding an extra wing to the hospital in a future plan.

Councilmember Mahaffey asked about having to hire 30 plus people across every single department for this massive project that's not yet taxable, and having to explain to the citizens that taxes will be raised three or four cents.

Councilmember Zegerman said that there may be revenue produced along with it even though it's not direct.

Councilmember Gantt said hopefully citizens will see how amazing and important this is for Apex, the region, and the state once it opens.

Town Manager Vosburg said their vision is already changing and the fact that they did this deal, they are going to make a lot of money as a result of this and Apex is already seeing the spin-off impact from the houses that they will sell in the area, and they may be more now than before.

Mayor Pro-Tempore Gray said that it is understood what is happening and they can't continue to live in the past of how they think things are operating, this is a new steady state and it's a bigger steady state than Apex has ever had, and the personnel needs for each department isn't only driven by Veridia or other developments, Apex is at the point to consider the personnel impact.

Councilmember Mahaffey said that it may come a time when there are 35 staff members or more added to departments along with benefits and there will be costs associated with this.

Councilmember Zegerman said that the growth of the staff is typically directly correlated with tax income. In this case, that represents growth coming from other resources, like practitioners in the hospital not necessarily from the grounds that the hospital sits on and the surrounding services which is a more difficult story to articulate.

Mayor Pro-Tempore Gray said it will come down to the Council articulating this and they are depending on the departments to explain why they need the extra staffing because they want to be good stewards of the tax dollar.

Councilmember Mahaffey said that they didn't want to get into a position where departments are understaffed.

Assistant Town Manager Stone said that as construction starts there is a program available to provide help in finding help for staffing, but there hasn't been much success finding or accessing it.

Councilmember Gantt asked if they aren't trained properly.

Assistant Town Manager Stone said that it more about the availability.

Councilmember Gantt asked if Holly Springs would let them borrow some people.

Assistant Town Manager Stone said that the Children's Hospital in general is a project that's going to cost hundreds of millions, billions of investments from the State level and they don't want to be in a position where Apex is not able to handle the capacity at a certain point and then creating delays, costing the developers and the state millions.

Councilmember Zegerman said they have to think outside of the box, like contracting some of the pieces out.

Councilmember Killingsworth said that this should move forward in a timely manner but not rush things so there is no regret later.

Assistant Town Manager Stone said that there is a bike plan in this but this is not the final plan, staff is working with greenway connectivity and bike paths to create connectivity.

Councilmember Gantt said that pedestrian items would be great here too.

[SLIDE 6]



[SLIDE 7]



[SLIDE 8]



[SLIDE 9]



[SLIDE 10]



[SLIDE 11]



[SLIDE 12]



Assistant Town Manager Stone said that they will be recommending at December 9th Council members remove from the transit plan the bus/rail station that is in the middle of the NCC property but it will be replaced with a mobility hub closer to 55.

Planning Director Dianne Khin said that staff are working closely with the RXR to get the SD plan language correct for the transportation plan but it is in very early stages and it will come to Council in December. She said the thought is that the bus transit center would allow enhanced transportation, and this would be worked out with the regional partners but it would not be complete this year.

Assistant Town Manager Stone said that this was the number 1 of the conversation on how it would be addressed.

Councilmember Gantt asked where the hub may be located and if the hub would end the route and be the hospital and go through that hub as one cohesive route.

Assistant Town Manager Stone said that it is believed that there will be connections.

Director Khin said that they are still working through the exact language.

Councilmember Gantt said that this is important to this development and they intend on using it.

Director Khin said that staff at large hospitals particularly use transit because the traffic is so difficult.

Assistant Town Manager Stone said that RXR is very committed to bus transit within Veridia as a whole.

Mayor Pro-Tempore Ed Gray called for a recess at **2:36 p.m.**

Council reconvened the meeting at **2:53 p.m.**

[YEAR-IN-REVIEW ACTIVITY]

Town Manager Vosburg gave an update on Year-In-Reviews. He started celebrating successes over the last year and presented a video, then picked a few directors to talk about their top three to five successes over the last year.

Director John Mullis, Public Works, highlighted two of the four divisions which are Facilities and Fleet. He said that one issue was an IT server room at PD and Facilities jumped in to work with Communications coordinating with other departments, as they had to bring one unit down and replace another one. He said the coordination was a big event. The second success was working with Park Maintenance building improvements with addressing elevated humidity. The staff and contractors worked together to improve that situation. He said on the Fleet side they received the Geotab Innovation Award for excellence, which is not only a national award, it's an international award. He said that Geotab's the leading telematics provider and Fleet won in a Public Fleet small municipality category, which is huge. He said that the other success for Fleet is the development of Fleet policy, an AVL policy, which was presented to management for review. He said it will address a lot of important issues regarding the town's vehicle fleet.

Director Stacie Galloway, Communications, highlighted three projects that were successful this year. First was the Local Spot Campaign, and a strong public recognition at the farmer's market. The second was the Saunders Lock campaign which was a large undertaking and the third was internal support with work for Infor across the organization with the Communications team.

Director Erika Sacco, IT, highlighted contract negotiations and working with Budget, noting that $143,000 was saved. She then highlighted working with Spyglass to identify every old AT&T line. She thanked Councilmember Mahaffey for his push for smart cities; the Innovations team was created from that and now there is Security and Innovations teams and they created the parking app, and are working with some people in the community that do Parks apps. She said that the largest accomplishment is the ERP implementation which is still being rolled out. This was in partnership with many departments and a lot of work went into that.

Director Craig Setzer, Parks, Recreation, and Cultural Resources, gave highlights of the successes for the past year for Parks and Recreation, there were 2 Street Hockey Rinks in Partnership with Carolina Hurricanes. Council adopted the pricing policy for program rental

fees and they are heading in the direction of a fee study for fee in lieu. He noted there was another picket fence at Jaycee Park at the softball field, and another cricket pitch was coming. He said that programming increases in athletics by 10%, Seniors increased by 22.22% and Specialized recreation increased by 17%. There was 54 Town and Community Special events completed this year, the current West Street site plan is in development in TRC, and the Hunter Street bike track public engagement has been started.

Director Dianne Khin, Planning, gave highlights for the year, including adoption of the Western Big Branch area plan and the associated changes to land use, transportation plan, the Apex Transportation prioritization Study, and all of the Public Outreach in the report for last fiscal year. She further highlighted the Apex Mobility Hub Study in Downtown Apex, creation of the Apex Coordination Team Act to increase collaboration on public outreach and engagement, and is planning an engagement expo for the community which is a large project and is projected for the winter of 2027.

Director Marla Newman, Community Development and Neighborhood Connections, gave highlights for the year, including onboarding of Ask Apex Town services specialist, updates to the Housing Plan and Affordable Housing Incentive Zoning Policy, and she thanked Council for the purchase of the 13 acres on View Street for staff to start looking at how they can be more active in providing more housing options in Apex.

Town Manager Vosburg thanked all that shared their highlights for the past year. He also thanked Council for allowing staff to do these types of sessions.

Mayor Pro-Tempore Gray spoke on behalf of Council and said that he has had the pleasure of working with great leaders. He said that it was important to recognize those who contribute to leadership, he presented a five-pointed star which is part of the military culture of coining, which he explained what that was to show that you were part of your unit and say "Hey, you're one of us". He gave one to Town Manager Vosburg and thanked him for his leadership and direction and focus for Apex. He presented one to Director Dianne Khin, saying that she gives up herself and she raises up other people, and thanked her for all that she does.

Councilmember Killingsworth said that she is so amazed at the people in this meeting that they make Apex great!

[INITIATIVES PRIORITIZATIONS ACTIVITY]

Randy Vosburg, Town Manager, presented the initiative list for the last two years and the current year for the Council to do a visual survey to see if the initiative has been accomplished or is well under way, or if the initiative hasn't been done, they will be coded to reflect the answers starting with Fiscal Year 23-24. He said there were about 30 initiatives on these lists and staff believed that about 10 are left to be completed.

Councilmember Gantt asked about the historic marker program, and said it didn't seem like that many had been done.

Director Khin said it is a reimbursement program which has now gone up to 100% from 50%. She said they have had people talk to them about it but not end up applying. She said that St. Mary's has an approval but they haven't put that up yet. She said that she may ask at the end of the year to use the funds for the Tunstall house or other Town locations if there are unused funds.

Councilmember Zegerman liked that idea.

Councilmember Gantt said that the town-initiated ones may be appropriate.

Town Manager Vosburg said it sounded like a good plan for the end of the year.

Director Khin said yes it would take a few months, so she would like to start that planning and have it ready in January to utilize the funding by the end of the year.

Town Manager Vosburg said that increasing elementary school's SRO's attempted to be done in recognizing that gap, there was a special project initiated and they engaged the School Board. He said it was felt that the School Board received it as SRO's being replaced with civilians, but the idea was the engage retired law enforcement professionals if a full-time SRO was unable to be funded. So, the options were that Town Council fund those SRO's or choose another staff as an alternative.

Councilmember Killingsworth said that she hadn't supported needing SROs in elementary schools, that it was about relationships that are fulfilled when you have an SRO that is able to rotate through the elementary schools. She said there are other sworn officer positions that need to be filled first, which is more important to the community rather than SRO officers being at an elementary school.

Councilmember Zegerman said he liked the alternate approach of retired law enforcement due to the Police Officers needed in the community.

Councilmember Gantt asked if Chief Johansen had any thoughts on this topic.

Chief Johansen said that he would be supportive of either option. He said that there would be sworn staffing priorities in his opinion that would supercede the need to put cops in every elementary school and if it comes down to limited resources that is a decision that would have to be made. He is in support of alternative models but there were some shortcomings with some of those, so if this is direction that Council would like to see he would look at this.

Councilmember Killingsworth said that priority would be serving the community as a whole and not just dedicated to a school, especially when Apex is not getting reimbursed from the County or State level for elementary SROs.

Mayor Pro-Tempore Gray said that this is a resource priority issue and it should come from the department and come back to Council with a proposal to see what can be done and recommend possible other options, such as a retiree.

Chief Johnsen said there is a plan to come in the next Public Safety Work Session to provide Council with an initial assessment for a potential reorganization of the existing assets of the Police Department and this would feed into that and there will be more discussion for what are the new assets or resources that may be necessary.

Town Manager Vosburg asked if anyone wanted to have discussions on even year elections, it is red on the board.

Councilmember Gantt said that he would like to see this happen but it may not be in full agreement with others and the Council can't change this without support.

Councilmember Mahaffey said that it was the agenda and was discussed with the lobbyist and State legislators and they were lukewarm to the idea, and it is too late for this year. He said it would have to be done the day after an election so adjustments could be made.

Councilmember Gantt asked if there were more municipalities on board with this, that is when the lobbyist would get it on the list, it would be more likely to happen.

Councilmember Mahaffey said that the conversations have been started and there needs to be education for people about it so the public would understand the benefits.

Town Clerk Coleman asked if even year elections should be tied to modifying at-large district and/or district seats, would this be together or those two things separate.

Councilmember Mahaffey said that it can be modified by the form of government at large without changing to even-year elections. He noted that at-large districts may make more sense as the Town grows close to 150,000 people.

Councilmember Gantt said that in theory doing this next year for 2028 would be the timeline to give all a chance to get settled into this.

Councilmember Mahaffey said there are different ways to do this, there could be an election where the term is three years instead of four years or if you want to save money, then it could be done and the reason is it saves $4 million a year. He went through the policy and constitutional reasons about terms once you get elected to a four-year term.

Town Clerk Coleman said that this was already on the legislative agenda and suggested that this be brought to the retreat in February to have a more robust conversation and move forward with the process then.

Councilmember Mahaffey said that Raleigh has made changes.

Councilmember Gantt asked if Cary had moved back.

Councilmember Mahaffey said no that Cary got rid of the run-off.

Councilmember Gantt said that for the meeting in February that there could be outreach to other clerks about how officials are feeling about this in Wake County to inform them.

Town Clerk Coleman said that outreach has started.

Town Manager Vosburg moved to the next red, which is the Adopt a Tree Preservation ordinance and increase Apex Tree Canopy. He asked Director Khin to speak about this.

Director Khin said that the first Environmental Programs Coordinator has been hired and is working diligently with the Environmental Advisory Board and the Mission of Tree CAP and Bee City, and in July she had a series of presentations and then there were issues getting a quorum. She said that there has been a presentation on the current Tree Ordinances and the next presentation will be on what other communities are doing to embrace other ordinances. There was a Special meeting this week with Trees and Triangles to discuss with the EAB about this, so this is being worked on but it's not quite there yet. She said the goal is to have this fiscal year to have some UDO amendments for Council.

Councilmember Gantt asked if County was planning to do a mid-decade update to their Tree Canopy study.

Director Khin said that not that she was aware, and that they had reached out with a spreadsheet to report tree planting activities, and so each year they put in Plant the Peak information and Earth Day planting.

Councilmember Gantt asked if Apex staff would be able to replicate that study for Apex.

Ms. Khin said no, that communities with robust Urban Foresty programs, which have more staff are able to do that but Apex relies on Phillip Barnes, and Nora Skinner's background is more of Horticultural, not arborist.

Town Manager Vosburg said next is Public Transit options to RTP and increase Transit Operation frequency. He said that there have been discussions with Katie Schwing and she is a genius on transit and there has been some progress.

Councilmember Gantt said that the Transit Plan 2035 update that is going to Campo has a lot more than just advocating for the local money, it has more regional routes in that plan, including the RTP route and increased frequency to Cary and one route that's directly to Raleigh. He said this is an increase in routes for Apex.

Town Manager Vosburg said that in the 2027 plan the 311 routes will be back and funded.

Director Khin said that Ms. Schwing will be doing a presentation on the regional routes that have or will be changing on October 28th, so this will be a chance to ask questions.

Councilmember Mahaffey asked if the routes would be a route on Sunday.

Town Manager Vosburg said that it may be still pending because of the other special service that matched it.

Director Khin said that Wake County was unable to provide the paratransit service on Sunday and there are options with Cary being explored.

Town Manager Vosburg asked if Council felt like the Transit initiative was still red.

Councilmember Killingsworth said that it is still being worked on and is being actively addressed.

Town Manager Vosburg changed it to green. He said the last red for 23-2024 is focused on improving bike ability. He asked Angela Reincke to comment on bike ability and greenway.

Ms. Reincke said that October 18th is the Great Trail Day celebration and she had done some inspections with the event coming. She said there have been logs on the trail but it doesn't stop riders. She said that it's a mile-plus extension. She said they are excited about Middle Creek because it fits the southern boundary with Holly Springs, and if you get to the Sunset to Lakemont segment, which is our first official segment, it has a big emblem carved into the surface. She talked about branding the greenways and connections and they are starting projects this year for all the gap-filling segments and for extending larger greenway segments to start to close those gaps and there is progress there.

Councilmember Gantt asked if the Salem Street greenway was still happening.

Mr. Dalton said that the scope of design is currently being completed.

Councilmember Zegerman said that his red for bike ability was not a reflection on the greenways and the expansion of that system, t but it is how do I get from A to B in town with safe crossings such as at 55 and then 64 and the busier roads.

Councilmember Gantt added that the Hunter Street Park biking is great. He asked if this would be done on every road with the state while they redo the pavement.

Mr. Dalton said that there were some challenges with newer guidance that has come from the Highway Department, with the major multi-lane roads it is no longer recommended for striped bike lanes, and they want barrier-separated bike lanes which is very difficult from a cost and functionality standpoint so this may be going towards off -road separated facilities next to the roadway, two-way cycle tracks or something similar versus the on-road bike lanes. He said they are trying on Hunter Street as that is one of Apex's streets because it is easier to do bike lanes. He said there will be further conversations as well about Veridia Parkway.

Councilmember Zegerman said that from Veridia these are kids that will go through this area and the bike lane stops, so it's important to try and fill in that connections.

Town Manager Vosburg left this bike ability initiative red. He then moved to 2024-25 initiatives and went through them for Council to rate as green or red. There were some discussions for clarification on some of the initiatives to decide if they were green or red. He asked if there were any discussions for the green initiatives and then the red initiatives.

Councilmember Gantt asked if there was another Cash Corporate-type development coming.

Deputy Town Manager Purvis said land suitable for industrial use is at a premium in the area.

Councilmember Killingsworth said that for the Williams property it was an idea of putting a parklet there but the use is up for debate as to what the town needs at any point in time.

Councilmember Gantt asked if there should at least a plan for that property.

Councilmember Zegerman said that the direction here isn't just to build a parklet, but to figure out how to activate that space in a way that makes sense.

Councilmember Gantt said that if parking is what is wanted, it has 30 parking spaces.

Councilmember Killingsworth said that it shouldn't be rushed to program something there if it is not known what is needed.

Councilmember Mahaffey said that a parking lot for the festivals might be something for this to be used as.

Councilmember Gantt suggested looking at not just town hall but maybe other places that could be used downtown that could be used.

Director Setzer said that they could add that parcel for discussion.

Director Khin suggested that if there is going to be a stage, it may be better to be closer to the police station and make it more temporary, to have something there like music or any kind of amplified sound it would be close to the neighbors and having the extra space for extra parking and then have the activation closer. She said that it may be set up to make a lot of folks really unhappy to have a stage or an activity right there on this property.

Councilmember Killingsworth said that you could always have wine and paint, something chill.

Director Khin said that is what was done for the Downtown Festival because there can't be amplified right next to residential. She said that if it is an event focus then it may be good to keep it as parking.

Town Manager Vosburg said that the general goal is to hold on to this but if there is an opportunity that can be presented and it's tied to entertainment or something else, then this can be bought forward. He kept this initiative red. He asked if there were any other red initiatives that they wanted to discuss.

Councilmember Gantt asked how safe it is to cross at Humie Olive.

Councilmember Mahaffey said that there is a stop light there now.

Town Manager Vosburg said that he had not heard of any complaints.

Councilmember Zegerman said that there was signal crossing further down the street with access for crossing.

Councilmember Gantt said that intersection crossing signalized is better than a mid-block signalized crossing.

Town Manager Vosburg said that there were reported issues this week at Whistling Quail, which is not too far from there.

Councilmember Mahaffey asked if this idea had been explored and that it's not feasible or is there utilities on the way or something else.

Town Manager Vosburg asked for the pedestrian bridge piece.

Mr. Dalton said that it was expensive just for the tunnel option, with preliminary prices it was $4 mission for the tunnel itself and $8 million for tunnel road work involved and as for feasibility it would depend on how much money and the time it would take for this to happen. He said that there is also with concern is if students used it, there are intersection that can't be closed off and you can't force people to use a bridge, also most of the pedestrian traffic right now is coming down Evans Street where there is a signalized crossing coming downtown, so directing them to the midpoint and making sure they don't cross mid-block because they will have to walk extra distance to go up and over or down and under, there may not be a lot of value in it.

Councilmember Killingsworth said that with Apex High crossing across 64 there was concern that the students may run out into traffic or cross on the other side of the road where there was no signal or crosswalk, but the students are doing well staying within the crosswalk and following signs. She said if the students are given a safe place to cross that they will probably use it and the pedestrian bridge, yes, it is expensive, but it is probably the safest way to get people across and not interfere with traffic.

Councilmember Mahaffey said that priorities may change based on the options that are available, but if a kid gets hit tomorrow, then it may come back on them. He said that this should have been planned when the campus was first planned 10 or 11 years ago. He said that it could be added to the CIP to have it there.

Councilmember Zegerman said that there should be a feasibility study to categorize this given how tight the margins are. He said that at one-point staff mentioned that there was an issue for utilities and digging.

Town Manager Vosburg said that there could be more discussion among staff on this for brining at least a feasibility study and he left this initiative red. He then moved to Legacy Community, the last red for 24-2025'.

Councilmember Killingsworth said that it was unclear what this means, Legacy Community. She said there has been land purchases and Community Land Trust, and thinks that gets to the purpose of the item.

Town Manager Vosburg moved that initiative to green and moved to 2025-2026 initiatives. He read the initiatives and selected them to green or red depending on the discussion and clarifications of Council members. He said the first initiative Expand CART.

Chief Johansen said that the CART program still consists of a single house and a single clinician.

Councilmember Zegerman said this was an additional service for first responders and he didn't think this was done.

Chief Johansen said that the additional services for first responders with deployment of the inter-wellness program this year is done but as far from the expansion of the community facing CART programs that will likely be in front of Council.

Councilmember Gantt asked if this was for the community or the officers.

Chief Johansen said that it was for the community, it's the co-response model involving an officer in a crisis counsel.

Councilmember Killingsworth said it sounded like it was being worked on.

Town Manager Vosburg moved to the School Preservation, it was red. He went to the Smart Cities Technology initiative.

Councilmember Killingsworth said that this was actively being worked on.

Town Manager Vosburg set this initiative as green. He moved to the Plant the peak expansion to HOAs.

Councilmember Killingsworth asked if this initiative was a neighborhood improvement grant.

Councilmember Zegerman said that this initiative is for HOAs that are looking for additional support which is residence focus to allow HOA to apply for additional funding in their community that might be needed.

Director Khin said that Plant the Peak plan is Phil Barnes and electric. She asked if Plant the Peak is eligible for HOA now.

Director Galloway said she wasn't sure.

Councilmember Zegerman said that it doesn't matter where the tree is planted as long as the tree is plated and limiting Apex to residential property was not necessary.

Assistant Town Manager Stone said that today we have not had any issue getting rid of all the trees we had and all the money. The Town actually doubled it this past year on how we were doing it because of how we removed the contractor watering requirement and shifted responsibility to the owner receiving the tree.

Councilmember Zegerman said he attended the last EAB meeting where Trees for the Triangle was presenting and there is some partnering opportunities for Apex that would expand the program further.

Town Manager Vosburg said that if it was confirmed that this is has been opened up to the HOA, then it is green.

Director Khin said that they are really excited about the Peak being focused on native trees.

Councilmember Zegerman noted that the Trees for the Triangle is also focused on native trees.

Town Manager Vosburg moved to Alternative Road Design initiative and moved it to red. He then moved to CSX Switching Station.

Councilmember Zegerman said it seemed like there was some encouraging signs, and the US was catching up some as a country.

Councilmember Killingsworth asked if there were any updates on the CSX switching station.

Director Khin said that they had to pivot because CSX had a problem with the time it takes to go up the Durham line because they only go a few miles per hour and so the study pivoted and is looking at how to improve the lines because once the trains can go faster, they will be able to move the switching station further south.

Councilmember Zegerman said that it is the on-duty limits per the agreements with the unions.

Councilmember Mahaffey said that the trains have to be parked in town because the staff can't work the extra and it runs all weekend too.

Town Manager Vosburg asked if there was anything that the staff needed to be doing additional to help move this along. He moved the initiative to green.

Councilmember Zegerman said he doesn't think staff could do anything to help this right now.

Councilmember Killingsworth asked if they were putting the most ancient trains on this line.

Councilmember Zegerman said that typically there are two locomotives on this line, one was rebuilt about ten years ago and the other is an older model and the older engines require frequent maintenance and must stay running in the cold weather because they are designed to use water coolant that forces them to idle to maintain engines and brake systems.

Councilmember Killingsworth said that needs to be de-commissioned.

Councilmember Zegerman said even the newer trains have the same issues in the colder weather.

Councilmember Gantt asked if there was something that the town could do to help fix this.

Councilmember Zegerman said that he spoke with one of their engineers that builds these and it just isn't that simple. He said one of the complaints is the idling up and down of the trains.

Councilmember Killingsworth said that they park behind the Villages of Apex, which makes it so they can't sleep or think.

Town Manager Vosburg moved to the next initiative New Go Apex Route; it was moved to green. He went to the next initiative Protect and Encourage Mobile Home Developments, which was moved to yellow. He then moved to the last initiative Salem Street Pedestrian Zone options expand Streetscape.

Town Manager Vosburg asked if there were any of the greens to talk about.

Councilmember Gantt said that Councilmember Zegerman said that he would like to see the Transit Plan move faster.

Councilmember Zegerman said that there is a plan that is not moving very fast with some of the improvements not moving forward for three years and encouraged staff to be more aggressive to expand services.

Councilmember Gantt asked if there was a CIP item that could be added for next year for more money that could escalate it versus less money for the timeline shown for Route 2 in the Transit Plan.

Town Manager Vosburg said that there was discussion about prioritizing making it a 30-minute route versus the hour route over an hour, so instead of doing a second route.

Councilmember Zegerman said that it is not disagreeing with the order of this, it is the amount of time it takes to get from where we are today to what the plan calls for right now, but he would like the plan to happen faster, so the question is what needs to happen to make this happen faster.

Councilmember Gantt asked if it was $1 million over three years or $1.25 million for two years, if that was even possible.

Town Manager Vosburg asked if there were any other discussions on the red initiatives for the 25-26'.

Councilmember Killingsworth said that she would like to discuss the mobile home development initiative. She said that there should be a plan for mobile home parks that are sold out from under residents and then people don't have anywhere to go.

Director Newman said that there are funds on hand to help with any potential relocation costs. She said staff have been instructed to do some groundwork to see how plans were developed in Orange County with Chapel Hill and some other municipalities and see what role government played versus the community and then coordinate with advocates in Apex to provide them learning and help equip them to do something similar.

Councilmember Gantt added that there is one in Apex's planning jurisdiction but not in its municipality and it would be good if the County was involved in this too, for example the mobile home park by Felton Grove should be part of this.

Director Newman said that this is in the investigation phase right now and will start to tap into potential partners and advocates to see what kind of response there is to this concern.

Councilmember Killingsworth said it would be ideal to have a piece of property already that people could just move to but this is not currently in place.

Director Newman added that some mobile homes that are older may not survive a move so this is something else to consider. She said that there was a situation in Charlottesville, Virginia where the mobile home community was provided to Habitat which built homes where they were able to move as the homes became available which takes a lot of resources and collaboration from the model that was shown to staff. She said this is on their radar.

Town Manager Vosburg asked if there were any other discussions on the red initiatives.

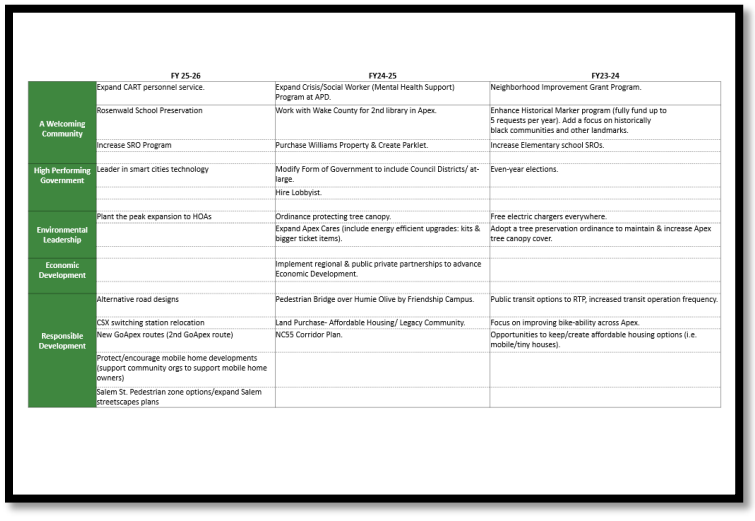
Councilmember Mahaffey asked about the status of the Rosenwald School. He said that they were unable to find a partner to accept the school, the owner was willing to give it up but there wasn't anyone willing to relocate it. He said that they were trying to avoid Apex doing this which would include zoning and adding more parkland.

Assistant Town Manager John said there was conversation with staff regarding the new library location and they did not want to go into details about location and are interested in having more conversations at the beginning of the year about a potential location and they are working together to bring the group back together to see what this will look like. She said it was the Friendship Community Committee who gave a presentation and they would bring everybody together at the beginning of the year once that acquisition had taken place and they would be more open about the location but this will be a joint project between the County and the town.

Councilmember Gantt said that a joint project between the County and the town would be awesome.

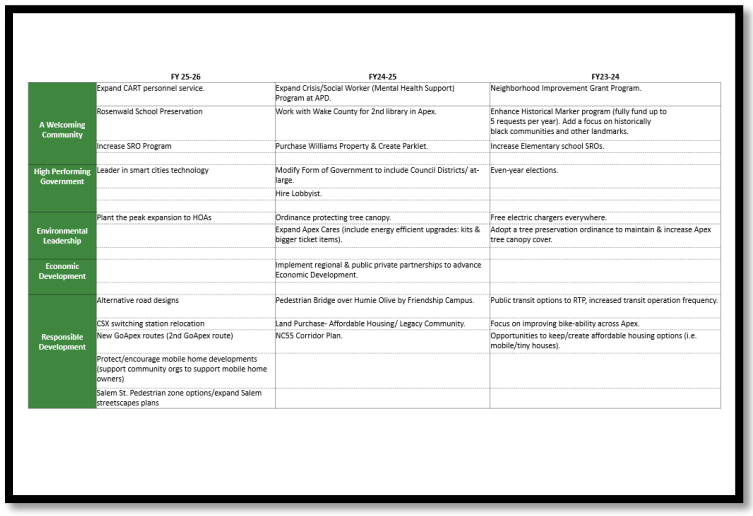
Town Manager Vosburg asked for any other discussions for the red initiatives. He asked staff if there were any questions for Council about the red initiatives. He will bring the red initiatives back for the February retreat.

[SLIDE 1]



	FY 25-26	FY24-25	FY23-24
A Welcoming Community	Expand CART personnel service.	Expand Crisis/Social Worker (Mental Health Support) Program at APD.	Neighborhood Improvement Grant Program.
	Rosenwald School Preservation	Work with Wake County for 2nd library in Apex.	Enhance Historical Marker program (fully fund up to 5 requests per year). Add a focus on historically black communities and other landmarks.
	Increase SRO Program	Purchase Williams Property & Create Parklet.	Increase Elementary school SROs.
High Performing Government	Leader in smart cities technology	Modify Form of Government to include Council Districts/ at-large.	Even-year elections.
		Hire Lobbyist.	
Environmental Leadership	Plant the peak expansion to HOAs	Ordinance protecting tree canopy.	Free electric chargers everywhere.
		Expand Apex Cares (include energy efficient upgrades: kits & bigger ticket items).	Adopt a tree preservation ordinance to maintain & increase Apex tree canopy cover.
Economic Development		Implement regional & public private partnerships to advance Economic Development.	
Responsible Development	Alternative road designs	Pedestrian Bridge over Humie Olive by Friendship Campus.	Public transit options to RTP, increased transit operation frequency.
	CSX switching station relocation	Land Purchase- Affordable Housing/ Legacy Community.	Focus on improving bike-ability across Apex.
	New GoApex routes (2nd GoApex route)	NC55 Corridor Plan.	Opportunities to keep/create affordable housing options (i.e. mobile/tiny houses).
	Protect/encourage mobile home developments (support community orgs to support mobile home owners)		
	Salem St. Pedestrian zone options/expand Salem streetscapes plans		

[SLIDE 2]



	FY 25-26	FY24-25	FY23-24
A Welcoming Community	Expand CART personnel service.	Expand Crisis/Social Worker (Mental Health Support) Program at APD.	Neighborhood Improvement Grant Program.
	Rosenwald School Preservation	Work with Wake County for 2nd library in Apex.	Enhance Historical Marker program (fully fund up to 5 requests per year). Add a focus on historically black communities and other landmarks.
	Increase SRO Program	Purchase Williams Property & Create Parklet.	Increase Elementary school SROs.
High Performing Government	Leader in smart cities technology	Modify Form of Government to include Council Districts/ at-large.	Even-year elections.
		Hire Lobbyist.	
Environmental Leadership	Plant the peak expansion to HOAs	Ordinance protecting tree canopy.	Free electric chargers everywhere.
		Expand Apex Cares (include energy efficient upgrades: kits & bigger ticket items).	Adopt a tree preservation ordinance to maintain & increase Apex tree canopy cover.
Economic Development		Implement regional & public private partnerships to advance Economic Development.	
Responsible Development	Alternative road designs	Pedestrian Bridge over Humie Olive by Friendship Campus.	Public transit options to RTP, increased transit operation frequency.
	CSX switching station relocation	Land Purchase- Affordable Housing/ Legacy Community.	Focus on improving bike-ability across Apex.
	New GoApex routes (2nd GoApex route)	NC55 Corridor Plan.	Opportunities to keep/create affordable housing options (i.e. mobile/tiny houses).
	Protect/encourage mobile home developments (support community orgs to support mobile home owners)		
	Salem St. Pedestrian zone options/expand Salem streetscapes plans		

[SLIDE 3]



Priorities

[ADJOURNMENT]

Mayor Pro Tempore Gray adjourned the meeting at **4:23 p.m.**

Jacques K. Gilbert
Mayor

Allen Coleman, CMC, NCCCC
Town Clerk to the Apex Town Council
Submitted for approval by Town Clerk Allen Coleman and approved on _____.

TOWN OF APEX
REGULAR TOWN COUNCIL MEETING
TUESDAY, OCTOBER 28, 2025
6:00 PM

The Apex Town Council met for a Regular Town Council Meeting on Tuesday, October 28th, 2025 at 6:00 PM in the Council Chambers at Apex Town Hall, located at 73 Hunter Street in Apex, North Carolina.

This meeting was open to the public. Members of the public were able to attend this meeting in-person or watch online via the livestream on the Town's YouTube Channel. The recording of this meeting can be viewed here:
https://www.youtube.com/watch?v=gwqBpH60WsY

[ATTENDANCE]

Elected Body
Mayor Jacques K. Gilbert (presiding)
Mayor Pro Tempore Ed Gray
Councilmember Audra Killingsworth
Councilmember Terry Mahaffey
Councilmember Brett Gantt
Councilmember Arno Zegerman

Town Staff
Town Manager Randy Vosburg
Assistant Town Manager Marty Stone
Assistant Town Manager Demetria John
Town Attorney Laurie Hohe
Town Clerk Allen Coleman
All other staff members will be identified appropriately below

[COMMENCEMENT]

Mayor Gilbert called the meeting to order and welcomed all who were in attendance and watching. He took a moment of silence. He invited Father Francis from Mary Magdalene Catholic Church. He then led all in attendance in the invocation. He said that there were 20 people signed up to speak and asked that they consolidate prior to the Public Forum if it was on the same topic to have an official spokesperson.

[CONSENT AGENDA]

A **motion** was made by **Councilmember Zegerman,** seconded by **Councilmember Gantt,** to approve the Consent Agenda as presented.

VOTE: UNANIMOUS (5-0)

CN1 Agreement - North Carolina Department of Transportation (NCDOT) - Relocation of Town Water Line on Olive Chapel Road Related to Reconstruction (over Beaver Creek) *(CONT-2025-406)*

Council voted to approve an agreement between the North Carolina Department of Transportation (NCDOT) and the Town of Apex related to the relocation of a 12" Ductile Iron Pipe (DIP) Water-Line on Olive Chapel Road associated with the roadway reconstruction project (over Beaver Creek), and authorize the Town Manager, or their designee, to execute on behalf of the Town.

CN2 Agreement Ratification - Forever Clean Portable Toilets - Provision of Two (2) Portable Toilets and Four (4) Yard Front Load Dumpsters - 5413 Shearon Harris Road - effective through June 30, 2026 *(CONT-2025-407)*

Council voted to ratify an oral agreement between Forever Clean Toilets, Inc. and the Town of Apex, to provide two (2) portable toilets and four (4) yard front load dumpsters at the Town of Apex Police Department Firing Range located at 5413 Shearon Harris Road, New Hill, NC 27562, effective through June 30, 2026, and to authorize the Town Manager, or their designee to execute on behalf of the Town.

CN3 Annexation No. 809 - 7421 Roberts Road - 1.25 acres *(RES-2025-059) AND (RES-2025-060)*

Council voted to adopt a Resolution Directing the Town Clerk to Investigate Petition Received, to accept the Certificate of Sufficiency by the Town Clerk, and to adopt a Resolution Setting the Date of a Public Hearing for November 13, 2025, on the Question of Annexation - Apex Town Council's intent to annex 1.25 acres, located at 7421 Roberts Road (PIN 0733-15-9049), Annexation No. 809, into the Town Corporate limits

CN4 Annexation No. 810 - 2928 Evans Road - 1.31 acres *(RES-2025-061) AND (RES-2025-062)*

Council voted to adopt a Resolution Directing the Town Clerk to Investigate Petition Received, to accept the Certificate of Sufficiency by the Town Clerk, and to adopt a Resolution Setting the Date of a Public Hearing for November 13, 2025, on the Question of Annexation - Apex Town Council's intent to annex 1.31 acres, located at 2928 Evans Road (PIN 0721-71-5592), Annexation No. 810, into the Town Corporate limits.

CN5 Annexation No. 811 - 7800 Secluded Acres - 5.70 acres *(RES-2025-063) AND (RES-2025-064)*

Council voted to adopt a Resolution Directing the Town Clerk to Investigate Petition Received, to accept the Certificate of Sufficiency by the Town Clerk, and to adopt a Resolution Setting the Date of a Public Hearing for November 13, 2025, on the Question of Annexation - Apex Town Council's intent to annex 5.70 acres, located at 7800 Secluded Acres (PIN 0723-72-6204), Annexation No. 811, into the Town Corporate limits.

CN6 Budget Ordinance Amendment No. 5 - Economic Development Incentive - Empire Distributors *(ORD-2025-073)*

Council voted to approve Budget Ordinance Amendment No. 5 appropriating funds for an existing economic development incentive agreement between the Town of Apex and Empire Distributors.

CN7 Council Meeting Minutes – Various

Council voted to approve Meeting Minutes from the following meetings:
August 23, 2022 – Regular Town Council Meeting Minutes
September 13, 2022 – Regular Town Council Meeting Minutes
September 27, 2022 – Regular Town Council Meeting Minutes
October 25, 2022 – Regular Town Council Meeting Minutes
August 28, 2025 – Community Town Hall Meeting Minutes
September 3, 2025 – Special Town Council Meeting – Evaluations
September 4, 2025 – Special Town Council Meeting – Evaluations
September 23, 2025 – Regular Town Council Meeting Minutes
October 15, 2025 – Special Town Council Meeting – Evaluations
October 16, 2025 - Special Town Council Meeting – Evaluations
October 23, 2025 – Community Town Hall Meeting Minutes

CN8 CSX Transportation Inc., - Authorize Project Initiation Form and Letter - Sidewalk Extensions Across Railroad Tracks - Center Street and East Chatham Street

Council voted to approve a New Project Initiation Form with CSX Transportation, Inc. and Town of Apex, for sidewalk extensions across the railroad tracks at Center Street and East Chatham Street, and to authorize the Town Manager, or their designee, to execute the New Project Initiation Form and associated documents on behalf of the Town.

CN9 Resolution – Road Closure on Portion of Walden Road – Set Public Hearing *(RES-2025-065)*

Council voted to approve a Resolution of Intent for the closure of a portion of Walden Road, located at the intersection with Evans Road to its terminus 0.34 miles (1,795 feet) North of its intersection with Evans Road, and set a Public Hearing for Tuesday, December 09, 2025, following the required 30-day public notice period.

[REGULAR MEETING AGENDA]

A **motion** was made by **Councilmember Killingsworth,** seconded by **Mayor Pro-Tempore Gray,** to set the Regular Meeting Agenda as presented.

VOTE: UNANIMOUS (5-0)

[UPDATES BY TOWN MANAGER]

Town Manager Vosburg gave the following updates:

Utilities Update: The next Council meeting will have robust information. New utility bill redesign is in progress, expected in a few billing cycles. Over 50% of call log addressed; Ask Apex now handles 85% of incoming calls. Average call response time is 1 minute, 9 seconds.

Data Center Project Timeline: Developer to resubmit rezoning on Nov 3rd and UDO amendments around that time frame.

- Technical Review Committee (TRC) review and comment on their Nov. 20th meeting.
- Joint Planning Board & Town Council Work Session on Jan. 22nd
- Second Neighborhood Meeting tentative for February with a Public Hearing Tentatively in March, and the schedule is subject to change.

Saunders Lot Project: Phase 2 opened this week and Phase 3 is under construction, anticipated completion by Nov. 7 (weather-dependent).

Mayor Gilbert asked if additional handicapped parking spaces would be added.

Town Manager Vosburg said that Phase 3 is where the handicap spaces will be because that's closest to the building.

Events & Activities: Ongoing fall events: scarecrows, spooky trails, classic concert series.
Veterans Day Ceremony on November 11th
Tree Lighting on December 5th
Christmas Parade on Dec. 6th
Early voting continues at John W. Brown Community Center on weekdays 11 a.m.–6 p.m., final day Saturday, November 1st, 8 a.m.–3 p.m.

Upcoming Town Council Meetings:
Nov. 13 (Thursday) – Regular meeting (moved due to Veterans Day).
Nov. 18 – Public Safety Work Session.
Dec. 3 – Organizational Meeting.
Dec. 9 – Final Council Meeting of the year.

[PRESENTATIONS]

PR1 Proclamation - American Indian Heritage Month - November 2025 *(PRO-2025-043)*

Mayor Gilbert, along with the Town Council, read the Proclamation for American Indian Heritage Month 2025. He invited Karen Lee, Rozanna Lindorfer, Sheila Morrison and JD Freeman to receive the proclamation and take pictures.

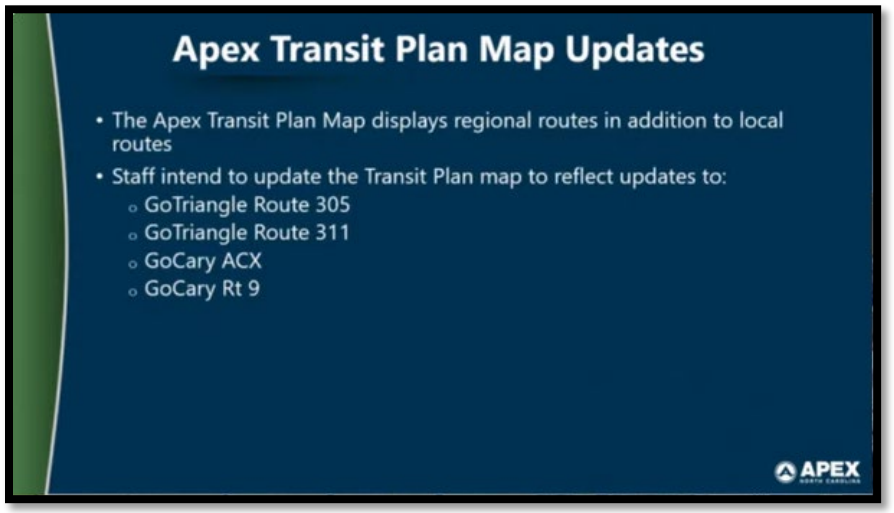
Ms. Lee thanked all on behalf of the Native Americans from the New Hill/Friendship Community for celebrating and recognizing their heritage.

Mr. Freeman also thanked all for recognizing the American Indians that live in North Carolina.

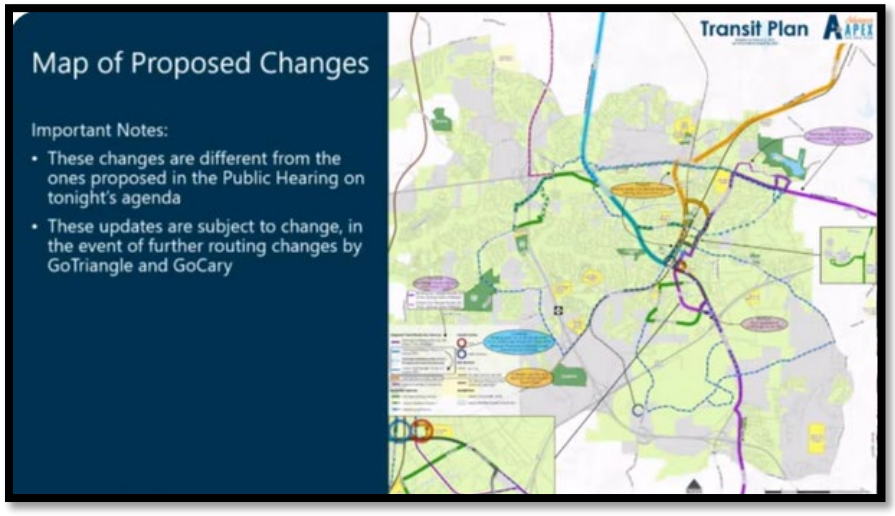
PR2 Transit Plan Map Amendments for Regional Routes – *Informational Only*

Katie Schwing, Senior Planner – Long Range Transit, Planning Department gave an update to the Transit Plan Map related to regional routes. She gave the following presentation:

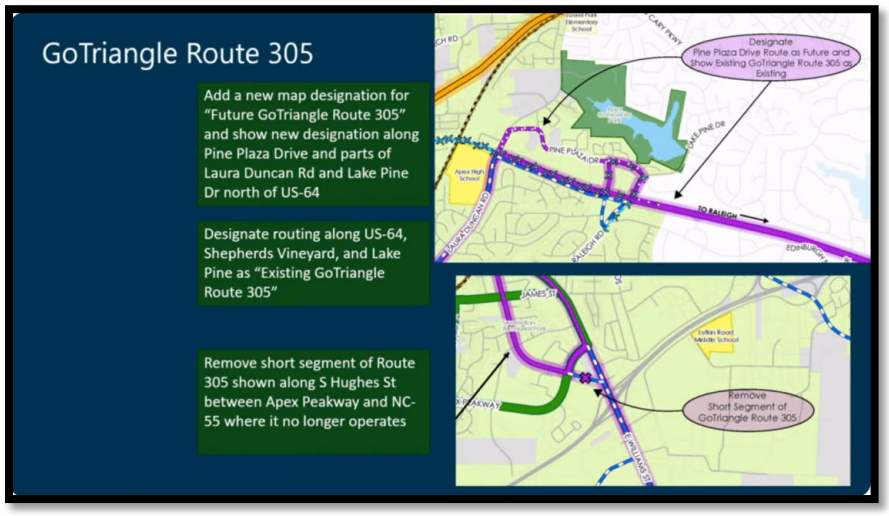
[SLIDE 1]



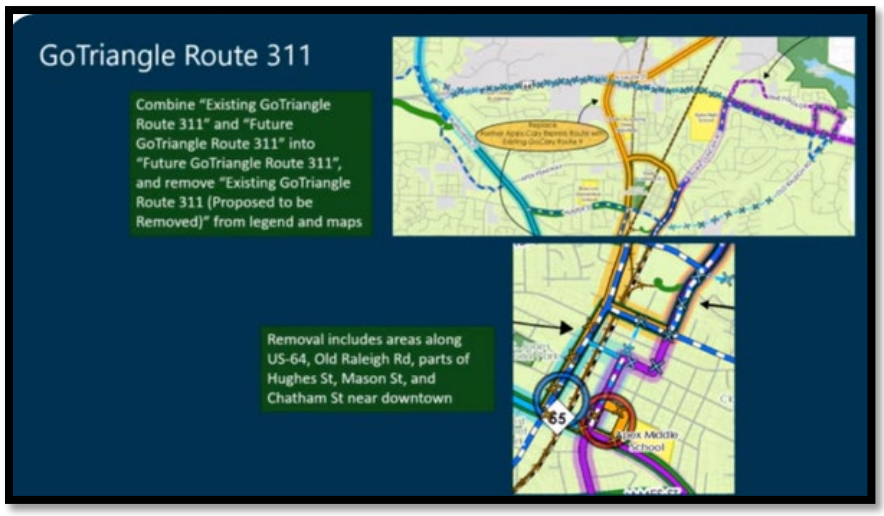
[SLIDE 2]



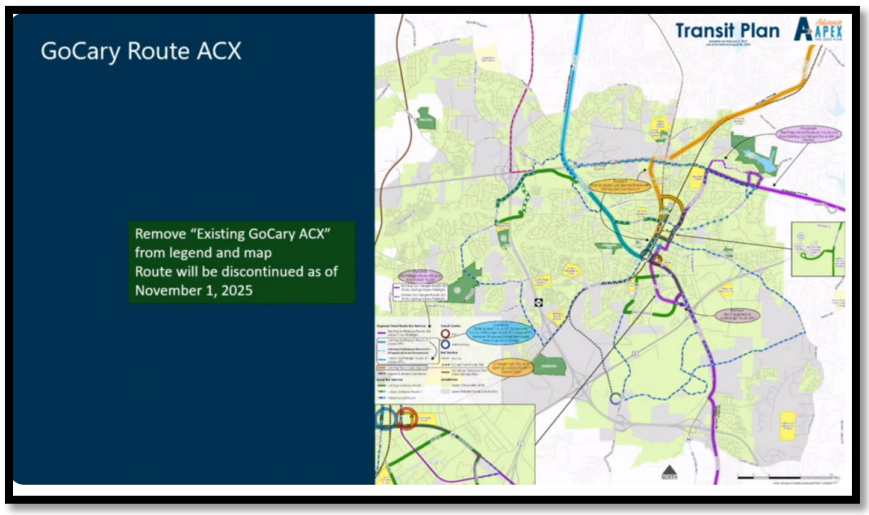
[SLIDE 3]



[SLIDE 4]



[SLIDE 5]



Councilmember Gantt asked for the frequencies and times for the ACX route.

Ms. Schwing gave an updated schedule and time of the ACX route and noted it goes to Downtown Cary.

[SLIDE 6]



[SLIDE 7]



[SLIDE 7]



Councilmember Zegerman asked if the future route 311 by Shepherd's Vineyard would go by the library.

Ms. Schwing said that route 311 would not go by the library, that it did several years ago went to the Shepherd's Vineyard bus stop, but it is currently proposed to go to downtown due to operational challenges.

Councilmember Zegerman asked if there would be a local route that would serve the library.

Ms. Schwing said that the local routes would be presented in the Public Hearing.

Councilmember Mahaffey said GoCary 9 was very valuable for residents to be able to be bussed from Downtown Apex and be in Cary in a half hour.

Mayor Pro-Tempore Gray said the ability to have daily transportation options was huge.

[PUBLIC FORUM]

Mayor Gilbert opened Public Forum and reminded speakers of repetitive comments, cheering and applauding because it is taking time away from their time. He called the first speaker.

First speaker was **Patrick Campbell** of 3717 Jordan Shires Drive, New Hill:

"I'm here today to represent the PWCC, specifically with regards to the data centers. I dropped off earlier our initial RevZero document that we are sending out. We will be releasing that to the planning boards for Apex, for the county commissioners, as well as emailing all of you. The request is very simple, very easy. We are requesting that the data centers need to be zoned under their own ordinance, under their own zoning. It is not fair to have light industrial obey ordinances meant for data centers. It's kind of like putting a

lemonade stand and using what you would use for tap station rules on a lemonade stand. The tap station is the data center; the lemonade is every other light industrial you have in the Town of Apex. Nothing compares power-wise, noise-wise, consumables, water, etc. With that said, given the time, what I'd like to do is I will come back to additional meetings to discuss points in this, that way my fellow citizens can have their own speech. Thank you so much."

Mayor Gilbert thanked the speaker and called the next speaker.

Next speaker was **Terry McDonell-Ganley** of 2549 Woodland Grant Drive, New Hill:

"So, for months I have sat here listening carefully to many intelligent and passionate residents share their concerns about the proposed data center. But one presentation in particular stays with me. It's that of a Raleigh Fire Captain who explained how ill-equipped Apex would be to handle a major emergency at such a facility. As a native New Yorker, I remember exactly where I was on 9/11. I remember the smoke. I remember the devastation and I remember the lives that were lost. So, hearing that fire captain speak brought all those memories rushing back to me. The idea that our community could face even a fraction of that kind of danger is completely unsettling. At a recent EPA meeting, one of the board members referenced those same safety concerns. So clearly, I wasn't the only one who took them seriously. That's why I was so disturbed when the developer's team chose to joke that they weren't the apocalypse. Well, there is nothing humorous about potential catastrophes and as Mr. Campbell just said, light industrial, as this proposal has been described, is not what we saw when the Natelli's presented, it was absolutely anything but light. To me, light industrial means responsible growth. It means projects that complement our community's values and vision. We already have incredible developments approved by you, a world-renowned children's hospital, an innovative higher education campus. Why not build on that momentum? Imagine a medical supply warehouse, some medical offices to support the doctors, a reasonably priced hotel, a Ronald McDonald House for families visiting those sick children, restaurants and retail for the neighbors, the workers at these facilities, and the students and I'm sure the students would like a Barnes & Noble and a Starbucks inside. That's the kind of thoughtful development that benefits Apex. Data centers, yes, they're necessary, but not here, not in New Hill. Not when the risk far outweighs the benefit. And when the Mayor visited recently to our little development and had a ribbon cutting, he reminded us that in his role, he represents the people, as does the Council in their elected official roles. Therefore, I am asking you to represent my little two-year-old grandson who lives less than a quarter of a mile from this land and his little friends and the safety of every child in those communities. They must come first. Their future deserves your collective protection. Finally, I want to thank the Town Council candidates who have taken the time to show up and listen, because that's what leadership looks like. So, let's choose safety, responsible growth, and a healthy future for the children. Let's not make hasty decisions with too many unknown

variables and too many unanswered questions, because irresponsible growth will be at the expense of the residents. Thank you."

Mayor Gilbert thanked the speaker and called the next speaker.

Next speaker was **Lee Howell** of 3514 Jordan Shires Drive, New Hill:

"I'm a mechanical engineer with over 20 years' experience in construction and facilities project management. For the last six years, I provided management oversight of a central utility plant. Our typical chiller loads were between 8,000 and 10,000 tons, with an annual cooling tower evaporation rate of around 38 million gallons per year. This pales in comparison to the proposed data center's water consumption. At the EAB, the developer stated that this facility could consume up to one million gallons of water per day. This is the equivalent to over 3,000 households' daily water use. Jordan and Falls Lake is a finite resource with an increasing number of households relying on it for their water needs. Even with the rains we received earlier this year, both lake shorelines are growing daily. The developer mentioned that they plan to utilize reclaimed water to offset potable water usage. The central plant that I managed added a reclaim system in 2019. With that came added risk and growing pains. Reclaim requires additional filtration and chemicals like biocides and bromamides for contaminants such as fecal coliform and to prevent algae formation in the cooling towers. These chemicals are extremely hazardous and require specialized on-site storage and containment to prevent a leak or spill from impacting the surrounding environment. Increased monitoring and treatment to ensure cooling towers are not forming Legionella was also required. Frequently, our demand for reclaim outpaced what the system could provide, requiring a switch over to potable water for cooling tower makeup. A data center this critical will have redundant reclaim and potable water feeds and will switch over to potable as needed. Due to cross-contamination issues, potable and reclaim systems are typically kept separate and very rarely operate concurrently. Chillers and cooling towers are also known to produce extremely low frequencies, or ELFs, through various components like fans, motors, and compressors. While audible noise pollution is typically the factor most are concerned with, ELFs have the potential to be just as hazardous to health and are more difficult to mitigate due to their wavelength and the location of equipment being on the roof, think of that low hum you might hear, that's ELFs. ELF research has demonstrated that they can disrupt sleep patterns, cause fatigue, stress, irritability, headaches, and increase the risk of cardiovascular disease. This data center is being proposed on a plot of land that is less than a mile from thousands of Apex households. It will be a large consumer of water and power, require on-site storage of multiple hazardous materials like diesel for generators, batteries for backup, and chemicals for water treatment. It will also generate noise pollution that has the potential to be detrimental to the health of surrounding residents. This is not a facility that should be located within such proximity to residential areas. I would ask that you consider the impact this data center will have on the community you serve. Thank you for your time."

Mayor Gilbert thanked the speaker and called the next speaker.

Next speaker was **Jason Worth** of 4304 Olive Branch Lane of New Hill:

"Actually, the data center's back corner of their property will back up to the actual end of our road where my daughters get on the bus every day, and if you've kind of looked at that area, the map, the topographical maps of where the data center is supposed to be located, you have both water drains downhill. So, most of your water will end up draining down through our road into Jordan Lake and if you look at the other back side of it, it actually will drain off into Sharon Harris Lake. I'm sixth-generation North Carolina. My wife is fourth-generation New Hill, and we're kind of concerned about it. I mean, we love North Carolina. I've sat here and I've watched a bunch of these meetings, I've looked at your environmental plans, looked at all your planning you've done, and I haven't really seen a lot of anything to do with runoff. You've got a large center with a lot of impervious surface that's going to have a ton of runoff. Where's that runoff going to go? Our homes down our road are all well water. So, at what point in time does our well water come into consideration? And if something happens to our aquifer, then who remediates it? The data center, the Town of Apex, the county? And at what point, what do you do? We don't want town water. We don't want city water, no offense. That's one of the reasons we moved to the country. We enjoy it out there. We like it. We've enjoyed it and the other point of reference I'd like to make is with that road being there, Old US 1 is going to take heavy traffic coming in and out during construction. So, I'll have a 13-year-old daughter and an 11-year-old daughter standing 20 feet from the edge of the road where school buses get passed anyway. So now, I mean, it's already a busy highway so, what's going to be done about that? Is anybody even concerned about the additional amount of traffic? And as we all know, Old US 1 is a train wreck at this point. You can go down that road and good luck not hitting a pothole, good luck not tearing your front end up. I own a landscaping company. We come out with trucks and trailers. We take about $6,000 worth a year in fixing our trucks and trailers, and most of it is shocks and frame repair work from going up and down Old US 1. I just really don't see how it's beneficial. You're trying to put a large industrial area between your two largest bodies of water, and all the water that's going to go through that place has to drain to somewhere. Last thing I'm going to say is you can ignore reality, but you can't really ignore the consequences of reality. At some point, we're going to have to deal with the consequences of this place, whether it's now or later down the road, and I'd really prefer not to be later down the road. Thank you."

Mayor Gilbert thanked the speaker and called the next speaker.

Next speaker was **Derek O'Neill** of 3329 Bordwell Lane, New Hill:

"I'm a cloud engineer. I work and I live in New Hill, right next to where the data center is going to be and I wanted to approach this from a slightly different perspective. There's a big elephant in the room when it comes to data center construction. It's called AI. I'm sure everyone's heard of it. The economics of AI, people will want you to believe are difficult to understand. They're not. On one hand, you have machines that produce words, images, videos and on the other hand, you have people and companies that pay for those words, images, and videos. The reality of the situation is that the AI industry is right now spending on operational costs and depreciation alone, conservatively, $220 billion a year. On the other hand, the total amount of money that's coming from people buying those words, images, and videos is $20 billion a year. The only reason these investments are going forward is because people believe, or have been tricked into believing, that somehow AI revenues are going to more than 10x over the course of the next five years, which is the expected lifespan of the infrastructure they're building right now, the computers and the switching hardware and whatnot. Meanwhile, I'm sure some of you have come across the very public AI studies that have come out. You have MIT telling us that only 5% of AI rollouts meet their revenue targets and we've seen very public failures in the form of Klarna, which attempted to fire its entire customer service staff, replace with AI, and immediately had to claw that back. We've all seen the TikToks from Taco Bell where people try and order from the AI order takers and they get a thousand cups of water. Taco Bell had to pull that back and so what I'm trying to explain is that the economics of this situation mathematically guarantee that the level of money being spent on infrastructure development cannot continue and when it falls apart, which it will, we are going to be left with an absolute glut of data center infrastructure that has been built in townships just like this one across the country, and a dearth of people willing to spend the money to occupy those data centers and I don't want Apex to be one of the places that has a stranded asset that isn't doing the township any good in terms of revenue but is forming a drain on resources and a danger to our environment. There are investments we can make here that are safer for the environment, that are more acceptable to the people who live here, and that are safer investment revenue-wise in the future. Thank you so much for the time."

Mayor Gilbert thanked the speaker and called the next speaker.

Next speaker was **Sultan Salahudeen** of 2836 Landon Bridge Drive of New Hill:

"Good evening, Mr. Mayor and the Council members. I'm going to take one quote from our EAB meeting that happened two weeks ago and then try and dissect it into three parts and then see if there is a story around it. The developer and the representative mentioned they are going to use one million gallons a day of water. One-third will be evaporated, two-thirds will be sent back to the facility sewer facility. So now let's take a moment to understand where we get this water, so these one million gallons of reclaimed

water they are talking about, the Town of Apex takes water from Jordan Lake, it goes to the homes, and from there to the sewer plant, and from there we're planning to send it to the data center. That's what the developer is proposing. Let's talk about that one-third of the water that will be evaporated. What does that actually mean? So, if you go to slide number six, on average, let's do the math, you send one million gallons of water, one-third is evaporated. If you run that loop the way the developer mentioned for three days, you're losing one million gallons of water. In a year, you will lose 120 million gallons of water evaporated. That has a significant impact on the environment and other aspects. So, let's talk about the legalities here. What do we do? Actually, the reclaimed water from the facility, the town's obligation is to send it back to Cape Fear River, right? So, if we don't send that 122 million gallons of water, is that going to have an impact? Is there going to be a legal case against the town from our downstream towns like Fayetteville, Wilmington? We have seen this in the past. So, is that going to happen? That's something we'll have to keep in mind. Now let's talk about the river. The river is helping the downstream towns, plus there are natural habitats that live around the river. Let's say if the water is reduced, is that going to have an impact on the natural or living beings that are around the river? That's a question we should ask. We are at a time globally where there are organizations working to preserve water and save rivers, and this project is exactly opposite to what globally people are marching around. Let's talk about the last point. Two-thirds of the water will be returned to the facility. So now, once the pure water is evaporated, it's going to have a lot of chemicals. I think our friend Lee Hall, a neighbor, spoke about it, those chemicals. Does the data center facility have the capacity to clean it before it goes to the reclamation center? We don't know. I did not see a plan or a sewage treatment plan that was presented the other day. All right, so now let's take a minute. Let's say if the reclamation water is not approved, are they going to tap into the potable water? That's the question we should leave."

Mayor Gilbert thanked the speaker and called the next speaker.

Next speaker was **Devin Hedge** of 1003 Inglenook Place:

"Good evening, Mayor Gilbert, members of the Apex Town Council, and my fellow citizens. I serve on an HOA board, but I'm speaking for myself this evening. I had to put that disclaimer in there. But I'm also a founder, as of March of this year, and CEO of Calatory LLC. It's an energy technology company designing environmentally sound systems specifically for AI data centers. The theme is not this data center, not yet. Grid dependency. Two weeks ago, I was at the North Carolina Renewables Energy Association conference, and it was very clear that this was a theme across the board, and also, Duke Energy's latest 2025 plan had just dropped, and I felt like I was at a funeral. Duke Energy's latest carbon plan extends the life of three coal-fired plants through the 2030s and even 2040 to buy time for future generation capacity. This means any new grid-dependent facility will be powered partly by coal for at least a decade. They openly said the grid does not have clean capacity for an AI-class data

center of this size. They've already said that they won't be ready for this data center until 2028. If you line up the two timelines, that means they will be using these coal-fired plants, plus have to pull in new investment for the transmission lines to even get electricity to this data center. Somebody's got to pay for that. The developer has proposed multiple ownership and operating structures, which you probably don't know or may know. A lot of people don't know. There's a game to this business. What happens is the developer shows up, they build the first stage. We saw in the EAB a lot of contradictory statements where they said closed system and then use water reclamation, those are actually two different things. Why the discrepancy? It's because this builder probably doesn't even know what will actually get built. And we should be cognizant of that."

Mayor Gilbert thanked the speaker and called the next speaker.

Next speaker was **Ralph Ripper** of 3818 Jordan Shores Drive of New Hill:

"I'm the Raleigh Fire Captain. I just wanted to flesh out some of the things that I talked about last time with regard to how to fight a data center fire in such a large building. There are a lot of buildings in any town, in any municipality, that are so large it's impractical or impossible to just show up with enough trucks and water to put them out. That's not how it works. Surround and drown, try to keep it from spreading and limit it. That's the best that we can do. I tried to do some calculations on fire flow requirements for a building close to what they're proposing. It's something like sixty pumpers running at a thousand gallons a minute. It's ridiculous. There's no way we can do that. I've been to a couple of fires, one in downtown Raleigh. It was a five-story apartment building under construction, so the sprinklers weren't active yet, no way we could put that out. So, we just let it burn, turned around, sprayed water at the other buildings that it set on fire and that's our best option. The building, of course, will have a sprinkler system, probably not water. It'll probably be gas chemicals that displace the oxygen and that'll be the system set up to prevent a fire in a facility like this and that's good if it works, but if you watch the news, you know it doesn't always work. So that's where the fire department comes in. I did some looking at the sixteen-inch main that runs from the new tower that's being built at Pleasant Park, that's five miles away. Currently, the closest hydrant to this is right across the street at the water reclamation plant, and I think that's an eight-inch main and the sixteen-inch main stops at the entrance to Jordan Pointe, that would have to be extended, but it's still a dead-end main. If it comes down to this location, and that's where it's going to stop, and we want a loop, we want a grid so that we've got water coming from different directions, not just from one pipe. That one pipe, that's putting all your eggs in one basket. That's an expensive proposition, and it's probably not going to happen for something like this, we're going to end up with that main. So basically, what I'm saying is there's no way to put this out once it gets to a certain size. We've got to deal with the environmental disaster that that's going to cause. It's going to be thousands of gallons a minute from all these fire trucks washing through a chemical minefield and then into the river. So that's just something

we've got to think about and I'll probably be back with more facts also. Have a good night. Thank you."

Mayor Gilbert thanked the speaker and called the next speaker.

Next speaker was **David Pfeiffer** of 8909 Wever Crossing Road:

"So, good evening, Mayor Gilbert, Town Council, staff, and neighbors. I'd like to communicate my thoughts about the EAB meeting on October 16th concerning the New Hill Digital Campus. I was very disappointed in the information gathered by the board, the level of details provided by Mr. Natelli and his team, and the zoning conditions proposed by the EAB. The design and build of a data center are driven by the collaboration between the developer and the end user. At this point in our process, the end user is not defined. The final design needs the end user input for specifications of multiple systems required to have a performing data center. These systems comprise the actual computing resources, the servers, the networking equipment, routers, switches, cabling, and the storage systems to store and manage the data. Those three components need to have some level of tech component upgrade and replacement. Those servers aren't going to last ten years. The routers aren't going to last ten years. That's a lot of machinery, electronics that have to be recycled. Other data center structures are the power infrastructure, that's the main power center, backup generators, lithium-ion batteries, the fire suppression systems which were just spoken to, they include a gas-based system to minimize water damage to the equipment. I don't know what kind of environmental impact those gases have. Infrastructure for the environmental controls to maintain optimal operation conditions includes the cooling system defining the waterline loop of the Western Wake Regional Facility, the hot and cold air aisle containment within the facility itself. All these systems can contribute to the environmental impact of the data center. Without the details defined by the collaboration between the developer and the end user, the EAB did not have enough information to provide detailed zoning conditions. The EAB did propose a list of twenty specific zoning conditions, they covered landscaping and setbacks, sound attenuation requirements and testing, exterior lighting, Tier 4 generators, transportation improvements, design and build of the reclaimed water systems. Although these zoning conditions are appropriate, they do not address all the environmental impacts of the data center systems I just mentioned. With the limited information available, provided by Mr. Natelli and team, the EAB could not provide an adequate assessment of the environmental impact and needed zoning conditions to mitigate that impact. The EAB should have deferred the vote on the zoning conditions until the end user and the developer defined the data center specifications. Thank you."

Mayor Gilbert thanked the speaker and called the next speaker.

Next speaker was **Dr. Michelle Hoffner O'Connor** of 2664 Jordan Point Blvd of New Hill:

"So, I think it's a little refreshing to hear thirty minutes of truth as opposed to the ninety minutes of lies the developer told two weeks ago. But I'm not going to talk about that, I'm actually going to talk about the EAB itself. I have served on boards like the EAB, the bottom tier that provides non-binding recommendations in a multi-step decision-making process. I, alongside my fellow board members, were told in no uncertain terms by the committee that sat above us that they were not obligated to consider our votes or opinions and they could initiate measures without our input. The joke was on them in 2018 because the top tier denied their recommendations without our input, but we managed to get what we were seeking forward and approved with coalition building and cooperation. That took a lot of effort, but we did manage to raise the money to increase mental health counselors available at Psychological Services at UNC. Why am I sharing this? Because after the EAB meeting, I was told Planning doesn't listen to us anyway, because the EAB chose to move forward with the vote immediately after undermining their credibility by saying we don't have enough information because I clearly have no relationship with Planning and not enough passion to push for what they recommend to become reality. How can anyone in this room believe in the process when they clearly don't? I commend the chair, and Katie Schaff, and several others who asked good questions, but much of this board lacks the fortitude to go the distance on behalf of the Town of Apex. Mayor Gilbert, I urge you to speak with this committee. I ask you to evaluate their commitment and passion for their roles and if you don't believe they're up for the job, please ask for their resignation. Please, because there are plenty of people willing to serve in their place who will serve with passion. The correct decision that night was not yes or no, but to table to ensure all information was available to at least try to maximize the environmentally related recommendations within the town's purview for this application. Instead, they punted, and that's a shame. I personally agree with Katie Schaff, there is no number of recommendations that can feasibly bring the data center here without significant harm to our community. I hope tonight serves as a reminder to all of you, especially the next time you listen to the developer try to sell you on the pretty picture that will never align with reality. Thank you."

Mayor Gilbert thanked the speaker and called the next speaker.

Next speaker was **John Barnshaw** of 2426 Castleburg Drive:

"I'm wearing blue because I'm here to talk about another issue. This evening, I wish to speak on behalf of twenty-five members of the Charleston Village community in opposition to a proposed bike path, on June 23rd, Parks, Recreation, and Cultural Resources staff posted

signage requesting removal of jumps built in the open space in the Charleston Village neighborhood along the North Beaver Creek Greenway. Youth residents presented a request to allow them to develop plans and create an official bike track in the area during a public comment period on August 12th, 2025. On October 21st last week, a town council work session was held, and during this session, bike tracks were discussed and an additional engagement session was requested to solicit additional input from the Charleston Village Community. While we appreciate the value of safe recreation, this proposal raises serious concerns about the long-term sustainability of the area, due process, and precedents which the town might have to address later. Earlier today, I had the opportunity to speak with Town Council Clerk Allen Coleman and Craig Setzer, Director of Parks, Recreation, and Cultural Resources. Now I see why they always use PRCR, makes a lot of sense. Our conversations were productive and we all agreed that there was an opportunity for all parties to improve communication between the City of Apex and the Charleston Village Community. We also shared a commitment to engage in not just some parties initially interested in the issue but actively engage all members of the community and a larger share of Charleston Village residents, which we believe will aid the Mayor and the Town Council. Second, I wish to express public comment on behalf of the other residents of Charleston Village that many are not in favor of the bike paths moving forward in these areas. Many residents are grateful for the opportunity that we have to have asphalt already paved in these ecologically sensitive areas, and we support the mayor's initiative to have these youth in our community engage in the building of bike paths in a much larger area designated near the skate park in Apex. We believe this area would allow for greater space and more inclusive opportunities for the community, broader and beyond Charleston Village. I thank you very much for your time and attention to this matter."

Mayor Gilbert thanked the speaker. He noted that there was five minutes left in the allotted Public Forum time with 8 speaker still remaining, and asked Council their preference on how to proceed.

Several speakers originally signed up yielded their time so others could speak.

Next speaker was **Dr. Rasheeda Monroe** of 334 Lovely Circle:

"I'm a Wake County pediatrician and affordable housing advocate and Board member of the Raleigh Area Land Trust and a resident of the town of Apex, 334 Lovely Circle. Thank you for the opportunity to speak with you all tonight. I work with children in Wake County who come from low-resource communities and whose families struggle to afford safe and high-quality housing. We call housing one of the social drivers of health, or SDOH. SDOH includes where you live, learn, work, and play. It's the access that you have to high-quality housing, high-quality jobs and education, green spaces, healthy foods, and fresh air. Children in low-resource communities have poor access to these social drivers of health, and particularly to affordable housing. I like to call affordable housing the cornerstone of the social drivers of

health. Without it, social drivers are nearly impossible to achieve. If a family is overpaying on their housing costs, they're less likely to have enough money for healthy foods, recreational activities, free time, and important quality-of-life measures that others may enjoy. These families are more likely to have parents who work multiple jobs to make ends meet, meaning that children are sometimes left without appropriate supervision to be able to go outside to run and play or stay after school to participate in school activities and sports. The trickle-down effect of paying too much for housing impacts every aspect of life. Parents are overstressed, and we know that stress really works like a toxic chemical in the body. It increases the likelihood of chronic diseases like heart disease, diabetes, high blood pressure, and mental health problems. These families are more likely to be living in older, low-quality, overcrowded housing with exposure to toxic chemicals from industrial plants and indoor allergens like mold, cockroaches, and mice. These factors increase the rates of allergies and asthma in children living in low-quality housing. Children who live in low-quality housing are more likely to have asthma, they're more likely to have severe asthma, they're more likely to be hospitalized for asthma, and they're more likely to die from asthma. I'd like to take a couple of minutes to tell you the story of a patient of mine. We'll call him Max. Max's story is common in the clinic where I work with children and families from low financial resource areas. Max is eight years old. He has asthma. His mother works in our health care system as a medical assistant; she has a second job in the evenings to make ends meet. In order to work within the health care system, she has to live close enough to our health care facility, but her rent is very expensive. She overpays for her small apartment, which is older, and has complained many times to the landlord about black mold on some walls and there are cockroaches and despite many attempts, she is unable to remediate them. Max has asthma that is hard to control and is further exacerbated by exposures inside and outside the home, as they live near an industrial power plant expelling toxins into his environment. He has asthma flares frequently throughout the year, for which he needs to see his pediatrician. He requires additional medications, and a few times a year, he has been hospitalized for his severe asthma. His flares cause missed days from school and work for his mother and a further loss of income. Max often goes to school sleepy and unable to effectively learn as a result of being up at night coughing, one of the most common symptoms of pediatric asthma. At school, he chooses to sit and chat during recess instead of running and playing with the other eight-year-old boys because exercise causes him to have shortness of breath and wheezing. He has only a few friends due to his inability to participate in the most popular recess activities for eight-year-old boys, which are tag and soccer. The stress from working two jobs and having a child with chronic disease causes Max's mom to choose an unhealthy coping mechanism of smoking cigarettes, but it is her stress reliever. She only smokes outside the home because she knows it can trigger Max's asthma, yet the smell from her clothing still makes him cough and wheeze. What if Max's mom had access to high-quality, affordable housing, housing she could pay for with one job that allowed her to afford the more expensive and more effective medicines that Max needed to treat his severe asthma? What if she could live in safe, high-quality housing free of the allergens that caused Max's asthma to flare? What if she didn't have to work two jobs and had more time to spend with Max, letting

him play outside in fresh air and green spaces? How much healthier and richer could their lives be? I believe it's a wonderful opportunity that we have as leaders and advocates in this community to ensure our neighbors have access to high-quality, affordable housing that lets their families thrive. There are highly effective models of partnerships between health care systems, community land trusts, and developers that set aside a portion of developments for those making less than the area median income and the benefits are universal as lower-wage health care workers and essential workers have access to live close to their places of employment at reasonable rates, and health care systems are able to recruit and retain necessary workers to retain their systems and support their communities. I will continue to support affordable housing initiatives and look forward to working with the Council to support these initiatives that will help our communities thrive. Thank you."

Mayor Gilbert thanked the speaker and called the next speaker.

Next speaker was **Elizabeth Stitt** of 3113 Friendship Road:

"Mayor, council, good evening. So, there's been some interesting conversations on social media in the last couple of days, and I wanted to bring up the Apex Development Report. It is one of my all-time favorite publications that the town produces. So, for the people who are watching and, in the audience, if you don't know about this report, it is produced every month. It's on Apex's website, and it lists all the development that's occurring. It tells our population. It gives a whole host of things that, if you want to understand what's happening in this community month by month, this is a great report. So, the reason why I brought it up was I saw some data on Facebook using population data from 2023, and I just wanted to share, make sure everybody had a copy of September's and I've got handouts if anybody would like it, but our current population is estimated at 82,446. This is the number produced by the town of Apex. It's slightly more than what was in the budget document a couple months ago. And this report says that approximately 665 residents have moved here in the last couple months. And then it goes on, if you go a little further back and look at the residential projects, it says we have 4,944 units under construction. Apex typically plans on 2.83 people per unit, and that's going to add 13,991 people to our community, and if these are under construction, I'm guessing it's probably 12, 24 months, maybe 36 months depending on the type of building. So, where there's conversation about, hey, our community the growth is slowing down, it's only temporary because things slowed down during COVID. You couldn't build. And so, with this number of units, we really need to have a good-faith conversation, not cherry-pick numbers to say, hey, you know, it was slow for a couple years because of COVID. We all understand that, but it's going to rebound, and so, when you add those 13,000 people, we're going to have 96,437 in total people in Apex. So, I'm not quite sure where we're putting 14,000, but I did want to call out real quickly that right across from the data center is Gracewood that's being built and based on the number of units literally across the street, that's going to house approximately 1,260 individuals. Those families and

those children need to be made aware of what's potentially coming across the road so they can make decisions if they don't want to live there. Thank you."

Mayor Gilbert thanked the speaker and called the next speaker.

Next speaker was **Dr. Tracy Taylor** of 2004 Baysdale Lane:

"Good evening, Mayor Gilbert, Town Council members and staff. My name is Dr. Tracy Taylor, and I live at 2004 Baysdale Lane, and I am here tonight to attempt to reclaim my reputation after my character and integrity were publicly impugned at the September 9th Apex Town Council meeting. I was appointed to the Apex Board of Adjustment by Mayor Olive in 2018 and reappointed by Mayor Gilbert, and I have faithfully served every day since. I did the job selflessly and willingly, declining any offered compensation. My sole focus was to serve the people of my community. Tonight, I find myself in the unenviable position of having to defend myself against defamatory remarks made publicly by Mr. Gantt, while the rest of the council, with the exception of Mayor Gilbert, sat collectively silent when Mr. Gantt delivered his derogatory, inaccurate remarks. So, let's set the record straight. At the Town Council meeting on September 9th, Mr. Gantt, you had the audacity to state or infer that after reviewing July 2023 Board of Adjustment transcripts, you determined that I was biased toward and supported the residents of Courtyards on Holt, that I encouraged them to be disrespectful to town staff, and that in my November 2023 speech to Town Council, I publicly reiterated my support for the residents who you said acted inappropriately toward town staff. None of this is true. Show me those transcripts or my Town Council presentation where I displayed this bias or where I encouraged citizens to be disrespectful to town employees. You can't, because no such transcripts exist. Do not conflate my November 2023 speech to Town Council with speeches from Courtyards on Holt residents. In my speech, I requested a future UDO that would provide Board of Adjustment members a separate attorney to advise on procedure and process during quasi-judicial hearings, because it appeared to me to be a conflict to have the same attorney represent the town and the Board of Adjustment, particularly when litigation is threatened. Mr. Gantt, if my actions in November 2023 were so disqualifying, why did you and the rest of the Town Council vote to remove Vice Chair Brian Johnson in January 2024 and keep me on the Board of Adjustment? Why was I unanimously voted Board of Adjustment Vice Chair one month later if my actions were so egregious? Mr. Gantt, you and your fellow Town Council members waited almost two years to register your hard-no disapproval of my supposed actions. Your remarks and defamatory statements impugning my integrity may be consequential. I have maintained a steadfast focus on evidence and the truth. I maintained that ethos throughout my time on the Board of Adjustment. I am profoundly insulted by the remarks directed at me. I will always seek the truth and base my decisions on the truth and its supporting evidence. Thank you."

Mayor Gilbert thanked the speaker and called the next speaker.

Next speaker was **Barbara Collins** of 901 Norwood Lane:

"I've been here many times before, and I think most of you know me, and I care deeply about rezoning because once zoned, that is a commitment to the community that we know what the zoning is, and so every time we rezone, you're taking the work that's happened in the past and bringing it into the future, which is different than what we wanted. So that's my view of rezoning. I am not going to talk about clarifying zoning. I'm not going to talk about fire problems and safety. I'm not going to talk about water use. I'm not going to talk about noise, runoff, or a stranded site. Here's what I'm going to say instead. How many of us went to college where we had a typewriter? Okay. Never envisioning there would not be anything to replace that in the future. I had an electric typewriter. That was an innovation, right? We are at the typewriter stage of data centers. Best available technology has not yet come to fruition. That's why I'm not going to talk about all those things because you already know them. All the information you need to make a decision has already been delivered to you and to the rest of us with the great work of our neighbors. Thank you. So, I do want to say this. Where has it worked well? What is the example of a well-working data center of this size and scope? I don't have that information. I hope you do. I wanted to say who cares about a lawsuit? It wouldn't be me, because it's worth it to me to spend two million, three million, five million dollars, whatever it takes to get out of this. It's going to cost us more than that to go forward. So, if you want to think about the economy of it, I think it is in favor of no. And the final thing I want to say is this, not now, maybe someday. But until best available technology takes care of pollution, noise, lights, accidents, fire, we're not ready. No one is ready. That's what I came to say here with my trusty assistant, who's learning this process and thank you very much for coming with me, little Princess Charlotte. All right. Thank you very much."

Mayor Gilbert thanked the speaker and called the next speaker.

Next speaker was **Andrew Gluck** of Walden Creek:

"I don't know if you remember I was here two months ago. I asked you all to do something about writing to the State, to the appropriate people, about getting sound barriers put up in the area of 540. My question is, has it been done? If anybody can answer those questions, and why hasn't anybody."

Councilmember Gantt asked if they follow up with NCDOT after the presentation.

Town Manager Vosburg said that they did reach out to DOT and asked them to address that in their presentation before the board, and they did speak to that.

Mayor Gilbert said that they could go over it with Mr. Gluck after the meeting.

Mr. Gluck said thank you. And what did they, did they get any recording?

Councilmember Gantt said the criteria is the time when your neighborhood was built versus when the road was built

Mr. Gluck said okay, they have other times done them afterwards and they have put sound barriers up. He said they were the first area to get the road, and for some reason they did not see fit to put them in, they're very easy to add. He asked why they were not added afterward.

Mayor Gilbert said someone from staff contact will contact him after the meeting, probably tomorrow.

Mr. Gluck said he would leave his phone number with the Clerk.

Mayor Gilbert thanked the speaker and called the next speaker.

Next speaker was **Nick Bryant** 123 New Dover Road downtown business owner:

"I won't take my three minutes either. Mayor, council, I wanted to go ahead and tell you ahead of time the Saunders lot is looking great, and we're all very excited about it. However, I don't want to put the cart in front of the horse to say. That being said, we were told August. It's now approaching November, might as well be November, and I don't expect that it's going to be done by August at this point. That being said, the Salem Streetscape is starting in January, and whatever timeline you guys are going to tell us, whether it be nine months, you know, that's the preliminary number that I've heard, I'd really like a better job holding contractors to that or the town to that. This is our livelihood. Regardless of what everyone thinks, we are not rolling in the money downtown. We are regular people trying to make a living, and we have to make a budget too. So, with Salem Streetscape coming up, please be aware of that. Thank you."

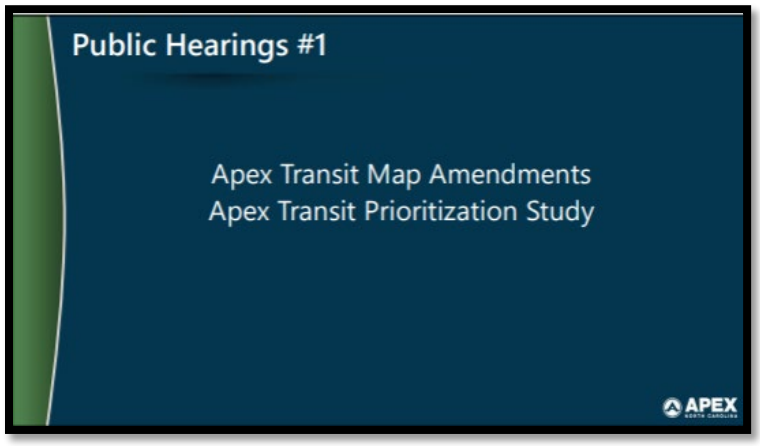
Mayor Gilbert requested a 10-minute recess at **7:24 p.m.**

[PUBLIC HEARINGS]

PH1 Apex Transit Plan Map Amendments - Apex Transit Prioritization Study

Katie Schwing, Senior Planner – Long Range Transit, Planning Department gave the following presentation:

[SLIDE 1]



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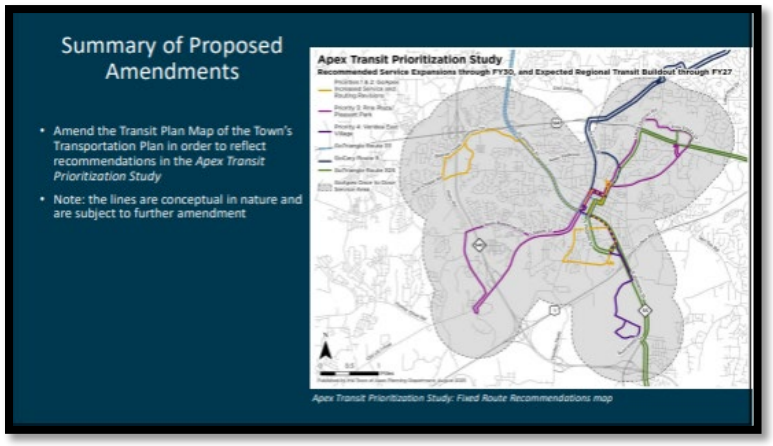

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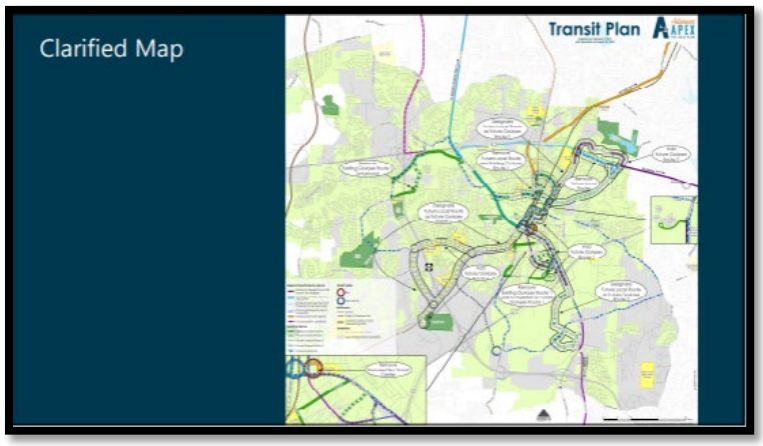


[SLIDE 4]



Councilmember Gantt asked if the enhanced bus stop structure could be moved.

Ms. Schwing said that they can be moved, the concrete is poured into place but the shelter and benches can be moved.

Councilmember Zegerman asked if it would be moved to Hughes Street and still have a bus stop at Cambridge Village.

Ms. Schwing said that is the idea but it's still concept at this time and there isn't a final location decided, but if this route is chosen there will need an additional couple of more stops.

Councilmember Zegerman asked if there was any intention of moving to a bus stop at Cambridge Village.

Ms. Schwing said correct, but it could be across the street.

Councilmember Killingsworth asked if that means that seniors have to walk across the street.

Ms. Schwing said the way route works in this area is that it only goes in one direction, so, if the route goes down Perry Road to Hughes instead of Peakway, it would be across the street from Cambridge Village.

Councilmember Gantt said that there are trade-offs and Stone Glenn is a very popular stop.

Councilmember Killingsworth said it is different from having able-bodied adults crossing and then having seniors crossing the street and suggested to think through that.

Ms. Schwing said that the Council can make specific recommendations.

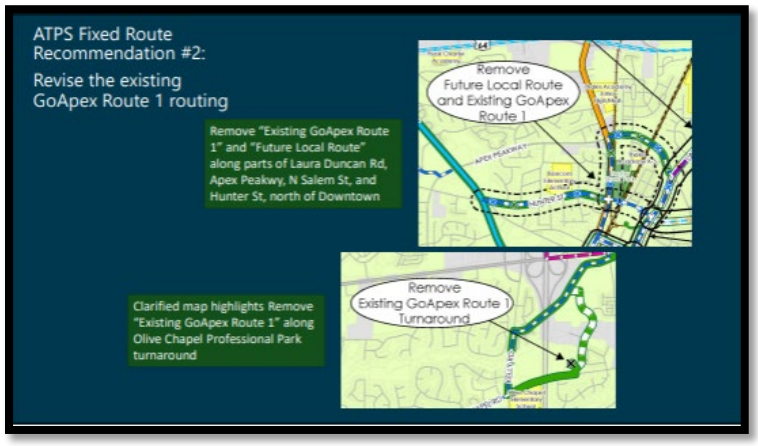
Councilmember Gantt said to clarify, there is data on the usage of each stop with the current route one.

Ms. Schwing said that is correct.

Councilmember Gantt said that could inform a future decision from the usage data.

Ms. Schwing said that that is also shared by GoTriangle, so they could ask for that information as well.

[SLIDE 5]



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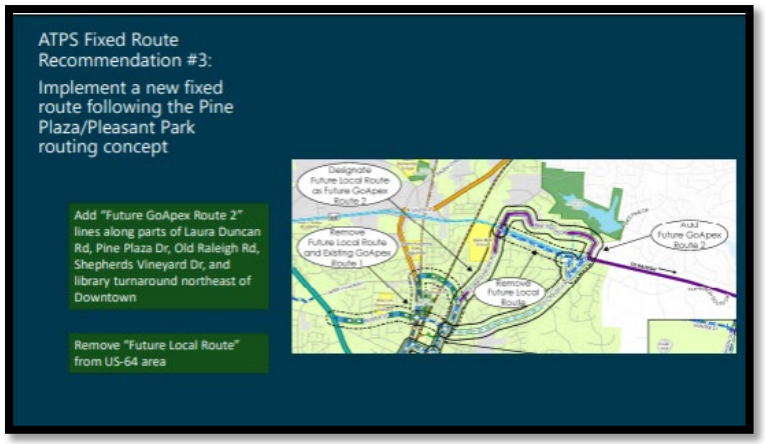

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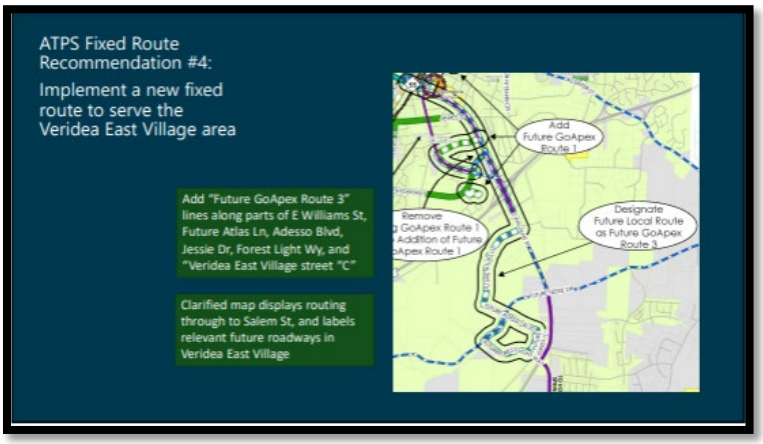
[SLIDE 8]



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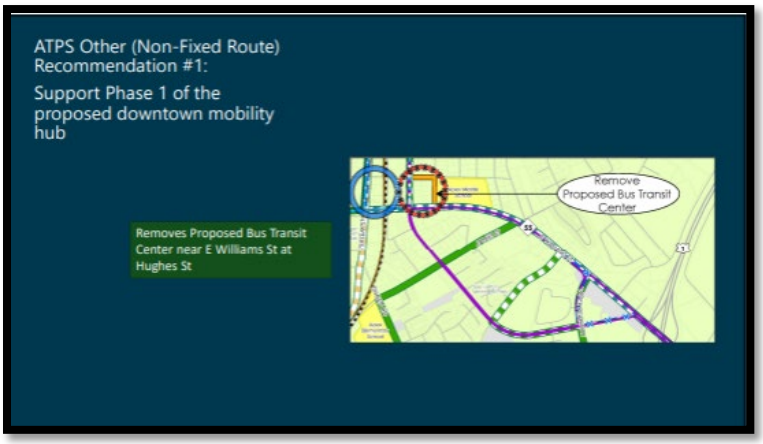


[SLIDE 10]



[SLIDE 11]



Councilmember Zegerman asked Ms. Schwing to speak to the future local routes.

Ms. Schwing said those have existed since the approval of the Advance Apex Plan in 2019 that were shown as just conceptual in nature and have been there prior to GoApex route one starting. She gave an overview of why they are still on the map and possibly still being considered in the future for long-term transit plan.

Councilmember Zegerman said that it could be the route that might connect GoApex 3 to the hospital and that there needs to be some public transit connection from the loop area that stops at the east end of the Veridia development to where the hospital is located.

Ms. Schwing said that there is not a short-term plan for that yet but will continue to go through the comprehensive plan update.

Councilmember Gantt said that Cary and a lot of transit areas have trended toward a hub and spoke type model rather than large loop models because people want to get from one place to another and not the longer routes and it reflects the trend that the long loops may go away.

Councilmember Zegerman said that the hospital sites should stay in the forefront.

Councilmember Gantt said that it is his understanding that some enhanced transits for the hospital area are a high staff priority.

[SLIDE 12]



[SLIDE 13]



With no questions, **Mayor Gilbert** opened up Public Hearing and with no one signed up to speak, he closed Public Hearing.

Councilmember Zegerman asked if the motion could be a split vote because he wasn't in favor of the Cambridge Village adjustments, although the adjustments make sense, he was not comfortable with it.

Councilmember Killingsworth said that it needs to be thought about more and revisited. She was concerned about people crossing in the lanes of traffic and it would be more difficult to cross to get to the bus stop.

Councilmember Gantt asked if Stone Glen was also seniors only.

Councilmember Killingsworth said it was not. She said it would be very useful for Stone Glen, but it wouldn't be worth the risk of having seniors need to cross the road to access it.

Councilmember Zegerman said it may make sense once the utilization data is looked at for that site, but he was not comfortable at this time approving the proposed change.

A **motion** was made by **Councilmember Gantt** and seconded **by Councilmember Zegerman** to approve the Apex Transit Plan Map Amendments, excluding the amendment regarding the route serving Cambridge Village and Stone Glen.

VOTE: UNANIMOUS (5-0)

A **motion** was made by **Councilmember Gantt** to approve the Apex Transit Plan Map Amendment regarding the route serving Cambridge Village and Stone Glen

Councilmember Mahaffey said that it was his thought that if this was approved, it would be put on the plan as proposed to be removed, and it would give them the opportunity to gather more usage data before actually implementing any of the changes from the plan.

Ms. Schwing said that if it was approved it would show as proposed to be removed and there would be additional public input and staff could do further research. She said that if it isn't the direction the Council wants to go in they could just not include this and not pursue the change, but the idea was to serve affordable housing, including potential future additional affordable housing and it could help with getting certain funding sources for affordable housing. She said there was not any intent for safety concerns, but if Council felt those were not worth the trade-off that would be okay for staff.

Councilmember Zegerman said that he didn't want to kill this option and he knew that there an affordable housing community along Hughes Street that should be served but he would like a solution for the Cambridge Village residents if they used the bus service. He said that if this is being approved for future conversation and resident input, he would be ok with moving the motion.

Councilmember Killingsworth said that she would be ok with that as well but wants more conversation and data points prior to implementing the route.

Mayor Pro-Tempore Gray gave clarification that this is to propose the route in order to get more data points.

There was discussion on how route one ran in the proposal.

Councilmember Zegerman asked if they wanted a solution on the precise route at this meeting or to just give staff guidance.

Mayor Gilbert said that let staff decide with guidance from the Council.

Councilmember Gantt said that there may be substantially more ridership with Stone Glenn and the future affordable housing.

Clerk's Note: Councilmember Gantt's previous motion is restated below for clarity, and was seconded following the additional conversation.

A **motion** was made by **Councilmember Gantt** and seconded **by Councilmember Zegerman** to approve the Apex Transit Plan Map Amendments regarding Cambridge Village and Stone Glen

VOTE: UNANIMOUS (5-0)

PH2 Unified Development Ordinance (UDO) Amendments- October 2025

Bruce Venable, Planner II, Planning Department gave high level information with the following presentation:

[SLIDE 1]

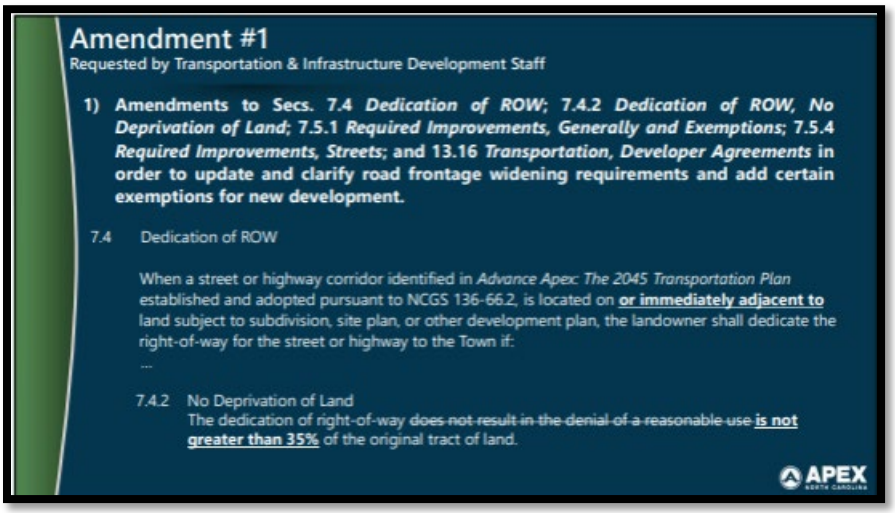


Councilmember Gantt asked if there had been discussion to reduce the cost for housing units for EV chargers ready vs. installing the chargers directly.

Mr. Venable said that it could be possibly, they are exploring all options for this now.

Councilmember Gantt said that in the future affordable housing residents will have EVs due to them becoming cheaper than gasoline engines.

[SLIDE 2]



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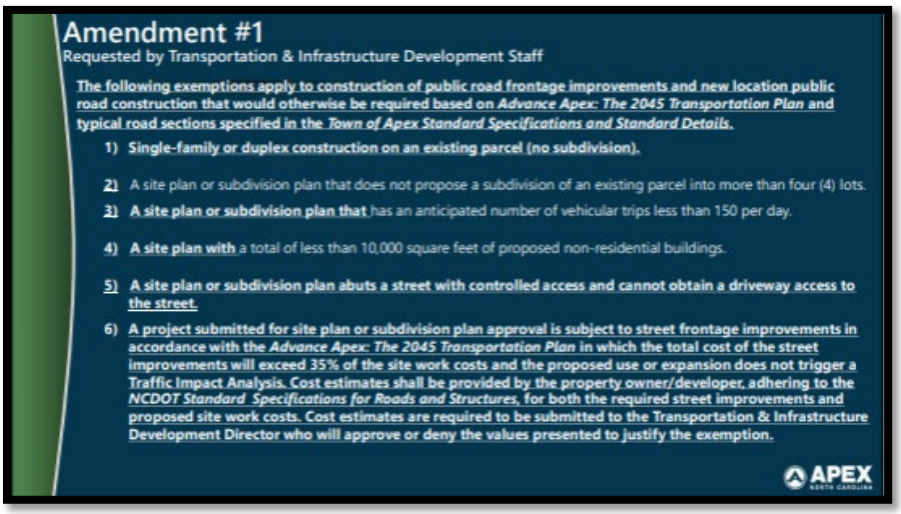

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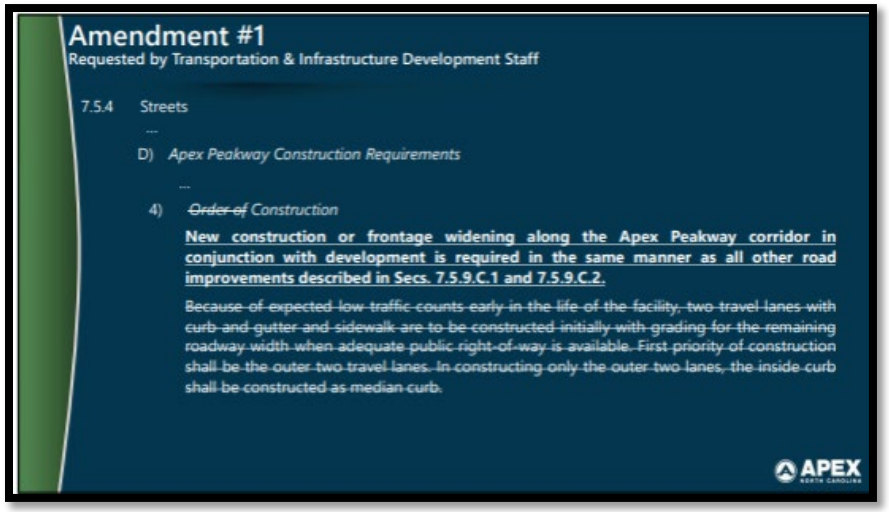

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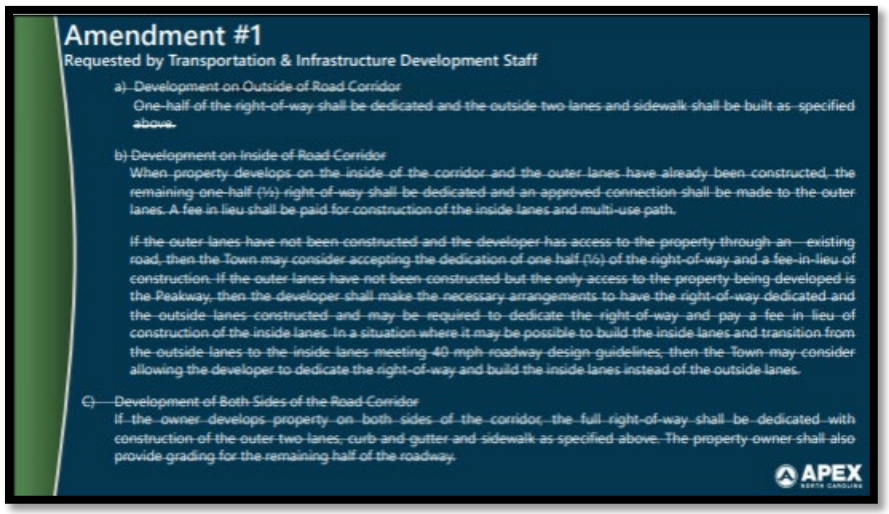

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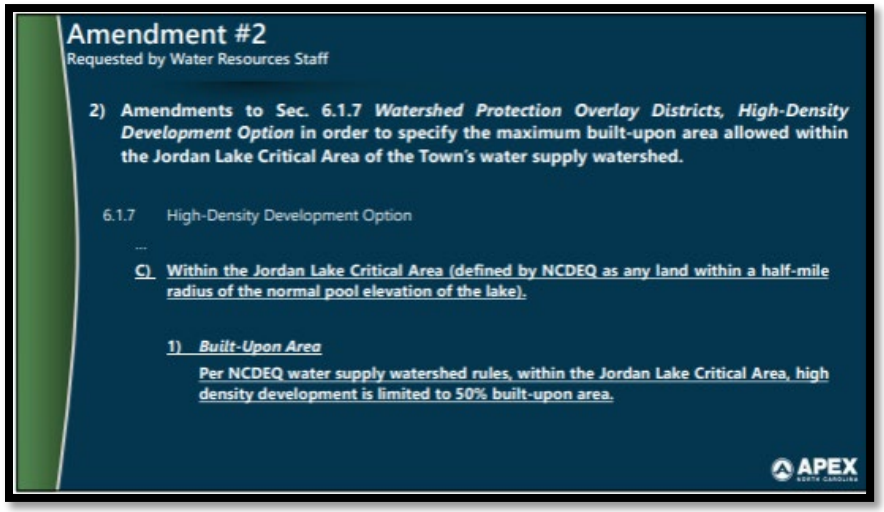

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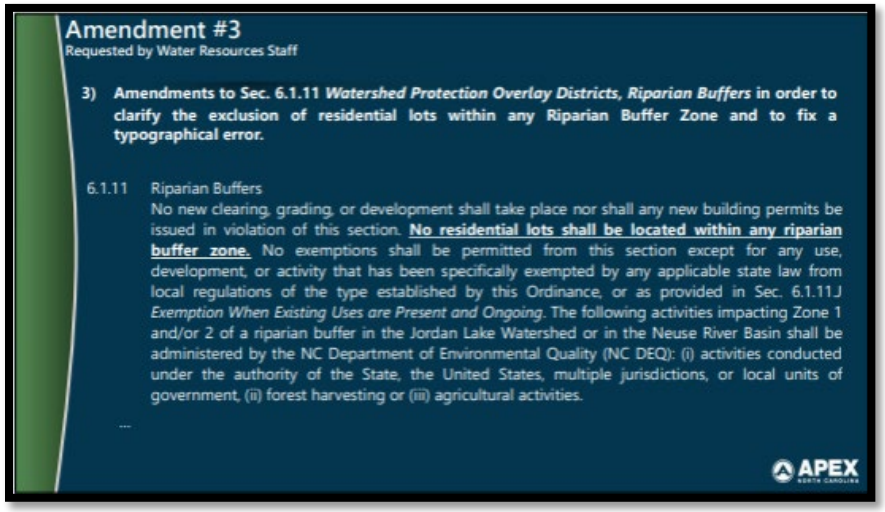

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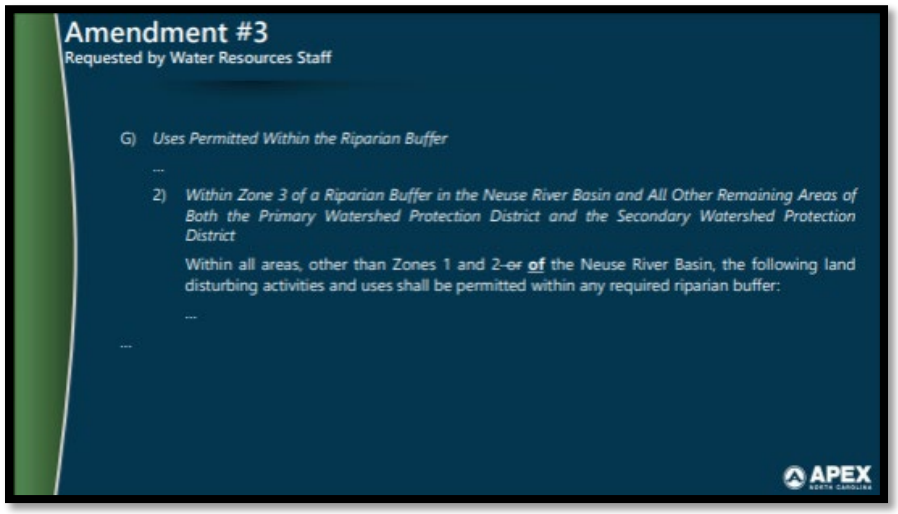

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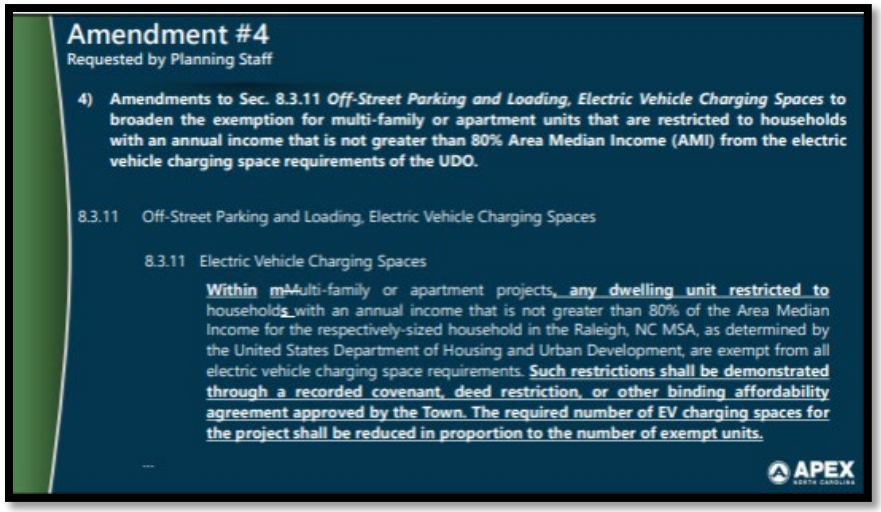

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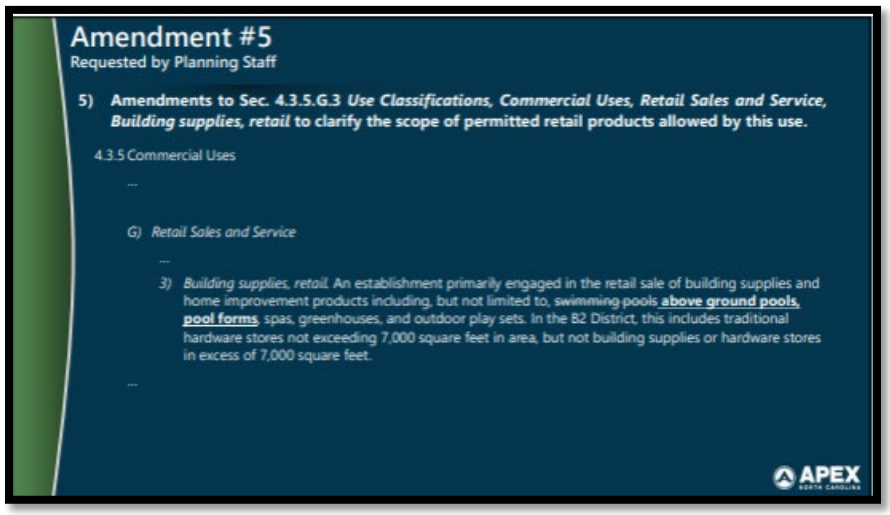

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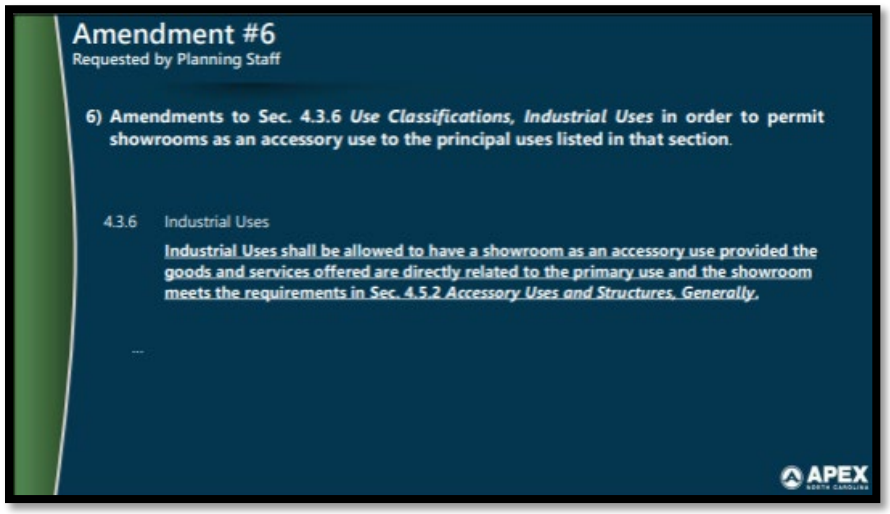

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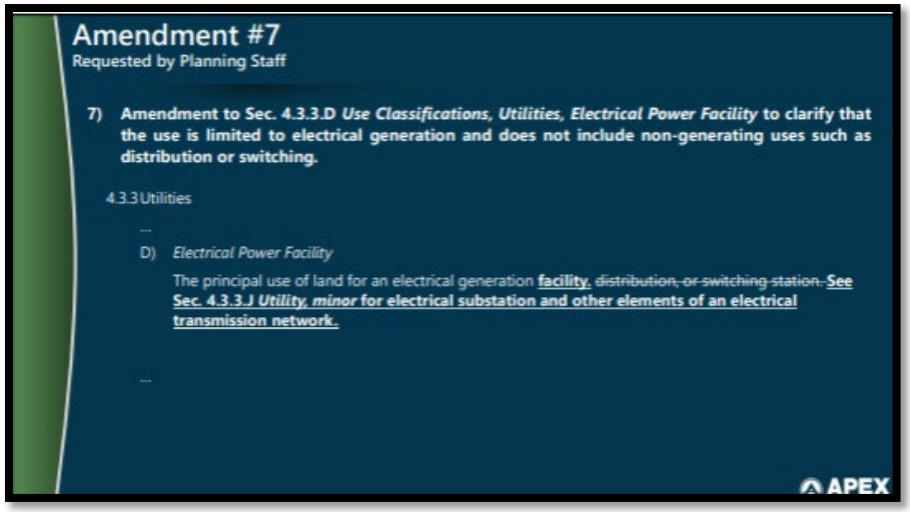

Mr. Venable asked if there were any questions.

Councilmember Killingsworth referenced Amendment #1 and asked specifically about the fee in lieu and why it was three years and if this is funded or non-funded projects.

Mr. Venable said that Chris Johnson with the Transportation Infrastructure Department would be able to give more information.

Director Johnson said that this is the number that is used in other jurisdictions across Wake County and this is how three years were decided.

Councilmember Killingsworth asked that given the different variations in pricing that have been for funding projects, would there be enough fees in lieu to pay for this project.

Director Johnson said that the fee in lieu would be paid at the time of the project but there would be a review of any cost estimate they provide to include everything that would be part of the project. He gave an overview of why the fee in lieu is added.

Councilmember Mahaffey said that this had gone to the Planning Committee and asked Director Johnson to highlight any changes that have been made since that meeting. He specifically asked about the language about 35%, exemption #6.

Director Johnson said that the language wasn't changed and staff would prefer to have a figure to provide a level of clarity and the 35% was from what other municipalities use.

Councilmember Mahaffey said that it is 35% and doesn't need a TIA, so it would only be for small projects.

Councilmember Gantt said to be clear this is not necessarily for rezoning that this is for site plans.

Director Johnson said that anything zoning would be handled by conditions.

Councilmember Mahaffey said the intention and the concern was that there wasn't required offsite or adjacent streets being improved. He said 7-4 speaks of dedicating the right-of-way and if it is dedicated it has to be improved unless exemptions apply.

Director Johnson said that some of that language was in the UDO and some of these things are currently being asked by staff to do, this was added to be clearer.

Councilmember Gantt said that there were lessons learned and this language codifies some of the criteria and better practices.

Director Johnson said some of the examples there were reasons beyond the UDO and it was more related to environmental impacts.

Councilmember Gantt said but if they get right-of-way that is often the most expensive and hardest part.

Director Johnson said they included easement as well because it is typically an additional impact and that would be covered as well.

Councilmember Mahaffey asked how exemptions for environmental impacts are given with the current conditions listed in 7.5.1.

Director Johnson said if they were unable to get a permit from the Corps of Engineers or DEQ then staff would look at providing an exemption for fee-in-lieu.

Councilmember Mahaffey said that he did not see that language in the UDO.

Director Johnson said that they could add the language but would have to see if is already covered elsewhere.

Councilmember Gantt said that there must be some language currently in there that addresses this given an example where frontage improvement did not occur which was an environmental feature.

Director Johnson said that they could add a number 7 to cover environment.

Councilmember Mahaffey said that if Mr. Johnson felt that it was necessary to add this, he could bring it back in the future.

Mayor Gilbert opened up Public Hearing and called the speaker.

First speaker was **Dawn Cozzolino** of 3632 Bosco Road:

"Good evening, Town Council, Mayor. Dawn Cozzolino, 3632 Bosco Road, proudly on well water in Wake County. The amendments on tonight's agenda—they were really quickly went through. It went over my head, and remember, you can defer, okay? Any voting, particularly what's concerning the 7.4 right-of-way dedication, required improvements, and developer agreements, which could allow burdens on Wake County property owners outside Apex corporate limits while bypassing adjacent developer parcels. Under North Carolina law, any taking or forced dedication of private property must serve a genuine public use and benefit, not simply accelerate private development or shift burdens unfairly to landowners who have little voice in the process. When you look at the broader context, including the Peak Plan 2055 Task Force, the intent of those amendments becomes more concerning. The task force was appointed in September 2025, not elected, and its reach extends beyond Apex corporate limits. Yet the New Hill Friendship area has only one representative out of twelve appointed, despite being heavily affected. Our community has already gone on record for many years through prior planning, Town Council meetings, open house planning events, and written communications to oppose key transportation and development proposals affecting our area. To remind you of our community's long-standing commitment, we submitted the Friendship and New Hill Conservation Overlay District petition and proposal that was sent to the Planning staff and to Town Council last year. It reflects our land use priorities and clearly states our opposition to unrepresentative expansions. Part of tonight's UDO amendments address issues already raised in last year's overlay district petition, yet they are being advanced without formal acknowledgment or community input and with potential impacts on property owners. This statement constitutes formal notice to the Town of Apex that the New Hill unincorporated area of Wake County and the Friendship ETJ community formally oppose the portions of the proposed UDO amendments that impact our area. The basis for this opposition, established in last year's overlay district petition, expressly encompasses the amendments under consideration tonight. For the record, under NCGS 160D-406, which guarantees public notice and an opportunity to be heard before local government action, this statement serves as our formal notice of opposition. Thank you."

Mayor Gilbert thanked the speaker and closed Public Hearing. He brought the item back for discussion and a possible motion.

A **motion** was made by **Councilmember Gantt** and seconded by **Councilmember Killingsworth** to approve the Unified Development Ordinance (UDO) Amendments-October 2025 with the removal of the proposed amendment to 8.3.11.

VOTE: UNANIMOUS (5-0)

[UNFINISHED BUSINESS]

UB1 Rezoning Case No. 24CZ10 - Ashburn PUD - Continued from September 23, 2025

Joshua Killian, Planner II, Planning Department gave an update of the proposed changes in the following presentation:

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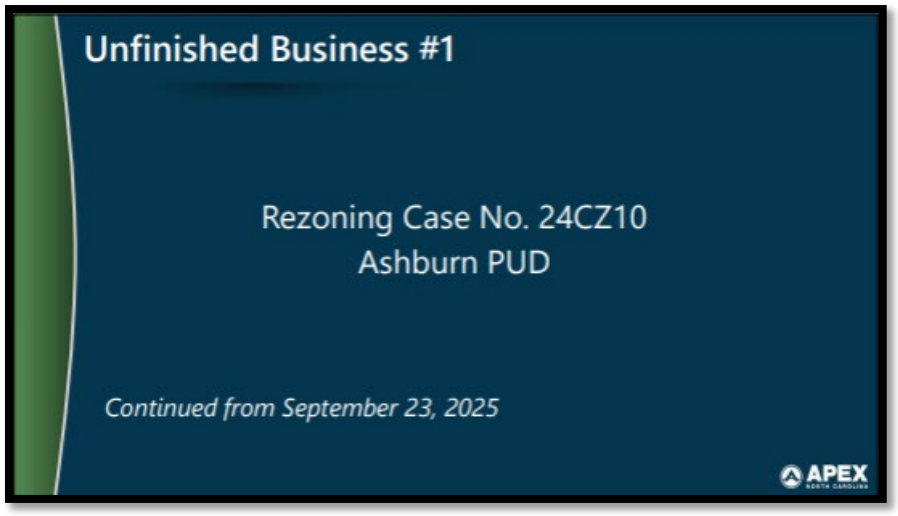

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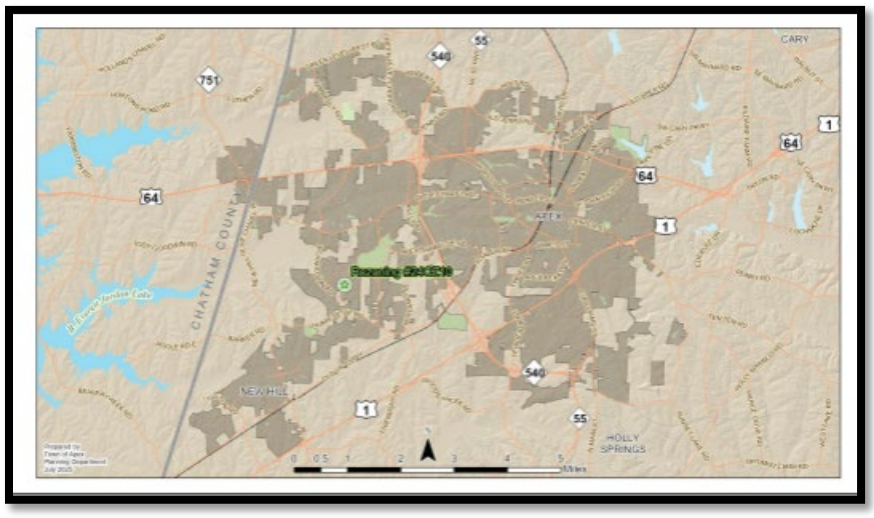

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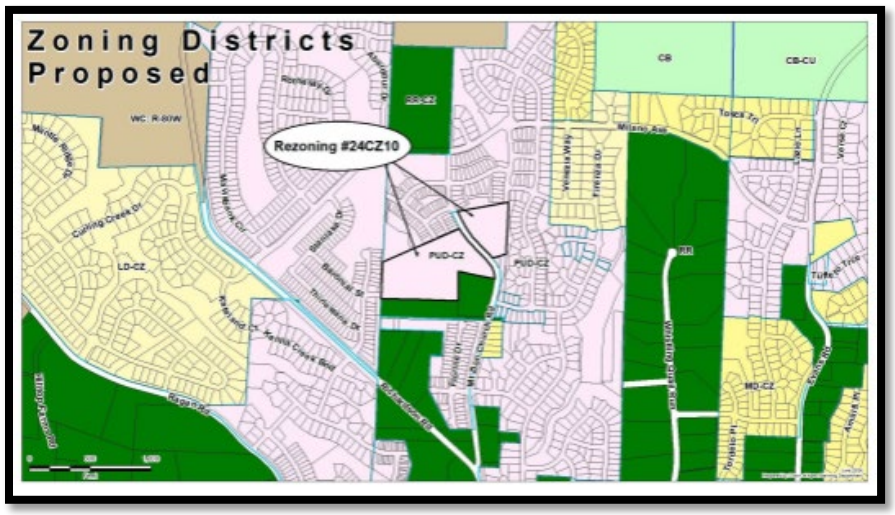

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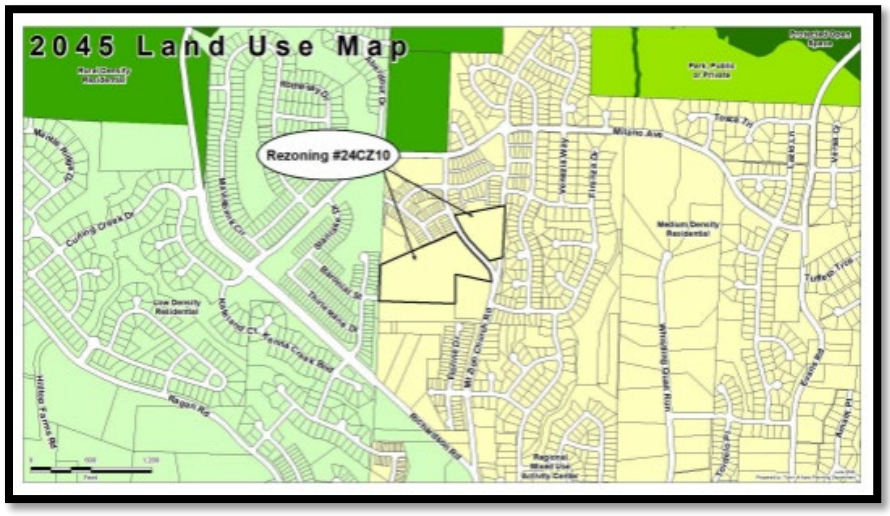

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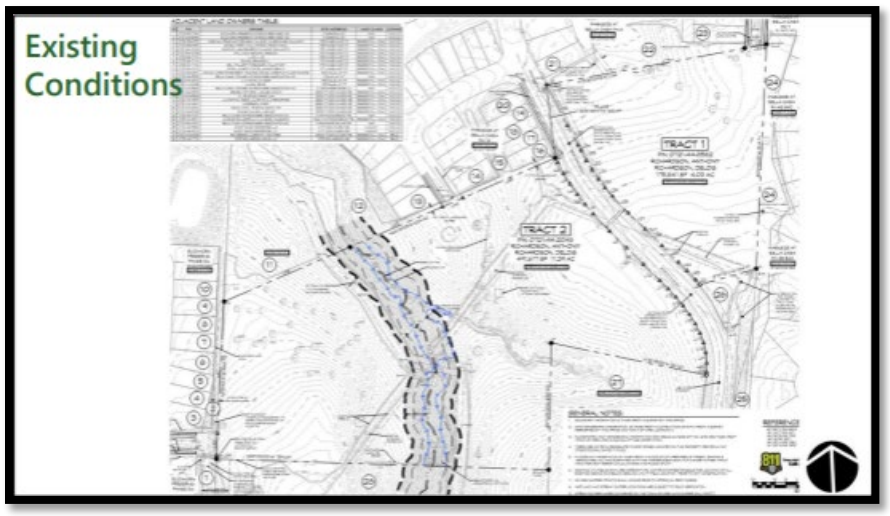

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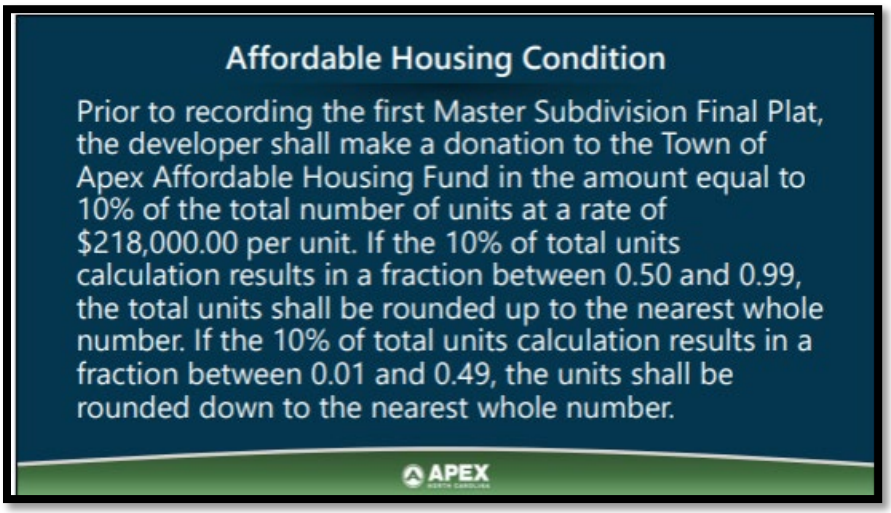


[SLIDE 13]

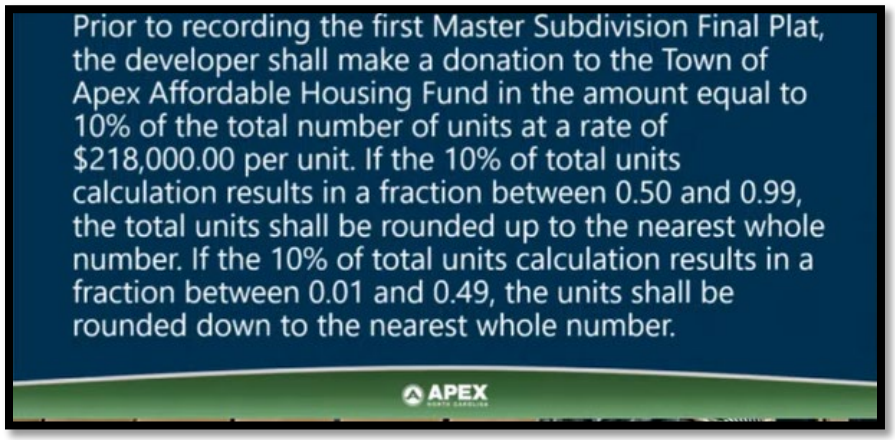


Mr. Killian asked if there were any questions or concerns:

Town Manager Vosburg asked for Assistant Town Manager, Demetria John, to speak on the housing piece.

Assistant Town Manager John gave a handout that provided additional information supporting Housing staff's recommendation. She said it gave a comparison overview between on-site affordable housing units and accepting a fee in lieu of the Town's Affordable Housing incentive zoning policy. She listed out some key details in the table.

[SLIDE 1]



Assistant Town Manager John asked if there were any questions.

Councilmember Zegerman asked for an explanation of the statement about eight times more units available town wide, he said that it seemed like a lot of units and how that works with a million and a half in funding.

Assistant Town Manager John said that if the town is partnering with nonprofit partners there could possibly be uses for those funds with a downpayment assistance program. She said that it could also be used for land acquisitions under the community land trust and further use it for gap financing for developers and infrastructure on Hughes Street.

Councilmember Killingsworth said that it is her understanding that there is a 55 plus affordable housing community that will be asking for gap financing and this would be able to fill that gap.

Assistant Town Manager John said that this was particularly for this rezoning case.

Mayor Pro-Tempore Gray said that there is preference for units but appreciated the ability to make an investment into the community land trust and be able to assist some that are looking for a little assistance for applications including the 55 and over community. He said he wanted to make sure that units were always more preferable to money.

Assistant Town Manager John said that this is looked at on a case-by-case basis and the affordable housing program is still evolving and, in this case, it gives an opportunity to expand affordable housing opportunities across the town.

Mayor Pro Tempore Gray said Director Newman had reminded him that this is still consistent with the Affordable Housing Plan, and the money is appropriate in the correct circumstances, as it is here.

Mayor Gilbert added that he was surprised that the money was not taken the first time, that there had been discussions about the Community Land Trust and how effective that model was, and the significant impact it would have. He said units are great but with this it can be quicker in this case.

Councilmember Killingsworth said that the town has a lot of funding priorities and she appreciated allowing the town to extend the funding priorities.

Assistant Town Manager John said that it may not always be that way when it's presented before Council.

Mayor Pro-Tempore Gray said that a component of why this is being presented for a third time is the uncertainty as to whether or not the applicant fell under the old rule of 5% or whether they fell under how things have since progressed with the 10% and hopefully that others in similar situations will take the same line of analysis.

A **motion** was made by **Councilmember Killingsworth** and seconded by **Mayor Pro-Tempore Gray** to approve Rezoning Case No. 24CZ10 - Ashburn PUD - rezone approximately 15.3 acres from Rural Residential (#07ETJ24) to Planned Unit Development (PUD-CZ) at 0 & 0 Mt. Zion Church Road.

VOTE: UNANIMOUS (5-0)

[CLOSED SESSION]

A **motion** was made by **Mayor Pro-Tempore Gray** and seconded by **Councilmember Gantt** to enter into Closed Session pursuant to NCGS §143-318.11(a)(6).

VOTE: UNANIMOUS (5-0)

Council entered into Closes Session at 8:30 p.m.

CS1 Mayor Pro-Tempore Edward Gray

NCGS §143-318.11(a)(6):

"To consider the qualifications, competence, performance, character, fitness, conditions of appointment, or conditions of initial employment of an individual public officer or employee or prospective public officer or employee; or to hear or investigate a complaint, charge, or grievance by or against an individual public officer or employee."

CS2 Mayor Pro-Tempore Edward Gray

NCGS §143-318.11(a)(6):

"To consider the qualifications, competence, performance, character, fitness, conditions of appointment, or conditions of initial employment of an individual public officer or employee or prospective public officer or employee; or to hear or investigate a complaint, charge, or grievance by or against an individual public officer or employee."

CS3 Mayor Pro-Tempore Edward Gray

NCGS §143-318.11(a)(6):

"To consider the qualifications, competence, performance, character, fitness, conditions of appointment, or conditions of initial employment of an individual public officer or employee

or prospective public officer or employee; or to hear or investigate a complaint, charge, or grievance by or against an individual public officer or employee."

[ADJOURNMENT]

Council returned to Open Session at **10:05 p.m.**

Mayor Gilbert adjourned the meeting at **10:05 p.m.**

Jacques K. Gilbert
Mayor

Allen Coleman, CMC, NCCCC
Town Clerk to the Apex Town Council

Submitted for approval by Town Clerk Allen Coleman and approved on _____.

TOWN OF APEX
REGULAR TOWN COUNCIL MEETING
TUESDAY, NOVEMBER 13, 2025
6:00 PM

The Apex Town Council met for a Regular Town Council Meeting on Tuesday, November 13th, 2025 at 6:00 PM in the Council Chambers at Apex Town Hall, located at 73 Hunter Street in Apex, North Carolina.

This meeting was open to the public. Members of the public were able to attend this meeting in-person or watch online via the livestream on the Town's YouTube Channel. The recording of this meeting can be viewed here:
https://www.youtube.com/watch?v=Qz2L395WV38

[ATTENDANCE]

Elected Body

Mayor Jacques K. Gilbert (presiding)
Mayor Pro Tempore Ed Gray
Councilmember Audra Killingsworth
Councilmember Terry Mahaffey
Councilmember Brett Gantt
Councilmember Arno Zegerman

Town Staff

Town Manager Randy Vosburg
Deputy Town Manager Shawn Purvis
Assistant Town Manager Marty Stone
Assistant Town Manager Demetria John
Town Attorney Laurie Hohe
Town Clerk Allen Coleman
All other staff members will be identified appropriately below

[COMMENCEMENT]

Mayor Gilbert called the meeting to order at 6:00 p.m. and thanked those who were in person as well as live stream. He asked if there were any Veterans in attendance and recognized them. He asked for Mayor Pro-Tempore Gray, a US Air Force Veteran, to lead in the Pledge of Allegiance. He then invited Pastor Steven of Apex Baptist Church to lead in the invocation.

Mayor Gilbert noted the items in the folder for Council's reference during the meeting.

[CONSENT AGENDA]

Mayor Gilbert asked staff for information about item CN1.

Marla Newman, Community Development and Neighborhood Connections Director said that the CN1 item is a conditional commitment to the Raleigh Area Land Trust to assist in purchasing 10 homes from Pulte Homes for the inclusion in their land trust to make these homes permanently affordable to income-eligible homeowners. This was from when Pulte Homes received a rezoning some years ago, and part of the rezoning there was a commitment to support affordable homes and this is to ask for support for this conditional commitment.

A **motion** was made by **Mayor Pro-Tempore Gray**, seconded **Councilmember Zegerman**, to approve the Consent Agenda as presented.

VOTE: UNANIMOUS (5-0)

CN1 Affordable Housing Conditional Funding Commitment - Raleigh Area Land Trust (RALT) - Support the Acquisition and Long-Term Affordability of Ten (10) Townhomes in Huxley Development in Apex, NC

Council voted to authorize the Town Manager, or their designee, to extend a conditional funding commitment of $225,000 in grant funding from the Town's Affordable Housing Fund to the Raleigh Area Land Trust (RALT) to support the acquisition and long-term affordability of ten (10) townhomes located in the Huxley development in Apex. This commitment is conditional on funding to be received from Wake County.

AND

Council voted to approve the associated budget amendment (No. 7) and transfer of funds of up to $225,000 from available funding in the Affordable Housing Fund to the RALT project.

CN2 Agreement and Resolution - Land Exchange AR Custom Homes LLC - 2428 Old US 1 Highway - Subdividing Lot Correction (REF: CONT-2025-409, and RES-2025-066)

Council voted to adopt a Resolution approving a Land Exchange Agreement between the Town of Apex and AR Custom Homes, LLC, for adjacent properties on Old US Hwy 1 (Buckhorn Township), and authorize the Town Manager, or their designee, to execute the agreement on behalf of the Town of Apex.

CN3 Agreement Ratification – Overhead Door Company of Raleigh – Time Sensitive Secure Bay Door at Public Safety Station No. 4 (REF: CONT-2025-410)

Council voted to ratify an oral agreement between the Town of Apex and Overhead Door Company of Raleigh for time sensitive services to secure a bay door at Public Safety Station (PSS) No. 4 following a vehicle collision, for an amount not to exceed $8,020.95.

CN4 Annexation No. 816 - 1000 Classic Road - 2.59 acres (REF: RES-2025-067, RES-2025-068, and OTHER-2025-095)

Council voted to adopt a Resolution Directing the Town Clerk to Investigate Petition Received, to accept the Certificate of Sufficiency by the Town Clerk, and to adopt a Resolution Setting the Date of a Public Hearing for December 9, 2025, on the Question of Annexation - Apex Town Council's intent to annex 2.59 acres, located at 1000 Classic Road (PIN 0751-26-9262), Annexation No. 816, into the Town Corporate limits.

CN5 Budget Ordinance Amendment No. 7 – Conditional Funding Commitment from Affordable Housing Fund and Acceptance of Show Your Park Some Love Grant Award (REF: ORD-2025-075)

Council voted to approve Budget Ordinance Amendment No. 7 which allocates $225,000 from the Affordable Housing Fund for a conditional funding commitment for an affordable housing project through the Raleigh Area Land Trust (RALT) and accepts and allocates $10,000 in grant funds to support new and ongoing recycling programs in Town Parks and Community Spaces.

CN6 Construction Contract Award - Comfort System Systems USA (Mid Atlantic), LLC - HVAC Renovation at Public Safety Station No. 4 and Budget Ordinance Amendment No. 6 (REF: CONT-2025-411 and ORD-2025-076)

Council voted to award an HVAC Construction and Repair Contact between Comfort Systems USA (Mid Atlantic) LLC and Town of Apex, for Public Safety Station No. 4 HVAC system renovation, and to authorize the Town Manager, or their designee, to execute the contract on behalf of the Town.

AND

Council voted to approve Budget Ordinance Amendment No. 6 appropriating funds for the Public Safety Station No. 4 HVAC Renovation Project in Fiscal Year 2025-2026.

CN7 Council Meeting Minutes – Various

Council voted to approve Meeting Minutes from the following meetings:

October 11, 2022 – Regular Town Council Meeting Minutes

November 1, 2022 – Town Council Public Safety Work Session Minutes

November 8, 2022 – Regular Town Council Meeting Minutes

November 29, 2022 – Regular Town Council Meeting Minutes

CN8 Rezoning Case No. 24CZ10 Ashburn PUD - Statement and Ordinance (REF: ORD-2025-077)

Council voted to approve Statement of the Town Council and Ordinance for Rezoning Case No. 24CZ10, Ashburn Development, petitioner, for the properties located at 0 & 0 Mt. Zion Church Rd. (PINs 0721448562 & 0721442048)

CN9 Surplus Badge and Service Weapon - Former Apex Police Lieutenant Thomas Parody

Council voted to declare one (1) badge and (1) service weapon (Glock Model 47 9mm handgun, with S/N Serial Number CCVX718) as surplus property, set the price for such weapon to be $1.00 (One Dollar); and, award the stated badge and service weapon to

Former Apex Police Lieutenant Thomas Parody who retired from the Apex Police Department effective November 1, 2025.

CN10 Tax Report - September 2025 (REF: OTHER-2025-096)

Council voted to approve the Apex Tax Report dated October 16, 2025.

CN11 Unified Development Ordinance (UDO) Amendments October 2025 – Statement (REF: OTHER-2025-097)

Council voted to approve the Statement of the Apex Town Council pursuant to G.S. 160D-605(a) addressing action on the Unified Development Ordinance (UDO) Amendments of October 28, 2025, proposed by staff.

[REGULAR MEETING AGENDA]

Mayor Gilbert noted there were changes to the Regular Meeting Agenda. He said that PR1 will be removed and recognized during the Town Manager's report, PH3 is clarified to also refer to 1093 White Oak Creek Drive, PH7 will be continued to a later date and Closed Session Item No. 1 will be removed.

A **motion** was made by **Councilmember Zegerman,** seconded by **Councilmember Gantt**, to approve the Regular Agenda, with the removal of PR1 and recognition of that item during the Town Manager's Report, clarification of PH3 referring to 1093 White Oak Creek Drive, continuation of PH7 to a later date, and removal of CS1.

VOTE: UNANIMOUS (5-0)

[UPDATES BY TOWN MANAGER]

Town Manager Vosburg gave the following updates:

Upcoming Events

- Nov 22: Turkey Trot (non-competitive and competitive options).
- Nov 23: Kids Holiday Craft Fair at the Halle, 2:30–5:00 p.m.
- Nov 29: Small Business Saturday.
- Dec 5: Tree Lighting Ceremony at Town Hall, 4:30–7:00 p.m. (new location; expanded activities).
- Dec 6: Rotary Christmas Parade; chair-placement presentation and the Police Department put out a video on additional guidance.
- Dec 6–31: Holiday Tour of Lights, nightly 6–9 p.m.
- Town holiday closures: Town of Apex closed Nov 27–28 for Thanksgiving.

Nonprofit Funding

- Applications open Dec 1, the Administration of funds is shifting from Budget to Administration. There is a new emphasis on resident impact, including testimonials, and Awards range $500–$20,000; typical overall funding limit approx. $1 per resident, around the $80,000, which was slightly reduced last year.

Budget Survey

- The Theme: "How would you choose to spend $5 million?" aligned with five strategic goal areas. This is found on the Town's website and is available through December 1st.

Capital Improvement Projects

- Update video releasing Friday, November 14th which will include the Peakway construction, elevated storage tank, and other major projects.

Team Apex / Service Day / Food Drive

- Town Service Day was held Nov 7 at Western Wake Crisis Ministries (now renamed "Neighbor Up") with 60 staff volunteers in food packaging and facility support. Organization currently facing low food supply (19,000 lbs. on hand vs. 90,000-lb capacity), some was driven by the recent SNAP issues. Town food-drive competition winner: The Mason Street Municipal Building with 524 lbs. collected, the town collectively contributed: 2,200 lbs. donated to Neighbor Up. He announced the Town received the 2025 Howard Manning Community Partner of the Year Award.

Utility Update

- Ask Apex: 86% of calls resolved on first contact; average wait time 1:07.
- Billing cycles: Cycle 1 was at 30.2 days average and Cycle 2 was at 30.1 days average normalized at close to 30 days for both cycles.
- SEW (company that helped with technical support during transition to the utility portal) contract has been discontinued due to reduced call volume; staff are now able to manage inquiries based on November volume.
- Variance reports: Significant reductions; Cycle 1 down from 5,500 to 945 variances and Cycle 2 by about 50%.
- Customer service log: Over 62% (remining 382) reduced and are aiming to clear remaining backlog by year-end but may extend slightly into January.
- Overall utility metrics are trending positively, with continued progress expected.

[PRESENTATIONS]

~~**PR1 Proclamation - Recognizing Team Apex Service Day and Winning Team for Food Collection**~~

Removed through Council vote setting Regular Meeting Agenda.

PR2 Proclamation - Small Business Saturday - Saturday, November 29, 2025 (REF: PRO-2025-044)

Mayor Gilbert invited the Council to read the Proclamation for Small Business Saturday 2025. He invited Economic Development Manager, Colleen Merays, and Small Business Consultant II Barbara Belicic to accept the proclamation and take a picture.

Ms. Merays asked for all Apex Small Businesses that were in attendance to come up to be recognized.

[PUBLIC FORUM]

Mayor Gilbert opened the Public Forum.

First to speak was **Allen Stadium** of 2005 Brandenton Way:

"Good evening, Mr. Mayor, members of the council. For years, Miss Annie, a lifelong Apex resident and respected member of our community, has graciously allowed students and families to use her gravel lot for parking. She's helped relieve traffic congestion on Humie Olive Road, kept students safe from crossing busy streets, and offered parking when the town has ticketed students for using spots now marked as no parking. She provided a practical solution where neither the town nor the school system has. What she offered isn't a business venture. It's a community service that's filled a very real need for our growing high school population. Recently, that goodwill has been met with unnecessary government overreach. The town's actions to restrict parking on her private property under the guise of UDO enforcement or rezoning interpretations are both misguided and unfair. This is private land. It's been recognized as a public vehicular area, and Miss Annie has every right to allow responsible individuals to park here. Let's be clear, this should not be about politics, this is about people. We're talking about an elderly woman who has lived here her entire life, giving back to a community she loves, now facing threats of fines and legal pressure simply for helping families. We used to celebrate that kind of neighborly spirit, not punish it. I urge this council to reconsider its stance and work with Miss Annie and help Apex Friendship families find a fair and lasting solution. This can mean clarifying our UDO language or even relinquishing the ETJ jurisdiction altogether. There are many paths forward, but all of them

start with common sense and compassion. Under no circumstances should this council take legal action nor pursue zoning enforcement against Miss Annie during this school year. We have hardworking families, many of whom have supported this council in the past, and we all deserve to make it through this school year without undue stress or disruption to our children's parking situation. Of course, I don't have to remind any of you of the Town versus Rubin. The town also thought it had the upper hand in that scenario as well. Our students need safe, accessible parking, and Miss Annie's lot provides exactly that. Our students deserve safety and stability, and our town should stand for fairness, not heavy-handed enforcement or what feels like retaliation against a Mayor and his constituents who stand with the people. Thank you for your time and for doing what's right for Miss Annie, our families, and the Town of Apex. Thank you."

Mayor Gilbert thanked the speaker and called up the next speaker.

Next speaker was **Dawn Cozzolino** of 3632 Bosco Road:

"Dawn Cozzolino, 3632 Bosco Road, New Hill. Good evening, mayor, council members, and staff. Before I get started, so I thought of an idea, instead of $5 million to spend, how about $5 million to save? Just a thought. I come here tonight as a resident who still believes local government should operate openly, honestly, and lawfully. But what I've observed tells a different story, one of concealment, delay, and disregard for the public's right to know. On tonight's consent agenda, item number seven, the Town Council is seeking approval for various meeting minutes. These are actually from 2022. They're almost three years late. They're still missing. August and September, but I think they are the months October through December. That's not routine business. Under North Carolina General Statute 143-318.10, the minutes of every official meeting must be prompt and fully prepared and made available for public inspection. Three years of silence is not prompt. It's unlawful. The North Carolina public records law, 132-1, states clearly that the people of the state are the rightful owners of public records. Yet through this period, those records were missing. One of these is very interesting because the July 19, 2022 special work session by the Town Council was advertised with less than 48 hours' notice, which itself is a violation of 143-318.12, and the meeting discussed far more than the limited topic that was described in the notice. These are not minor clerical issues; they are failures of process and duty. When minutes are withheld and meetings are poorly noticed, decisions affecting land, infrastructure, and millions in public funds occur in the shadows. Under 159-25, the finance officer is responsible for ensuring that every disbursement of public money is lawful and properly documented. If the record of those deliberations is absent or altered, that obligation cannot be met and what I want to finish with, because I'm almost out of time, is that things in government are built on honesty, accuracy, and lawful transparency. When a town withholds its history, it loses its credibility, and leaving office does not erase responsibility, public

officials, past to present, remain accountable under state law for failing to uphold their duties. Thank you."

Mayor Gilbert thanked the speaker and called up the next speaker.

Next speaker was **Lee Howell** of 3514 Jordan Shires Drive:

"Lee Howell, 3514 Jordans Drive. I feel like the primary emphasis of this data center has been the direct impacts that will be felt by surrounding residents and while those are important, I think the bigger picture is being lost, and I'd like to shed some light on that topic tonight. The big picture is this: the data center will have far and wide impacts to the region and even to the State of North Carolina as a whole. If the water that comes out of your tap in your home is sourced from Jordan Lake, or the power that keeps your air conditioning and lights running comes from Duke Power, this data center will impact you. You might say, "They're planning to use reclaimed water. How does that impact the water I use?" Reclaimed water in its simplistic form is just highly chlorinated, treated effluent or discharge that would otherwise be released back into the watershed. This data center is planning to use somewhere between 500,000 to a million gallons per the developer of water each day, some of which will be evaporated into the atmosphere and taken out of the watershed. That means less water to replenish local and downstream reservoirs. This facility will also have a potable water connection that it can switch to when the reclaimed water is offline. So, the next time you're placed on water restrictions due to drought conditions, this data center will still be consuming 500,000 to a million gallons of water a day. You might also say, "I'm an Apex resident. My power comes from Peak Electric, not Duke." While true, Peak Electric negotiates with Duke Energy to provide power to the Apex grid. This data center is 300 megawatts in size. That is three times larger than the entire Town of Apex grid and a third of the power Shearon Harris is capable of producing. While we rely on a grid and not just Shearon Harris for our power needs, 300 megawatts is a significant load that Duke Power will need to plan for. Just like the water, when it's above 90 degrees outside and Duke limits the temperature of your home, this data center will still be consuming 300 megawatts. In July of this year, North Carolina legislators passed Senate Bill 266, which essentially shifts the burden of power infrastructure upgrades and new power plant construction from the commercial consumer to the residential customer. So, when Duke Energy decides they need to build new plants or upgrade existing ones to meet ever-increasing energy demands, we as consumers get to bear the cost through rate hikes to our utility bills. This data center will not just affect residents of New Hill or Jordan Point, Belterra, Jordan Manors, or Woodbury. Its impact won't even be isolated to Apex. The impact from this data center and others like it will have far-reaching consequences for the entire state of North Carolina. It will rob us of our water resources and will contribute to increases in our electric bill rates. When the time comes to decide on whether this data center should be constructed here, I hope that you take these

concerns into consideration and not only do what is right for Apex, but for all of North Carolina. Thank you for your time."

Mayor Gilbert thanked the speaker and called up the next speaker.

Next speaker was **Dr. Michelle Hoffner O'Conner** of 2664 Jordan Pointe Boulevard:

"Dr. Michelle Hoffner O'Connor, 2664 Jordan Point Boulevard. I want to be respectful of everyone's time tonight and have submitted my full remarks intended for tonight to the Town Clerk. Tonight, I will read excerpts of the testimony of Amara Strand, a young woman who passed away a few years ago from cancer. Her cancer developed as a result of exposure to toxic chemicals called PFAS, which all of Apex will be exposed to via air, water, and dirt contamination if the proposed data center is built. "I am 20 years old, and at the age of 15 I was diagnosed with stage 4 fibrolamellar hepatocellular carcinoma, an incredibly rare form of liver cancer that occurs in one in five million. Due to its rarity, there is no standardized form of systematic treatment other than surgery. There are no curative options, no road map, no plan. Growing up, I lived in the 3M plume and attended Tartan Senior High School, where I met many classmates also directly affected by cancer as a result of what we now understand these chemicals to be, PFAS. When toxin in the environment hits a person's DNA at a particular vulnerability, a cell mutates, resulting in cancer or other serious illnesses. One of my cells mutated, and cancer began to grow. Unfortunately, people being subjected to dangerous chemicals unknowingly happens far too often. It's a repeated offense that has festered in our land, water, and bodies for decades, and despite public knowledge of said environmental waste dumping, little has been done to clean up or hold those deemed responsible for the deadly cause and effect that has robbed my community. We have all paid a high price due to large corporations carelessly dumping known toxic chemicals. However, we have yet to see public health repaid for the time, money, and emotional turmoil inflicted by the same chemicals at the expense of our lives." Amara is gone because of the reckless choices others made. If this data center comes here, our children will breathe in PFAS at Apex Friendship Schools and at Pleasant Park. Our gardens and yards will be contaminated; our pets' paws will drag particles into our homes after walks on the greenways. Our drinking water will be at greater risk than it already is and require more effort to clean, and we will bear the cost of all of this with respect to our wallets and the health of our loved ones. The developer will be long gone, and there is nothing in any ordinance that will hold the end user responsible. That is not Live, Work, Play. That is not the peak of good living. Every essence of this application is the antithesis of what drew everyone in this room to Apex to begin with. The developer and his representatives have continuously failed to convey how they will keep our community safe, how they will prioritize us and I truly hate to think that the next child who could be the next Amara is the child of someone in this room. Thank you."

Mayor Gilbert thanked the speaker and called up the next speaker.

Next speaker was **Truth McDavid**, on behalf of **Annie Scott** of 8008 Humie Olive Road:

"Greetings and salutations from the 10th Judicial Bar. Attorney Truth McDavid for Ms. Scott. She has her representatives in addition to the council. Your Honor, Pro Tem, let me start off by saying I was asked to do some research and do some reviews based on a letter that seemed to misstate the law. So, first and foremost, the statute in question is 20-219.4. I looked the statute up, and after I looked the statute up, I went to the book stacks at the law library downtown Raleigh. As I looked in the book stacks, I pulled the statute. There are no judicial legislative notes. Legislative notes tell you why the law was created in the first place, what harm they were trying to prevent. It appears they just wanted to find a way to create public vehicular rest areas. Now, there's only one case that I found that's anywhere on point. I brought it here, and what the case says, as I pulled it from the book stacks and I'll turn to page five, and I'll leave it for the council's review, is basically: when an enabling statute is clear and unambiguous, there's no room for judicial construction, and the court must give it its plain and definite meaning. That means the statute is what it says, no more, no less. She pays $200; it gets turned into a public vehicular area. So, then I tried to figure out what they were trying to do. In North Carolina, we have communities, these homeowners' associations. That's this green book. Homeowners' associations function just like the Town of Apex or any town council and what they do is create these cutouts where we have homeowners' associations that make sure the lawns are cut, that people pick up their trash and the reason why I use this is because they also put up stop signs. Everybody's been to a lot of these parking lots at restaurants where they put up parking signs, and people don't obey them because it's a restaurant. But in homeowners' associations, the homeowners obey the parking signs because they want people to obey the parking sign; that's why they pay for them to get put up. The problem is the parking signs are not what is called "duly erected." Duly erected means they have to get a DOT sticker that they can't give themselves; they have to get it from the state, once the state puts the DOT sticker on the back of the sign, suddenly law enforcement can use that sign to arrest, ticket, and all these other things. Even though the homeowner's association can erect the signs, they can't make them duly erected. This issue that you guys are having based on the case law that wasn't presented, it kept saying "I believe," which seems to be someone's really smart opinion, but the case law is pretty straightforward. You guys can zone whatever you want, but once someone petitions the state, and best as I can see, the state has put up the signs, they have stickers, they've put it on the maps, and they've done what they're supposed to do, it is what it purports to be, and there's no way to undo that. Like I said, I brought the case law and I brought the statute book, and there were only three cases in this area. Two of them had to do with horses and animals, which have nothing to do with what we're talking about and then the King case dealing with the idea that once we start talking about undoing what the state wants to do, it can't be

undone by the municipality because they have reasons for doing it, but nobody decided to write any of that down with this statute. I literally went to the book stacks in downtown Raleigh and checked and looked for legislative notes. I had my people do the research, and what we have is a situation where once the sticker goes on the sign, the only people who could take the sticker off would be DOT. The problem for DOT is they took her money and once they took her money, they put it into this record, they added it to the maps, they paid for the signage. The moment to take it back has passed. For lawyers, we would call this being moot, it's a wrong capable of repetition but evading review, and so therefore there have not been any challenges to the Court of Appeals or any trials, and as best I can tell, Ms. Scott and maybe one or two other people are the only people who have ever done this. So for those reasons, I give that information to the court and I ask for mercy and grace, mercy in the sense that we could spend a lot of money arguing about this, and Ms. Scott could probably hire me to represent her, but I don't know who that would serve. What I would say is I've done all the research. I brought the case law. I bring the answer and the answer is: once the sticker went on the back of the sign, that's why law enforcement is allowed to use it as a means to ticket and arrest people. Prior to the sticker being on the back of a sign or an area being designated as a PVA, police officers can't use it as a point of arrest. As the Mayor, former law enforcement would know, being able to arrest somebody in someone's private yard is a far cry from a PVA. As a lawyer who practices criminal law, I don't really care for PVAs because it allows law enforcement to just go into an area and they can arrest anybody in there for whatever appears to be an issue. While at the same token, a person standing on their own property could literally be engaging in many forms of shenanigans and there's nothing law enforcement can do unless there is an imminent danger of immediate bodily harm. So, the PVA, by its very nature, Ms. Scott has decided that she would give up her privacy and her legal protection for the benefit of the kids of the school. If I knew nothing else about her, that would be enough. For those reasons and all the other legal reasons and I brought the books so that anybody who wanted to review the research, it is what it purports to be, and the local municipalities can't undo it at this point because my understanding is they already put up all the signs and they cashed her check, and the moment they cashed her check, she got what she purported, and that's what the King case stands for. And I brought it as it, I'm old, so I brought it printed out from the actual book stacks in the law library as opposed to the electronic stuff that the young people do. So, I said I was old. So, for that, I thank you for your time and your attention, and I hope that this helps kids have a safe place to park, it's in the best interest of the children and everyone, and it would save a lot of money. Thank you very much, by your leave."

Mayor Gilbert thanked the speaker and called up the next speaker.

Next speaker was **Sheila Morrison of 2504** Finkle Grant Drive, New Hill:

"I'm here to show and voice support to Mrs. Scott and her efforts to use her Wake County property to provide a needed service to the families and students at Apex Friendship High School. This is the immediate situation before you for consideration, but the implications are far-reaching for all of us who live in the ETJ of Apex. First of all, we ETJ residents cannot vote for members of the Apex Town Council, but it seems that we are subjected to the will of the Apex Town Council. We do not have any representation on the Town Council. For those of us who live in the ETJ, we need to be both aware and wary of the Apex Town Council's decisions, especially when it comes to decisions that impact or potentially impact those of us who live and own property in the ETJ. Thank you."

Mayor Gilbert thanked the speaker and called up the next speaker.

Next speaker was **Fran Hudson** of 5524 Rex Road:

"I actually went through the pros and cons of the data center. And my cons, I did my little pros, and I was thinking, okay, where are my other pros? There have to be more pros, there have to be more pros, so the speculative tax revenue is a pro, but we don't know exactly what that's going to be because the developer doesn't know who's going to actually be the end user of this. They also stated there could be up to 275 jobs. That's not a definite either, so we don't know what that really is. It's a pro, but we don't know for sure. It also benefits Apex, not the people in that area. Although some of them are annexed into the town, not everybody is. So, this is negatively impacting people. So, our cons are, the people don't want the data centers, it's close proximity to houses, there's a lot of unknowns, the power impacts, water impacts, loss of farmland, environmental impacts, wildlife impacts, game land impacts and then I had to go up the side because I continued. Property values, the marketability of these properties is going to be impacted by this. The lithium battery risks, the generator pollution, lifespan of facility. North Carolina General Statute 105-164.13(55a) pretty much gave them tax exemptions from anything they want to buy. Looking at that is, it's crazy, because the people don't get the same consideration, but this data center will. Possible impacts and noise, which was covered in this meeting that we had last night. But I also wanted to remind you, the UDO. The purpose of the UDO is to promote and protect the public health, safety, peace, comfort, and general welfare of the citizens and residents of Apex and its extraterritorial jurisdiction. It's the comprehensive unified set of regulations. Regulations are to restrict, they are to control, they are to protect. That's the whole reason for this UDO. I just printed out a couple pages of it. The specific purpose, some of those are: to protect the small-town character. This does not protect small-town character at all. Also, promote good planning practice. I don't know, this is something brand new, we've never seen it, nobody's had it in this area. So, I don't believe that's really good planning because we don't even have anything in the UDO that really covers them. So, I don't know how you can say that's good planning. Also, to prevent adverse impacts on the environment. There are a

lot of things here that are environmental, and they're going to be impacted, and it's going to impact the people in the end. And the efficient use of land and public services, the water use, the electricity use is not a good efficient use of those public services. So, thank you."

Mayor Gilbert thanked the speaker and called up the next speaker.

Next speaker was **Mike Solo** of 2102 Char Lion Downs:

"Mayor, council members, staff, thank you for having me here today. I wanted to speak to you about the proposed Haden Hall Greenway that came up in the Work Session. Now, years ago, this would have been an excellent greenway. It was planned in 1999 before the new development that we're seeing on North Salem Street, before the Peakway. When this was proposed, this would have connected over 900 homes to Baucom Elementary and allowed our kids to walk to school. Now, this dead-ends at a two-lane-each-direction, soon to be four-lanes-each-direction road. Do we want kids trying to cross this? I'd like you guys to reconsider this greenway and consider what we can do to bring this into the modern era and make a new plan which works with the current development that we have. Thank you very much."

Mayor Gilbert thanked the speaker and called up the next speaker.

Next speaker was **Barbara Collins** of 901 Norwood Lane:

"This is compiled by people who live in Iowa. So, they did a study and here's what the study says: What is the percentage of energy being used by data centers in other states? And here it is, Virginia, 39%. Oregon, 33%. Iowa, 18%. Nevada, 15%. Utah, 15%. Nebraska, 14%. Arizona, right? So, where is North Carolina going to be on that list? And so, I want to also read you what they wrote: They already consume 18% of the electricity in our state, and there are more on the way. This is going to force construction of new power plants, and all that is rate-based, meaning you and I are paying for the power plants and all the new transmission. The data centers just pay a little share of it, even though the power is essentially for them exclusively. Several counties and cities in Iowa are already preemptively creating ordinances to allow small nuclear reactors. I have to say, it does make me chuckle that all these, never mind name-calling, who clutch their pearls over the wind and solar are about to have a nuclear power plant in their backyard. As someone in the electric generation industry, I can only advise you to pay attention to, attend, and protest rate cases brought before the Iowa Utilities Board over the next couple of years. We're about to get hit in the shorts with a massive rate increase to pay for all of this new generation and transmission needed by the data centers. So, we're not alone, right? We're not alone, and communities all over the country are having to deal with this, and they're creating their own ordinances, right? Which I understand we can't do in Apex. But here's what we can do: we can just say no, right? We have a right to say no. We can just say no, right? Let's say no. If there are financial

implications, in my opinion, as I said last time before, it's worth it. It's worth it, and so if the town has a chance to vote on this, what do you think they would say? It's worth it. It's worth it not to do it, even if there are financial consequences down the line. And I truly believe that all of you are with me on that. If you're not, don't clap. If you are, let's clap. Okay. So that's what I want to tell you. We can just say no. I don't need to know your opinions. I just want you to keep hearing it. Thank you."

Mayor Gilbert thanked the speaker and called up the next speaker.

Next speaker was **Alexis Kennedy** of 106 Buck Haven Court:

"Today I want to talk about my lovely neighborhood, Abbington. We have sent a request in to have an investigation on the traffic that's going through my town or through my neighborhood. We're right off 64, and so we're having cars cut through our neighborhood to get to Kelly Ridge or Kelly Road because they don't want to go through the traffic. And so we have no stop signs, and it's highlighted so you can see, for almost a full mile there's no stop signs. And then for the other spot, it's .6 miles, no stop sign. So, you have cars that are just cutting through, speeding. At the time that our kids are going off during the summertime we have, I know a lot of us have the swimming competitions. So, during the summer, we've got our kids on Kelly Ridge Road, like mine and Lansbrook, as you can see, and Lansbrook right now only has one sidewalk. It's on the left-hand side if you're going westbound. So, the kids have to cross over Lansbrook where Kelly Ridge meets, but there's no stop sign, and so I constantly, in the two summers I've lived there, have watched near-kids get hit because you have people who don't live in our neighborhood speeding because they don't want to sit in traffic at 5:00, and it's causing a problem and so we did have an investigation, and I wanted to thank our investigator because my neighbor Sarah said she was absolutely lovely, but all she did was brighten up a walking sign over on Glenshire Court Road, which is further down, the map didn't highlight it, but we got a highlighted walking sign, which doesn't really help us when you have Amazon drivers, the tree guys, having almost a full stretch of mile that they can go, and it goes downhill too, so then it's picking up speed. And I did see where they put the traffic clocker, which is on my street, Buck Haven. But that's not the hot spot. The hot spot actually is a little further down and actually at Lansbrook. And then when they miss Lansbrook as they're cutting across, they speed down my cul-de-sac, which is Buck Haven, because they missed my street because it's a very easy street to miss and then they speed through it and flip around right in front of my house and I watch constant cars speeding through my cul-de-sac because they missed Lansbrook and they're turning back around so they can get on Lansbrook and drop down. So, I was told I really need to bug City Council to get that stop sign, so, I'm coming here to bug you. Thank you."

Mayor Gilbert thanked the speaker and called up the last speaker.

Next speaker was **Dr. Raquel Weaver** of 2916 Patmos Island Lane:

"Good evening. I am Dr. Raquel Weaver and I live at 2916 Patmos Island Lane in Apex. And I just want to bring to your attention the utility bill issue. I know I spoke with you, Mayor, a couple of months ago. Just to follow up on that issue, I have not seen any correspondence or anything about what the cause of that was. My bill was almost a three-fold increase, and I've been here almost five years, and for four of those, my bill was pretty steady, pretty regular. August 2025, I get a bill of over $800. Okay. So, I just need to know what exactly happened. What's the expectation for us to pay these exorbitant bills? Are we in fear of getting our utilities turned off? I feel for the people that may not be able to pay their bill. Secondly, I wanted to bring up the trash, recycling, and yard waste. Again, I've been here almost five years since I purchased my home in 2021. The vendor constantly leaves trash on our roads. Glass, it flies everywhere. It makes our beautiful, brand-new community look like a trash dump. I've made several complaints, called, emailed, but how many complaints do I have to make before this is addressed? I don't know how many other communities are being impacted by this, but I know it's been an ongoing issue, and I just hope the town will take this into consideration, not only with the utility bills but with this vendor that we are paying to literally not do anything. The curbs, you come, the little suction comes and sucks up the waste, but it's basically still waste left. So, what are we doing? What are we doing here? Taxes going up. What's happening? So, I just want to bring that to your attention and hope that these items are addressed. Thank you."

Mayor Gilbert closed Public Form and thanked all who came out to speak. He asked for a 5-minute recess at **7:02 PM.**

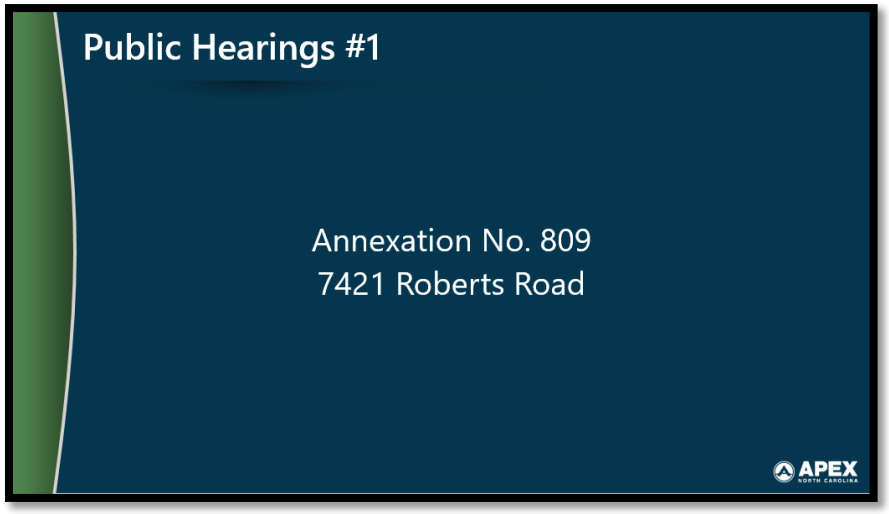
Council returned to open session at **7:08 PM.**

[PUBLIC HEARINGS]

PH1 Annexation No. 809 - 7421 Roberts Road - 1.25 acres (REF: ORD-2025-078)

Dianne Khin, Director, Planning Department gave the following presentation on Annexation No. 809 at 7421 Roberts Road that is in the far north of Apex's planning jurisdiction.

[SLIDE 1]



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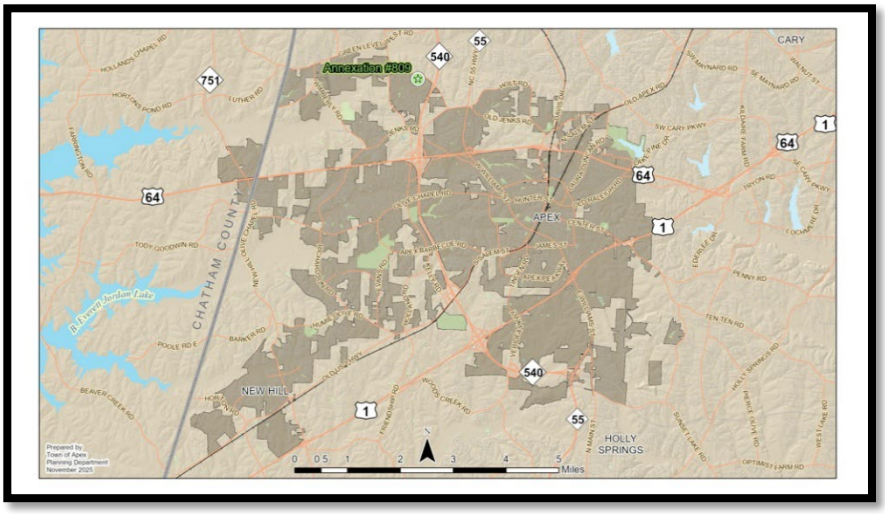

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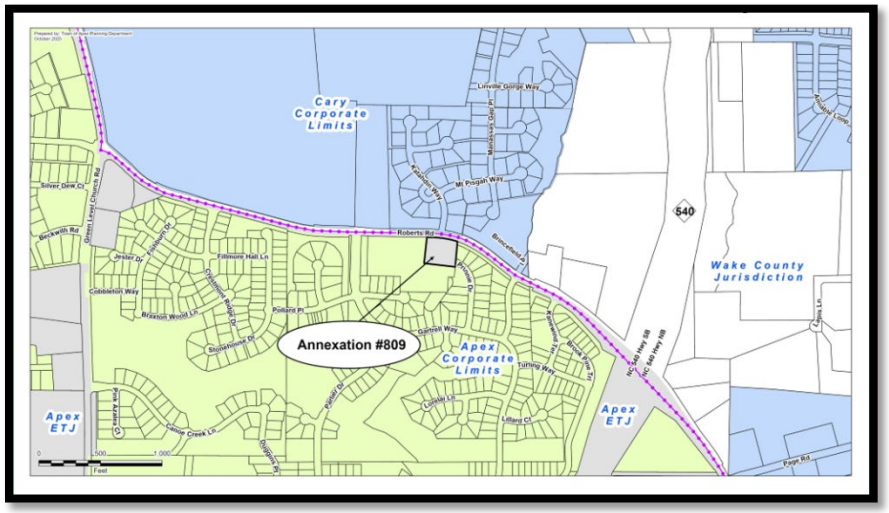
[SLIDE 4]



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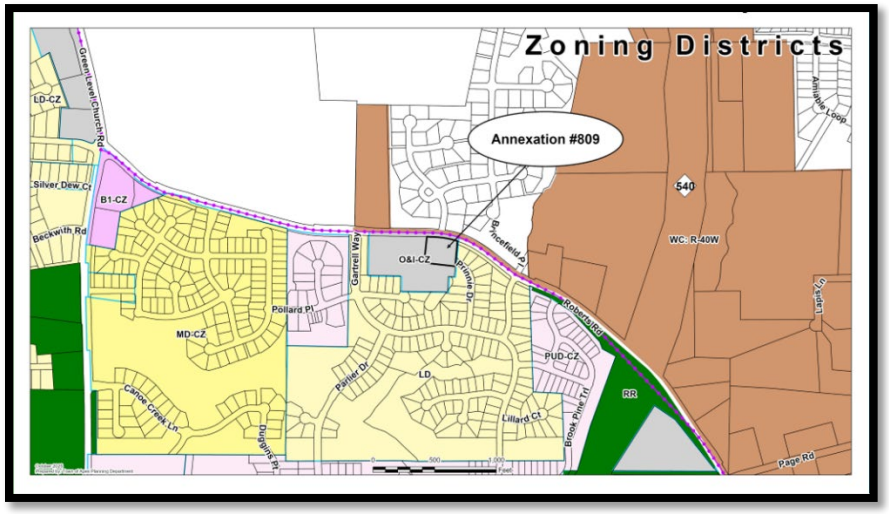


Mayor Gilbert asked if there were any questions, hearing none he opened up Public Hearing, and with no one signed up, he closed Public Hearing. He then brought the item back to Council for discussion and possible motion.

A **motion** was made by **Councilmember Killingsworth** and seconded by **Councilmember Gantt** to adopt Ordinance on the Question of Annexation - Apex Town Council's intent to annex 1.25 acres, located at 7421 Roberts Road (PIN 0733-15-9049), Annexation No. 809, into the Town Corporate limits.

VOTE: UNANIMOUS (5-0)

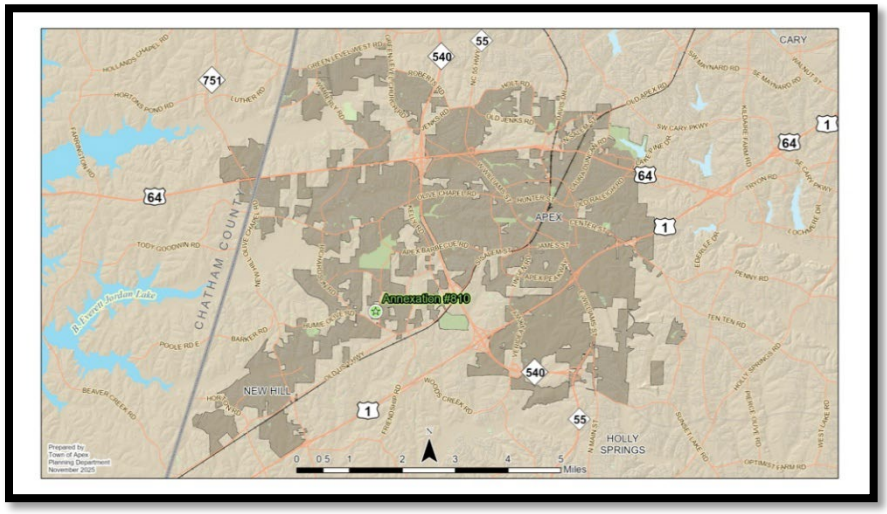
PH2 Annexation No. 810 - 2928 Evans Road - 1.31 acres (REF: ORD-2025-079)

Dianne Khin, Director, Planning Department gave the following presentation on Annexation No. 810, 2928 Evans Road:

[SLIDE 1]



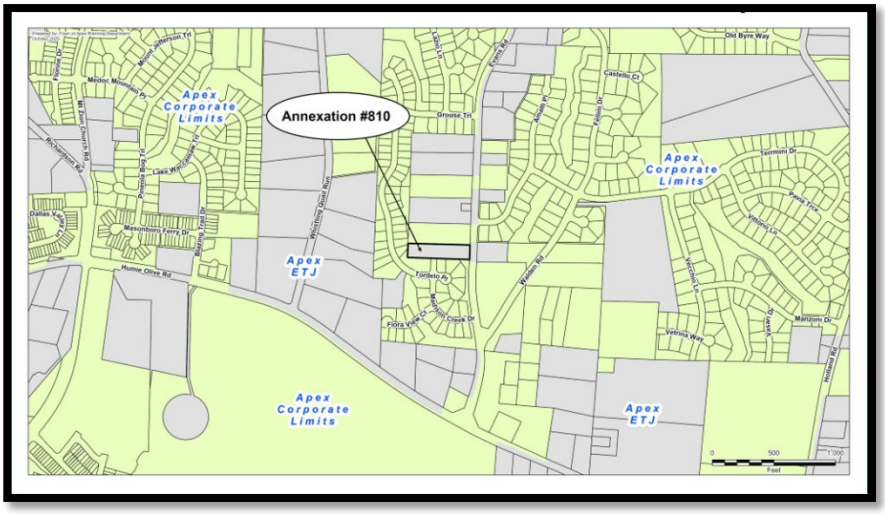
[SLIDE 2]



[SLIDE 3]



[SLIDE 4]



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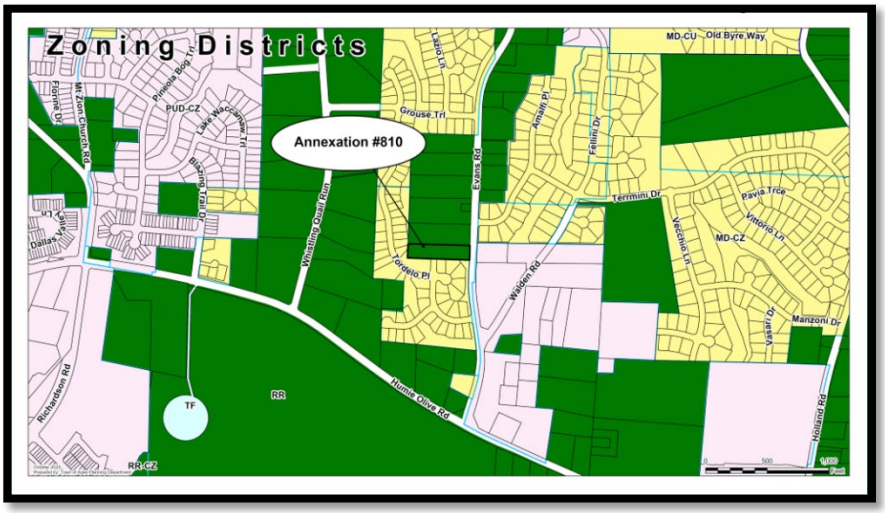


Mayor Gilbert asked if there were any questions, hearing none he opened up Public Hearing, with no one signed up, he closed Public Hearing. He then brought the item back to Council for discussion and possible motion.

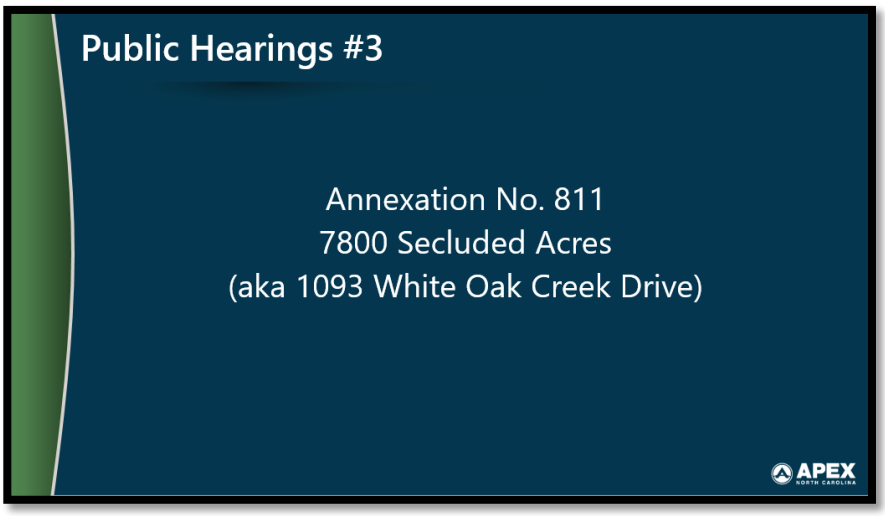
A **motion** was made by **Councilmember Zegerman** and seconded by **Mayor Pro-Tempore Gray** to adopt Ordinance on the Question of Annexation on the Question of Annexation - Apex Town Council's intent to annex 1.31 acres, located at 2928 Evans Road (PIN 0721-71-5592), Annexation No. 810, into the Town Corporate limits.

VOTE: UNANIMOUS (5-0)

PH3 Annexation No. 811 - 7800 Secluded Acres - 5.70 acres (REF: ORD-2025-080)

Dianne Khin, Director, Planning Department gave the following presentation:

[SLIDE 1]



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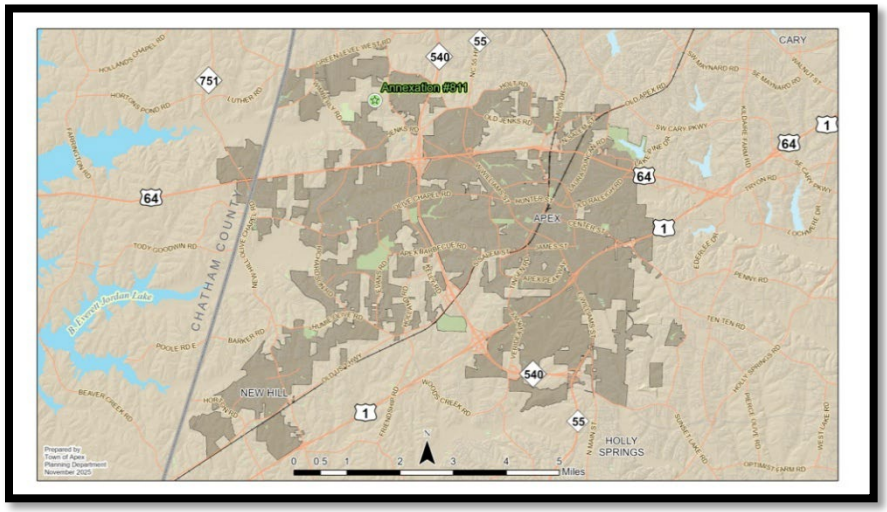

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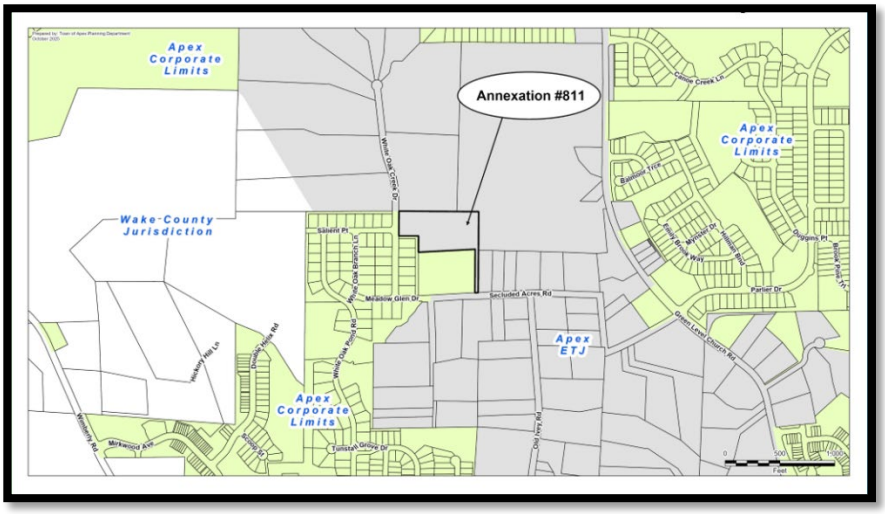

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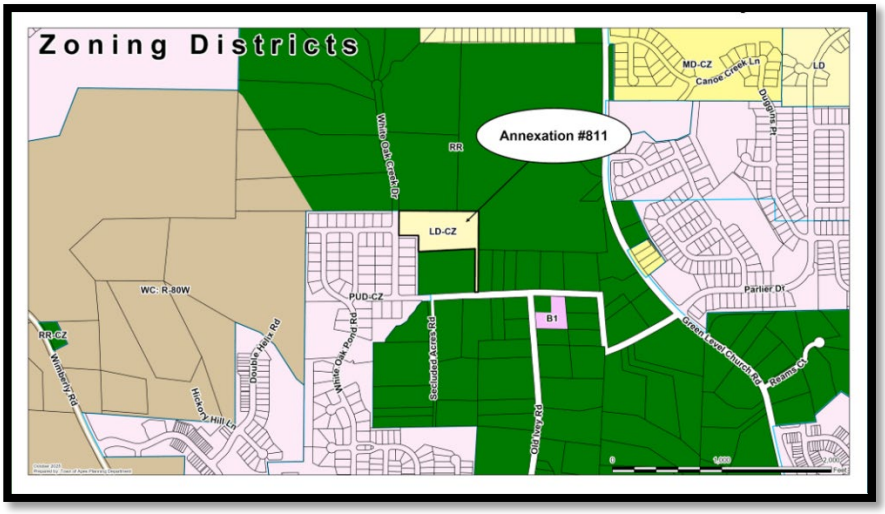


Mayor Gilbert asked if there were any questions, hearing none he opened up Public Hearing, with no one signed up, he closed Public Hearing. He then brought the item back to Council for discussion and possible motion.

A **motion** was made by **Councilmember Killingsworth** and seconded by **Councilmember Zegerman** to adopt Ordinance on the Question of Annexation on the Question of Annexation on the Question of Annexation - Apex Town Council's intent to annex 5.70 acres, located at 7800 Secluded Acres (PIN 0723-72-6204), Annexation No. 811, into the Town Corporate limits.

VOTE: UNANIMOUS (5-0)

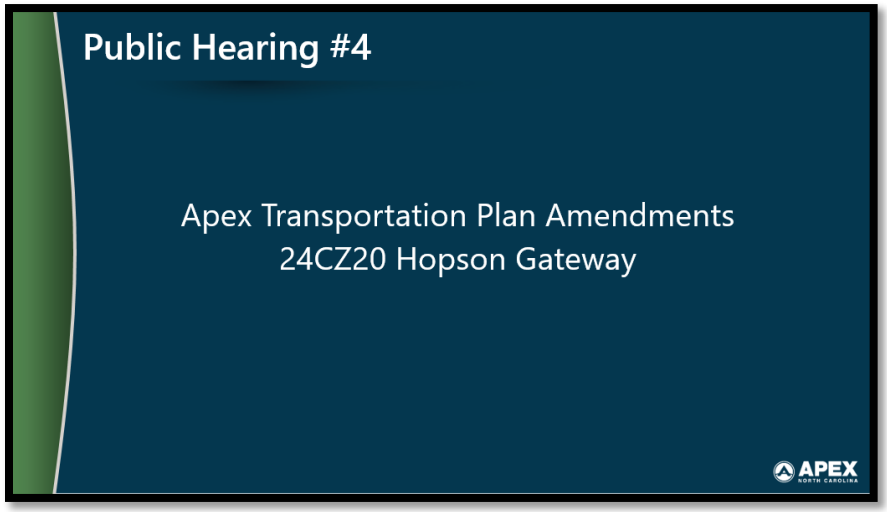
Mayor Gilbert asked for Town Manager Vosburg to give a recognition before moving to PH4.

Town Manager Vosburg said that he had neglected to give recognition for Apex Service Day and the food drive done by the Town to Brienne Gill with Community Engagement Department for all of her efforts and the big undertaking of the project.

PH4 Apex Transportation Plan Amendments - 24CZ20 Hopson Gateway

Shannon Cox, Long-Range Planning Manager, Planning Department gave the following presentation:

[SLIDE 1]



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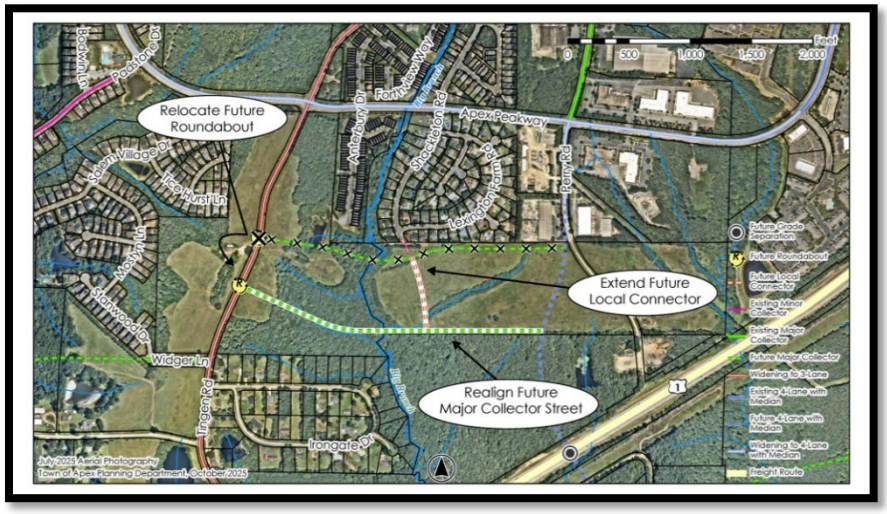


Ms. Cox asked if there were any questions.

Mayor Gilbert asked if there were any questions.

Councilmember Gantt asked Ms. Cox to clarify what "better" means regarding the stream crossing.

Ms. Cox said that the stream is not perpendicular to the stream, which increases its length and there was a location further south is more perpendicular to the stream, which is preferred by Water Resources to minimize the crossing length.

Councilmember Gantt asked about the wet area at the west side of the creek and if it would affect the road.

Ms. Cox said that the area wasn't a concern and Water Resources recommended the proposed crossing location over the current northern alignment. She said the developer could speak more about that.

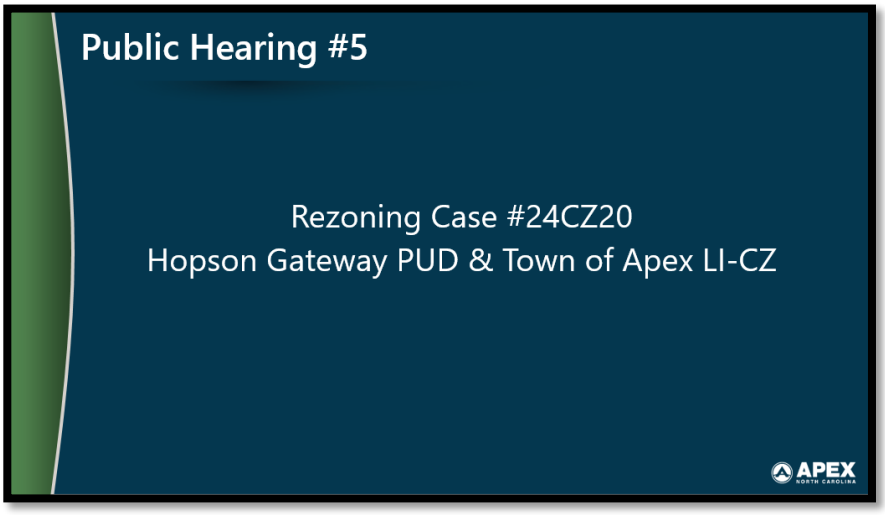
Mayor Gilbert opened up the Public Hearing and with no one signed up to speak the Public Hearing was closed. Mayor Gilbert moved the meeting on to Public Hearing 5

AND

PH5 Rezoning Case No. 24CZ20 – Hopson Gateway PUD and Town of Apex LI-CZ

June Cowles, Senior Planner, Planning Department said that Acre Manager LLC, the applicant and the Town of Apex entered a land exchange agreement approved by Council on October 8, 2024 that reconfigured the properties . She gave the following presentation:

[SLIDE 1]



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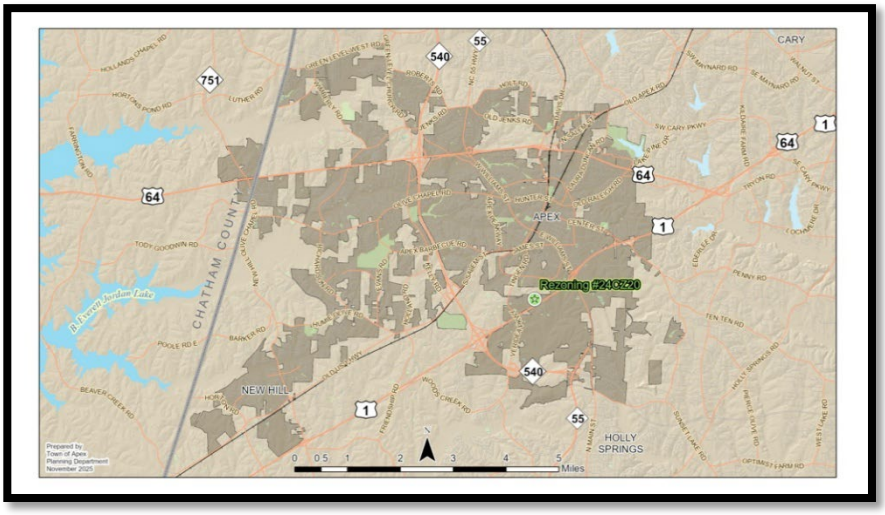

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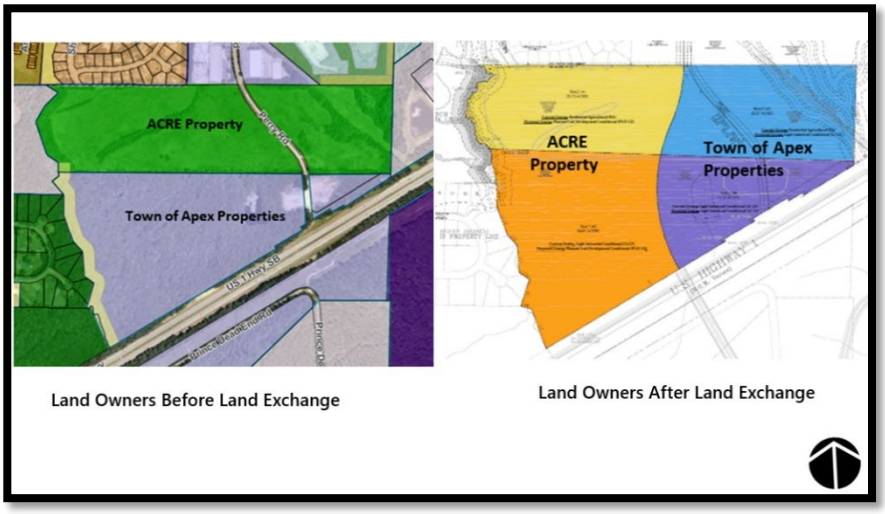

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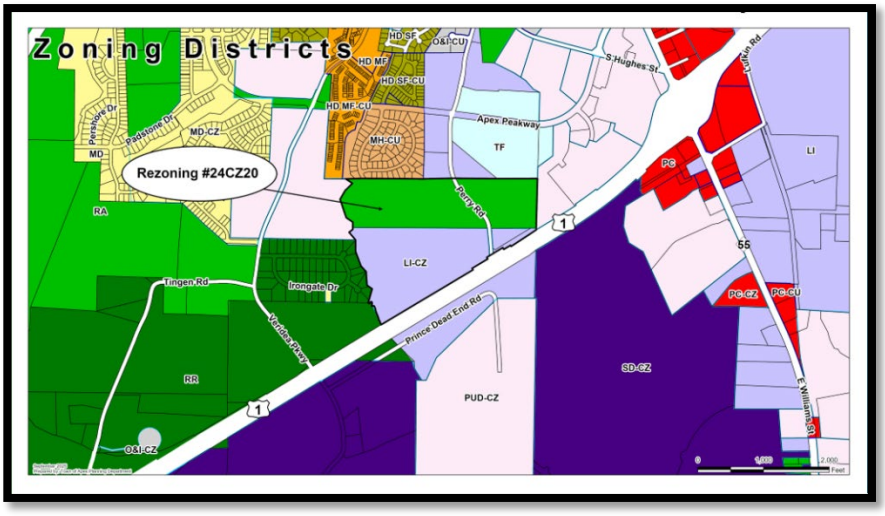

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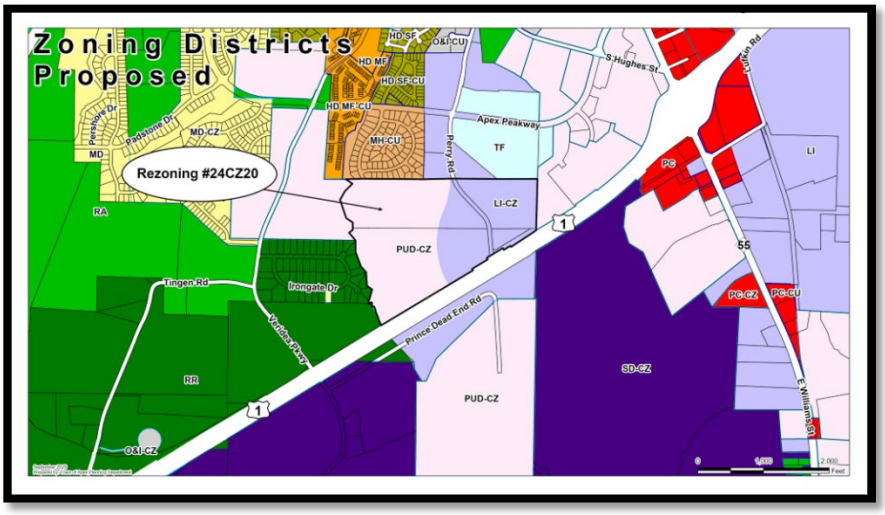

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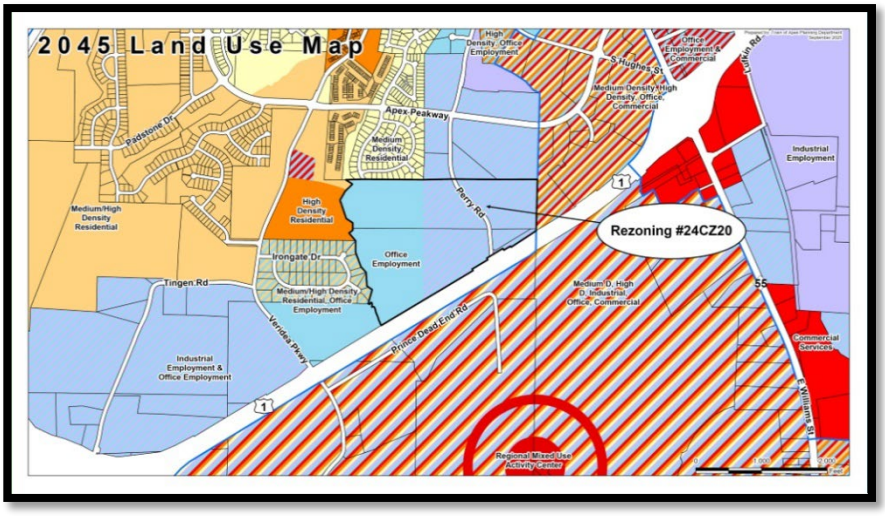

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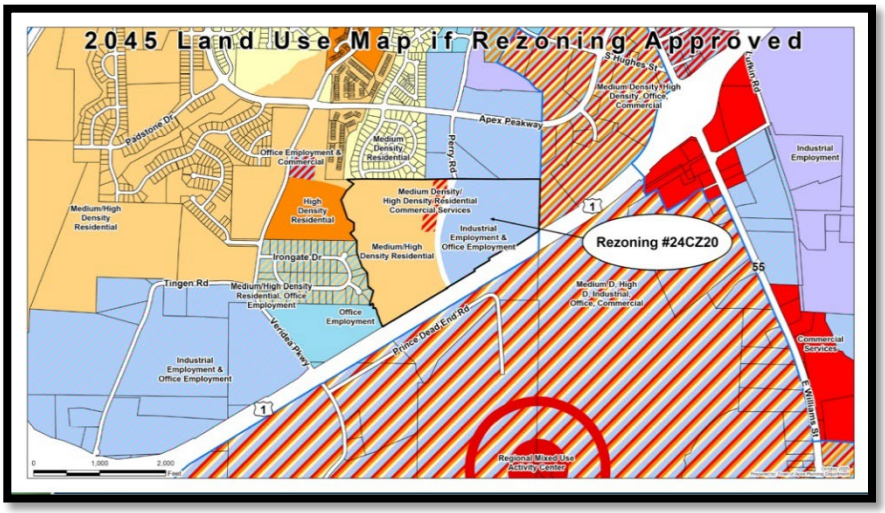


[SLIDE 9]



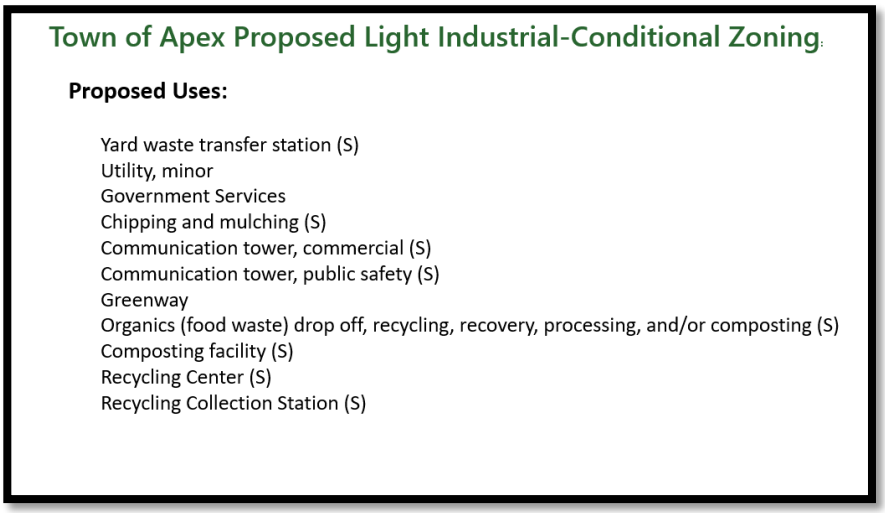
Councilmember Gantt asked if the treed areas on the map (in the top left of the map) are streams.

Ms. Cowles said that they are streams but they do not require buffers.

Councilmember Gantt asked if there was not enough to require a buffer.

Ms. Cowles said that was correct.

[SLIDE 10]



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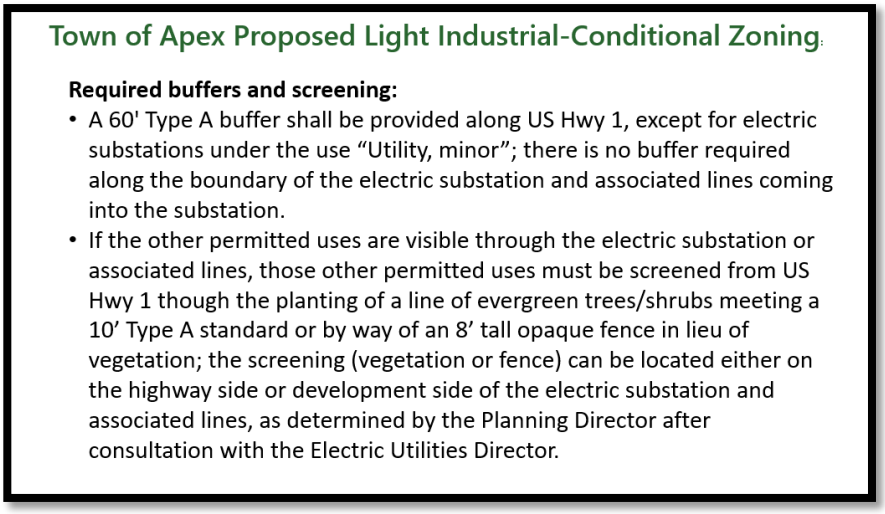

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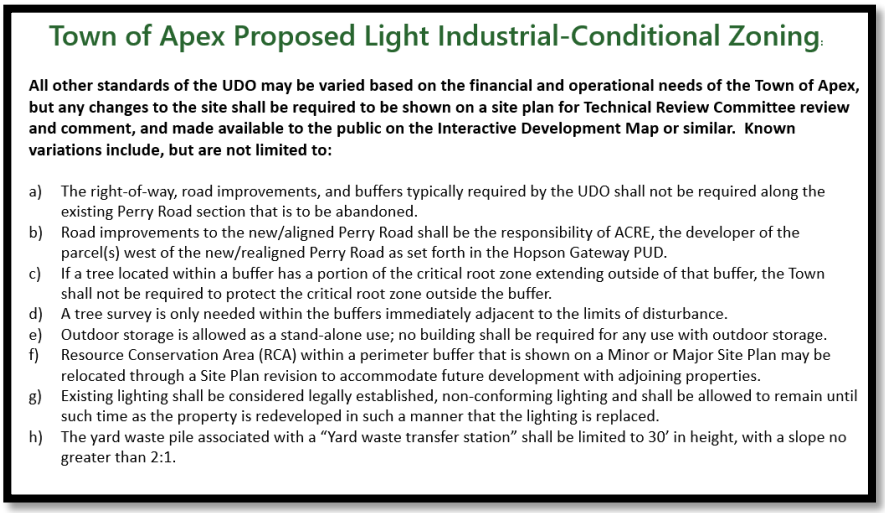

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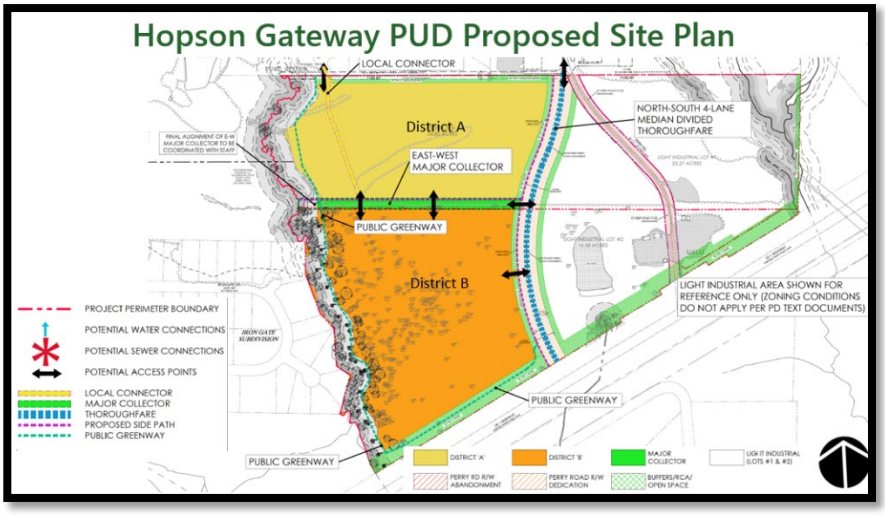

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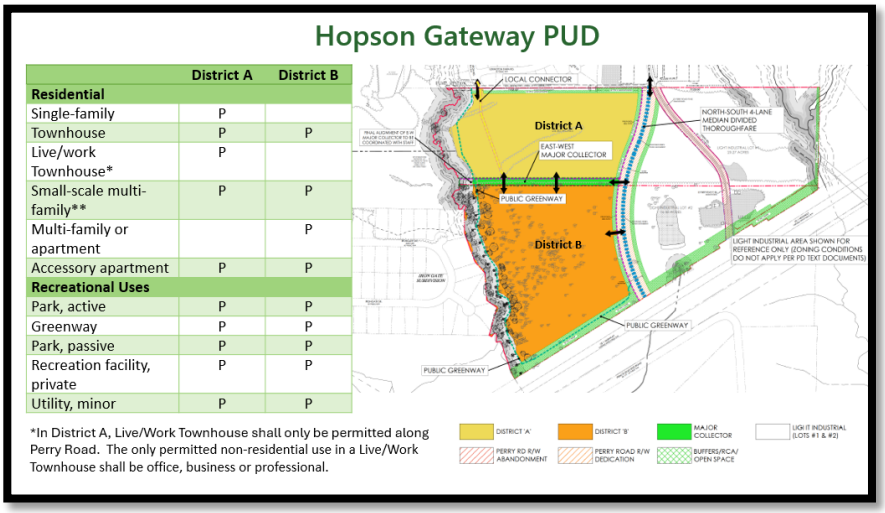
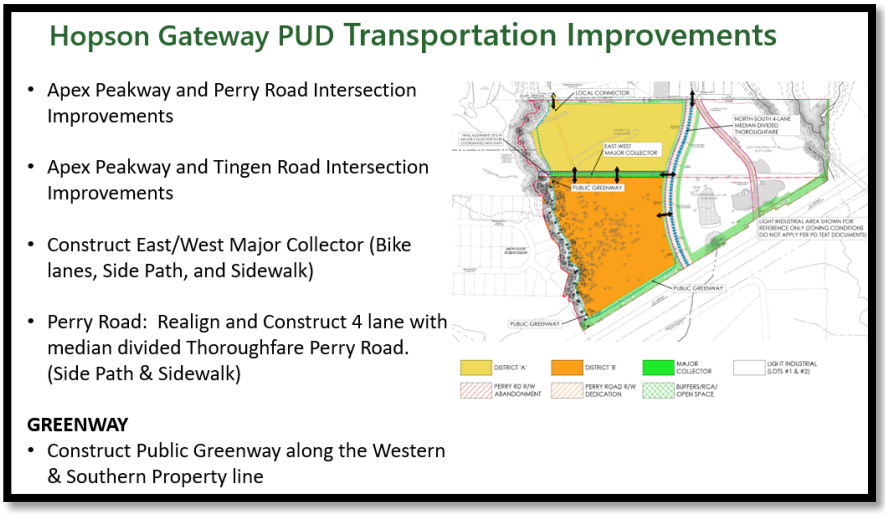


	District A	District B
Residential		
Single-family	P	
Townhouse	P	P
Live/work Townhouse*	P	
Small-scale multi-family**	P	P
Multi-family or apartment		P
Accessory apartment	P	P
Recreational Uses		
Park, active	P	P
Greenway	P	P
Park, passive	P	P
Recreation facility, private	P	P
Utility, minor	P	P

[SLIDE 15]



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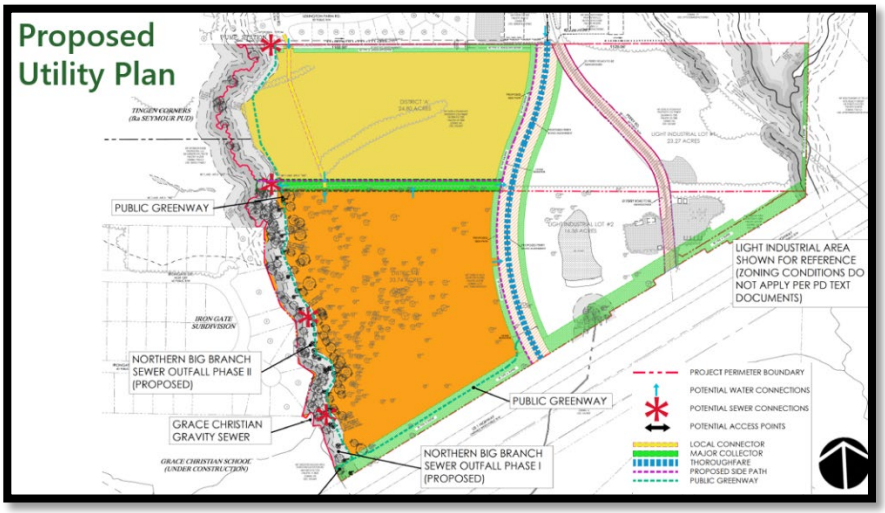
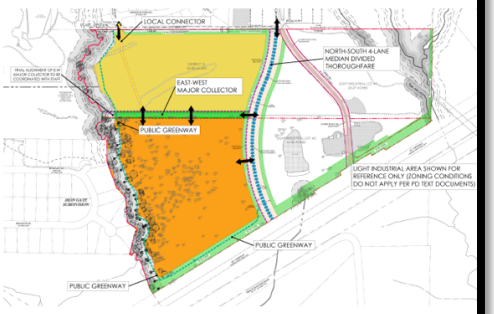


[SLIDE 17]

Hopson Gateway PUD Buffers and RCA

Location:	Proposed Buffer Size & Type:
Adjacent to PIN 0741243405 and existing lots in the Lexington subdivision.	20' Type B*
Adjacent to PIN 0741346113	40' Type A
Along the west side of Perry Road adjacent to District A and District B	30' Type B
Along both sides of the east/west collector street.	10' Type B
Along US-1	80' Type A
Along the eastern boundary of the Town of Apex Greenway and Utility Easement along the western property line.	0'

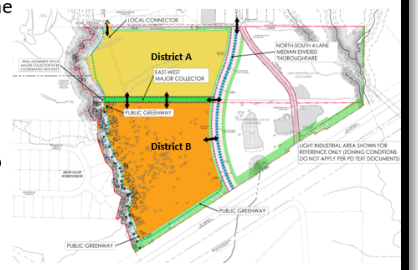


* There is a 20-foot Town of Apex sewer easement along the property line. The 20-foot Type B buffer may overlap with the easement, provided there is a planting area outside the easement with a minimum width of 10 feet.

[SLIDE 18]

Hopson Gateway PUD Affordable Housing

- Minimum 20% of total Apartment units in District B
- Households earning no more than 80% AMI for the Raleigh, NC MSA for a period of 30 years.
- Townhouse and/or small-scale multi-family units may be developed and constructed in District B before any apartment units are developed, provided sufficient land in District B is reserved to accommodate the future construction of 300 apartment units.



[SLIDE 19]



[SLIDE 20]



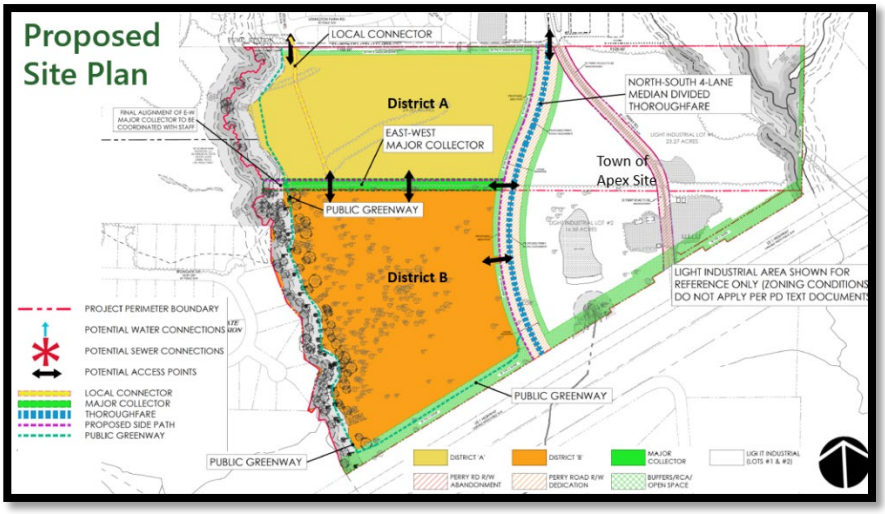
[SLIDE 21]



[SLIDE 22]



[SLIDE 23]



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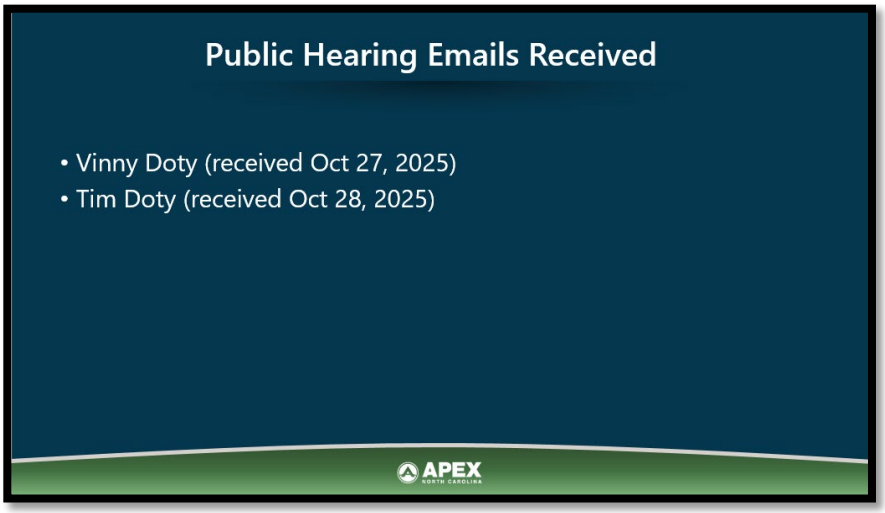


Ms. Cowles asked if there were any questions and said that the applicant is available for any questions as well and gave a presentation.

Councilmember Gantt asked as the rezoning is written, if there is an existing greenway on the southern end of Grace Christian School, would this rezoning result in the developer connecting this greenway on the southern portion over to that greenway.

Ms. Cowles said that the applicant and Parks and Rec had discussions about this.

Councilmember Zegerman asked what the Transportation staff's opinion on the connectivity of Perry Road given that the older part of Perry Road is not built to the same standard as the newly constructed road, and the parking on Perry Road given the amount of traffic using this intersection.

Jessica McClure, Traffic Safety Engineer II, said that they would work with NC DOT for a parking ordinance to restrict the parking to open that area up to allow traffic to go through there and it won't be the four-lane divided section until it redevelops.

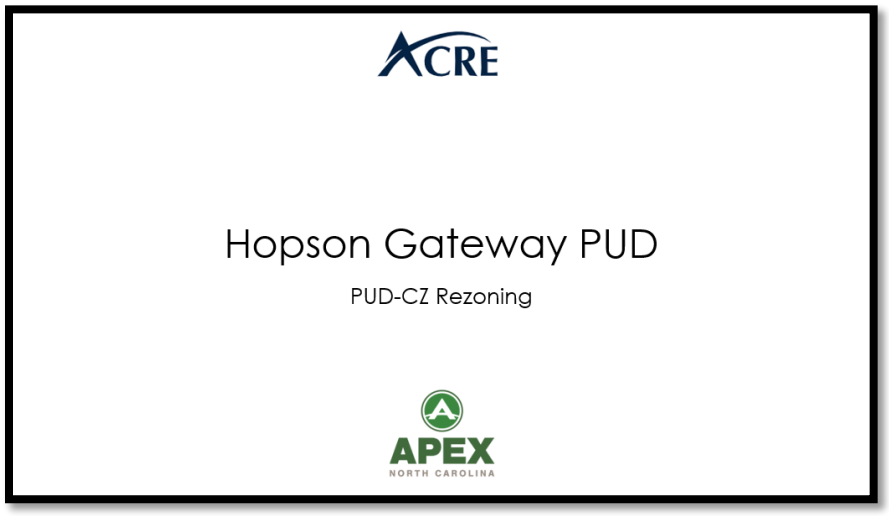
Councilmember Zegerman asked if that would be sufficient under these current conditions.

Ms. McClure said yes.

Mayor Gilbert called up Matthew Carpenter.

Matthew Carpenter with Parker Poe on behalf of the Developer, Acre Management introduced Jesse Keho with Acre Management, Jeff Roach with Peak Engineering and Design, Civil Engineer and Lyle Overcash with Kimly Horn, Transportation Engineer. He thanked staff and the Town of Apex for its collaboration for this project that was over two years long. He gave the following presentation:

[SLIDE 1]



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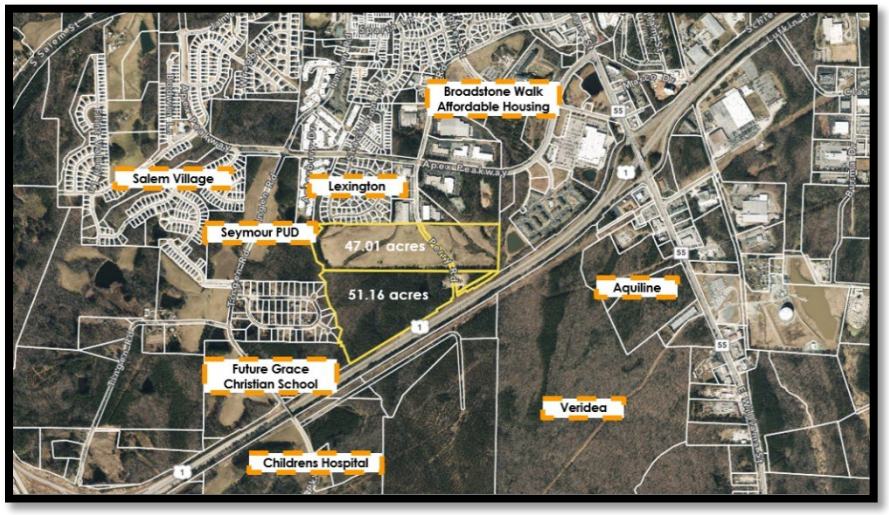

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[SLIDE 4]



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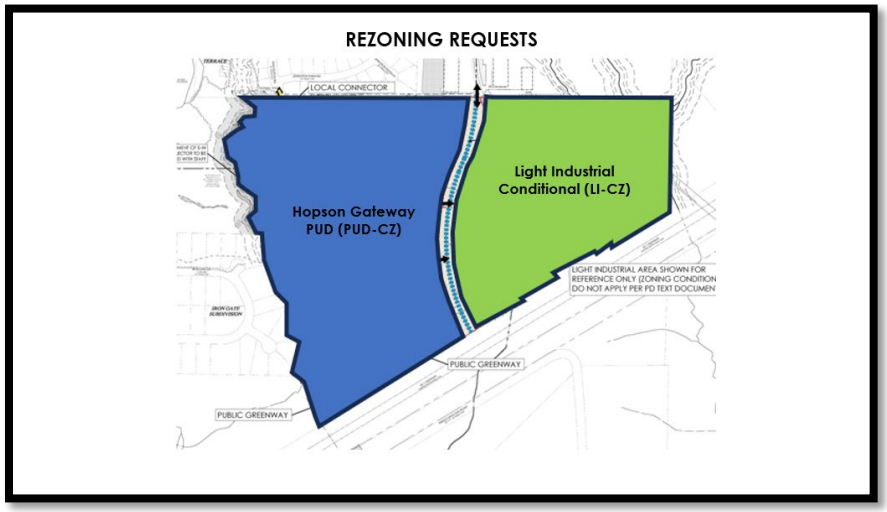

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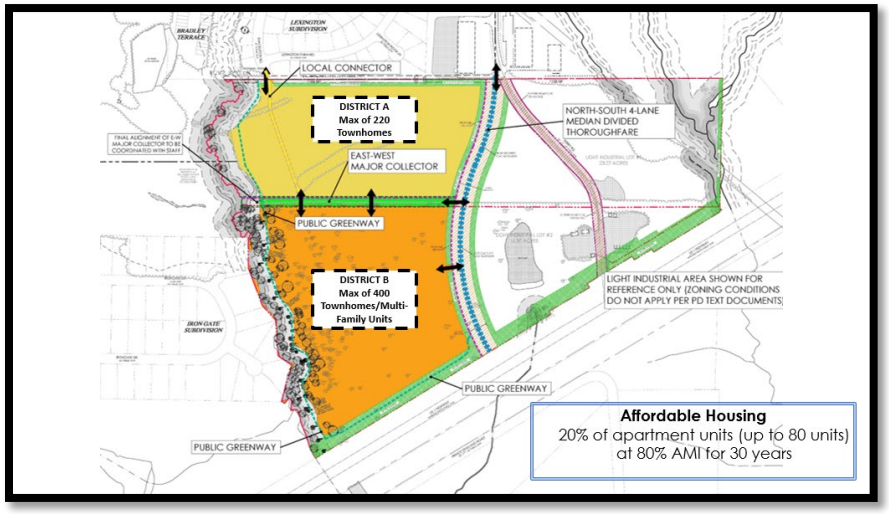

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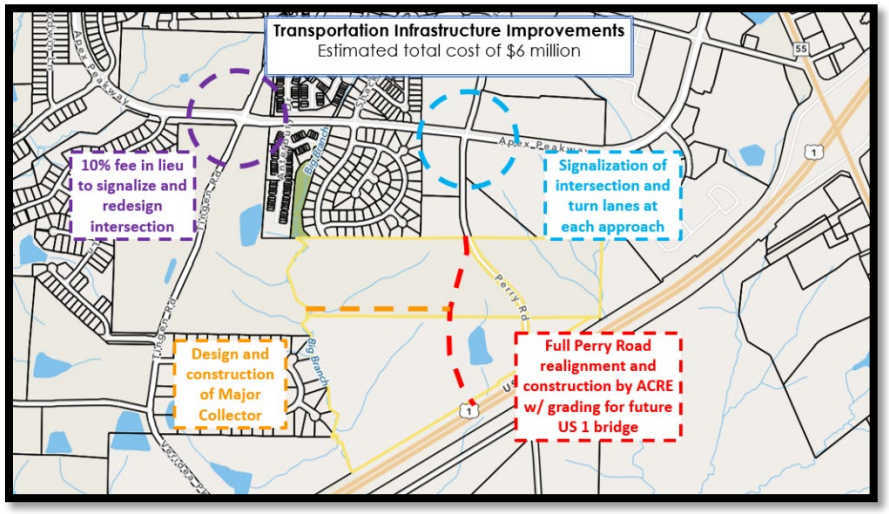

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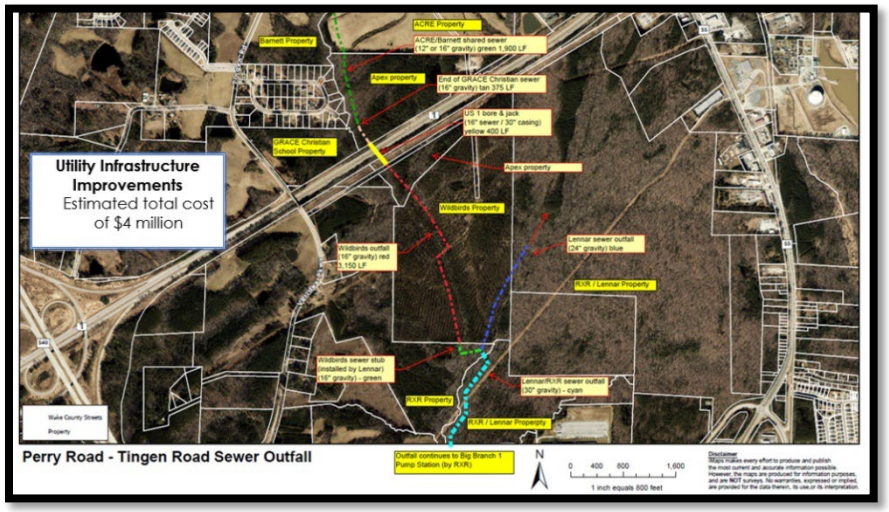

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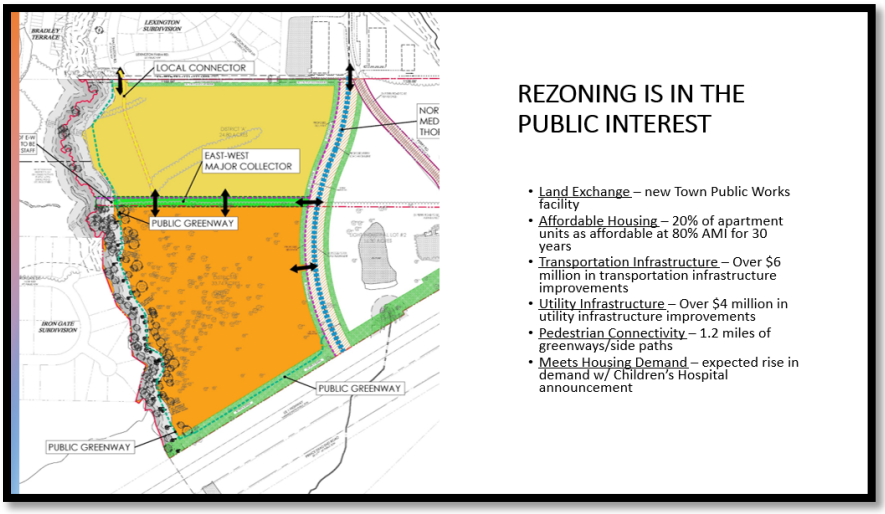


Mayor Gilbert asked if there were any questions for Mr. Carpenter.

Councilmember Gantt asked if the greenway that exists on Grace Christian would connect to this.

Mr. Carpenter said that the greenway would be built to the property line which will connect to Grace Christian and there has been discussion with staff if Grace Christian stopped short for some reason and asked if they could pick it up and be reimbursed for constructing the greenway, through Park Fees. He said this wasn't included in this condition because it would be an off-site connection and there would be questions about easements and ownership to commit to that but they are open if there is a gap.

Councilmember Gantt said that it seemed that the easements are there on the site-plan, he highly encouraged the connections. He also asked about the Type B buffer instead of Type A buffer.

Jeff Roach said that it was a Type B buffer because there is an existing utility line there and it will be a 40' wide buffer across the entire length.

Councilmember Gantt said there are single family homes that abut this that have a Type A buffer.

Mr. Roach said that on the Type B buffer there are more deciduous trees and hardwoods and smaller shrubs to fit in there and it is better looking once it grows in.

Councilmember Gantt asked if there would be townhomes in the northwestern corner, referencing the northern part with the creeks.

Mr. Roach said the idea is to bring Shackleton down where there aren't any wetlands or stream buffers in that area and he didn't think there would be much in the northwest corner because of the room with the road.

Councilmember Zegerman asked if there were any connectors directly connecting with Shackleton.

Mr. Roach said that it is part of the Transportation plan amendment, it is shown as a local connector street. He gave more details about the zoning commitment and discussion (referencing slide 9).

Mr. Carpenter also clarified a condition was added saying there would be no construction traffic allowed on Shackleton.

Mayor Gilbert asked about access to sewer with Iron Gate.

Mr. Roach said that Iron Gate residents are getting sewer access with the construction of Grace Christian. He gave more detail about this process and stubs for Grace Christian.

Mayor Gilbert asked if there were any other questions for the applicant and opened Public Hearing. He called the first speaker.

First speaker was **Zack Highness** of 114 Lexington Farm Road:

"I would rather be in a million other places right now than here. I have to put up my Christmas decorations to get ready for the lights. I'm going on vacation soon, but this is important. There's two major things in this that make no sense. Environmentally, you're tearing down 50 plus acres of trees. Environmentally, half of you ran on this of being sustainability and environmental. There's no environmental saving this. Yes, the greenway does help things, but the major road, the major easement they're planning right in the middle, it's going to cross the creek. What's the point of the greenway if you're building a bridge right on top of it? Secondly, I agree with what the Council members said with the 20ft buffer. If you're going to give a 40ft buffer to the businesses at the very top, why is the neighborhood not getting the exact same respect? A neighborhood that's been there since the 90s. Another aspect of this that's extremely worrying to me is this neighborhood has already seen a massive increase in property taxes over the last few years. Looking at the examples of all the town houses, three-story tall town houses which have popped up all over this town, they're all being sold for 500, 600, $700,000. The average price of a house in Lexington is 350K, which means on average, every house in that neighborhood's property value is going to show up 50 to $75,000. We already have a problem in this county of people being afforded property taxes. Why are we trying to make it exponentially worse? I'm not a person saying that we shouldn't construct houses, that this is a terrible idea. We need to construct houses, but this property plan doesn't seem extremely thought out to the people that already live there. I agree that the town houses need to be made. The road to Shackleton connecting to the major thoroughfare, perfect. Why weren't we told about this? We only knew about this Monday. We were told that we were going to have two meetings with these developers. Most of the neighborhood only had one. We were never told of the September meeting, and if we were, it was very terribly told. Probably just thrown in the mail and expecting no one to show up. I am perfectly fine with this plan. It just needs to be thought through a little bit more. Nobody was really told until the very last minute. There are a lot of inconsistencies with their environmentalism. The bridge across US1 could take a decade and the light that they're saying they're going to pay 10% of at the intersection of Apex Peakway and Tingen needs to happen no matter what because there's already a massive traffic

problem there to begin with. There's just a lot of inconsistencies here that need to be looked at."

Mayor Gilbert thanked the speaker and called the next speaker.

Next speaker was **Phil Welch** of 1471 Big Leaf Loop:

"I speak today in support of rezoning case number 24CZ20, the rezoning for the parcels at the southern end of Perry Road near US Route 1. This rezoning is requested by Acre Management for their proposed Hopson Gateway community and the town of Apex. My support is based on three findings. First of all, there was a review of the Acre Management website, which was done by my friend Mary Wilson. Secondly, we had a conference call with Matthew Carpenter and Acre Director of Development Jesse Keho, thank you Mary Danfor for joining on that and finally, I took a tour of Acre Management's water site at Pepper Hall Community at Pepper Hall in Bluffton, South Carolina. Here's what we found: Acre has the resources and experience to build and manage mixed-income developments, it was founded in 2011 as a vertically integrated real estate fund manager, they have deployed $78 billion in total capital, including $4.4 billion in assets under their management. They've owned and operated 38,000 multifamily housing units. They focus on workforce housing for households up to 80% of AMI and they see the benefits of mixed-income multifamily developments with no difference in sizes or finishes between the affordable and market-rate units. Let me say that again, because that is really important, Acre Management sees the benefits of mixed-income multifamily developments with no difference in sizes or finishes between the affordable and market-rate units. Finally, their affordable units are sprinkled throughout the multifamily buildings, which I believe is best practice. Secondly, the company enthusiastically supports Apex's objective to provide housing choices for essential workers. Hopson Gateway is currently planned to be up to 220 for-sale townhomes and up to 400 rental apartments, including as many as 80 rental apartments for households earning a maximum of 80% of AMI for a period of 30 years, which is also best practice. Up to 80 rentals out of a total of 620 homes in this development is 13% affordable homes, which is, as far as I know, the highest percentage offered yet in a mixed-income development in Apex. Acre will not be using tax credits for the development, which should shorten the timeframe. When I asked how Acre was able to do this, I was told that they operate out of discretionary funds, focusing on portfolio performance versus individual deal metrics, which allow them more flexibility and that's an important difference. Finally, here are my observations on my tour of Acres's new Waterside Community: Last Friday, I met with Acre development director Brian Smith, the Waterside property manager, and the regional director for the property management company. When fully built out, Waterside will include 331 market-rate rental apartments, by my rough calculations, renter households will need to earn at least 100% of the local AMI, about $100,000, to keep monthly housing expenses to no more than 30% of income. There are no affordable income-restricted apartments there. Apartment sizes in configurations

ranged from 762 to 1,145 square feet and included one-bedroom, one-bath, two-bedroom, one-bath, and two-bedroom, two-bath apartment homes. There are no specific workforce apartments designated here which I mentioned, which is unusual for an Acre community. However, Acre was a limited partner here focused on building to a design provided by the general partner that they don't have the amount of control that they are going to have at the Hopson Gateway. Acre did arrange property management with ZRS Management, which manages about 98% of their investment properties. The construction appeared excellent inside and out, including very attractive landscaping. All hosts were professional, knowledgeable, and responsive to my questions. I mentioned the acre development director, Brian Smith, he is involved in the design and will be overseeing the construction of the Hopson Gateway. Based on our investigation into Acre Management, the proposed Hopson Gateway community, and the existing Waterside community, I strongly support approval of this rezoning. I look forward to following the development of Hopson Gateway and the addition of up to 80 affordable housing choices to Apex's housing inventory. In the remaining minute or so, I would point out that Apex has been most successful in increasing affordable housing choices, which target households earning up to 80% of AMI. Apex also needs to encourage the building of more housing choices for even lower-income households, including those affordable to our essential workers. Great examples include DHIC's Stone Glenn, Evergreen's updated plan for Abbey Spring, I would also point out, the Maragold mixed-income rental apartment community in Cary, which I think some of you know about, which will accommodate households earning up to 30% of AMI through market-rate units, so that's a full mixed income community. Perhaps that may be an example to investigate when planning the development of Apex's town-owned land at the corner of Perry Road and South Hughes Street. Thank you."

Mayor Gilbert thanked the speaker and called the next speaker.

Next speaker was **Jackie Trickle** of 1208 Lexington Farm Road:

"I appreciate that they've added in that Shackleton Road would not be used for construction traffic. The other issue, as per the presentation that was made and also discussion with a Hopson representative and supporting the other gentleman, the 20-foot buffer along Lexington Farm, I understood that was going to be in addition to the 20-foot easement, but in the presentation, it said they could overlap. So, I wanted to make sure that we are talking about at least 40 feet, but I agree out of respect for the neighbors that it should be more. Forty feet with one of those being a sewer easement is probably not conducive to good neighbors for the existing housing. That's it. Thank you."

Mayor Gilbert thanked the speaker and closed Public Hearing.

Councilmember Mahaffey asked Mr. Roach to clarify the buffer questions.

Mr. Roach said that the ordinance requires a minimum of 20' planting buffer and if a public utility easement overlaps that area, the planting moves south which will result in two distinct 20' areas which creates the total 40' separation.

Mayor Gilbert asked for discussion.

Councilmember Killingsworth said that this is good use of the land as far as the exchange and for affordable housing goals, she supports this.

Mayor Pro-Tempore Gray said that when this rezoning started the affordable housing target was 5% and the applicant met and exceeded the updated 10% goal and this is a big step in changing the stigma on how people feel about affordable housing. He said crediting the Planning Staff for focusing on workforce housing with NC Children's Hospital being built nearby in the future and looking forward to this. He thanked Mr. Roach for clarifying the 40' buffer. He is in full support of this rezoning.

Councilmember Mahaffey said that he appreciates the transportation infrastructure improvement provided and the assorted number of improvements that are coming to the area that were identified in the TIA.

Councilmember Zegerman said that he was concerned about the timing of the project, especially in relation to the Seymour PUD. He said that he would feel more comfortable if Seymour came first to have the east west connector go through to Tingen Road and upgrades to the Tingen Road, Peakway intersection. He said that there is a lot to like with this rezoning project, but the parking on Perry Street is a concern.

Councilmember Gantt said it can be hard to construct a neighborhood next to an older existing neighborhood but the road, sewer, affordable housing and improving Apex's land connection are all positives and outweigh some of the negatives that have been discussed at this meeting tonight. He said he is in favor.

A **motion** was made by **Councilmember Gantt** and seconded by **Councilmember Killingsworth** to amend the Apex Transportation Plan for consistency with the proposed rezoning 24CZ20 Hopson Gateway Planned Unit Development (PUD)
AND to rezone approximately 58.54 acres from Residential Agricultural (RA) & Light Industrial-Conditional Zoning (LI-CZ #24CZ08) to Planned Unit Development-Conditional Zoning (PUD-CZ) at 0 Tingen Road (portion of) & 1341 Perry Road (portion of), with the additional condition, "no construction traffic shall be permitted on Shackleton Road" (see OTHER-2025-101)
AND to rezone approximately 39.62 acres from Residential Agricultural (RA) & Light Industrial-Conditional Zoning (LI-CZ #24CZ08) to Light Industrial-Conditional Zoning (LI-CZ) at 0 Tingen Road (portion of), 1341 Perry Road (portion of), & 0 Perry Road.

VOTE: UNANIMOUS (5-0)

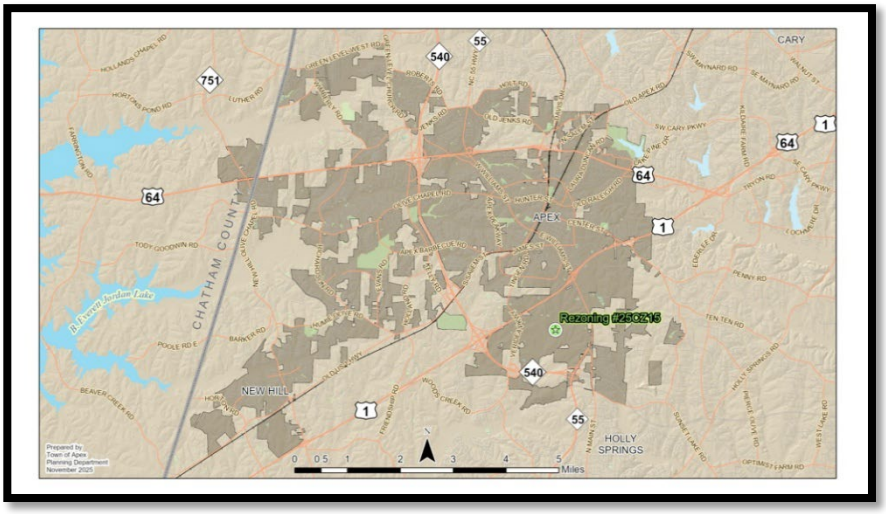
PH6 Rezoning Case No. 25CZ15 Veridea Expansion IV

Amanda Bunce, Assistant Director, Planning Department said Veridea is located between US1, Highway 55 and NC540 comprised of 10 acres totaling about 130 acres. She gave the following presentation:

[SLIDE 1]



[SLIDE 2]



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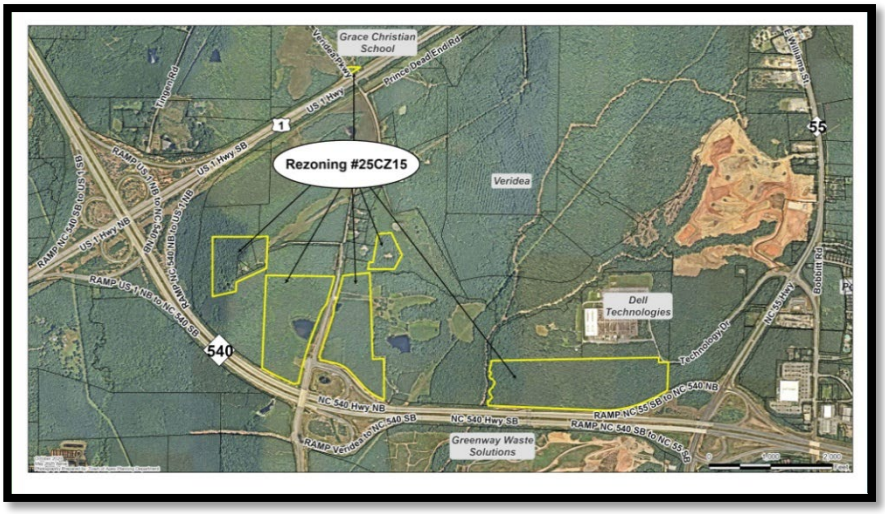

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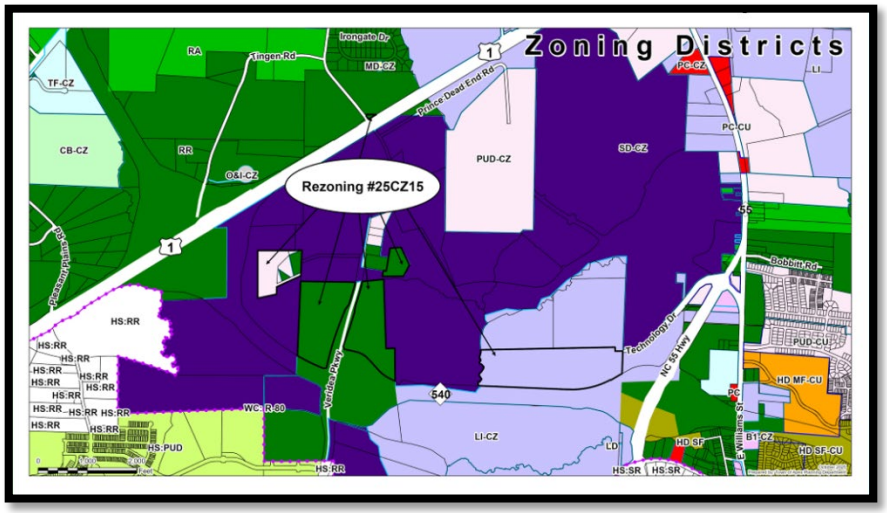

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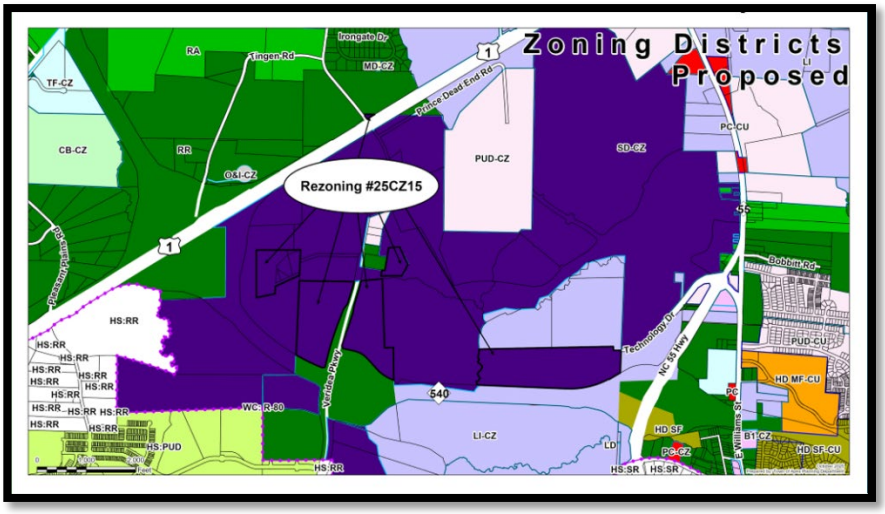

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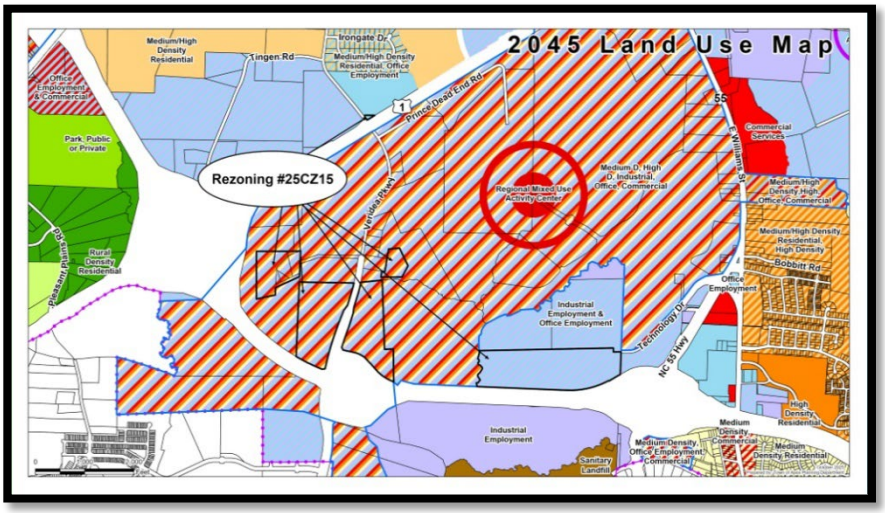

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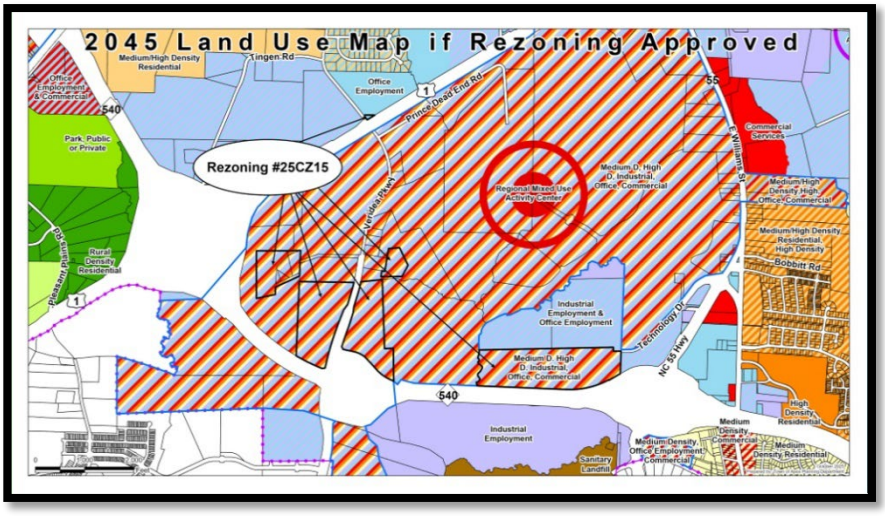

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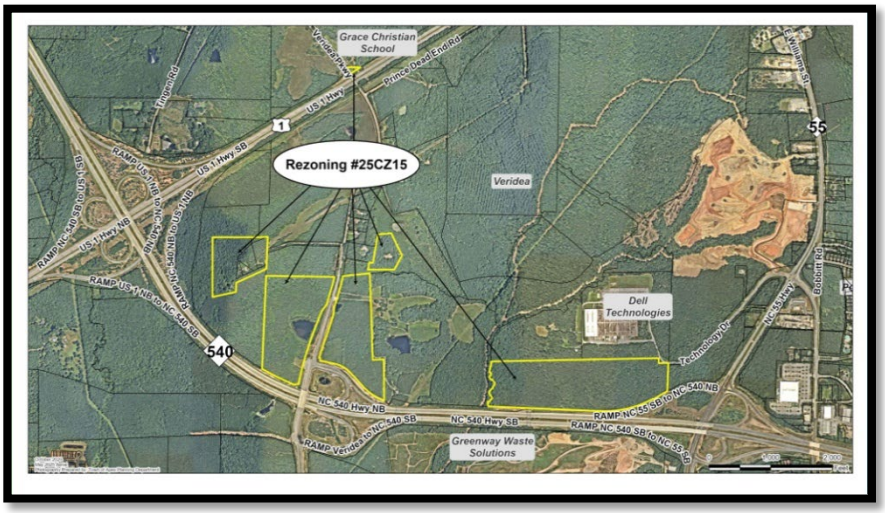

Assistant Director Bunce opened up for questions.

Mayor Gilbert asked if there were any questions, with no questions, he asked the applicant to come up and speak.

Leticia Shapiro with Morning Star Law Group spoke on behalf of RXR Reality, the applicant introduced Joe Graziozi with RXR Reality. She gave some highlights that RXR Reality plans of bringing in the properties that are located between US1 east to 55 and north of 540, making this consistent with the zoning throughout this area. She thanked the Council for their time and asked for approval.

Councilmember Gantt asked for discussion of the little sliver north of US1 and to confirm that the intentions are not to be used as a toehold to start the expansion of the zoning north of US1.

Ms. Shapiro said that it isn't, that it is all clean up.

Mayor Gilbert opened Public Hearing and with no one signed up to speak Public Hearing was closed and asked if there was a motion.

A **motion** was made by **Councilmember Killingsworth** and seconded by **Mayor Pro-Tempore Gray** to approve Rezoning Application #25CZ15 Veridea Expansion IV. The applicant, Todd Rechler, RXR Realty seeks to rezone approximately 130.74 acres from Rural Residential (RR), Light Industrial (LI), & Planned Unit Development-Conditional Zoning (PUD-CZ #07CZ01) to Sustainable Development-Conditional Zoning (SD-CZ) for Veridea at 0, 0, 0, 3142, 3138, 3130, 0, & 3134 Veridea Pkwy; 0 Technology Dr (portion of); and 6300 King David Ct.

VOTE: UNANIMOUS (5-0)

~~**PH7 Unified Development Ordinance (UDO) Amendments – November 2025**~~
~~*Bruce Venable, Planner II, Planning Department*~~

Mayor Gilbert said that staff requested to continue PH7 and asked if there was a motion.

A **motion** was made by **Councilmember Killingsworth** and seconded by **Councilmember Zegerman** to move item PH7 Unified Development Ordinance (UDO) Amendments – November 2025 to the December 9th, 2025 Council meeting.

VOTE: UNANIMOUS (5-0)

[NEW BUSINESS]

NB1 Ordinance Amendment – Chapter 18 – Streets and Sidewalks, Section 11 – Obstructions – Structures – Temporary Seating Placement in Right-of-Way (ROW) at Approved Special Events (REF: ORD-2025-082)

Ryan Johansen, Chief of Police, Apex Police Department

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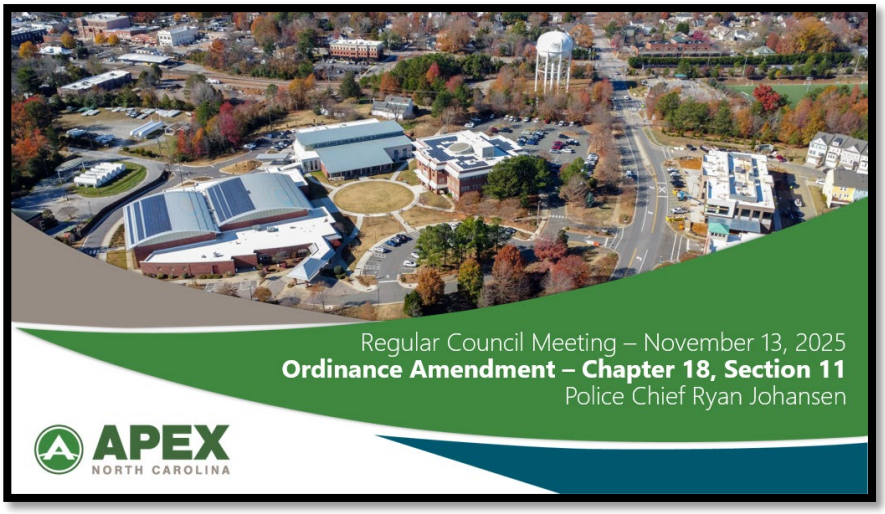

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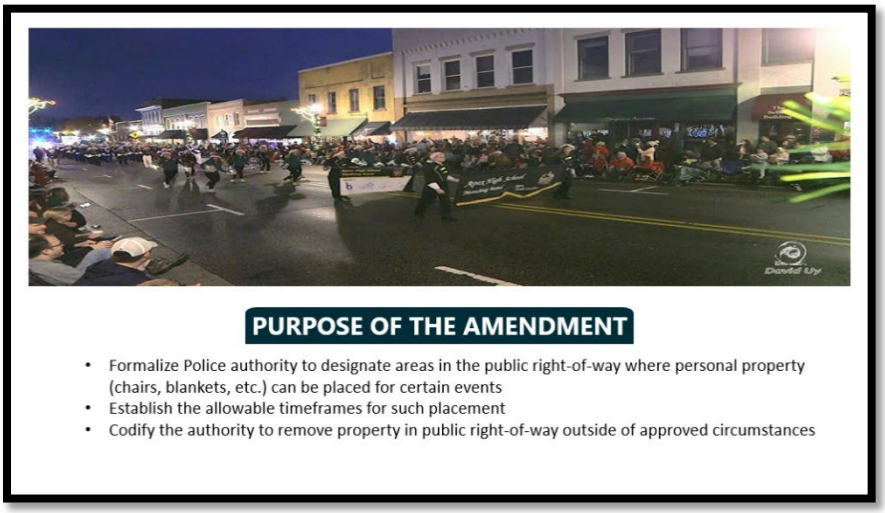

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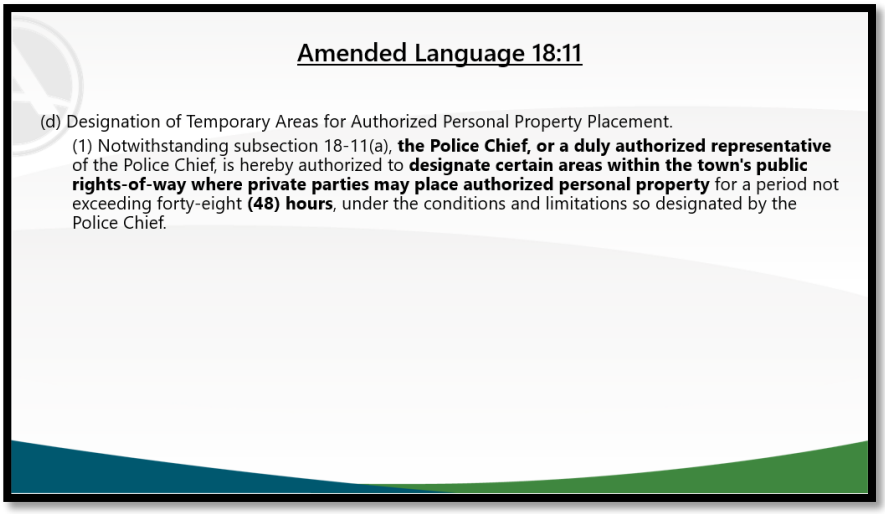

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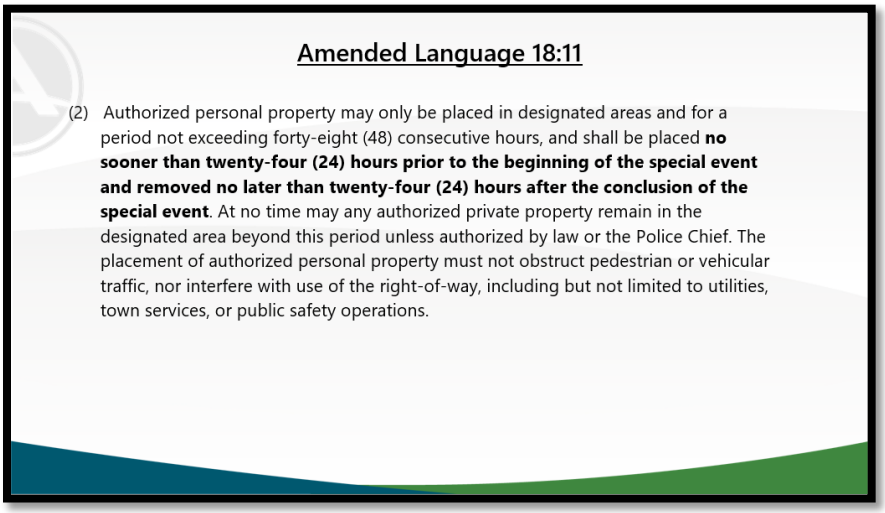

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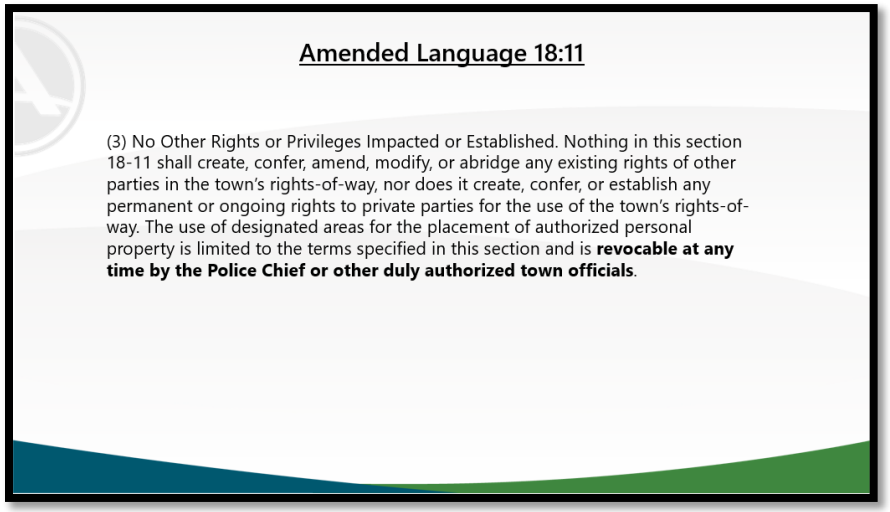

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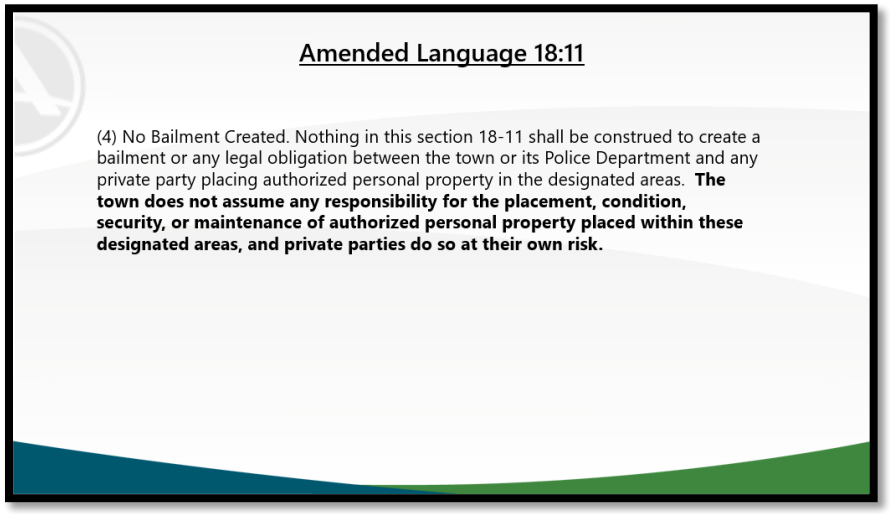

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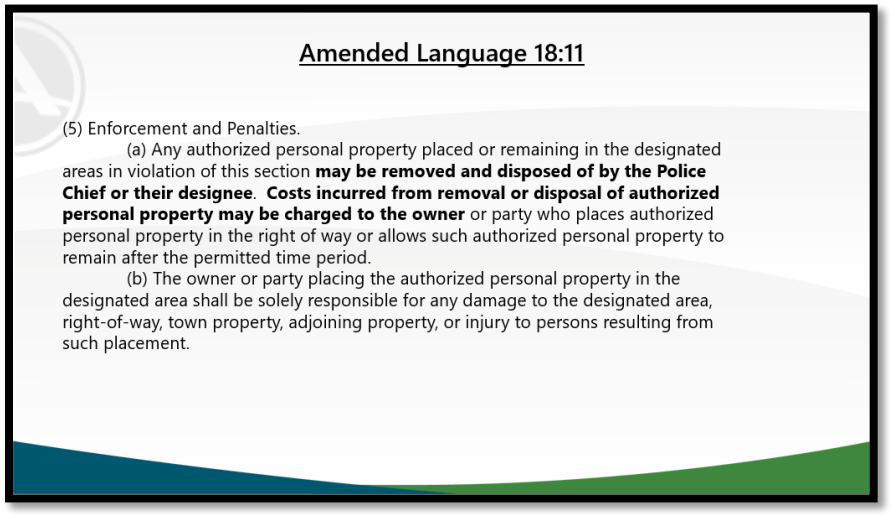

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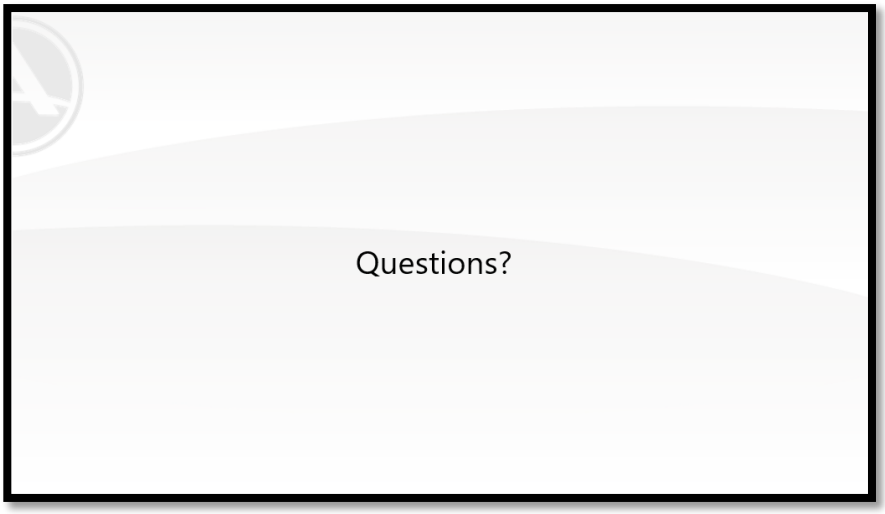


Chief Johansen asked if there were any questions.

Councilmember Killingsworth said that this was good to finally have this put into language here in the ordinance because it has been an issue every year and now there is clear guidance to residents.

Councilmember Mahaffey said that enforcement will be the key and asked if there would be officers there the night before.

Chief Johansen said the intent will be to allow placement beginning at 10 p.m. the night before, which was in collaboration with the downtown businesses for as little as inconveniences with the roads being blocked. He said that it will be a little more difficult to enforce this during the parade.

Mayor Gilbert thanked staff for the awareness up front and getting the information out prior to the parade. He asked could they put out as many chairs as they wanted.

Chief Johansen said that as long as they are in the designated areas.

Mayor Pro-Tempore Gray thanked the Chief for taking the time to address this and thanked legal as well, especially the language about moving a chair that is broken. He said placing chairs is a tradition and looked forward to possibly revisiting this next year.

A **motion** was made by **Councilmember Killingsworth** and seconded by **Mayor Pro-Tempore Gray** to adopt an amendment to Chapter 18 – Streets and Sidewalks, Section 11 – Obstructions – Structures; vehicles of the Town of Apex Code of Ordinances to allow individuals to place chairs or other temporary seating in temporarily designated areas of the right-of-way (ROW), as determined by the Chief of Police, or their designee, no more than 24 hours prior to approved special events.

VOTE: UNANIMOUS (5-0)

NB2 Student Parking at 8008 Humie Olive Road - Discussion and Possible Direction

Councilmember Gantt gave an overview of the history of this item, which originated at an August Council meeting as a possible request to change the UDO in regards to parking at residential properties for schools. This included discussions of safety, aesthetics of the cars parked, the need for students to meet parking demand and that the Council declined to change the UDO. He said that since that meeting occurred there was an announcement about the public vehicular area for this property and then opinions that this sort of public access did not supersede the town ordinances. He said this had also been a commercial parking lot, and those were prohibited in Apex. He said with this being his and Councilmember Killingsworth's last meeting, he wanted to have it addressed and not passed on to the next Council, by directing staff to approach this issue based on Council's decision. He said his preferred approach and a possible vote on this on this before there is direction about enforcement is a relinquishment of the ETJ with the argument that the school is a County facility and the School Board and the Principal are the ones who have the authority to prioritize parking passes in that facility and have the ability to do an assignment policy depending on certain capacity in excess of where the parking was designed for. He said they also own a site that may be a future library with a possibility of remote parking where the students didn't have to cross the street. He said that there were public comments about the legal basis of this kind of vehicular parking area. He said that his preference would be that the County and their ordinances take this if they want to enforce it with the property owner. He said he was in support of enforcement of Apex's ordinance if the ETJ relinquishment is not the desired direction of the Council, but that vote could be taken first and they could move from there. He welcomed comments or questions.

Councilmember Killingsworth said that there was discussion with Town Manager Vosburg and Wake County Schools and asked if he would be willing to share some of that discussion.

Town Manager Vosburg said that there have been ongoing discussions with the school and Wake County Schools and this particular parking lot in question does not solve the problem completely. He said that there aren't many solutions currently, but there have been discussions with the neighboring church to explore bolstering their parking that they offer. There was also discussion about the future library that was mentioned and that site has been selected. He said that there had also been a meeting with the County staff related to this and they are open to a longer term solution, they do have a little extra property than they need for the future library that could be utilized for parking, and the School Board and principal seem supportive of that option especially since it is on the same side of the school, the issue is timing and sidewalk connection with property owners. He said that the other option that was explored was property that the County or the Town owns property on the southeast side of the school and potentially looking at pedestrian connection to accommodate student parking, but they were not as supportive of this option because of a security standpoint with low visibility for monitoring. There was discussion about how the school prioritized issuing parking passes and this is attached to a district policy and the

district wasn't ready to select different types of students to prioritize. He said there was discussion with the school about looking at maximizing the parking. He said that the school said that the capacity of drivers had dropped and they anticipate it will be lower for next year, but this may be for the short term. He said that they did talk about the utilization of town parks that are vacant during the school day that could potentially be used, but the difficulty becomes how to transport the kids from the park sites to the school and if kids would be willing to do that since most have bus transportation available if they are within that set distance already and are not utilizing the buses now, and also the dual enrollment at Wake Tech and the shuttle would have to run all day. He said that it was a good dialogue but there were no solutions currently.

Councilmember Gantt said that there is frustration with the County having all of the power in the parking issue. He added some background and noted that Apex has previously relinquished ETJ or annexation authority in at least one case involving a local bar that had compliance issues and it occurred without significant difficulty, and that relinquishing ETJ is not unprecedented.

Councilmember Zegerman asked if there was a vote on the preferred option.

Mayor Gilbert asked to see the paperwork that was dropped off earlier by Mr. McDavid.

Councilmember Mahaffey said that he had never heard of PVA when it was announced so there was research done on the legal implications to help understand what this meant. He said that there were three opinions received from the Town, the League of Municipalities, and NCDOT which administers the PVA program. He said that all three of them say that a PVA program does not affect land use or parking, and they all say that the purpose of the PVA is to allow jurisdiction on a property, meaning NCDOT can now enforce their laws on your property. He said they specifically asked if the PVA preempted the Town's land use requirements, and all 3 opinions agreed that it didn't. He asked Town Attorney Hohe if she would summarize this more accurately.

Town Attorney Hohe said that if Council would like her to talk about the legal matter in open session she would.

It was the consensus of the majority of Council that they would like her to, as they felt this was in the public interest.

Attorney Hohe gave an overview of the explanation of the information received from NCDOT as well as the League of Municipality the PVA fits within Chapter 20, motor vehicle laws, of the General Statutes of North Carolina. The clear intention there of the PVA designation is to allow enforcement of motor vehicle laws on the PVA property which is why the stop sign could be installed and could be enforced on the subject property. She said the question is if the PVA designation preempts the local zoning authority because no one is suggesting or attempting to want to take away the PVA designation, as that is something that NCDOT gives and it's not something that the town would have the authority to take away so the PVA designation would remain. She said that the question is if the designation would preempt Apex's zoning authority and in her opinion and other's opinion, it does not, that

State Legislature has clearly given matters of land use control to local governments, meaning Counties and Cities, and there is a special chapter 160D in the General Statutes that outlines how Apex may regulate those land uses, so the Town's opinion is that the zoning authority is not preempted, which means the Town can still regulate use of land. She said that the land use designation in this instance is rural residential, which does not allow the use of student parking as an accessory use per Apex's UDO and that is where the conflict is, it's not with the PVA, but with zoning. She said a zoning amendment or a change to the UDO would be the way to move forward if this property owner wanted to continue using the property for parking.

Councilmember Killingsworth asked to clarify that a change in the zoning would allow for student parking and a commercial business to be used in this area.

Town Attorney Hohe said that she would have to defer to Planning staff as to what zoning designation would be appropriate for parking for this location, but she did believe there were existing designations that would allow for that.

Councilmember Mahaffey said a zoning petition would have to be submitted and it would have to go through the process. He said the Town has to apply its rules fairly to everyone.

Councilmember Gantt said that it seems unlikely that this landowner will prevail if it comes to a judge deciding.

Councilmember Mahaffey said that the zoning in the County is identical to Apex's zoning at this property, it would just be a matter of who does the enforcement. He said it is Apex's situation and to deal with and asking the County to enforce this seems irresponsible.

Councilmember Gantt said that if the Town relinquishes the ETJ designation, it's no longer Apex's rules that apply to this parcel.

Councilmember Zegerman said it's just like how Councilmember Gantt didn't want to put this problem on a future Council. He said that Council is a Legislative body that set laws and those laws should be applied fairly and equitably. He said that in this situation, someone is in violation of the law, which is not unique or the first time, but the usual means to a resolution have not worked in this case. He said they are at an inflection point now where they either uphold the law or turn a blind eye and let the situation persist, which is a terrible precedent to set. He said that as it has been mentioned, there are avenues that can be petitioned either through rezoning or through a variance request, and the property owner has been advised of those avenues and as of yet has chosen not to pursue any of these avenues, so the only option is to start enforcing the laws that apply.

Councilmember Mahaffey said that they are essentially being asked to not enforce the law and that can't be done, it should be the same for all cases.

Councilmember Zegerman reminded all that the reason that the UDO amendment option wasn't pursued, which was one of the other options, was that the UDO is the blanket law for everybody in the town and it would impact more than the one property being discussed.

Mayor Pro-Tempore Gray asked Mr. McDavid for his thoughts on the King case, and asked Mr. McDavid if he had been retained. He said he read through the case and did not see the conclusions Mr. McDavid had presented earlier.

Mr. McDavid said that he was presented with a legal question and reviewed the available materials. He said that he would never want his client to have a PVA on her property because she just created an area where law enforcement can come onto her property because of the State power that she has yielded. He said that King is on point because on page 405 he talks about the contortions to say it doesn't' say what it means, there are no legislative notes, so it means what it means. He talked about the Town needing to have NCDOT "duly erect" stop signs to have them be enforceable, and discussed the King case in regards to a municipality fining for towing practice. He said the moment that she paid for the PVA it's a safe area and the purpose of a PVA is a safe area for people to take a rest and to stop. He said in the statute there were only three cases, two of which deal with horses and animals and one deals with towing and what the case at hand is, it is an unfortunate situation where Miss Annie is just one of the few people who knew to even ask and now she can't prevent the police from coming on her property because the State put those signs up so she can't kick the police off of her property. He said the land use doesn't change the access to the land does.

Councilmember Mahaffey said that he agreed with what the PVA is but he didn't see the support for his other points.

Mr. McDavid said she cannot stop law enforcement from coming onto the property. It is designated as a safe parking area, and she also cannot charge. He said Miss Annie would win at trial. He said the land use doesn't change, but the access does.

Councilmember Mahaffey said he agrees as to what the PVA is and what it does in regards to law enforcement being allowed on the property.

Mayor Pro-Tempore Gray said that he disagrees as a lawyer, the Fourth Amendment still doesn't allow law enforcement to go into the house, they are just talking about the area designated as the PVA.

Mr. McDavid said from the PVA, anything that they see.

Mayor Pro-Tempore Gray said that those are exceptions to the Fourth Amendment but this is not explicit authorization and if they saw or smelled something or any other exceptions to the Fourth Amendment which are out there in order to take the next step. He asked Mr. McDavid if he agreed that the jurisdiction hasn't been ceded completely to the state when it comes to the issue of zoning authority still applying, considering NCDOT has told the Town that they still have that authority.

Mr. McDavid said absolutely, Apex can zone it in a thousand different ways but stop signs don't become duly erected until you get a DOT sticker and then you can't undo that fact, it's called mootness.

Mayor Pro-Tempore Gray said it seemed like he was conflating the two issues, and that position doesn't seem consistent with the ultimate holding in King, and certainly doesn't

seem consistent with the holding of Washington versus Hammond, which is the original interpretation of what the state's authority is over the municipalities.

Mr. McDavid said King comes after Washington.

Mayor Pro-Tempore Gray asked if he conceded that King is citing Washington.

Mr. McDavid said but King took over, correct. He said on page 405 it talks about it, and that there were no legislative notes describing anything the law was meant to stop.

Mayor Pro Tempore Gray said he thinks that's where the issue is being conflated.

Mr. McDavid said if a person makes the request, they get to be a PVA. He said the Town does not have any say in that process.

Mayor Pro Tempore Gray asked if he would concede that the Town has not lost its zoning authority even with that designated.

Mr. McDavid said that was correct, it was sandwiched on top. He said the problem is if people park there the property owner cannot be fined because of it being a PVA.

Councilmember Mahaffey said that Mr. McDavid is the first person to articulate this case, as no lawyer that he had talked to up to this point has explained why a PVA designation allows parking.

Mr. McDavid said that the moment the Town tries to take a dollar from Miss Annie, as the King case showed, the Town will have exceeded its authority because DOT said she could do it.

Mayor Pro Tempore Gray said that's where he thinks he has conflated the issue.

Councilmember Zegerman said no one is asking for money, the PVA is not the issue, it's that the underlying zoning does not allow for parking and the PVA doesn't make it a different zoning with a different allowable use.

Mr. McDavid said that she could do it because DOT sent Miss Annie a letter and put the signage up.

Councilmember Mahaffey said that the property could be a PVA, and DOT told the Town she couldn't go against their zoning regulations.

Mr. McDavid said once DOT took her money, it is what it purports to be.

Mayor Pro-Tempore Gray said that this was gone from step two to step six without going to two, three and four. He said that he understands Mr. McDavid isn't retained and hasn't done all of the research.

Mr. McDavid said he has done the research, and could go to court tomorrow with the argument that as soon as the Town tried to take a dollar from her, they couldn't. He said that with the PVA Apex has lost the authority to fine Miss Annie. He said that is the power of the purse, and that is what King says.

Councilmember Mahaffey asked Mr. McDavid if his position is that this is illegal, but Apex can't fine her.

Mr. McDavid said yes, they can ask her not to do it but fining would be exceeding authority.

Mayor Pro-Tempore Gray said that Council would continue this discussion. He said that he appreciates that Mr. McDavid understands the difference between litigators and trial

lawyers, because there is a true difference. He said ultimately, he thought Mr. McDavid was wrong on King and ultimately a judge could decide if need be.

Mayor Gilbert asked if he was recommending an administrative law judge.

Mayor Pro-Tempore Gray said at this point and with this being a municipality, the Town would at least be entitled to superior court at this stage.

Councilmember Gantt said that this may apply to the County and enforcement.

Councilmember Zegerman said that whether the Town has an ability to fine or not, they still have an ability to uphold the law, so something should be done by the Town.

A **motion** was made by **Councilmember Gantt** and seconded by **Mayor Pro-Tempore Gray** to direct staff to coordinate with Wake County in the eventual agreement to relinquish this property from the ETJ.

VOTE: (1-4), **with Mayor Pro Tempore Gray, Councilmember Killingsworth, Councilmember Mahaffey, and Councilmember Zegerman dissenting.**

A **motion** was made by **Councilmember Gantt** and seconded by **Councilmember Killingsworth** to direct staff, including the Town Manager, Planning Director and Town Attorney to initiate the processes of enforcement of the zoning ordinance for 8008 Humie Olive Road.

Mayor Pro-Tempore Gray clarified that there were no exceptions or attempt to speed this through, so the town is following the procedures that are already set.

Town Manager Vosburg said that this is how he is taking this and that the process will not be altered from what is normally done in this process.

Councilmember Zegerman said that taking in account to what has already been done, like the violation letters that have already been sent.

VOTE: UNANIMOUS (5-0)

Councilmember Mahaffey asked Town Attorney Hohe for the legal research that was referred to of the opinions released because it is in the public interest this discussion about PVA to see what is being looked at, he asked Attorney Hohe if she could do that based on what was said.

Town Attorney Hohe asked in what manner should be released.

Councilmember Mahaffey said a blog or a fashion that people could access the documents.

Councilmember Zegerman said they could lift the protection of them from Public Records Requests.

Mayor Pro-Tempore Gray asked if it could be added to the minutes.

Councilmember Mahaffey went over the documentation that should be released, such as the correspondence with NCDOT and the League of Municipalities and memos from legal staff.

Town Attorney Hohe said that the memo would be protected by attorney client privilege, but if the client directs it to be released, then they may be released. She said that she could attach them to the minutes.

A **motion** was made by **Councilmember Mahaffey** and seconded by **Councilmember Zegerman** to direct Town Attorney Hohe to attach the relevant documents to this item, including currently protected documents, to the meeting minutes.

Councilmember Gantt asked if it would not be advisable to release the memo in this scenario.

Councilmember Mahaffey asked if there could be a modified version.

Town Attorney Hohe asked if she could think about it. She said communications between staff and other agencies would already be public record.

Councilmember Mahaffey asked if she could create a new document summarizing her position without it being legal advice.

Town Attorney Hohe said due to the nature of her relationship to the Town Council, it would also classify as legal advice. She said she would have to think about it.

Mayor Pro Tempore Gray said attorney-client privilege is important to defend.

Councilmember Mahaffey withdrew his previous motion.

Mr. McDavid said that the CRAC describing the question, analysis, and conclusion would protect attorney-client privilege.

Mayor Pro-Tempore Gray said that he was contemplating that but then he didn't want to risk giving up privilege for all future opportunities. He said privilege should be defended, even if there was not a real reason to do so.

Mr. McDavid said that if King is used as the question, then the CRAC is her opinion based on King and it's not her opinion to Council on the overall question, just on what King means and not in regards to this particular matter.

Mayor Pro-Tempore Gray said that it was still a little closer to the line than he would feel comfortable with.

Councilmember Gantt said the public records are available if requested.

Mayor Pro-Tempore Gray said that as a thought that if there were a petition for rezoning, he would look favorable on doing that.

TJ Evans asked Mayor Pro-Tempore Gray if he voted on the last motion.

Mayor Pro-Tempore Gray said he did, there were none in opposition.

[CLOSED SESSION]

A **motion** was made by **Mayor Pro-Tempore Gray**, seconded by **Councilmember Zegerman** to enter into closed session pursuant to NCGS §143-318.11(a)(6).

VOTE: UNANIMOUS (5-0)

Council entered closed session at 9:16 p.m.

~~**CS1 Laurie Hohe, Town Attorney**~~

~~**NCGS §143-318.11(a)(3):**~~

~~*"To consult with an attorney employed or retained by the public body in order to preserve the attorney client privilege between the attorney and the public body".*~~

This item was removed based on the vote setting the Regular Meeting Agenda.

CS2 Mayor Pro-Tempore Edward Gray

NCGS §143-318.11(a)(6):

"To consider the qualifications, competence, performance, character, fitness, conditions of appointment, or conditions of initial employment of an individual public officer or employee or prospective public officer or employee; or to hear or investigate a complaint, charge, or grievance by or against an individual public officer or employee."

CS3 Mayor Pro-Tempore Edward Gray

NCGS §143-318.11(a)(6):

"To consider the qualifications, competence, performance, character, fitness, conditions of appointment, or conditions of initial employment of an individual public officer or employee or prospective public officer or employee; or to hear or investigate a complaint, charge, or grievance by or against an individual public officer or employee."

CS4 Mayor Pro-Tempore Edward Gray

NCGS §143-318.11(a)(6):

"To consider the qualifications, competence, performance, character, fitness, conditions of appointment, or conditions of initial employment of an individual public officer or employee or prospective public officer or employee; or to hear or investigate a

complaint, charge, or grievance by or against an individual public officer or employee."

[ADJOURNMENT]

Council returned to open session at **9:43 p.m.**

Mayor Gilbert adjourned the meeting at **9:43 p.m.**

Jacques K. Gilbert
Mayor

Allen Coleman, CMC, NCCCC
Town Clerk to the Apex Town Council

Submitted for approval by Town Clerk Allen Coleman and approved on _____.

DRAFT MINUTES

TOWN OF APEX
TOWN COUNCIL WORK SESSION
TUESDAY, NOVEMBER 18, 2025
3:30PM

The Apex Town Council Work Session scheduled for Tuesday, November 18, 2025, at 3:30 p.m. at Apex Town Hall located at 73 Hunter Street in Apex North Carolina was cancelled. The meeting was not held and notice of the cancellation was posted on the Town's website.

Jacques K. Gilbert
Apex, Mayor

Allen Coleman
Town Clerk

Submitted for consideration and approval by Apex Town Clerk Allen Coleman.

Minutes approved on _____ day of _____ 2025.

| Agenda Item | cover sheet

for consideration by the Apex Town Council

Item Type: CONSENT AGENDA

Meeting Date: December 09, 2025

Item Details

Presenter(s): Laurie Hohe, Town Attorney

Department(s): Legal Services

Requested Motion

Motion to approve conveyance of property without consideration to North Carolina Department of Transportation (NCDOT) pursuant to NCGS § 160A-274 and to authorize the Town Manager to execute the Deed for Highway Right of Way and any other associated documents to complete the transaction.

Approval Recommended?

Yes

Item Details

NCDOT entered into a Right of Entry agreement with the Town of Apex for this project, as approved by Apex Town Council on September 9, 2025 and subsequently executed. However, permanent Right of Way (ROW) acquisition is required. The proposed donation of ROW is approximately 0.083 acres of tax parcel 0204982 for the replacement of Culvert 358 on SR 1160 (Olive Chapel Road) over Beaver Creek.

Attachments

- CN17-A1: Deed for Highway Right of Way - Conveyance to North Carolina Department of Transportation (NCDOT) - related to Olive Chapel Road Repairs
- CN17-A2: Gencor – Plan Sheet - Conveyance to North Carolina Department of Transportation (NCDOT) - related to Olive Chapel Road Repairs

Revenue Stamps $ 2.00

DEED FOR HIGHWAY RIGHT OF WAY

THIS INSTRUMENT DRAWN BY Michelle Winston CHECKED BY Tina Davis

The hereinafter described property ☒ Does ☐ Does not include the primary residence of the Grantor

RETURN TO: Colliers Engineering & Design
Attn: Tina Davis
5275 Parkway Plaza Blvd.
Charlotte, NC 28217

NORTH CAROLINA
COUNTY OF Wake
TAX PARCEL 0204982

TIP/PARCEL NUMBER: BP5.C001 004
WBS ELEMENT: BP5.C001.2
ROUTE: Replace Culvert 358 on SR 1160 (Olive Chapel Road) over Beaver Creek

THIS FEE SIMPLE DEED, made and entered into this the _____ day of _____ 20 25 by and between **The Town of Apex, a North Carolina Municipal Corporation**
PO Box 250
Apex, NC 27502

hereinafter referred to as GRANTORS, and the Department of Transportation, an agency of the State of North Carolina, 1546 Mail Service Center, Raleigh, NC 27611, hereinafter referred to as the Department;

WITNESSETH

That the GRANTORS, for themselves, their heirs, successors, and assigns, for and in consideration of the sum of $ ****525.00**** agreed to be paid by the DEPARTMENT to the GRANTORS, do hereby give, grant and convey unto the DEPARTMENT, its successors and assigns, in FEE SIMPLE that certain property located in **White Oak** Township, **Wake** County, North Carolina, which is particularly described as follows:

Point of beginning being S 83°42'45" W, 724.77 feet from monument "910358-1" having North Carolina State Plane coordinates (NAD83) of Northing 723372.51, Easting 2035101.60; thence along a curve 41.981 feet and having a radius of 1524.448 feet. The chord of said curve being on a bearing of N 82°10'57" E, a distance of 41.98 feet thence to a point on a bearing of S 07°01'43" E 20.00 feet; thence to a point on a bearing of S 71°30'26" W 84.04 feet; thence to a point on a bearing of S 81°23'37" W 31.04 feet; thence to a point on a bearing of N 28°42'17" W 37.27 feet; thence to a point on a bearing of N 81°23'37" E 85.21 feet; returning to the point and place of beginning. Having an area of approximately 0.083 acres.

SPECIAL PROVISIONS. This deed is subject to the following provisions only:

None

The property hereinabove described was acquired by the GRANTORS by instrument(s) recorded in the **Wake** County Registry in Deed Book **10872** Page **730** .

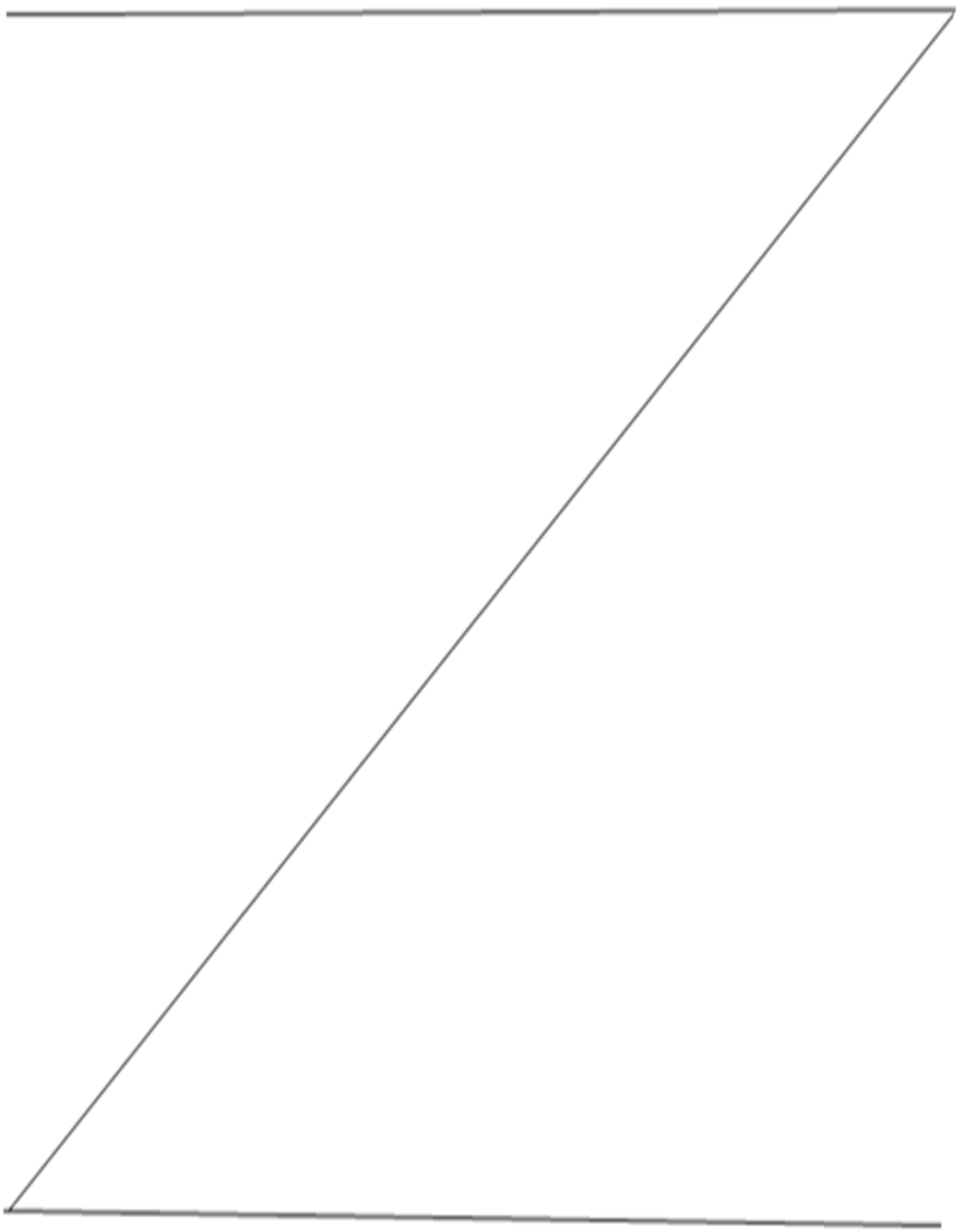
The final right of way plans showing the above described right of way are to be certified and recorded in the Office of the Register of Deeds for said County pursuant to N.C.G.S. 136-19.4, reference to which plans is hereby made for purposes of further description and for greater certainty.

The Grantors acknowledge that the project plans for Project # **BP5.C001.2** have been made available to them. The Grantors further acknowledge that the consideration stated herein is full and just compensation pursuant to Article 9, Chapter 136 of the North Carolina General Statutes for the acquisition of the said interests and areas by the Department of Transportation and for any and all damages to the value of

their remaining property; for any and all claims for interest and costs; for any and all damages caused by the acquisition for the construction of Department of Transportation Project # **BP5.C001.2** , **Wake** County, and for the past and future use of said areas by the Department of Transportation, its successors and assigns for all purposes for which the said Department is authorized by law to subject the same.

TO HAVE AND TO HOLD the aforesaid premises and all privileges and appurtenances thereunto belonging to the DEPARTMENT, its successors and assigns in FEE SIMPLE, or by easement as indicated, for the past, present and future use thereof and for all purposes which the said Department is authorized by law to subject the same.

And the GRANTORS covenant with the DEPARTMENT, that the GRANTORS are seized of the premises in fee simple, have the right to convey the same in fee simple, or by easement as indicated, that the title thereto is marketable and free and clear of all encumbrances, and that the GRANTORS will warrant and defend the title against the lawful claims of all persons whomsoever except for the exceptions hereinafter stated. Title to the property hereinabove described is hereby conveyed subject to the following exceptions: **Restrictive covenants and easements of record, government regulations and the lien of property taxes for the current year.**



COUNTY: Wake **WBS ELEMENT:** BP5.C001.2 **TIP/PARCEL NO.:** BP5.C001 004

IN WITNESS WHEREOF, the GRANTORS have hereunto set their hands and seals (or if corporate, has caused the instrument to be signed in its corporate name by its duly authorized officers and its seal to be hereunto affixed by authority of its Board of Directors) the day and year first above written.

This instrument does not transfer the herein described interests unless and until this document is accepted by an authorized agent of the Department of Transportation.

The Town of Apex, a North Carolina Municipal Corporation

BY: _____

(TITLE)

ACCEPTED FOR THE DEPARTMENT OF TRANSPORTATION BY: _____

	North Carolina, _____ County I, _____, a Notary Public for _____ County, North Carolina, do hereby certify that _____ personally came before me this day and acknowledged that he/she is (Title) of **The Town of Apex, a North Carolina Municipal Corporation** and that he/she, as president, being authorized to do so, executed the foregoing on behalf of the corporation. Witness my hand and official seal this the _____ day of _____, 20 25 . _____ Notary Public My commission expires: _____
(Official Seal)	

CUR DATA -L-	CUR DATA -L-	CUR DATA -L-	CUR DATA -L-
PIc 12+61.91	PIc 14+64.32	PIc 19+40.78	PIc 24+63.75
Δc = 00°42'57.7" (LT)	Δc = 00°37'47.1" (RT)	Δc = 10°04'19.0" (RT)	Δc = 00°56'55.9" (RT)
D = 00°24'48.6"	D = 00°16'18.6"	D = 03°39'44.5"	D = 00°35'26.0"
Lc = 173.16	Lc = 231.66	Lc = 275.01	Lc = 160.67
Tc = 86.58	Tc = 115.83	Tc = 137.86	Tc = 80.34
R = 13,856.01	R = 21,077.28	R = 1,564.45	R = 9,702.01
SE = NC	SE = NC	SE = SEE PLAN	SE = NC

-L- POC 15+75.00
BEGIN PROJECT BP5.C001

SURVEY OF DEVELOPMENT UNDER CONSTRUCTION, COMPLETED BY OTHERS

-L- PC 11+75.33

-L- PRC 13+48.49

N81°28'47.6"E

REMOVE 2@ 128" X 92' CMPA
1 @ 34'-9" X 8'-9" ABC

BEGIN HANDRAIL -L- +93.00, 37.50(LT)
BEGIN CULVERT -L- POT 17+01.62

STANDARD BASE DITCH W/ CLASS I RIP RAP SLOPE=3.9% EST 115 CY DDE EST 50 TONS EST 95 SY GEOTEXTILE SEE DETAIL 1

-L- +80.00 85 (LT)

REMOVE EXIST FENCE, REPLACE BY OWNER

-L- +29.00 55 (LT)
28' SE INCREMENT TYPICAL

-L- +88.19 55.01 (LT)
30" RCP IV
-L- +92.59 35 (LT)
REMOVE

RETAIN

24" RCP IV

15" RCP IV

25' PAVEMENT WIDTH TAPER RT

-L- +58.00 40 (RT)

-L- +77.00 75 (RT)

BEGIN 2'6" HANDRAIL -L- +93.00,31.50'(RT)

STANDARD BASE DITCH W/ CLASS I RIP RAP SLOPE=05% EST 5 CY DDE EST 15 TONS EST 30 SY GEOTEXTILE SEE DETAIL 1

OUTLET IMPROVEMENTS W/ CL II RIP RAP ON BANKS EST 165 TONS EST 180 SY GEOTEXTILE W/ CL I RIP RAP IN BED EST 75 TONS SEE OUTLET DETAIL

END 2'6" HANDRAIL -L- +45.00 31.50'(RT)

INLET IMPROVEMENTS W/ CL II RIP RAP ON BANKS EST 205 TONS EST 240 SY GEOTEXTILE W/ CL I RIP RAP IN BED EST 85 TONS SEE INLET DETAIL

-L- +60.00 65 (LT) & 55 (LT)

END HANDRAIL -L- +45.00, 37.50(LT)
END CULVERT -L- POT 17+36.38
-L- +36.00 55 (LT) & 35 (LT)

END 2'6" C&G -L- +26.00 22.50'(LT) & +36.00 15.49'(RT)

MIN CB - SEE SPECIAL DETAIL
REMOVE EXISTING SYSTEM

CL "B" RIP RAP EST 1 TONS EST 5 SY GEOTEXTILE

-L- +48.00 60 (RT) & 40 (RT)

CL "I" RIP RAP EST 4 TONS EST 10 SY GEOTEXTILE

-L- +61.55 75 (RT)

-L- PC 18+02.92
END ROADWAY CONSTRUCTION
-L- POC 18+36.00

-L- POC 18+46.00
END PROJECT BP5.C001

-L- PT 20+77.93

-L- PC 23+83.41

S88°32'04.0"E

BEGIN ROADWAY CONSTRUCTION
-L- POC 14+93.22

-L- PT 15+80.15
BA N81°23' 37.0"E

BEGIN 2'6" C&G -L- +75.00,15.00'(RT) & 22.50'(LT)

DETAIL 1
STANDARD BASE DITCH
(Not to Scale)

Type of Liner = Class I Rip-Rap, Keyed-In
FROM STA. 16+53 TO STA. 17+11 -L- LT
AT STA. 16+83 -L- RT

SILT DETAIL FOR INLET & OUTLET -L- 17+19.00
NTS

INLET DETAIL -L- 17+19.00

OUTLET DETAIL -L- 17+19.00

PROP HANDRAIL (NO UNEVEN PANEL LENGTHS ALLOWED)
FOR -L- PROFILE, SEE SHEET NO. 5

BP5.C001
2RD3 | 04

NORTH CAROLINA DEPARTMENT OF TRANSPORTATION
Wake COUNTY

ROADWAY DESIGN UNIT

ROADWAY DESIGN ENGINEER
SEAL 025477
THAD F. DUNCAN

HYDRAULICS ENGINEER
SEAL 052478
ERICA A. BERGER

PREPARED BY
VHB Engineering NC, P.C. (C-3705)
940 Main Campus Drive, Suite 500
Raleigh, NC 27606

INCOMPLETE PLANS
DOCUMENT NOT CONSIDERED FINAL UNLESS ALL SIGNATURES COMPLETED

REVISIONS

| Agenda Item | cover sheet

for consideration by the Apex Town Council

Item Type: CONSENT AGENDA

Meeting Date: December 09, 2025

Item Details

Presenter(s): Karmen McGee, Director

Department(s): Human Resources

Requested Motion

Motion to adopt an amendment to the Personnel Policies for the Town of Apex, effective December 09, 2025, related to the administration of the Peak Lifestyle allowance payments for Town employees.

Approval Recommended?

Yes

Item Details

The Peak Lifestyle Allowance is a wellness benefit designed to support employees in maintaining their physical, emotional, mental, and financial well-being. This change allows for earlier disbursement of the benefit to our new employees. For example, under the updated approach, an employee who completes probation in January, would receive the allowance in February rather than waiting until the next quarterly payment cycle in April.

Attachments

- CN18-A1: Peak Lifestyle Allowance Payments – Personnel Policy Amendment

Excerpt from Town of Apex Personnel

Current Policy

Section 11. Peak Lifestyle Allowance

Regular employees who have completed the new hire probationary period will receive a Peak Lifestyle Allowance each fiscal year to use towards expenses related to physical, emotional/mental, and financial well-being. The Peak Lifestyle Allowance is a one-time, taxable lump sum payment and is not built into base pay. The allowance will be paid on a scheduled pay day at the beginning of each fiscal year, at an amount determined each year and approved in the Town's annual budget. Employees must be actively employed on the day that the allowance is paid in order to receive the allowance. New hires will receive their Peak Lifestyle Allowance at the end of the quarter in which they successfully complete their probationary period.

Proposed Change

Section 11. Peak Lifestyle Allowance

Regular employees who have completed the new hire probationary period will receive a Peak Lifestyle Allowance each fiscal year to use towards expenses related to physical, emotional/mental, and financial well-being. The Peak Lifestyle Allowance is a one-time, taxable lump sum payment and is not built into base pay. The allowance will be paid on a scheduled pay day at the beginning of each fiscal year, at an amount determined each year and approved in the Town's annual budget. Employees must be actively employed on the day that the allowance is paid in order to receive the allowance. New hires will receive their Peak Lifestyle Allowance in the month following the successful completion of their probationary period.

| Agenda Item | cover sheet

for consideration by the Apex Town Council

Item Type: CONSENT AGENDA

Meeting Date: December 09, 2025

Item Details

Presenter(s): June Cowles, Senior Planner

Department(s): Planning

Requested Motion

Motion to approve Statement of the Town Council and Ordinance for Rezoning Case No. 24CZ20 Hopson Gateway PUD portion, ACRE Manager, LLC, petitioner, for the property located at 0 Tingen Road (portion of) & 1341 Perry Road (portion of) (PINs 0741331566 portion of, 0741326706 portion of) and Town of Apex LI-CZ portion, Matt Wetherell, Town of Apex, petitioner, for the property located at 0 Tingen Road (portion of), 1341 Perry Road (portion of), 0 Perry Road (PINs. 0741331566 portion of, 0741326706 portion of, 074142922).

Approval Recommended?

The Planning Department recommends approval.

Item Details

Rezoning Case No. 24CZ20 was approved at the November 13, 2025 Town Council meeting.

Attachments

- CN19-A1: Statement and Ordinance - Rezoning Case No. 24CZ20 Hopson Gateway PUD & Town of Apex LI-CZ
- CN19-A2: Attachment A – Legal Description - Rezoning Case No. 24CZ20 Hopson Gateway PUD & Town of Apex LI-CZ - Statement and Ordinance
- CN19-A3: Attachment B – PUD Text-Plan - Rezoning Case No. 24CZ20 Hopson Gateway PUD & Town of Apex LI-CZ - Statement and Ordinance
- CN19-A4: Attachment C – Conditions - Rezoning Case No. 24CZ20 Hopson Gateway PUD & Town of Apex LI-CZ - Statement and Ordinance

STATEMENT OF TOWN COUNCIL AND ORDINANCE AMENDING THE OFFICIAL ZONING DISTRICT MAP OF THE TOWN OF APEX TO CHANGE THE ZONING OF HOPSON GATEWAY (PORTION) APPROXIMATELY 58.54 ACRES LOCATED AT 0, TINGEN ROAD (PORTION OF) AND 1341 PERRY ROAD (PORTION OF) FROM RESIDENTIAL AGRICULTURAL (RA) AND LIGHT INDUSTRIAL-CONDITIONAL ZONING (LI-CZ #24CZ08) TO PLANNED UNIT DEVELOPMENT-CONDITIONAL ZONING (PUD-CZ) AND TOWN OF APEX (PORTION) APPROXIMATELY 39.62 ACRES LOCATED AT 0, TINGEN ROAD (PORTION OF), 1341 PERRY ROAD (PORTION OF), AND 0 PERRY ROAD FROM RESIDENTIAL AGRICULTURAL (RA) AND LIGHT INDUSTRIAL-CONDITIONAL ZONING (LI-CZ #24CZ08) TO LIGHT INDUSTRIAL-CONDITIONAL ZONING.

#24CZ20

WHEREAS, ACRE Manager, LLC (the "Applicant" for Hopson Gateway portion), and Town of Apex (the "Applicant" for Town of Apex portion) submitted a completed application for a conditional zoning on the 1st day of November 2024 (the "Application"). The proposed conditional zoning is designated #24CZ20;

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 #24CZ20 before the Planning Board on the 10th day of November 2025;

WHEREAS, the Apex Planning Board held a public hearing on the 10th day of November 2025, gathered facts, received public comments and formulated a recommendation regarding the application for conditional zoning #24CZ20. A motion was made by the Apex Planning Board to recommend approval; the motion passed by a vote of 8 to 0 for the application for #24CZ20;

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 #24CZ20 before the Apex Town Council on the 13th day of November 2025;

WHEREAS, the Apex Town Council held a public hearing on the 13th day of November 2025. June Cowles, Senior Planner, presented the Planning Board's recommendation at the public hearing;

WHEREAS, all persons who desired to present information relevant to the application for #24CZ20 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 Town of Apex LI-CZ portion of the rezoning is consistent with the 2045 Land Use Plan and other adopted plans. The Hopson Gateway PUD-CZ portion is not consistent with the 2045 Land Use Plan and other adopted plans in that: The 2045 Land Use Map designates the Hopson Gateway PUD-CZ area as Office Employment and Office Employment/Industrial Employment and approval of this rezoning will automatically amend the Hopson Gateway area on the 2045 Land Use Map to Medium/High Density Residential and Medium/High Density Residential/Commercial Services per NCGS 160D-605(a). The proposed Hopson Gateway Planned Unit Development-Conditional Zoning (PUD-CZ) district includes residential densities between 9.7 units to 11.5 units per acre and an area along Perry Road for live/work townhomes for office and professional uses within townhomes. The Hopson Gateway site is located within the Transit-Oriented Development area which supports the apartment use within the Medium/High Density Residential classification. The proposed rezoning to Planned Unit Development–Conditional Zoning (PUD-CZ) will provide the flexibility to accommodate the growth in population 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 Town of Apex site will include a public works facility, improving the efficiency of Town operations. The proposed Hopson Gateway PUD-CZ portion rezoning provides a minimum of 20% of the total apartment units as income restricted affordable apartment units at 80% AMI for 30 years. In addition, the PUD provides for the realignment and construction of the full Perry Road extension as shown on the Thoroughfare and Collector Street Plan and will help facilitate a permanent sewer solution for the property. The proposed rezoning to PUD-CZ and LI-CZ is compatible with surrounding uses; and

WHEREAS, the Apex Town Council by a vote of 5 to 0 approved Application #24CZ20 rezoning the subject tract Hopson Gateway portion located at 0 Tingen Road (portion of) and 1341 Perry Road (portion of) from Residential Agricultural (RA) and Light Industrial-Conditional Zoning (LI-CZ #24CZ08) to Planned Unit Development-Conditional Zoning (PUD-CZ) and the Town of Apex portion located at 0 Tingen Road (portion of) and 1341 Perry

Road (portion of), 0 Perry Road from Residential Agricultural (RA) and Light Industrial-Conditional Zoning (LI-CZ #24CZ08) to Light Industrial- Conditional Zoning.

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

Section 1: 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."

Section 2: 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" Hopson Gateway portion from Residential Agricultural (RA) and Light Industrial-Conditional Zoning (LI-CZ #24CZ08) to Planned Unit Development-Conditional Zoning (PUD-CZ), and Town of Apex portion from Residential Agricultural (RA) and Light Industrial-Conditional Zoning (LI-CZ #24CZ08) to Light Industrial-Conditional Zoning subject to the conditions stated herein.

Section 3: 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.

Section 4: The "Rezoned Lands" are subject to all of the following conditions in Attachment "B" Hopson Gateway PUD-CZ portion and in Attachment "C" Town of Apex LI-CZ portion which are imposed as part of this rezoning:

Section 5: 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_____

With ____ Council Member(s) voting "aye."

With ____ Council Member(s) voting "no."

This the _____ day of _____ 2025.

TOWN OF APEX

_____
Jacques K. Gilbert
Mayor

ATTEST:

_____
Allen Coleman, CMC, NCCCC
Town Clerk

APPROVED AS TO FORM:

_____
Town Attorney

The ACRE Tract
to be rezoned from RA &LI-CZ to PUD-CZ

TRACT 1

BEING A PORTION OF THAT 48.786 ACRE TRACT OF LAND SHOWN ON THE SURVEY FOR MYRTLE S. HOPSON DATED MAY 2, 1997, DRAWN BY SMITH AND SMITH SURVEYORS AND RECORDED AT BOOK OF MAPS 1997, PAGE 835, WAKE COUNTY, NORTH CAROLINA AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT A 30IN WHITE OAK TREE AT THE NORTHEAST CORNER OF THE ABOVE REFERENCED SURVEY, DESCRIBED AT THAT TIME AS A 24IN WHITE OAK TREE WITH STATE PLAN COORDINATES N 713,917.474 E 2,045,176.348; THENCE SOUTH 89°52'59" WEST, PASSING OVER A REFERENCE IRON PIN AT 3.45 FEET AND AN IRON PIN FOUND ON THE WESTERLY RIGHT-OF-WAY (ROW) OF EXISTING PERRY ROAD (60.0' R.O.W.)AT 1305.43 FEET, FOR A TOTAL DISTANCE OF 1329.28 FEET TO THE POINT OF BEGINNING, SAID POINT BEING ON THE CENTERLINE OF A PROPOSED 110' ROW (PROPOSED PERRY ROAD);

THENCE ALONG SAID PROPOSED CENTERLINE THE FOLLOWING THREE COURSES:

- A CURVE FROM SAID POINT OF BEGINNING SOUTHERLY AND SOUTHWESTERLY A DISTANCE OF 419.85 FEET ALONG THE CURVE CONCAVE TO THE WEST, HAVING A RADIUS OF 1,202.781 FEET WITH A CHORD ANGLE SOUTH 10°46'12" WEST FOR 417.72 FEET TO A COMPUTED POINT;
- A TANGENT SOUTH 22°30'45" WEST FOR 110.19 FEET TO A COMPUTED POINT IN THE FUTURE CENTERLINE OF THE PERRY ROAD RIGHT-OF-WAY;
- A CURVE FROM SAID TANGENT POINT SOUTHERLY AND SOUTHEASTERLY A DISTANCE OF 197.22 FEET ALONG THE CURVE CONCAVE TO THE EAST, HAVING A RADIUS OF 1,310.34 FEET WITH A CHORD ANGLE SOUTH 16°35'32" WEST FOR 197.03 FEET TO A COMPUTED POINT;

THENCE LEAVING SAID FUTURE ROW NORTH 88°08'27" WEST ALONG THE NORTHERN BOUNDARY OF THE TOWN OF APEX PROPERTY SHOWN AS TRACT C-1 OF A DIVISION OF TRACT "C" AS SHOWN ON THE SURVEY FOR THE TOWN OF APEX DATED JAN 3, 1989, ASHLEY ELKINS, RLS AND RECORDED AT BOOK OF MAPS 1989, PAGE 59, WAKE COUNTY, ALONG SAID LINE A DISTANCE OF 1,329.42 FEET TO THE CENTERLINE OF REEDY BRANCH;

THENCE ALONG SAID BRANCH THE FOLLOWING EIGHTY-ONE (81) COURSES:
NORTH 05°25'47" WEST, A DISTANCE OF 1.31 FEET;
NORTH 50°01'02" EAST, A DISTANCE OF 10.31 FEET;
NORTH 03°35'38" EAST, A DISTANCE OF 10.02 FEET;
SOUTH 86°01'00" WEST, A DISTANCE OF 8.68 FEET;
NORTH 85°49'45" WEST, A DISTANCE OF 9.59 FEET;
NORTH 09°06'26" WEST, A DISTANCE OF 14.90 FEET;
NORTH 51°11'31" WEST, A DISTANCE OF 18.15 FEET;
SOUTH 84°17'27" WEST, A DISTANCE OF 19.61 FEET;
SOUTH 73°46'34" WEST, A DISTANCE OF 15.65 FEET;
NORTH 25°54'11" WEST, A DISTANCE OF 11.70 FEET;
NORTH 54°01'02" WEST, A DISTANCE OF 12.51 FEET;
NORTH 23°30'12" WEST, A DISTANCE OF 7.85 FEET;
NORTH 53°15'06" WEST, A DISTANCE OF 17.96 FEET;
NORTH 38°05'48" EAST, A DISTANCE OF 13.16 FEET;
NORTH 03°36'55" WEST, A DISTANCE OF 18.53 FEET;

NORTH 85°34'24" WEST, A DISTANCE OF 11.66 FEET;
NORTH 22°48'47" WEST, A DISTANCE OF 18.07 FEET;
NORTH 41°18'00" EAST, A DISTANCE OF 17.82 FEET;
NORTH 16°01'24" WEST, A DISTANCE OF 10.52 FEET;
NORTH 49°00'38" WEST, A DISTANCE OF 16.20 FEET;
NORTH 26°16'07" EAST, A DISTANCE OF 17.98 FEET;
NORTH 43°38'42" WEST, A DISTANCE OF 20.40 FEET;
NORTH 30°35'24" EAST, A DISTANCE OF 11.55 FEET;
NORTH 36°18'13" WEST, A DISTANCE OF 11.34 FEET;
NORTH 68°50'56" WEST, A DISTANCE OF 16.19 FEET;
NORTH 32°05'29" EAST, A DISTANCE OF 19.07 FEET;
NORTH 12°55'07" WEST, A DISTANCE OF 21.22 FEET;
NORTH 81°36'19" WEST, A DISTANCE OF 14.59 FEET;
SOUTH 39°51'36" WEST, A DISTANCE OF 11.16 FEET;
SOUTH 14°02'17" WEST, A DISTANCE OF 13.00 FEET;
NORTH 60°58'47" WEST, A DISTANCE OF 24.24 FEET;
NORTH 19°43'42" WEST, A DISTANCE OF 8.99 FEET;
NORTH 61°53'30" EAST, A DISTANCE OF 12.57 FEET;
NORTH 20°19'31" WEST, A DISTANCE OF 19.81 FEET;
NORTH 19°34'26" WEST, A DISTANCE OF 15.29 FEET;
NORTH 12°22'57" EAST, A DISTANCE OF 11.35 FEET;
NORTH 70°51'42" EAST, A DISTANCE OF 15.30 FEET;
NORTH 21°04'48" EAST, A DISTANCE OF 8.34 FEET;
NORTH 48°02'59" WEST, A DISTANCE OF 8.86 FEET;
NORTH 10°31'36" WEST, A DISTANCE OF 7.95 FEET;
NORTH 16°10'12" EAST, A DISTANCE OF 10.49 FEET;
NORTH 16°17'00" WEST, A DISTANCE OF 9.42 FEET;
NORTH 35°18'22" EAST, A DISTANCE OF 14.45 FEET;
NORTH 14°54'43" WEST, A DISTANCE OF 25.99 FEET;
NORTH 20°12'47" EAST, A DISTANCE OF 14.48 FEET;
SOUTH 87°24'30" EAST, A DISTANCE OF 19.45 FEET;
NORTH 04°34'41" EAST, A DISTANCE OF 18.24 FEET;
NORTH 57°58'19" EAST, A DISTANCE OF 17.36 FEET;
NORTH 11°33'41" WEST, A DISTANCE OF 17.23 FEET;
NORTH 26°07'38" EAST, A DISTANCE OF 8.35 FEET;
SOUTH 66°56'34" EAST, A DISTANCE OF 18.95 FEET;
NORTH 77°53'41" EAST, A DISTANCE OF 9.13 FEET;
NORTH 54°09'37" EAST, A DISTANCE OF 14.36 FEET;
NORTH 04°11'48" WEST, A DISTANCE OF 11.56 FEET;
NORTH 24°06'07" EAST, A DISTANCE OF 14.25 FEET;
NORTH 43°36'27" WEST, A DISTANCE OF 27.21 FEET;
NORTH 39°56'03" EAST, A DISTANCE OF 18.84 FEET;
NORTH 10°33'19" WEST, A DISTANCE OF 9.89 FEET;
NORTH 67°55'45" EAST, A DISTANCE OF 11.34 FEET;
NORTH 88°04'17" EAST, A DISTANCE OF 13.12 FEET;
NORTH 61°34'23" EAST, A DISTANCE OF 17.04 FEET;
SOUTH 72°14'18" EAST, A DISTANCE OF 13.77 FEET;
NORTH 71°04'29" EAST, A DISTANCE OF 13.81 FEET;
SOUTH 62°21'34" EAST, A DISTANCE OF 18.21 FEET;
NORTH 22°09'30" EAST, A DISTANCE OF 12.76 FEET;
NORTH 41°54'53" EAST, A DISTANCE OF 12.93 FEET;

NORTH 14°59'57" EAST, A DISTANCE OF 12.00 FEET;
NORTH 33°16'53" EAST, A DISTANCE OF 15.41 FEET;
NORTH 74°51'41" EAST, A DISTANCE OF 18.51 FEET;
NORTH 26°38'41" WEST, A DISTANCE OF 14.66 FEET;
NORTH 26°33'40" WEST, A DISTANCE OF 11.86 FEET;
NORTH 67°49'40" WEST, A DISTANCE OF 8.00 FEET;
SOUTH 25°39'13" WEST, A DISTANCE OF 16.08 FEET;
NORTH 70°29'35" WEST, A DISTANCE OF 33.42 FEET;
NORTH 24°10'42" EAST, A DISTANCE OF 15.18 FEET;
NORTH 17°15'26" WEST, A DISTANCE OF 18.75 FEET;
NORTH 34°33'29" WEST, A DISTANCE OF 27.20 FEET;
SOUTH 66°33'15" WEST, A DISTANCE OF 10.65 FEET;
SOUTH 61°21'47" WEST, A DISTANCE OF 12.99 FEET;
NORTH 47°02'12" WEST, A DISTANCE OF 17.27 FEET;
NORTH 59°40'27" WEST, A DISTANCE OF 8.89 FEET TO A POINT THAT IS NORTH 89°58'32" EAST, A DISTANCE OF 5.08 FEET FROM A FOUND #4 REBAR;

THENCE LEAVING SAID BRANCH NORTH 89°58'32" EAST, A DISTANCE OF 305.81 FEET TO A FOUND IRON PIN ON THE EASTERLY ROW OF SHACKELTON ROAD (60.0 R.O.W.);
THENCE ALONG THE SOUTHERN BOUNDARY OF LOTS 18, 19, & 21-27 OF LEXINGTON PHASE 1, SECTIONS “B & C”, BM 1995, PAGES 1200-1203 THE FOLLOWING SIX (6)COURSES:
NORTH 89°57'45" EAST, A DISTANCE OF 80.82 FEET TO A FOUND IRON PIN;
NORTH 89°52'55" EAST, A DISTANCE OF 337.08 FEET TO A FOUND IRON PIN;
NORTH 89°55'07" EAST, A DISTANCE OF 93.02 FEET TO A FOUND IRON PIN;
NORTH 89°50'00" EAST, A DISTANCE OF 59.78 FEET TO A FOUND IRON PIN;
NORTH 89°46'56" EAST, A DISTANCE OF 117.80 FEET TO A FOUND IRON PIN;
NORTH 89°54'21" EAST, A DISTANCE OF 171.33 FEET TO A FOUND IRON PIN;
THENCE NORTH 89°52'30" EAST, A DISTANCE OF 415.93 FEET TO THE POINT OF BEGINNING, CONTAINING 23.73 ACRES, MORE OR LESS.

TRACT 2

BEING A PORTION OF TRACT C-1 OF A DIVISION OF TRACT "C" AS SHOWN ON THE SURVEY FOR THE TOWN OF APEX DATED JAN 3, 1989, ASHLEY ELKINS, RLS AND RECORDED AT BOOK OF MAPS 1989, PAGE 59, WAKE COUNTY, NORTH CAROLINA AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT A 30IN WHITE OAK TREE AT THE NORTHEAST CORNER OF THE ABOVE REFERENCED SURVEY, DESCRIBED AT THAT TIME AS A 24IN WHITE OAK TREE WITH STATE PLAN COORDINATES N 713,917.474 E 2,045,176.348; THENCE SOUTH 89°52'59" WEST, PASSING OVER A REFERENCE IRON PIN AT 3.45 FEET AND AN IRON PIN FOUND ON THE WESTERLY RIGHT-OF-WAY (ROW) OF EXISTING PERRY ROAD (60.0' R.O.W.) AT 1305.43 FEET, FOR A TOTAL DISTANCE OF 1329.28 FEET TO A POINT, SAID POINT BEING ON THE CENTERLINE OF A PROPOSED 110' ROW;

THENCE ALONG SAID PROPOSED CENTERLINE THE FOLLOWING THREE COURSES:

- A CURVE FROM SAID POINT OF BEGINNING SOUTHERLY AND SOUTHWESTERLY A DISTANCE OF 419.85 FEET ALONG THE CURVE CONCAVE TO THE WEST, HAVING A RADIUS OF 1,202.781 FEET WITH A CHORD ANGLE SOUTH 10°46'12" WEST FOR 417.72 FEET TO A COMPUTED POINT;
- A TANGENT SOUTH 22°30'45" WEST FOR 110.19 FEET TO A COMPUTED POINT IN THE FUTURE CENTERLINE OF THE PERRY ROAD RIGHT-OF-WAY;
- A CURVE FROM SAID TANGENT POINT SOUTHERLY AND SOUTHEASTERLY A DISTANCE OF 197.22 FEET ALONG THE CURVE CONCAVE TO THE EAST, HAVING A RADIUS OF 1,310.34 FEET WITH A CHORD ANGLE SOUTH 16°35'32" WEST FOR 197.03 FEET TO A COMPUTED POINT; SAID POINT BEING THE

POINT OF BEGINNING;

THENCE CONTINUING ALONG SAID CENTERLINE OF THE FUTURE PERRY ROAD EXTENSION WITH A CURVE FROM SAID POINT OF BEGINNING SOUTHERLY AND SOUTHEASTERLY A DISTANCE OF 928.00 FEET ALONG A CURVE CONCAVE TO THE EAST, HAVING A RADIUS OF 1,244.07 FEET WITH A CHORD ANGLE SOUTH 09°10'23" EAST FOR 906.63 FEET TO A COMPUTED POINT ALONG THE NORTHERN RIGHT-OF-WAY OF US 1 HIGHWAY;

THENCE LEAVING SAID PROPOSED ROW AND ALONG THE US HIGHWAY 1 ROW SOUTH 58°34'57" WEST, A DISTANCE OF 977.38 FEET TO A CALCULATED POINT;
THENCE ALONG THE NORTHERN US HIGHWAY 1 ROW TO A FOUND 6-IN CONCRETE MONUMENT WITH STATE PLANE COORDINATES N 711,809.272 AND E 2,042,981.00;
THENCE SOUTH 58°55'33" WEST, A DISTANCE OF 221.57 FEET TO THE CENTER OF REEDY BRANCH;
THENCE ALONG SAID BRANCH THE FOLLOWING TWENTY-THREE (23) COURSES;
NORTH 20°02'18" WEST, A DISTANCE OF 329.56 FEET;
NORTH 74°05'29" WEST, A DISTANCE OF 84.99 FEET;
NORTH 17°23'59" EAST, A DISTANCE OF 217.31 FEET;
NORTH 55°30'13" WEST, A DISTANCE OF 96.25 FEET;
NORTH 03°43'27" WEST, A DISTANCE OF 208.74 FEET;
NORTH 42°12'57" WEST, A DISTANCE OF 115.08 FEET;

NORTH 20°21'51" WEST, A DISTANCE OF 204.80 FEET;
NORTH 20°31'32" WEST, A DISTANCE OF 30.00 FEET;
NORTH 00°41'48" WEST, A DISTANCE OF 181.88 FEET;
NORTH 12°04'12" WEST, A DISTANCE OF 179.91 FEET;
NORTH 41°37'43" WEST, A DISTANCE OF 8.65 FEET;
NORTH 27°36'56" EAST, A DISTANCE OF 18.18 FEET;
NORTH 21°03'46" WEST, A DISTANCE OF 13.80 FEET;
NORTH 31°11'08" EAST, A DISTANCE OF 10.66 FEET;
NORTH 00°04'20" EAST, A DISTANCE OF 11.34 FEET;
NORTH 46°43'00" WEST, A DISTANCE OF 13.69 FEET;
NORTH 76°43'52" WEST, A DISTANCE OF 11.75 FEET;
NORTH 06°15'16" WEST, A DISTANCE OF 7.49 FEET;
NORTH 66°29'35" EAST, A DISTANCE OF 15.99 FEET;
NORTH 32°25'43" WEST, A DISTANCE OF 9.99 FEET;
SOUTH 79°43'00" WEST, A DISTANCE OF 7.50 FEET;
NORTH 78°53'05" WEST, A DISTANCE OF 10.59 FEET;
NORTH 05°25'53" WEST, A DISTANCE OF 4.86 FEET;

THENCE LEAVING SAID BRANCH SOUTH 88°08'27" EAST ALONG THE SOUTHERN BORDER OF THE HEREIN DESCRIBED TRACT 1, BEING ALSO THE SOUTHERN BOUNDARY OF THAT 48.786 ACRE TRACT OF LAND SHOWN ON THE SURVEY FOR MYRTLE S. HOPSON DATED MAY 2, 1997, DRAWN BY SMITH AND SMITH SURVEYORS AND RECORDED AT BOOK OF MAPS 1997, PAGE 835, WAKE COUNTY, A DISTANCE OF 1329.43 FEET TO THE POINT OF BEGINNING, CONTAINING 34.81 ACRES, MORE OR LESS.

The Town Tract
to be rezoned from RA & LI-CZ to LI-CZ

TRACT 3

BEING A PORTION OF THAT 48.786 ACRE TRACT OF LAND SHOWN ON THE SURVEY FOR MYRTLE S. HOPSON DATED MAY 2, 1997, DRAWN BY SMITH AND SMITH SURVEYORS AND RECORDED AT BOOK OF MAPS 1997, PAGE 835, WAKE COUNTY, NORTH CAROLINA AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A 30IN WHITE OAK TREE REFERENCED ON SAID SURVEY AS A 24IN WHITE OAK TREE WITH STATE PLAN COORDINATES N 713,917.474 E 2,045,176.348; THENCE SOUTH 01°18'17" WEST, A DISTANCE OF 752.20 FEET;
THENCE NORTH 88°08'27" WEST, ALONG THE NORTHERN BOUNDARY OF THE TOWN OF APEX PROPERTY SHOWN AS TRACT C-1 OF A DIVISION OF TRACT "C" AS SHOWN ON THE SURVEY FOR THE TOWN OF APEX DATED JAN 3, 1989, ASHLEY ELKINS, RLS AND RECORDED AT BOOK OF MAPS 1989, PAGE 59, WAKE COUNTY, A DISTANCE OF 1489.45 FEET TO THE CENTERLINE OF THE AFOREMENTIONED FUTURE PERRY ROAD ROW;

THENCE ALONG SAID CENTERLINE THE FOLLOWING THREE (3) COURSES:

- A CURVE FROM SAID TANGENT POINT NORTHERLY AND NORTHEASTERLY A DISTANCE OF 197.22 FEET ALONG THE CURVE CONCAVE TO THE EAST, HAVING A RADIUS OF 1,310.34 FEET WITH A CHORD ANGLE NORTH 16°35'32" EAST FOR 197.03 FEET TO A COMPUTED POINT;
- A TANGENT NORTH 22°30'45" EAST FOR 110.19 FEET TO A COMPUTED POINT IN THE FUTURE CENTERLINE OF THE PERRY ROAD RIGHT-OF-WAY;
- A CURVE FROM SAID POINT OF BEGINNING NORTHERLY AND NORTHEASTERLY A DISTANCE OF 419.85 FEET ALONG THE CURVE CONCAVE TO THE WEST, HAVING A RADIUS OF 1,202.78 FEET WITH A CHORD ANGLE NORTH 10°46'12" EAST FOR 417.72 FEET TO A COMPUTED POINT;

THENCE NORTH 89°53'00" EAST, A DISTANCE OF 1329.28 FEET PASSING OVER A REFERENCE IRON PIN AT A DISTANCE OF 1329.28 FEET TO THE POINT OF BEGINNING, CONTAINING 23.27 ACRES, MORE OR LESS.

TRACT 4

BEING A PORTION OF TRACT C-1 AND A 1.209 AC PARCEL “RESERVED FOR FUTURE USE” OF A DIVISION OF TRACT “C” AS SHOWN ON THE SURVEY FOR THE TOWN OF APEX DATED JAN 3, 1989, ASHLEY ELKINS, RLS AND RECORDED AT BOOK OF MAPS 1989, PAGE 59, WAKE COUNTY, NORTH CAROLINA AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT A 30IN WHITE OAK TREE REFERENCED ON SAID SURVEY AS A 24IN WHITE OAK TREE WITH STATE PLAN COORDINATES N 713,917.474 E 2,045,176.348; THENCE SOUTH 01° 18' 17” WEST A DISTANCE OF 752.20 FEET TO THE POINT OF BEGINNING;

THENCE SOUTH 01°01'00" WEST, A DISTANCE OF 30.06 FEET TO THE ROW OF US HIGHWAY 1; THENCE ALONG SAID ROW THE FOLLOWING NINE (9) COURSES:
SOUTH 58°44'46" WEST, A DISTANCE OF 451.51 FEET;
NORTH 31°14'30" WEST, A DISTANCE OF 20.00 FEET;
SOUTH 58°41'04" WEST, A DISTANCE OF 120.82 FEET;
NORTH 31°18'56" WEST, A DISTANCE OF 24.43 FEET;
SOUTH 58°41'04" WEST, A DISTANCE OF 308.03 FEET;
SOUTH 31°18'56" EAST, A DISTANCE OF 24.43 FEET;
SOUTH 59°08'11" WEST, A DISTANCE OF 274.39 FEET;
SOUTH 31°12'30" EAST, A DISTANCE OF 21.26 FEET;
SOUTH 58°34'57" WEST, A DISTANCE OF 417.56 FEET TO THE CENTERLINE OF THE AFOREMENTIONED FUTURE PERRY ROAD 110' ROW;

THENCE LEAVING US HIGHWAY 1 ALONG SAID PROPOSED CENTERLINE ALONG SAID CENTERLINE OF THE FUTURE PERRY ROAD EXTENSION WITH A CURVE FROM SAID POINT NORTHERLY AND NORTHEASTERLY A DISTANCE OF 928.00 FEET ALONG A CURVE CONCAVE TO THE EAST, HAVING A RADIUS OF 1,244.07 FEET WITH A CHORD ANGLE NORTH 09°10'23" WEST FOR 906.63 FEET TO A COMPUTED POINT;

THENCE ALONG THE SOUTHERN BOUNDARY OF THAT 48.786 ACRE TRACT OF LAND SHOWN ON THE SURVEY FOR MYRTLE S. HOPSON DATED MAY 2, 1997, DRAWN BY SMITH AND SMITH SURVEYORS AND RECORDED AT BOOK OF MAPS 1997, PAGE 835, WAKE COUNTY, SOUTH 88°08'27" EAST, A DISTANCE OF 1489.45 FEET TO THE POINT OF BEGINNING, CONTAINING 16.35 ACRES, MORE OR LESS.

HOPSON GATEWAY PUD

Planned Unit Development

Apex, North Carolina

Submittal Dates
First Submittal: November 1, 2024
Second Submittal: February 7, 2025
Third Submittal: August 8, 2025
Fourth Submittal: September 5, 2025
Fifth Submittal: October 3, 2025
Sixth Submittal: October 20, 2025
Seventh Submittal: October 27, 2025
Approved: November 13, 2025

Developer
ACRE
252 NW 29th Street, 9th Floor
Miami, FL 33127

Civil Engineer
Jeff Roach
Peak Engineering & Design
1125 Apex Peakway
Apex, NC 27502

Land Use Attorney
Matthew J. Carpenter
Parker Poe Adams & Bernstein LLP
301 Fayetteville Street, Suite 1400
Raleigh, NC 27601

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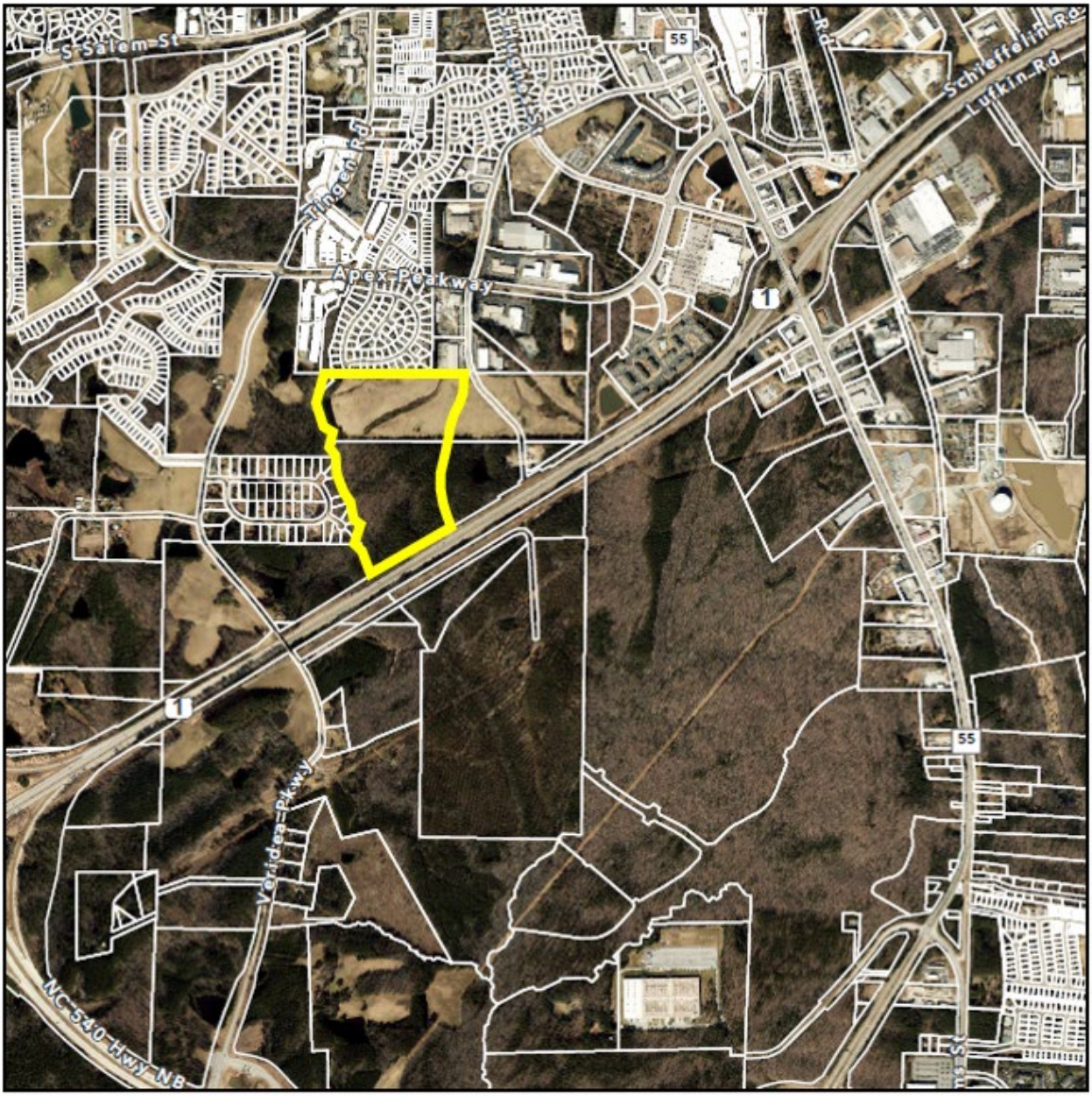
VICINITY MAP



PROJECT DATA

Name of Project:	Hopson Gateway PUD
Property Owners:	SURE & STEADFAST PROPERTIES LIMITED PARTNERSHIP; Town of Apex
Developer:	ACRE 252 NW 29th Street, 9th Floor Miami, FL 33127
Prepared by:	Parker Poe Adams & Bernstein LLP 301 Fayetteville Street, Suite 1400 Raleigh, NC 27601 Peak Engineering & Design 1125 Apex Peakway Apex, NC 27502
Current Zoning:	portion of PIN 0741331566: Residential Agricultural (RA); portion of PIN 0741326706: Light Industrial Conditional (LI-CZ)
Proposed Zoning:	Planned Unit Development Conditional Zoning (PUD-CZ)
Current 2045 LUM Designations:	Office Employment & Office Employment/Industrial Employment
Proposed 2045 LUM Designations:	Medium-High Density Residential; Commercial Services
Site Address:	0 Tingen Road; 1341 Perry Road
Property Identification Number:	portion of 0741331566; portion of 0741326706
Total Acreage of PUD:	58.54 acres as described in **Exhibit A** attached hereto
Area Designated as Mixed Use on LUM:	None
Area Proposed as Non-Residential:	None

PURPOSE STATEMENT

This Planned Unit Development is part of a collaboration between ACRE and the Town of Apex (the "Town"). The Town is owner of a 54.16-acre tract of land (Wake County PINs 0741326706 and 0741427922) and ACRE is under contract to purchase a 47.01-acre tract of land (PIN 0741331566). The properties are adjacent and ACRE and the Town have entered a land exchange agreement (the "Land Exchange"), approved by the Apex Town Council October 8, 2024, to reconfigure the properties to create more developable sites for the Town and ACRE. Following the exchange, ACRE will own an approximately 58.54-acre parcel west of Perry Road described in Exhibit A attached hereto (the "ACRE Tract" and the "Property") and the Town will own an approximately 39.62-acre parcel east of Perry Road (the "Town Tract"). This PUD addresses development of the ACRE Tract. A separate rezoning application has been filed to rezone the Town Tract to Light Industrial Conditional (LI-CZ). Although the Town Tract is not part of this PUD, its redevelopment is discussed as it relates to comprehensive planning efforts.

The PUD includes two districts to facilitate the development of market rate and affordable housing units. District A permits single-family homes and townhomes at a density and scale compatible with existing and planned adjacent neighborhoods. Live/work townhomes are permitted along Perry Road as an amenity for residents who work from home. District B will facilitate the development of a minimum of 300 apartments with 20% of the apartment units set aside as income restricted affordable housing units, double the recommendation of the Affordable Housing Policy. Together, the districts allow a mix of single-family homes, rear loaded townhouses, front loaded townhouses, and apartments to provide a transition between existing industrial uses to the east and established neighborhoods to the north and west. The mix of housing types will serve residents with varying budgets, backgrounds, and family needs. The community will be conveniently located to existing goods and services and have access to highways and existing infrastructure.

The Town of Apex 2045 Land Use Map (the "LUM") designates the Property as Office Employment & Office Employment/Industrial Employment. Although the proposed residential uses are inconsistent with the office and industrial designations, the PUD is in the public interest for several reasons:

- It will facilitate the Land Exchange which will allow the Town of Apex to develop a public works facility on the Town Tract, improving the efficiency of Town operations.

- Development of the Town Tract will provide the office and industrial uses recommended by the LUM.

- The location of residential, office, and industrial uses under the PUD and Land Exchange is preferred to the location of uses recommended by the LUM. The Property is adjacent to existing or planned residential neighborhoods on three sides (Iron Gate and Seymour PUD to the west and Lexington to the North) and current LUM designations would place office and industrial uses directly adjacent. In contrast, the proposed PUD places residential

uses adjacent to existing neighborhoods and utilizes Perry Road to separate residential uses from the Town's planned office and industrial uses.

- The PUD provides for a minimum of 60, and up to 80 (20% of total apartment units), income restricted affordable apartment units at 80% AMI for 30 years.

- The PUD will provide a mix of housing types at different price points for residents of different ages and income levels.

- The PUD provides for realignment and construction of the full Perry Road extension as shown on the Thoroughfare and Collector Street Plan (the "Transportation Plan").

- The PUD will help facilitate a permanent sewer solution for the Property and adjacent properties.

CONSISTENCY WITH PLANNED UNIT DEVELOPMENT STANDARDS

(i) The uses proposed to be developed in the PD plan for PUD-CZ are those uses permitted in Sec. 4.2.2 Use Table

RESPONSE: The uses permitted within this PUD are permitted within this designation in the UDO Section 4.2.2 Use Table.

(ii) The uses proposed in the PD Plan for PUD-CZ can be entirely residential, entirely non-residential, or a mix of residential and non-residential uses, provided a minimum percentage of non-residential land area is included in certain mixed-use areas as specified on the 2045 Land Use Map. The location of the uses proposed by the PUD-CZ must be shown in 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.

RESPONSE: The Hopson Gateway PUD is a mixed-use community with a mix of housing types. None of the parcels in the PUD have three stripes on the LUM. Accordingly, this PUD is not required to designate 30% of the property as non-residential.

(iii) The dimensional standards in Sec. 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.

RESPONSE: This PUD specifies intensity and dimensional standards for the project. The proposed PUD is consistent with the UDO Planned Unit Development standards – to provide site specific, high-quality neighborhoods that preserve natural features and exhibit compatibility with, and connectivity to, surrounding land uses. Except as specifically stated in this PUD, the development will comply with all requirements of the UDO and will comply with all applicable requirements of the North Carolina Building Code and the North Carolina Fire Code.

(iv) 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 Advance Apex: The 2045 Transportation Plan and the Town of Apex Standard Specifications and Standard Details, and greenway improvements as required by the Town of Apex Parks, Recreation, Greenways, and Open Space Plan and the Advance Apex: The 2045 Transportation Plan. In addition, sidewalks shall be provided on both sides of all streets for single-family detached homes.

RESPONSE: The development has been designed to prioritize pedestrians and will include construction of sidewalks, side paths, and greenways. In total, the PUD includes 1.2 miles of pedestrian paths and greenways.

(v) The design of development in the PD Plan for PUD-CZ results in land use patterns that promote and expand opportunities for walkability, connectivity, public transportation, and an efficient compact network of streets. Cul-de-sacs shall be avoided unless the design of the subdivision and the existing or proposed street system in the surrounding area indicate that a through street is not essential in the location of the proposed cul-de-sac, or where sensitive environmental areas such as streams, floodplains, and wetlands would be substantially disturbed by making road connections.

RESPONSE: The proposed street layout will be designed to enhance pedestrian and vehicular connectivity while protecting sensitive environmental features and being mindful of existing residential development. The development will facilitate the vision of the Transportation Plan by realigning and constructing the full Perry Road extension. The project proposes a Transportation Plan Amendment to shift the east/west collector south to avoid spacing issues between the collector street and existing driveways to the north.

(vi) 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.

RESPONSE: The proposed development is compatible with the character of the existing and planned uses in the surrounding area. Adjacent properties are largely residential subdivisions and include Iron Gate, Lexington, and the planned Seymour PUD neighborhood. Iron Gate and Lexington are single-family subdivisions and the Seymour PUD permits townhomes, single-family homes, apartments, and non-residential uses. As discussed above, the property to the east is the Town Tract which is owned by the Town of Apex and will be redeveloped for a public works headquarters. The proposed PUD includes a mix of housing types compatible with adjacent neighborhoods and will offer a transition between existing lower density residential uses to the west and commercial and industrial uses to the east. The existing stream and associated stream buffers along the western property line of the property will serve as a natural buffer between the project and the Iron Gate neighborhood.

(vii) The development proposed in the PD Plan for PUD-CZ has architectural and design standards that are exceptional and provide 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.

RESPONSE: The development will feature high quality and thoughtful design. Architectural standards, design controls, and conceptual elevations are included in this PUD.

CONSISTENCY WITH CONDITIONAL ZONING STANDARDS

Hopson Gateway PUD is consistent with the conditional zoning standards set forth in UDO Section 2.3.3.F.1-10. Please see the accompanying PUD-CZ Application for the statements of consistency addressing each standard.

PERMITTED USES

The Property may be used for the uses listed below. The permitted uses are subject to the limitations and regulations in the UDO and any additional limitations or regulations below. For convenience, some relevant sections of the UDO are referenced; such references do not imply other sections of the UDO do not apply. Homeowners Association covenants shall not restrict the construction of accessory dwelling units.

The following uses shall be permitted:

	District A	***District B***
Residential		
Single-family	P	
Townhouse	P	P
Live/Work Townhouse*	P	
Small-scale multi-family**	P	P
Multi-family or apartment		P
Accessory apartment	P	P
Recreational Uses		
Park, active	P	P
Greenway	P	P
Park, passive	P	P
Recreation facility, private	P	P
Utility, minor	P	P

*In District A, Live/Work Townhouse shall only be permitted along Perry Road. Live/Work Townhouse shall be defined as a townhouse with a first floor business/office space and a second and/or third floor residence, each with a separate street front entrance. The only permitted non-residential principal use in a Live/Work Townhouse shall be office, business or professional.

**Small scale multi-family shall be defined as a building constructed to accommodate between two and ten dwelling units that are vertically or horizontally integrated. Multiple small-scale multi-family buildings may be located on one Lot.

AFFORDABLE HOUSING

The following affordable housing commitment shall apply to apartments in District B (but shall not apply to Small-Scale Multifamily units):

A minimum of twenty percent (20%) of the total apartment units (as shown on the first site plan submittal for apartments) shall be affordable housing units. Final affordable housing unit floor plan selection which includes unit size and bedroom size is at the discretion of the developer. If the affordable units calculation results in a fraction between 0.50 and 0.99, the affordable units shall be rounded up to the nearest whole number. If the affordable units calculation results in a fraction between 0.01 and 0.49, the affordable units shall be rounded down to the nearest whole number.

The affordable units shall be subject to the following terms and conditions:

- The affordable units shall be occupied by low-income households earning no more than eighty percent (80%) of the Raleigh, NC Metropolitan Statistical Area (MSA) Area Median Income, adjusted for family size, as most recently published by the U.S. Department of Housing and Urban Development (HUD)(the "AMI") for a period of thirty (30) years starting from the date of issuance of the first residential Certificate of Occupancy (the "Affordability Period").

- Prior to issuance of the first residential Certificate of Occupancy for apartments in District B, 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 Affordability Period, the property owner shall submit annual compliance reports to the Town to verify compliance with the affordable housing terms and conditions.

- Following expiration of the Affordability Period, this affordable housing condition shall expire, the property owner shall be relieved of all obligations set forth in this affordable housing condition, and the affordable units may be freely marketed and leased at market-rate rents.

- Townhouse and/or small-scale multi-family units may be developed and constructed in District B before any apartment units are developed, provided sufficient land in District B is reserved to accommodate the future construction of 300 apartment units.

DESIGN CONTROLS

Acreages for each district are approximate and may increase or decrease by up to 20% based on updated surveys at Master Subdivision Plan/Site Plan.

Development shall comply with the following minimum design controls:

	DISTRICT A	DISTRICT B
Approximate Acreage	24.8	33.74
Maximum Total Units	220	400
Minimum Apartment Units	N/A	300*
Maximum Built-Upon Area	70%	70%

	Single-Family	Small Scale Multi-family	Townhouses & Live/Work Townhouses	Multi-Family	Private Recreation Facility
Minimum Lot Size	5,000 sf	N/A	None	None	None
Minimum Lot Width	50 ft.	20 ft.	20 ft.	None	None
Minimum Setbacks					
Front	20 ft.	10 ft.	Rear loaded and parking lot style: 10 ft. Front Loaded: 20 ft.	10 ft.	20 ft.
Side	5 ft.	0 ft. (3 ft. for end units)	0 ft. (3 ft. for end units)	20 ft.	20 ft.
Rear	10 ft.	10 ft.	10 ft.	20 ft.	20 ft.
Corner Side	10 ft.	10 ft.	10 ft.	20 ft.	20 ft.
Minimum from Buffer/RCA	Buildings: 10 ft. Parking: 5 ft.	Buildings: 10 ft. Parking: 5 ft.	Buildings: 10 ft. Parking: 5 ft.	Buildings: 10 ft. Parking: 5 ft.	Buildings: 10 ft. Parking: 5 ft.
Maximum Building Height	3 stories; 45 ft.	3 stories; 45 ft.	3 stories; 45 ft.	4 stories; 60 ft.	4 stories; 48 ft.
Minimum Building Separation	N/A	10 ft.	10 ft.	15 ft.	N/A

*Townhouse and/or small-scale multi-family units may be developed and constructed in District B before any apartment units are developed, provided sufficient land in District B is reserved to accommodate the future construction of 300 apartment units.

LANDSCAPING, BUFFERING, AND SCREENING

Perimeter buffers shall be built and planted to the following lot width and planting standards:

Location:	**Buffer Size & Type:**
Adjacent to PIN 0741243405 and existing lots in the Lexington subdivision	20 ft. Type B*
Adjacent to PIN 0741346113	40 ft. Type A
Along the west side of Perry Road adjacent to District A and District B	30 ft. Type B
Along both sides of the east/west collector street	10 ft. Type B
Along US-1	80 ft. Type A
Along the eastern boundary of the Town of Apex Greenway and Utility Easement along the western property line	0 ft.

*There is a 20-foot Town of Apex sewer easement along the property line. The 20-foot Type B buffer may overlap with the easement, provided there is a planting area outside the easement with a minimum width of 10 feet.

ARCHITECTURAL STANDARDS

Hopson Gateway PUD offers the following architectural controls to ensure consistency of character throughout the development, but allow variety to create interest and avoid monotony. Included elevations are conceptual examples only. Final elevations may differ from the conceptual elevations, but must comply with these written architectural standards. Further details may be provided at the time of Residential Master Subdivision Plan submittal.

RESIDENTIAL DESIGN GUIDELINES

Single-Family:

1. Vinyl siding is not permitted; however, vinyl windows, decorative elements and trim are permitted.
2. Garage doors shall have windows, decorative details or carriage-style adornments on them.
3. The garage shall not protrude more than 1 foot out from the front façade and/or front porch. However, the garage may protrude beyond 1 foot out from the front façade and front porch if the garage is accessed from the side via a J-driveway.
4. The visible side of a home on a corner lot facing the public street shall contain at least 3 decorative elements such as, but not limited to, the following elements:
   - Windows
   - Bay window
   - Recessed window
   - Decorative window
   - Wrap around porch or side porch
   - Two or more building materials
   - Decorative brick/stone
   - Decorative trim
   - Decorative shake
   - Decorative air vents on gable
   - Decorative gable
   - Decorative cornice
   - Column
   - Portico
   - Balcony
   - Dormer

5. A varied color palette shall be utilized on homes throughout the subdivision to include a minimum of three (3) color families for siding and shall include varied trim, shutter, and accent colors complementing the siding color.
6. The rear and side elevations of the units that can be seen from the right-of-way shall have trim around the windows.
7. No more than 25% of lots may be accessed with J-driveways. There shall be no more than 3 such homes in a row on any single block. Any lots eligible for a J-driveway home shall be identified on the Final Plat.
8. All single-family garages will be wired with a 220/240-volt electric outlet.

Townhouses (front and rear loaded), Live/Work Townhouses, & Small-Scale Multi-Family

1. Vinyl siding is not permitted; however, vinyl windows, decorative elements and trim are permitted.
2. The roofline for townhouses and small-scale multi-family cannot be a single mass; it must be broken up horizontally and vertically between every other unit.
3. Front facing garage doors must have windows, decorative details or carriage-style adornments on them.
4. The project shall include a minimum of two (2) or more garage door styles for the front-loaded townhouses.
5. Entrances shall have a covered porch/stoop area leading to the front door.
6. Side entry townhouses that do not have a front elevation door shall have a covered porch/stoop area leading to the main entry side door. In addition, the side entry townhomes shall include windows on the front elevation adjacent to the garage.
7. The garage cannot protrude more than 1 foot out from the front façade or front porch.
8. The visible side of a townhome or small-scale multi-family building on a corner lot facing the public street shall contain at least 3 decorative elements such as, but not limited to, the following elements:
    - Windows
    - Bay window
    - Recessed window
    - Decorative window
    - Wrap around porch or side porch
    - Two or more building materials
    - Decorative brick/stone
    - Decorative trim
    - Decorative shake
    - Decorative air vents on gable
    - Decorative gable
    - Decorative cornice
    - Column
    - Portico
    - Balcony
    - Dormer

9. A varied color palette shall be utilized on homes throughout the subdivision to include a minimum of three (3) color families for siding and shall include varied trim, shutter, and accent colors complementing the siding color.
10. The rear and side elevations of the units facing public right-of-way shall have trim around the windows.
11. Side and rear elevations shall include architectural features to break up the flat walls both vertically and horizontally.
12. Townhouse buildings shall have no more than one unadorned side-gabled roof in a row within a single building.

Multi-Family/Apartments:

1. Vinyl siding is not permitted; however, vinyl windows, decorative elements, and trim are permitted.
2. All elevations shall have either recessed windows or trim around the windows.
3. A minimum of four of the following decorative features shall be used on each building:
    a. Decorative shake
    b. Board and batten
    c. Decorative porch railing/posts
    d. Shutters
    e. Decorative/functional air vents on roof or foundation
    f. Recessed windows
    g. Decorative windows
    h. Decorative brick/stone
    i. Decorative gables
    j. Decorative cornices
    k. 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 at least 30% of each façade on each building.
6. Windows must vary in size and/or type.
7. To reduce the Urban Heat Island Effect and conserve energy, for multi-family and accessory buildings, all flat roofs shall be light or white colored or utilize a cool roof material.

PARKING AND LOADING

Multi-Family and Small-Scale Multi-family buildings 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

SIGNAGE

Signage shall comply with UDO Section 8.7.

NATURAL RESOURCES AND ENVIRONMENTAL DATA

RIVER BASINS AND WATERSHED PROTECTION OVERLAY DISTRICTS

The property is in the Secondary Watershed Protection Overlay District as shown on the Town of Apex Watershed Protection Overlay Map 2019. Except as set forth herein, the development will comply with all built upon area, vegetated conveyances, structural SCMs and riparian stream buffer requirements of UDO Section 6.1.8.

Resource Conservation Areas (RCA)

The project shall dedicate RCA as required by UDO Section 8.1.2. Designated RCAs will be consistent with UDO Section 8.1.2(B). Preserved streams, wetlands, and associated riparian buffers provide the primary RCAs throughout the Property. Additional RCA may include portions of the stormwater control measures permitted by the UDO, multi-use paths, and perimeter buffers.

No clearing or land disturbance shall be permitted within the state of North Carolina required riparian buffer, except the minimum necessary to install required utility infrastructure, SCM outlets, and greenway trails. The SCM water storage and treatment area shall not be permitted in the riparian buffer. Grading and location of SCMs in the Town of Apex Zone 3 buffer shall be governed by the UDO. Zone 3 may be averaged as permitted in the UDO.

Floodplain

The project site is not located within a designated current or future 100-year floodplain as shown on the Town of Apex Watershed & FEMA Map dated April 2015. FIRM Panel 3720072200J dated May 2, 2006 does not include a floodplain within the property boundary.

Historic Structures

There are no known historic structures present on the Property.

Environmental Commitments Summary

As shown elsewhere in the PUD, the following environmental conditions shall apply to the Development:

- 70% of landscaping in common areas shall be native or nativar species. This requirement shall not apply to landscaping on individual residential lots.

- No single species of native or adaptive vegetation shall constitute more than 20% of the plant material of its type within a single development site.

- The project shall plant/include warm season grasses.

- Apartment buildings (but not small-scale multi-family buildings) shall be designed to meet the requirements for one of the following green building certifications: LEED, Energy Star, BREEAM, Green Globes, NGBS Green, NAHB, 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. The application shall be submitted prior to the issuance of a certificate of occupancy for the multi-family building.

- The project shall install at least one (1) pet waste station per 25 units (single-family or townhome units) and at least two (2) pet waste stations per apartment building throughout the community in locations that are publicly accessible, such as adjacent to amenity centers, SCMs, sidewalks, greenways or side paths. If there fewer than 25 homes, at least one (1) pet waste station shall be installed.

- A 220-volt outlet shall be provided in the garage of each townhome unit.

STORMWATER MANAGEMENT

Stormwater control devices shall be designed and constructed to exceed UDO standards so that post development peak runoff does not exceed pre-development peak runoff conditions for the 24-hour, 1-year, and 10-year storm events. Otherwise, the Development shall meet all stormwater management requirements for quality and quantity treatment in accordance with Section 6.1 of the UDO.

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

Hopson Gateway PUD, #24CZ20, was reviewed at the February 26, 2025 PRCR Advisory Commission meeting. The Commission recommended a fee-in-lieu of dedication with credit for construction of greenway for a maximum combination of 220 single-family detached and single-family attached, and a maximum of 400 multi-family residential units. The fee in lieu rate will be set at the time of Town Council action on the Rezoning and run for the life of the project. The total fee-in-lieu (based on the final unit count) will be calculated at Major Site Plan/Master Subdivision Plan and Construction Document review.

The greenway in District A shall be completed prior to issuance of building permits for 25% of the total residential units in District A. The greenway in District B shall be completed prior to issuance of building permits for 50% of the total residential units in District B. Final greenway alignment shall be determined at Major Site Plan/Master Subdivision Plan and shall be generally consistent with the Parks, Recreation, Greenways, and Open Space Master Plan and the Bicycle and Pedestrian System Plan Map.

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 to comply with the Town's Sewer and Water Master Plan and Standards and Specifications. Road and utility infrastructure shall be as follows:

TRANSPORTATION IMPROVEMENTS

The following conditions regarding transportation improvements apply and shall be phased consistent with the Traffic Impact Analyses performed for this rezoning, which are on file with the Town of Apex. All proposed driveway access and improvements on state-maintained roadways are subject to both Apex and NCDOT review and approval. Proposed modifications to turn lanes noted below based on constraints identified at the time of Major Site Plan/Master Subdivision are subject to review and approval by the Director of Transportation and Infrastructure Development and shall not require a PUD amendment. Except as set forth herein, all proposed roadway infrastructure and right-of-way dedications will be consistent with the Town of Apex Comprehensive Transportation Plan.

1. **Apex Peakway/Perry Road Intersection**. Developer shall make the following improvements to the intersection of Apex Peakway and Perry Road:

    a. Restripe northbound and southbound left turn lanes on Perry Road, each with 100 feet of storage plus 50 feet of deceleration and 100 feet of taper.

    b. Restripe an eastbound left turn lane on Apex Peakway with 50 feet of storage plus 50 feet of deceleration and 150 feet of taper.

    c. Construct a westbound left turn lane on Apex Peakway with 100 feet of storage plus 50 feet of deceleration and 100 feet of taper.

    d. Install a metal strain pole traffic signal (or design as otherwise required by NCDOT) with signalized crosswalks (the "Perry Signal"). If at the time of construction drawing approval for the Perry Signal, the fee in lieu required for the Perry Signal by the Seymour PUD (ORD-2024-007)(the "Seymour FIL") has been paid, the Seymour FIL shall be available to the Hopson Gateway PUD developer to construct the Perry Signal. A warrant study shall be performed prior to platting 50 single-family or townhouse residential units or site plan final plat for up to 300 apartment dwelling units. If NCDOT does not permit a traffic

signal at that time, developer shall provide an engineer's estimate for the cost of design and installation of the Perry Signal plus 15% contingency for review and approval by Apex staff and pay a fee in lieu in that amount, less the amount of any fee in lieu payments made or pending as part of approved construction plans toward the Perry Signal by others (the "Hopson FIL"). If the Seymour FIL has not been paid at the time the Hopson FIL is due, developer shall pay the full Hopson FIL but be entitled to the Seymour FIL when it is collected by the Town.

2. **Apex Peakway/Tingen Road Intersection**. Developer shall pay a fee in lieu equal to 10% of the estimated costs to design and install a metal strain pole traffic signal, a westbound left turn lane with 150 feet of storage plus 50 feet of deceleration and 100 feet of taper on Apex Peakway, and northbound and southbound left turn lanes each with 150 feet of storage plus 50 feet of deceleration and 100 feet of taper on Tingen Road at the intersection of Apex Peakway and Tingen Road.

3. **East-West Collector**. Developer shall construct an east-west collector street across the property in the approximate location shown on the Concept Plan (the "East-West Collector") as a 35-foot wide back-to-back curb and gutter Major Collector Street with bicycle lanes, a 10-foot wide side path on the north side, and a 5-foot side sidewalk on the south side, in a 60-foot wide public right of way. If the Army Corps of Engineers, or other applicable permitting body, does not permit the construction of the road through the existing stream buffer along the western property line, Developer shall pay a fee in lieu based on estimated construction costs of the remaining extension plus permitting and design fees for half the stream crossing. The final location of the East-West Collector may be modified at Major Site Plan/Master Subdivision, provided the modified location is approved by the Developer and Town staff. Developer shall construct the following improvements along the East-West Collector:

   a. Extend Shackleton Road to intersect with the East-West Collector.

   b. A full movement intersection between Shackleton Road and Perry Road accessing District A and District B.

   c. A full movement intersection aligned with Shackleton Road accessing District B.

   d. Turnouts in the right of way for the future Town driveway at the intersection of the East-West Collector and Perry Road.

4. **Perry Road.** Developer shall design, construct, and realign Perry Road as a 71-foot wide back-to-back curb and gutter four-lane median-divided thoroughfare with a 10-foot side path on the west side and 5-foot sidewalk on the east side and dedicate half of a 110-foot wide public right of way (the "Perry Road Section"). Completion of the Perry Road Section is subject to agreement with the Town of Apex for dedication of right of way and easements on property owned by the Town required to construct the Perry Road Section. The southern terminus of Perry Road shall accommodate the anticipated

future bridge elevation over US 1 based on a preliminary profile to be provided by the developer. Developer shall construct the following improvements along Perry Road:

a. A right-in/right-out driveway to District B.

b. Northbound and southbound left turn bays, each with 100 feet of storage plus 50 feet of deceleration and 100 feet of taper where the median divided section is constructed through the full-movement intersection with the East-West Collector and future Town driveway.

c. Southbound left turn bay with 100 feet of deceleration and 100 feet of taper along with turnouts in the right of way serving a future secondary Town driveway south of the East-West Collector.

5. If any of the committed transportation improvements require acquisition of offsite rights of way, easements, or other property interests (the "Offsite ROW"), Developer shall make good faith efforts to acquire the Offsite ROW. If Developer is unable to acquire any Offsite ROW through private negotiation and the Town is unwilling or unable to assist in the acquisition, Developer shall pay a fee in lieu for the transportation improvement that cannot be completed.

6. The project shall dedicate 6-foot by 30-foot Permanent Transit Easements (together, the "Transit Easements," and, each, a "Transit Easement") at the intersection of extended Shackleton Road and the major collector street and along Perry Road near its intersection with the major collector. The Transit Easements shall be shown on the Master Subdivision Plan and/or Site Plan applications and dedicated on the Final Plat. The final locations of the Transit Easements shall be determined by the developer and Town during plan review. Provided, however, that if the Planning Director, or her designee, determines during plan review that the Transit Easements are no longer consistent with the Town's long range transit plans, the Planning Director, or her designee, may waive this requirement to dedicate the Transit Easements.

7. Developer shall dedicate temporary construction easements adjacent to US 1 for future construction of the bridge over US 1 by others. Final locations of the easements shall be determined by developer and Town during plan review. The easements may intersect and overlap with required perimeter buffers.

8. No construction traffic shall be permitted on Shackleton Road.

PEDESTRIAN AND BICYCLE IMPROVEMENTS

Per the Town of Apex Bicycle and Pedestrian System Plan Map and UDO requirements, the developer shall construct sidewalks, side paths, and bike lanes as follows:

- Sidewalks shall be provided along both sides of all streets other than Perry Road and the Major Collector street which will have 10-foot Side Paths on one side of the road/street.

- Perry Road shall include a 10-foot Side Path consistent with the Perry Road streetscape recommended by the Transportation Plan as shown on the Concept Plan.
- The Major Collector shall include a 10-foot Side Path and marked and signed bike lanes recommended by the Transportation Plan as shown on the Concept Plan.

WATER AND SANITARY SEWER

All lots within the Development will be served by Town of Apex water and sanitary sewer. The utility design will be finalized at the time of Master Subdivision Plan or Site Plan approval and be based on available facilities adjacent to the site at that time. The design will meet the current Town of Apex Sewer and Water Master Plan and Standards and Specifications. A conceptual utility plan is included in the PUD Concept Plan for reference.

OTHER UTILITIES

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

PHASING

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

CONSISTENCY WITH LAND USE PLAN

The Town of Apex 2045 Land Use Map (the "LUM") designates the Property as Office Employment & Office Employment/Industrial Employment. Although the proposed residential uses are inconsistent with the office and industrial designations, the PUD is in the public interest for several reasons:

- It will facilitate the Land Exchange which will allow the Town of Apex to develop a public works facility on the Town Tract, improving the efficiency of Town operations.

- Development of the Town Tract will provide the office and industrial uses recommended by the LUM.

- The location of residential, office, and industrial uses under the PUD and Land Exchange is preferred to the location of uses recommended by the LUM. The Property is adjacent to existing or planned residential neighborhoods on three sides (Iron Gate and Seymour PUD to the west and Lexington to the North) and current LUM designations would place office and industrial uses directly adjacent. In contrast, the proposed PUD places residential uses adjacent to existing neighborhoods and utilizes Perry Road to separate residential uses from the Town's planned office and industrial uses.

- The PUD provides for a minimum of 60, and up to 80 (20% of total apartment units), income restricted affordable apartment units at 80% AMI for 30 years.
- The PUD will provide a mix of housing types at different price points for residents of different ages and income levels.
- The PUD provides for realignment and construction of the full Perry Road extension as shown on the Thoroughfare and Collector Street Plan (the "Transportation Plan").
- The PUD will help facilitate a permanent sewer solution for the Property and adjacent properties.

COMPLIANCE WITH UDO

The development standards proposed for this PUD comply with those set forth in the Town's Unified Development Ordinance (UDO). This PUD shall be the primary governing document for the development of Hopson Gateway PUD. 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.

EXHIBIT A
Legal Description
The Property

TRACT 1

BEING A PORTION OF THAT 48.786 ACRE TRACT OF LAND SHOWN ON THE SURVEY FOR MYRTLE S. HOPSON DATED MAY 2, 1997, DRAWN BY SMITH AND SMITH SURVEYORS AND RECORDED AT BOOK OF MAPS 1997, PAGE 835, WAKE COUNTY, NORTH CAROLINA AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT A 30IN WHITE OAK TREE AT THE NORTHEAST CORNER OF THE ABOVE REFERENCED SURVEY, DESCRIBED AT THAT TIME AS A 24IN WHITE OAK TREE WITH STATE PLAN COORDINATES N 713,917.474 E 2,045,176.348; THENCE SOUTH 89°52'59" WEST, PASSING OVER A REFERENCE IRON PIN AT 3.45 FEET AND AN IRON PIN FOUND ON THE WESTERLY RIGHT-OF-WAY (ROW) OF EXISTING PERRY ROAD (60.0' R.O.W.)AT 1305.43 FEET, FOR A TOTAL DISTANCE OF 1329.28 FEET TO THE POINT OF BEGINNING, SAID POINT BEING ON THE CENTERLINE OF A PROPOSED 110' ROW (PROPOSED PERRY ROAD);

THENCE ALONG SAID PROPOSED CENTERLINE THE FOLLOWING THREE COURSES:

- A CURVE FROM SAID POINT OF BEGINNING SOUTHERLY AND SOUTHWESTERLY A DISTANCE OF 419.85 FEET ALONG THE CURVE CONCAVE TO THE WEST, HAVING A RADIUS OF 1,202.781 FEET WITH A CHORD ANGLE SOUTH 10°46'12" WEST FOR 417.72 FEET TO A COMPUTED POINT;
- A TANGENT SOUTH 22°30'45" WEST FOR 110.19 FEET TO A COMPUTED POINT IN THE FUTURE CENTERLINE OF THE PERRY ROAD RIGHT-OF-WAY;
- A CURVE FROM SAID TANGENT POINT SOUTHERLY AND SOUTHEASTERLY A DISTANCE OF 197.22 FEET ALONG THE CURVE CONCAVE TO THE EAST, HAVING A RADIUS OF 1,310.34 FEET WITH A CHORD ANGLE SOUTH 16°35'32" WEST FOR 197.03 FEET TO A COMPUTED POINT;

THENCE LEAVING SAID FUTURE ROW NORTH 88°08'27" WEST ALONG THE NORTHERN BOUNDARY OF THE TOWN OF APEX PROPERTY SHOWN AS TRACT C-1 OF A DIVISION OF TRACT "C" AS SHOWN ON THE SURVEY FOR THE TOWN OF APEX DATED JAN 3, 1989, ASHLEY ELKINS, RLS AND RECORDED AT BOOK OF MAPS 1989, PAGE 59, WAKE COUNTY, ALONG SAID LINE A DISTANCE OF 1,329.42 FEET TO THE CENTERLINE OF REEDY BRANCH;

THENCE ALONG SAID BRANCH THE FOLLOWING EIGHTY-ONE (81) COURSES:
NORTH 05°25'47" WEST, A DISTANCE OF 1.31 FEET;
NORTH 50°01'02" EAST, A DISTANCE OF 10.31 FEET;
NORTH 03°35'38" EAST, A DISTANCE OF 10.02 FEET;
SOUTH 86°01'00" WEST, A DISTANCE OF 8.68 FEET;
NORTH 85°49'45" WEST, A DISTANCE OF 9.59 FEET;
NORTH 09°06'26" WEST, A DISTANCE OF 14.90 FEET;
NORTH 51°11'31" WEST, A DISTANCE OF 18.15 FEET;
SOUTH 84°17'27" WEST, A DISTANCE OF 19.61 FEET;
SOUTH 73°46'34" WEST, A DISTANCE OF 15.65 FEET;
NORTH 25°54'11" WEST, A DISTANCE OF 11.70 FEET;
NORTH 54°01'02" WEST, A DISTANCE OF 12.51 FEET;
NORTH 23°30'12" WEST, A DISTANCE OF 7.85 FEET;
NORTH 53°15'06" WEST, A DISTANCE OF 17.96 FEET;
NORTH 38°05'48" EAST, A DISTANCE OF 13.16 FEET;
NORTH 03°36'55" WEST, A DISTANCE OF 18.53 FEET;

NORTH 85°34'24" WEST, A DISTANCE OF 11.66 FEET;
NORTH 22°48'47" WEST, A DISTANCE OF 18.07 FEET;
NORTH 41°18'00" EAST, A DISTANCE OF 17.82 FEET;
NORTH 16°01'24" WEST, A DISTANCE OF 10.52 FEET;
NORTH 49°00'38" WEST, A DISTANCE OF 16.20 FEET;
NORTH 26°16'07" EAST, A DISTANCE OF 17.98 FEET;
NORTH 43°38'42" WEST, A DISTANCE OF 20.40 FEET;
NORTH 30°35'24" EAST, A DISTANCE OF 11.55 FEET;
NORTH 36°18'13" WEST, A DISTANCE OF 11.34 FEET;
NORTH 68°50'56" WEST, A DISTANCE OF 16.19 FEET;
NORTH 32°05'29" EAST, A DISTANCE OF 19.07 FEET;
NORTH 12°55'07" WEST, A DISTANCE OF 21.22 FEET;
NORTH 81°36'19" WEST, A DISTANCE OF 14.59 FEET;
SOUTH 39°51'36" WEST, A DISTANCE OF 11.16 FEET;
SOUTH 14°02'17" WEST, A DISTANCE OF 13.00 FEET;
NORTH 60°58'47" WEST, A DISTANCE OF 24.24 FEET;
NORTH 19°43'42" WEST, A DISTANCE OF 8.99 FEET;
NORTH 61°53'30" EAST, A DISTANCE OF 12.57 FEET;
NORTH 20°19'31" WEST, A DISTANCE OF 19.81 FEET;
NORTH 19°34'26" WEST, A DISTANCE OF 15.29 FEET;
NORTH 12°22'57" EAST, A DISTANCE OF 11.35 FEET;
NORTH 70°51'42" EAST, A DISTANCE OF 15.30 FEET;
NORTH 21°04'48" EAST, A DISTANCE OF 8.34 FEET;
NORTH 48°02'59" WEST, A DISTANCE OF 8.86 FEET;
NORTH 10°31'36" WEST, A DISTANCE OF 7.95 FEET;
NORTH 16°10'12" EAST, A DISTANCE OF 10.49 FEET;
NORTH 16°17'00" WEST, A DISTANCE OF 9.42 FEET;
NORTH 35°18'22" EAST, A DISTANCE OF 14.45 FEET;
NORTH 14°54'43" WEST, A DISTANCE OF 25.99 FEET;
NORTH 20°12'47" EAST, A DISTANCE OF 14.48 FEET;
SOUTH 87°24'30" EAST, A DISTANCE OF 19.45 FEET;
NORTH 04°34'41" EAST, A DISTANCE OF 18.24 FEET;
NORTH 57°58'19" EAST, A DISTANCE OF 17.36 FEET;
NORTH 11°33'41" WEST, A DISTANCE OF 17.23 FEET;
NORTH 26°07'38" EAST, A DISTANCE OF 8.35 FEET;
SOUTH 66°56'34" EAST, A DISTANCE OF 18.95 FEET;
NORTH 77°53'41" EAST, A DISTANCE OF 9.13 FEET;
NORTH 54°09'37" EAST, A DISTANCE OF 14.36 FEET;
NORTH 04°11'48" WEST, A DISTANCE OF 11.56 FEET;
NORTH 24°06'07" EAST, A DISTANCE OF 14.25 FEET;
NORTH 43°36'27" WEST, A DISTANCE OF 27.21 FEET;
NORTH 39°56'03" EAST, A DISTANCE OF 18.84 FEET;
NORTH 10°33'19" WEST, A DISTANCE OF 9.89 FEET;
NORTH 67°55'45" EAST, A DISTANCE OF 11.34 FEET;
NORTH 88°04'17" EAST, A DISTANCE OF 13.12 FEET;
NORTH 61°34'23" EAST, A DISTANCE OF 17.04 FEET;
SOUTH 72°14'18" EAST, A DISTANCE OF 13.77 FEET;
NORTH 71°04'29" EAST, A DISTANCE OF 13.81 FEET;
SOUTH 62°21'34" EAST, A DISTANCE OF 18.21 FEET;
NORTH 22°09'30" EAST, A DISTANCE OF 12.76 FEET;
NORTH 41°54'53" EAST, A DISTANCE OF 12.93 FEET;

NORTH 14°59'57" EAST, A DISTANCE OF 12.00 FEET;
NORTH 33°16'53" EAST, A DISTANCE OF 15.41 FEET;
NORTH 74°51'41" EAST, A DISTANCE OF 18.51 FEET;
NORTH 26°38'41" WEST, A DISTANCE OF 14.66 FEET;
NORTH 26°33'40" WEST, A DISTANCE OF 11.86 FEET;
NORTH 67°49'40" WEST, A DISTANCE OF 8.00 FEET;
SOUTH 25°39'13" WEST, A DISTANCE OF 16.08 FEET;
NORTH 70°29'35" WEST, A DISTANCE OF 33.42 FEET;
NORTH 24°10'42" EAST, A DISTANCE OF 15.18 FEET;
NORTH 17°15'26" WEST, A DISTANCE OF 18.75 FEET;
NORTH 34°33'29" WEST, A DISTANCE OF 27.20 FEET;
SOUTH 66°33'15" WEST, A DISTANCE OF 10.65 FEET;
SOUTH 61°21'47" WEST, A DISTANCE OF 12.99 FEET;
NORTH 47°02'12" WEST, A DISTANCE OF 17.27 FEET;
NORTH 59°40'27" WEST, A DISTANCE OF 8.89 FEET TO A POINT THAT IS NORTH 89°58'32" EAST, A DISTANCE OF 5.08 FEET FROM A FOUND #4 REBAR;

THENCE LEAVING SAID BRANCH NORTH 89°58'32" EAST, A DISTANCE OF 305.81 FEET TO A FOUND IRON PIN ON THE EASTERLY ROW OF SHACKELTON ROAD (60.0 R.O.W.);
THENCE ALONG THE SOUTHERN BOUNDARY OF LOTS 18, 19, & 21-27 OF LEXINGTON PHASE 1, SECTIONS "B & C", BM 1995, PAGES 1200-1203 THE FOLLOWING SIX (6)COURSES:
NORTH 89°57'45" EAST, A DISTANCE OF 80.82 FEET TO A FOUND IRON PIN;
NORTH 89°52'55" EAST, A DISTANCE OF 337.08 FEET TO A FOUND IRON PIN;
NORTH 89°55'07" EAST, A DISTANCE OF 93.02 FEET TO A FOUND IRON PIN;
NORTH 89°50'00" EAST, A DISTANCE OF 59.78 FEET TO A FOUND IRON PIN;
NORTH 89°46'56" EAST, A DISTANCE OF 117.80 FEET TO A FOUND IRON PIN;
NORTH 89°54'21" EAST, A DISTANCE OF 171.33 FEET TO A FOUND IRON PIN;
THENCE NORTH 89°52'30" EAST, A DISTANCE OF 415.93 FEET TO THE POINT OF BEGINNING, CONTAINING 23.73 ACRES, MORE OR LESS.

TRACT 2

BEING A PORTION OF TRACT C-1 OF A DIVISION OF TRACT "C" AS SHOWN ON THE SURVEY FOR THE TOWN OF APEX DATED JAN 3, 1989, ASHLEY ELKINS, RLS AND RECORDED AT BOOK OF MAPS 1989, PAGE 59, WAKE COUNTY, NORTH CAROLINA AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT A 30IN WHITE OAK TREE AT THE NORTHEAST CORNER OF THE ABOVE REFERENCED SURVEY, DESCRIBED AT THAT TIME AS A 24IN WHITE OAK TREE WITH STATE PLAN COORDINATES N 713,917.474 E 2,045,176.348; THENCE SOUTH 89°52'59" WEST, PASSING OVER A REFERENCE IRON PIN AT 3.45 FEET AND AN IRON PIN FOUND ON THE WESTERLY RIGHT-OF-WAY (ROW) OF EXISTING PERRY ROAD (60.0' R.O.W.) AT 1305.43 FEET, FOR A TOTAL DISTANCE OF 1329.28 FEET TO A POINT, SAID POINT BEING ON THE CENTERLINE OF A PROPOSED 110' ROW;

THENCE ALONG SAID PROPOSED CENTERLINE THE FOLLOWING THREE COURSES:

- A CURVE FROM SAID POINT OF BEGINNING SOUTHERLY AND SOUTHWESTERLY A DISTANCE OF 419.85 FEET ALONG THE CURVE CONCAVE TO THE WEST, HAVING A RADIUS OF 1,202.781 FEET WITH A CHORD ANGLE SOUTH 10°46'12" WEST FOR 417.72 FEET TO A COMPUTED POINT;
- A TANGENT SOUTH 22°30'45" WEST FOR 110.19 FEET TO A COMPUTED POINT IN THE FUTURE CENTERLINE OF THE PERRY ROAD RIGHT-OF-WAY;
- A CURVE FROM SAID TANGENT POINT SOUTHERLY AND SOUTHEASTERLY A DISTANCE OF 197.22 FEET ALONG THE CURVE CONCAVE TO THE EAST, HAVING A RADIUS OF 1,310.34 FEET WITH A CHORD ANGLE SOUTH 16°35'32" WEST FOR 197.03 FEET TO A COMPUTED POINT; SAID POINT BEING THE

POINT OF BEGINNING;

THENCE CONTINUING ALONG SAID CENTERLINE OF THE FUTURE PERRY ROAD EXTENSION WITH A CURVE FROM SAID POINT OF BEGINNING SOUTHERLY AND SOUTHEASTERLY A DISTANCE OF 928.00 FEET ALONG A CURVE CONCAVE TO THE EAST, HAVING A RADIUS OF 1,244.07 FEET WITH A CHORD ANGLE SOUTH 09°10'23" EAST FOR 906.63 FEET TO A COMPUTED POINT ALONG THE NORTHERN RIGHT-OF-WAY OF US 1 HIGHWAY;

THENCE LEAVING SAID PROPOSED ROW AND ALONG THE US HIGHWAY 1 ROW SOUTH 58°34'57" WEST, A DISTANCE OF 977.38 FEET TO A CALCULATED POINT;
THENCE ALONG THE NORTHERN US HIGHWAY 1 ROW TO A FOUND 6-IN CONCRETE MONUMENT WITH STATE PLANE COORDINATES N 711,809.272 AND E 2,042,981.00;
THENCE SOUTH 58°55'33" WEST, A DISTANCE OF 221.57 FEET TO THE CENTER OF REEDY BRANCH;
THENCE ALONG SAID BRANCH THE FOLLOWING TWENTY-THREE (23) COURSES;
NORTH 20°02'18" WEST, A DISTANCE OF 329.56 FEET;
NORTH 74°05'29" WEST, A DISTANCE OF 84.99 FEET;
NORTH 17°23'59" EAST, A DISTANCE OF 217.31 FEET;
NORTH 55°30'13" WEST, A DISTANCE OF 96.25 FEET;
NORTH 03°43'27" WEST, A DISTANCE OF 208.74 FEET;
NORTH 42°12'57" WEST, A DISTANCE OF 115.08 FEET;

NORTH 20°21'51" WEST, A DISTANCE OF 204.80 FEET;
NORTH 20°31'32" WEST, A DISTANCE OF 30.00 FEET;
NORTH 00°41'48" WEST, A DISTANCE OF 181.88 FEET;
NORTH 12°04'12" WEST, A DISTANCE OF 179.91 FEET;
NORTH 41°37'43" WEST, A DISTANCE OF 8.65 FEET;
NORTH 27°36'56" EAST, A DISTANCE OF 18.18 FEET;
NORTH 21°03'46" WEST, A DISTANCE OF 13.80 FEET;
NORTH 31°11'08" EAST, A DISTANCE OF 10.66 FEET;
NORTH 00°04'20" EAST, A DISTANCE OF 11.34 FEET;
NORTH 46°43'00" WEST, A DISTANCE OF 13.69 FEET;
NORTH 76°43'52" WEST, A DISTANCE OF 11.75 FEET;
NORTH 06°15'16" WEST, A DISTANCE OF 7.49 FEET;
NORTH 66°29'35" EAST, A DISTANCE OF 15.99 FEET;
NORTH 32°25'43" WEST, A DISTANCE OF 9.99 FEET;
SOUTH 79°43'00" WEST, A DISTANCE OF 7.50 FEET;
NORTH 78°53'05" WEST, A DISTANCE OF 10.59 FEET;
NORTH 05°25'53" WEST, A DISTANCE OF 4.86 FEET;

THENCE LEAVING SAID BRANCH SOUTH 88°08'27" EAST ALONG THE SOUTHERN BORDER OF THE HEREIN DESCRIBED TRACT 1, BEING ALSO THE SOUTHERN BOUNDARY OF THAT 48.786 ACRE TRACT OF LAND SHOWN ON THE SURVEY FOR MYRTLE S. HOPSON DATED MAY 2, 1997, DRAWN BY SMITH AND SMITH SURVEYORS AND RECORDED AT BOOK OF MAPS 1997, PAGE 835, WAKE COUNTY, A DISTANCE OF 1329.43 FEET TO THE POINT OF BEGINNING, CONTAINING 34.81 ACRES, MORE OR LESS.

REZONING CASE #24CZ20
SUBMITTED NOVEMBER 1, 2024

<PUD REZONING>

HOPSON GATEWAY PUD

PERRY ROAD @ US 1 HIGHWAY
APEX, NORTH CAROLINA 27502
PROJECT NUMBER: 240307

RIPARIAN BUFFERS AND WETLANDS:

RIPARIAN BUFFERS AND WETLANDS LOCATED ON SITE BY SOILS & ENVIRONMENTAL CONSULTANTS, INC TO BE CONFIRMED BY THE US ARMY CORPS OF ENGINEERS, DWR, AND/OR THE TOWN OF APEX.
TOWN OF APEX PROJECT # 23-001
DWR PROJECT # 24-319

811 Know what's below. Call before you dig.

Attachment B

APPLICANTS

ACRE MANAGER, LLC and **TOWN OF APEX**

JESSE KEHOE
DIRECTOR OF DEVELOPMENT
252 NW 29TH STREET, 9TH FLOOR
MIAMI, FL 33127
(786) 634-4857
www.AcreMgmt.com

AMANDA BUNCE
PLANNING DEPARTMENT
P.O. BOX 250
APEX, NC 27502
(919) 249-3529
www.ApexNC.org

LAND USE ATTORNEY

PARKER, POE, ADAMS, & BERNSTEIN LLP
MATTHEW CARPENTER
301 FAYETTEVILLE STREET SUITE 1400
RALEIGH, NC 27601
(919) 835-4032
www.ParkerPoe.com

ENGINEER/LAND PLANNER

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

SURVEYOR

SMITH & SMITH SURVEYORS
BEN SMITH / STALEY SMITH
P.O, BOX 457
APEX, NC 27502
(919) 362-7111
www.SmithandSmithSurveyors.net

ENVIRONMENTAL CONSULTANT

NATURAL RESOURCE CONSULTANTS
JENNIFER BURDETTE
308 W. MILLBROOK ROAD, SUITE d #200
RALEIGH, NC 27609
(919) 422-3605
www.NRConsultNC.com

TRAFFIC ENGINEER

KIMLEY-HORN AND ASSOCIATES
LYLE OVERCASH, P.E.
421 FAYETTEVILLE STREET SUITE 600
RALEIGH, NC 27601
(919) 677-2000
www.Kimley-Horn.com

FORESTER/ENVIRONMENTAL

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

PROPERTY DATA

PIN 0741-33-1566	0 Tingen Road	48.79 acres
Sure & Steadfast Properties Limited Partnership		
2201 Candun Drive Suite 103, Apex, NC 27523		
Deed Book/Page: 8494 / 1585		
Jurisdiction: Town of Apex ETJ		
PIN 0741-32-6706	1341 Perry Road	49.48 acres
Town of Apex		
PO Box 250, Apex, NC 27502		
Deed Book/Page: 1736 / Estate File		
Jurisdiction: Apex Town Limits		
PIN 0741-42-7922	0 Perry Road	1.07 acres
Town of Apex		
PO Box 250, Apex, NC 27502		
Deed Book/Page: 1736 / Estate File		
Jurisdiction: Apex Town Limits		

Total Acreage: 99.34 acres
Total Acreage breakdown after the Land Exchange Agreement
PUD-CZ Acreage: 58.54 acres
LI-CZ Acreage: 40.80 acres
(Deeded acreage and final Survey data may vary slightly)

SITE DATA TABLE

Township:	White Oak Township
Flood Zone Information:	Firm Panel 3720074100J effective May 2, 2006 does not show the presence of flood zones on the properties (flood zones are not located within 100' of the property)
Watershed Information:	Secondary Watershed Protection Overlay District, Big Branch Creek, Harris Lake, Cape Fear River Basin
Historical:	NC SHPO does not show any existing historical structures on or near the properties
Annexation:	Annexation required prior to Construction Document approval for parcels located outside of the Apex Town Limits
Current Zoning:	Rural Agriculture (RA) LI-CZ (zoning case #24CZ08)
Proposed Zoning:	PUD - CZ (Planned Unit Development - Conditional Zoning)
Current 2045 Land Use Map:	Office Employment and Industrial Employment (west of Perry Road) Office Employment and Industrial Employment (east of Perry Road)
Proposed 2045 Land Use Map:	Medium/High Density Residential; Commercial Services (west of Perry Road)
Current Use:	Vacant residential, vacant industrial, Town work yard (Industrial)
Proposed Uses:	**District 'A'**

Single-family | Townhouse | Live/Work Townhouse *** | Small-scale multi-family * | Accessory apartment **
Park, active | Park, passive | Greenway | Recreation facility, private | Utility, minor

* Small scale multi-family shall be defined as a building constructed to accommodate between two and ten dwelling units that are vertically or horizontally integrated. Multiple small-scale multi-family buildings may be located on one lot.
** Homeowners Association covenants shall not restrict the construction of Accessory apartment.
*** In District A, townhouses along Perry Road may be live/work townhouses which shall be defined as townhouses that have a first-floor business/office space and a second and/or third floor residence, each with a separate street front entrance ("Live/Work Units"). The only permitted non-residential principal use in the Live/Work Units shall be office, business or professional.

District 'B'

Townhouse | Small-scale multi-family* | Multi-family or apartment | Accessory apartment **
Park, active | Park, passive | Greenway | Recreation facility, private | Utility, minor

* Small scale multi-family shall be defined as a building constructed to accommodate between two and ten dwelling units that are vertically or horizontally integrated. Multiple small-scale multi-family buildings may be located on one lot.
** Homeowners Association covenants shall not restrict the construction of Accessory apartment.

District Standards	Single-family	District 'A' (~24.80 acres) Small Scale Multi-family	District 'A' & 'B' Townhouse Live/Work Townhouse	District 'B' (~33.74 acres) Multi-family	Private Recreation Facility
Maximum Built-Upon Area	70%	70%	70%	70%	70%
Max Units	220 total residential lots/units			400 units	20,000 SF
Minimum Lot Size	5,000 SF	N/A	none	N/A	N/A
Minimum Lot Width	50 feet	20 feet	20 feet	N/A	N/A
Front Setback	20 feet	10 feet	20 feet	10 feet	20 feet
Front Setback (rear loaded/parking lot style)			10 feet	N/A	
Side Setback	5 feet	0 feet (3' end units)	0 feet (3' end units)	20 feet	20 feet
Rear Setback	10 feet	10 feet	10 feet	20 feet	20 feet
Side (corner) Setback	10 feet	10 feet	10 feet	20 feet	20 feet
Buffer/RCA setback - building	10 feet	10 feet	10 feet	10 feet	10 feet
Buffer/RCA setback - parking	5 feet	5 feet	5 feet	5 feet	5 feet
Max Building Height	45 feet (3 stories)	45 feet (3 stories)	45 feet (3 stories)	60 feet (4 stories)	48 feet (4 stories)
Minimum building separation	N/A	10 feet	10 feet	15 feet	N/A

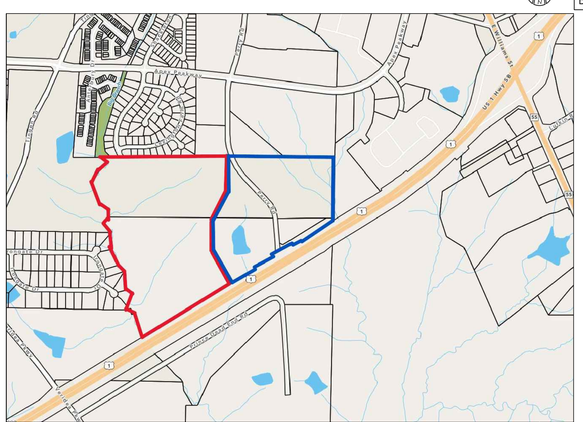
[Townhouse is included in District 'A' and District 'B']

Parking Standards:	Parking shall be provided as noted below or per UDO 8.3
Single-family	2 parking spaces/dwelling unit
Small-scale multi-family & townhouse	2 parking spaces/dwelling unit + 0.25 guest spaces/dwelling unit
Multi-family or apartments	
1 or 2 bedroom units	1.3 parking spaces/dwelling unit
3 bedroom units	1.8 parking spaces/dwelling unit
Private Amenity	Parking provided per UDO 8.3.2
EV Parking:	Parking to be provided per UDO 8.3.11
Bicycle Parking:	Parking to be provided per UDO 8.3.2
RCA Required:	The project shall dedicate RCA as required by UDO Section 8.1.2. Designated RCAs will be consistent with UDO Section 8.1.2(B).
Grading:	Project shall be "Mass Graded"
% of lots graded prior to first plat:	No restriction or grading limitation
% of pre-development drainage areas preserved within their natural basins:	80% per UDO Section 7.2.5.B



PROJECT AERIAL NOT TO SCALE

RED OUTLINE: PRIVATE DEVELOPMENT PUD-CZ OUTLINE
BLUE OUTLINE: TOWN OF APEX LI-CZ OUTLINE



VICINITY MAP NOT TO SCALE

INDEX OF DRAWINGS:

C000 COVER SHEET

C001 EXISTING CONDITIONS
C002 EXISTING CONDITIONS TREE SURVEY
C003 EXISTING CONDITIONS TREE SURVEY TABLE

C100 CONCEPTUAL SITE PLAN & LOT IDENTIFICATION
C110 CONCEPTUAL UTILITY PLAN

C120 BUILDING ELEVATIONS - TOWNHOUSE
C121 BUILDING ELEVATIONS - TOWNHOUSE & SMALL-SCALE MULTI-FAMILY
C122 BUILDING ELEVATIONS - SINGLE-FAMILY RESIDENTIAL
C123 BUILDING ELEVATIONS - MULTI-FAMILY
C124 BUILDING ELEVATIONS - MULTI-FAMILY & CLUBHOUSE

PARKS AND RECREATION DATA TABLE

DATE REVIEWED BY PRCR ADVISORY COMMISSION: FEBRUARY 26, 2025
FEE-IN-LIEU: 2024-2025 RATES

SINGLE-FAMILY DETACHED UNITS $4,244.42 / DWELLING UNIT x ???? UNITS = $_____
SINGLE-FAMILY ATTACHED UNITS $2,858.65 / DWELLING UNIT x ???? UNITS = $_____
MULTI-FAMILY UNITS $2,516.93 / DWELLING UNIT x ???? UNITS = $_____

ACRES OF LAND DEDICATION: _____ACRES
PUBLIC GREENWAY TRAIL CONSTRUCTION YES XX NO___.

Hopson Gateway PUD, zoning #24CZ220, was reviewed at the February 26, 2025 Parks, Recreation, and Cultural Resources Advisory Commission meeting. The Commission recommended a fee in lieu of dedication with credit for construction of greenway for a maximum combination of 220 single-family detached and single-family attached, and a maximum of 400 multi-family residential units. The fee in lieu rate will be set at the time of Town Council action on the Rezoning and run for the life of the project. The total fee in lieu (based on the final unit count) will be calculated at Major Site Plan/Master Subdivision Plan and Construction Document review.

The greenway in District A shall be completed prior to issuance of building permits for 25% of the total residential units in District A. The greenway in District B shall be completed prior to issuance of building permits for 50% of the total residential units in District B. Final greenway alignment shall be determined at Major Site Plan/Master Subdivision Plan and shall be generally consistent with the Parks, Recreation, Greenway, and Open Space Master Plan and the Bicycle and Pedestrian System

PEAK Engineering & Design
1125 Apex Peakway | Apex, NC 27502
ph: 919.439.0100
www.PeakEngineering.com

NC License #P-0673

project:
HOPSON GATEWAY ZONING
PERRY ROAD @ US 1 HIGHWAY
WHITE OAK TOWNSHIP
APEX, NORTH CAROLINA 27502

seal:
NORTH CAROLINA REGISTERED LANDSCAPE ARCHITECT JEFFREY A. ROACH
PRELIMINARY PLAT NOT FOR CONSTRUCTION

No.	DATE	REVISION	BY
1	APRIL 3, 2025	TOWN OF APEX - 1st ZONING COMMENTS	JR
2	SEPTEMBER 23, 2025	TOWN OF APEX - 2nd ZONING COMMENTS	JR
3	OCTOBER 8, 2025	TOWN OF APEX - 3rd ZONING COMMENTS	JR
4	AUGUST 8, 2025	TOWN OF APEX - 4th ZONING COMMENTS	JR

title:
PUD COVER SHEET

proj #:
240307
date:
November 1, 2024
dwg by: FS chkd by: JR
scale:
As Noted
sheet:
C000
(PUD PLAN)

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RIPARIAN BUFFERS AND WETLANDS:

RIPARIAN BUFFERS AND WETLANDS LOCATED ON SITE BY SOILS & ENVIRONMENTAL CONSULTANTS, INC TO BE CONFIRMED BY THE US ARMY CORPS OF ENGINEERS, DWR, AND/OR THE TOWN OF APEX.

TOWN OF APEX PROJECT # 23-001

DWR PROJECT # 24-319

EXISTING CONDITIONS NOTES:

1. *BOUNDARY SURVEY PROVIDED BY SMITH & SMITH SURVEYORS OF APEX, NC.*
2. *TOPOGRAPHIC INFORMATION FROM WAKE COUNTY GIS AND SURVEYOR DATA.*
3. *NO SLOPES EQUAL TO OR GREATER THAN 3:1 FOUND ON THE SITE.*
4. NC SHPO DOES NOT SHOW ANY EXISTING HISTORICAL STRUCTURES WITHIN THE BOUNDARY OF THE PROJECT.
5. *PROPOSED GREENWAY, SIDEPATHS, AND/OR MULTI-USE TRAILS ARE SHOWN ON THE ADOPTED PARKS AND GREENWAYS MASTER PLAN. FINAL LOCATION TO BE COORDINATED WITH STAFF.*
6. *100-YR FLOOD PLAIN IS NOT LOCATED ON OR WITHIN 100' OF THE PROPERTIES.*
7. PROPERTIES ARE LOCATED WITHIN THE SECONDARY WATERSHED OVERLAY DISTRICT, BIG BRANCH CREEK, HARRIS LAKE, CAPE FEAR RIVER BASIN.

ADJACENT PROPERTY OWNERS

#	OWNER USE	PIN ZONING
1	PERKINS, JOSEPH & SANDRA VACANT SINGLE FAMILY	0741-22-5009 RR
2	PERKINS, JOSEPH & SANDRA VACANT SINGLE FAMILY	0741-22-5189 RR
3	PERKINS, JOSEPH & SANDRA VACANT SINGLE FAMILY	0741-22-5323 RR
4	PERKINS, JOSEPH & SANDRA VACANT SINGLE FAMILY	0741-22-4339 RR
5	PERKINS, JOSEPH & SANDRA VACANT SINGLE FAMILY	0741-22-4521 RR
6	LASSITER, ROBERT M. SR. SINGLE FAMILY	0741-22-3721 RR
7	LASSITER, ROBERT M. & VANESSA J. VACANT SINGLE FAMILY	0741-22-3832 RR
8	LASSITER, ROBERT M. & VANESSA J. VACANT SINGLE FAMILY	0741-22-2951 RR
9	BRADLEY TERRACE HOMEOWNERS ASSOC. OPEN SPACE	0741-24-0185 MH-CU
10	TOWN OF APEX OPEN SPACE	0741-24-3405 MH-CU
11	RAVAL, DEEPA J SINGLE FAMILY	0741-23-3998 MH-CU
12	ACKERMAN, MARK & NANCY SINGLE FAMILY	0741-23-5998 MH-CU
13	WILSON, JASON SINGLE FAMILY	0741-23-6978 MH-CU
14	MYERS, CHRISTOPHER G. & GREENLEAF, MICHELLE SINGLE FAMILY	0741-23-7958 MH-CU
15	DOTY, TIMOTHY & FRANCESCA SINGLE FAMILY	0741-23-8938 MH-CU
16	BENNARZ, STANLEY M. & ELAINE SINGLE FAMILY	0741-23-9919 MH-CU
17	HITCH, THOMAS R. & PATRICIA C. SINGLE FAMILY	0741-34-0000 MH-CU
18	COOLEY, JOHN R. & VICTORIA J. SINGLE FAMILY	0741- MH-CU
19	CHAN, PAUL KI & ELAINE F. SINGLE FAMILY	0741-34-1048 MH-CU
20	JASPER, TODD J. & PATRICIA J. SINGLE FAMILY	0741-33-2908 MH-CU
21	JONES, W. GREGG & DOROTHY G. TRUSTEES SINGLE FAMILY	0741-33-3918 MH-CU
22	PRESSLEY, JORDAN M. & ASHLEY M. - CO-TRUSTEES SINGLE FAMILY	0741-34-3076 MH-CU

ZONE 1 | ZONE 2 | ZONE 3 STREAM BUFFERS

PROJECT PERIMETER BOUNDARY

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

0 75 150 300
SCALE: 1" = 150'

N

PLAN SHEETS ARE INTENDED FOR ILLUSTRATIVE PURPOSES ONLY

PEAK Engineering & Design
1125 Apex Peakway | Apex, NC 27502
ph: 919.439.0100
www.PeakEngineering.com
NC License #P-0673

project:
HOPSON GATEWAY ZONING
PERRY ROAD @ US 1 HIGHWAY
WHITE OAK TOWNSHIP
APEX, NORTH CAROLINA 27502

seal:
NORTH CAROLINA PROFESSIONAL ENGINEER SEAL 047127 JEFFREY A. ROACH
PRELIMINARY NOT FOR CONSTRUCTION

No.	DATE	REVISION	BY
1	AUGUST 8, 2023	TOWN OF APEX - 2ND ZONING COMMENTS	JR
2	AUGUST 8, 2023	TOWN OF APEX - 2ND ZONING COMMENTS	JR
3	SEPTEMBER 25, 2023	TOWN OF APEX - 4TH ZONING COMMENTS	JR
4	APRIL 3, 2023	TOWN OF APEX - 1ST ZONING COMMENTS	JR
5			

title:
EXISTING CONDITIONS PLAN

proj #: 240307
date: November 1, 2024
dwg by: FS chkd by: JR
scale: As Noted
sheet: *C001*
(PUD PLAN)

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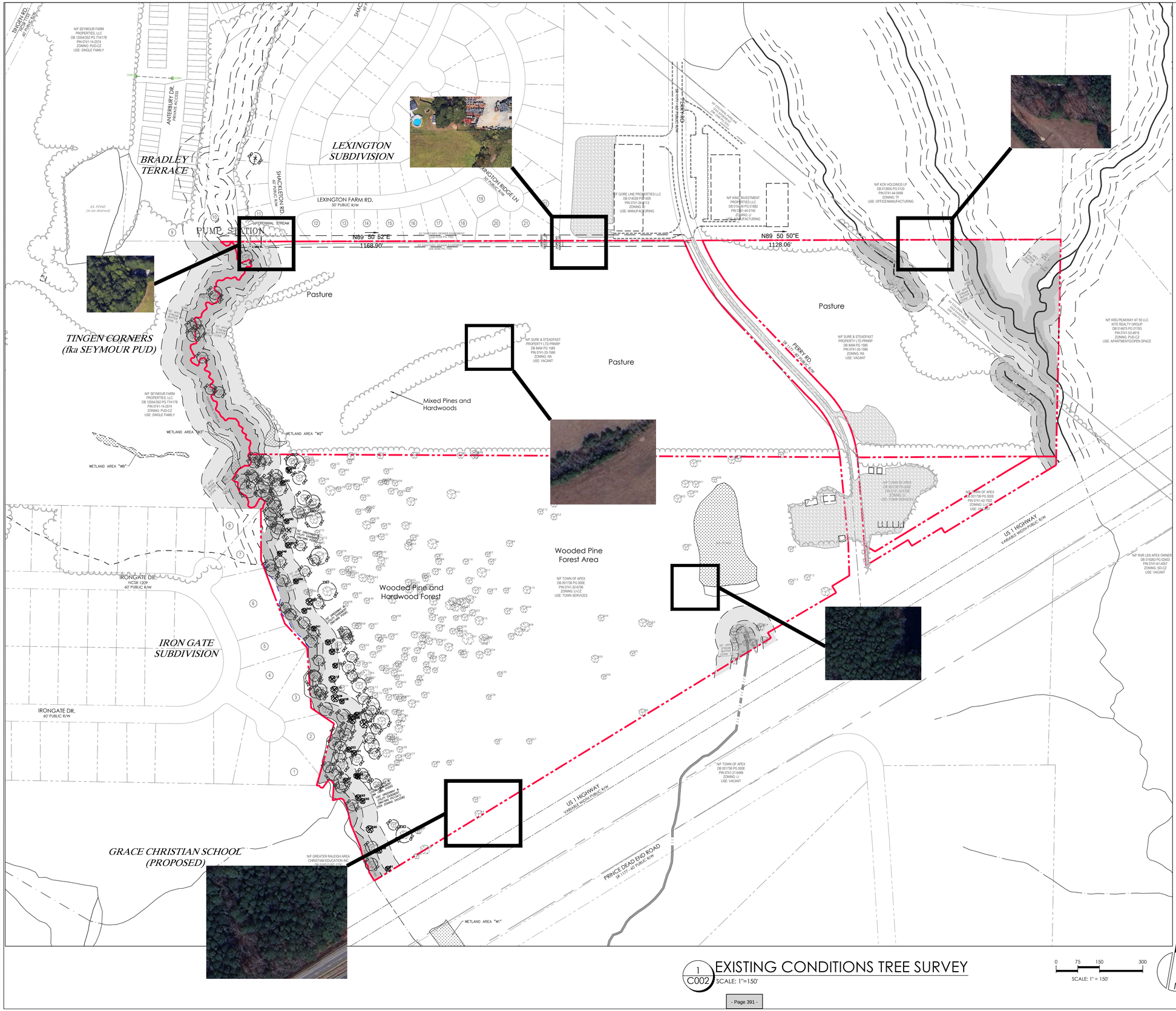
TINGEN RD.
NCSR 1209
60' PUBLIC R/W
NF SEYMOUR FARM PROPERTIES, LLC
DB 12054/302 PG 774/178
PIN 0741-14-2574
ZONING: PUD-CZ
USE: SINGLE FAMILY
ANTERBURY DR.
PUBLIC ACCESS
BRADLEY TERRACE
LEXINGTON SUBDIVISION
SHACKLETON RD.
60' PUBLIC R/W
LEXINGTON FARM RD.
50' PUBLIC R/W
IRONGATE DR.
NCSR 1209
60' PUBLIC R/W
IRON GATE SUBDIVISION
IRONGATE DR.
60' PUBLIC R/W
GRACE CHRISTIAN SCHOOL (PROPOSED)
TINGEN CORNERS (fka SEYMOUR PUD)
EX. POND (to be drained)
PUMP STATION
INTERMITTENT STREAM
PERENNIAL STREAM
N89° 50' 52"E
1168.90'
N89° 50' 50"E
1128.06'
Pasture
Mixed Pines and Hardwoods
Wooded Pine Forest Area
Wooded Pine and Hardwood Forest
PERRY RD.
US 1 HIGHWAY
VARIABLE WIDTH PUBLIC R/W
PRINCE DEAD END ROAD
SR 1117 - 60' PUBLIC R/W
NF SURE & STEADFAST PROPERTY, LTD PINWP
DB 8494 PG 1585
PIN 0741-33-1566
ZONING: RA
USE: VACANT
NF GORE LINE PROPERTIES LLC
DB 014039 PG 01409
PIN 0741-34-4113
ZONING: IL
USE: MANUFACTURING
NF KDK INVESTMENT PROPERTIES LLC
DB 016149 PG 01882
PIN 0741-44-0140
ZONING: LI
USE: MANUFACTURING
NF KDK HOLDINGS LP
DB 012935 PG 0120
PIN 0741-44-5459
ZONING: TC
USE: OFFICE/MANUFACTURING
NF KRG PEAKWAY AT 55 LLC
KITE REALTY GROUP
DB 014875 PG 01783
PIN 0741-53-4819
ZONING: PUD-CZ
USE: APARTMENTS/OPEN SPACE
NF TOWN OF APEX
DB 001736 PG 0000
PIN 0741-42-7022
ZONING: LI-CZ
USE: VACANT
NF TOWN OF APEX
DB 001736 PG 0000
PIN 0741-34-8795
ZONING: LI
USE: TOWN SERVICES
NF TOWN OF APEX
DB 001736 PG 0000
PIN 0741-32-8706
ZONING: LI-CZ
USE: TOWN SERVICES
NF TOWN OF APEX
DB 001736 PG 0000
PIN 0741-31-6489
ZONING: LI
USE: VACANT
NF RXR LEN APEX OWNER
DB 015053 PG 02453
PIN 0741-61-4057
ZONING: SD-CZ
USE: VACANT
NF GREATER RALEIGH AREA CHRISTIAN EDUCATION INC
DB 018553 PG 01761
WETLAND AREA "W1"
WETLAND AREA "W2"
WETLAND AREA "W3"
WETLAND AREA "W5"
50' SANITARY SEWER EASEMENT (DB 16056 PG 7059)

Point Table		
Point #	Description	CONDITION
1	19"GUM	SURVEYED
2	22"POPLAR	SURVEYED
3	22"WHITEOAK	SURVEYED
4	23"POPLAR	SURVEYED
5	20"WHITEOAK	SURVEYED
6	25"POPLAR	SURVEYED
7	18"WHITEOAK	SURVEYED
8	24"WHITEOAK	SURVEYED
9	28"GUM	SURVEYED
10	18"POPLAR	SURVEYED
11	24"POPLAR	SURVEYED
12	26"GUM	SURVEYED
13	19"GUM	SURVEYED
14	25"GUM	SURVEYED
15	18"GUM	SURVEYED
16	21"POPLAR	SURVEYED
17	18"REDOAK	SURVEYED
18	22"POPLAR	SURVEYED
19	23"POPLAR	SURVEYED
20	22"POPLAR	SURVEYED
21	23"REDOAK	SURVEYED
22	21"MAPLE	SURVEYED
23	23"POPLAR	SURVEYED
24	23"WHITEOAK	SURVEYED
25	21"WHITEOAK	SURVEYED
26	27"WHITEOAK	SURVEYED
27	19"REDOAK	SURVEYED
28	18"WHITEOAK	SURVEYED
29	22"WHITEOAK	SURVEYED
30	18"REDOAK	SURVEYED
31	19"WHITEOAK	SURVEYED
32	22"WHITEOAK	SURVEYED
33	27"WHITEOAK	SURVEYED
34	29"WHITEOAK	SURVEYED
35	16"GUM	SURVEYED
36	22"WHITEOAK	SURVEYED
37	22"REDOAK	SURVEYED
38	19"REDOAK	SURVEYED
39	26"WHITEOAK	SURVEYED
40	18"WHITEOAK	SURVEYED
41	24"POPLAR	SURVEYED
42	26"MAPLE	SURVEYED
43	19"GUM	SURVEYED
44	30"ELM	SURVEYED
45	25"GUM	SURVEYED
46	24"POPLAR	SURVEYED
47	18"POPLAR	SURVEYED
48	27"POPLAR	SURVEYED
49	23"POPLAR	SURVEYED
50	21"REDOAK	SURVEYED
51	22"GUM	SURVEYED
52	20"GUM	SURVEYED
53	18"GUM	SURVEYED
54	28"GUM	SURVEYED
55	18"GUM	SURVEYED
56	24"GUM	SURVEYED
57	18"GUM	SURVEYED
58	28"WHITEOAK	SURVEYED
59	22"WATEROAK	SURVEYED
60	22"MAPLE	SURVEYED
61	19"POPLAR	SURVEYED
62	20"GUM	SURVEYED

Point Table		
Point #	Description	CONDITION
63	18"GUM	SURVEYED
64	23"POPLAR	SURVEYED
65	22"WHITEOAK	SURVEYED
66	34"WHITEOAK	SURVEYED
67	19"GUM	SURVEYED
68	22"REDOAK	SURVEYED
69	23"REDOAK	SURVEYED
70	23"GUM	SURVEYED
71	24"GUM	SURVEYED
72	24"GUM	SURVEYED
73	28"POPLAR	SURVEYED
74	35"POPLAR	SURVEYED
75	24"POPLAR	SURVEYED
76	28"POPLAR	SURVEYED
77	29"POPLAR	SURVEYED
78	33"POPLAR	SURVEYED
79	19"WHITEOAK	SURVEYED
80	24"POPLAR	SURVEYED
81	27"POPLAR	SURVEYED
82	18"POPLAR	SURVEYED
83	19"WHITEOAK	SURVEYED
84	18"WHITEOAK	SURVEYED
85	28"GUM	SURVEYED
86	19"GUM	SURVEYED
87	27"POPLAR	SURVEYED
88	20"POPLAR	SURVEYED
89	31"POPLAR	SURVEYED
90	19"GUM	SURVEYED
91	18"GUM	DEMOLITION
92	28"POPLAR	SURVEYED
93	18"GUM	SURVEYED
94	19"POPLAR	SURVEYED
95	20"POPLAR	SURVEYED
96	18"GUM	SURVEYED
97	19"WHITEOAK	DEMOLITION
98	18"WHITEOAK	DEMOLITION
99	19"WHITEOAK	DEMOLITION
100	18"POPLAR	SURVEYED
101	19"POPLAR	SURVEYED
102	26"WHITEOAK	SURVEYED
103	18"WHITEOAK	SURVEYED
104	18"WHITEOAK	SURVEYED
105	30"WHITEOAK	DEMOLITION
106	20"POPLAR	SURVEYED
107	19"WHITEOAK	DEMOLITION
108	18"WHITEOAK	DEMOLITION
109	26"WHITEOAK	DEMOLITION
110	25"WHITEOAK	DEMOLITION
111	21"WHITEOAK	SURVEYED
112	23"WHITEOAK	DEMOLITION
113	18"WHITEOAK	SURVEYED
114	21"REDOAK	SURVEYED
115	18"WHITEOAK	DEMOLITION
116	20"REDOAK	DEMOLITION
117	19"POPLAR	DEMOLITION
118	25"WHITEOAK	SURVEYED
119	18"WHITEOAK	SURVEYED
120	18"REDOAK	SURVEYED
121	19"WHITEOAK	SURVEYED
122	18"GUM	SURVEYED
123	23"WHITEOAK	SURVEYED
124	18"POPLAR	SURVEYED

Point Table		
Point #	Description	CONDITION
125	20"POPLAR	SURVEYED
126	23"POPLAR	SURVEYED
127	34"WHITEOAK	SURVEYED
128	18"WHITEOAK	SURVEYED
129	21"REDOAK	SURVEYED
130	21"REDOAK	SURVEYED
131	18"REDOAK	SURVEYED
132	19"WHITEOAK	SURVEYED
133	20"WHITEOAK	SURVEYED
134	29"POPLAR	SURVEYED
135	18"WHITEOAK	SURVEYED
136	20"POPLAR	SURVEYED
137	22"REDOAK	SURVEYED
138	20"WHITEOAK	SURVEYED
139	19"REDOAK	SURVEYED
140	20"WHITEOAK	SURVEYED
141	26"WHITEOAK	SURVEYED
142	18"WHITEOAK	SURVEYED
143	25"WHITEOAK	SURVEYED
144	28"WHITEOAK	SURVEYED
145	19"WHITEOAK	SURVEYED
146	20"WHITEOAK	SURVEYED
147	19"WHITEOAK	SURVEYED
148	24"REDOAK	SURVEYED
149	19"WHITEOAK	SURVEYED
150	19"POPLAR	SURVEYED
151	22"REDOAK	SURVEYED
152	21"POPLAR	SURVEYED
153	18"WHITEOAK	SURVEYED
154	18"WHITEOAK	SURVEYED
155	38"REDOAK	SURVEYED
156	18"WHITEOAK	SURVEYED
157	20"WHITEOAK	SURVEYED
158	19"WHITEOAK	SURVEYED
159	19"GUM	SURVEYED
160	19"POPLAR	SURVEYED
161	22"POPLAR	SURVEYED
162	20"WHITEOAK	SURVEYED
163	19"WHITEOAK	SURVEYED
164	32"POPLAR	SURVEYED
165	20"POPLAR	SURVEYED
166	18"WATEROAK	SURVEYED
167	22"POPLAR	SURVEYED
168	21"POPLAR	SURVEYED
169	19"REDOAK	SURVEYED
170	18"REDOAK	SURVEYED
171	25"REDOAK	SURVEYED
172	20"POPLAR	SURVEYED
173	21"WHITEOAK	SURVEYED
174	21"WHITEOAK	SURVEYED
175	30"POPLAR	SURVEYED
176	19"WHITEAOK	SURVEYED
177	28"POPLAR	SURVEYED
178	20"POPLAR	SURVEYED
179	21"POPLAR	SURVEYED
180	19"POPLAR	SURVEYED
181	22"WHITEOAK	SURVEYED
182	27"GUM	SURVEYED
183	20"POPLAR	SURVEYED
184	22"POPLAR	SURVEYED
185	18"GUM	SURVEYED
186	26"POPLAR	SURVEYED

Point Table		
Point #	Description	CONDITION
187	22"POPLAR	SURVEYED
188	20"GUM	DEMOLITION
189	21"WHITEOAK	SURVEYED
190	25"REDOAK	DEMOLITION
191	19"WHITEOAK	SURVEYED
192	19"GUM	DEMOLITION
193	21"GUM	DEMOLITION
194	19"WHITEOAK	SURVEYED
195	28"GUM	SURVEYED
196	28"GUM	SURVEYED
197	19"GUM	SURVEYED
198	22"MAPLE	SURVEYED
199	20"POPLAR	SURVEYED
200	20"POPLAR	SURVEYED
201	20"WHITEOAK	DEMOLITION
202	30"GUM	SURVEYED
203	22"GUM	SURVEYED
204	22"GUM	SURVEYED
205	26"GUM	SURVEYED
206	18"GUM	SURVEYED
207	20"GUM	SURVEYED
208	32"WHITEOAK	SURVEYED
209	24"MAPLE	SURVEYED
210	27"POSTOAK	SURVEYED
211	23"GUM	SURVEYED
212	20"GUM	SURVEYED
213	30"WHITEOAK	SURVEYED
214	21"MAPLE	SURVEYED
215	32"MAPLE	SURVEYED
216	20"POPLAR	SURVEYED
217	33"POPLAR	SURVEYED
218	19"GUM	SURVEYED
219	30"WHITEOAK	SURVEYED
220	23"POPLAR	SURVEYED
221	18"WHITEOAK	SURVEYED
222	18"GUM	SURVEYED
223	24"GUM	SURVEYED
224	20"WHITEOAK	SURVEYED
225	24"REDOAK	SURVEYED
226	24"POPLAR	SURVEYED
227	22"GUM	SURVEYED
228	21"WHITEOAK	SURVEYED
229	19"WHITEOAK	SURVEYED
230	22"WHITEOAK	SURVEYED
231	40"WHITEOAK	SURVEYED
232	36"POPLAR	SURVEYED
233	23"GUM	SURVEYED
234	23"MAPLE	SURVEYED
235	18"POPLAR	SURVEYED
236	18"POPLAR	SURVEYED
237	20"POPLAR	SURVEYED
238	21"POPLAR	SURVEYED
239	22"POPLAR	SURVEYED
240	27"POPLAR	SURVEYED
241	18"GUM	SURVEYED
242	23"POPLAR	SURVEYED
243	18"WHITEOAK	SURVEYED
244	23"WHITEOAK	SURVEYED
245	21"REDOAK	SURVEYED
246	19"WHITEOAK	SURVEYED
247	21"REDOAK	SURVEYED
248	19"POPLAR	SURVEYED

Point Table		
Point #	Description	CONDITION
249	27"WHITEOAK	SURVEYED
250	25"REDOAK	SURVEYED
251	18"WHITEOAK	SURVEYED
252	23"POPLAR	SURVEYED
253	27"GUM	SURVEYED
254	19"WHITEOAK	SURVEYED
255	22"REDOAK	SURVEYED
256	21"REDOAK	SURVEYED
257	19"REDOAK	SURVEYED
258	18"WHITEOAK	SURVEYED
259	18"REDOAK	SURVEYED
260	18"REDOAK	SURVEYED
261	22"REDOAK	SURVEYED
262	23"WHITEOAK	SURVEYED
263	20"WHITEOAK	SURVEYED
264	33"POPLAR	SURVEYED
265	21"WHITEOAK	DEMOLITION
266	23"WHITEOAK	SURVEYED
267	25"REDOAK	SURVEYED
268	24"WHITEOAK	SURVEYED
269	29"WHITEOAK	SURVEYED
270	18"GUM	SURVEYED
271	22"REDOAK	SURVEYED
272	22"WHITEOAK	SURVEYED
273	23"WHITEOAK	SURVEYED
274	19"WHITEOAK	SURVEYED
275	30"WHITEOAK	SURVEYED
276	20"POPLAR	SURVEYED
277	20"WHITEOAK	SURVEYED
278	21"WHITEOAK	SURVEYED
279	22"WHITEOAK	SURVEYED
280	18"WHITEOAK	SURVEYED
281	18"WHITEOAK	SURVEYED
282	19"WHITEOAK	SURVEYED
283	24"WHITEOAK	DEMOLITION
284	18"POPLAR	SURVEYED
285	18"WHITEOAK	SURVEYED
286	18"WHITEAOK	DEMOLITION
287	18"POPLAR	SURVEYED
288	18"REDOAK	SURVEYED
289	21"WHITEOAK	DEMOLITION
290	18"GUM	DEMOLITION
291	21"REDOAK	SURVEYED
292	29"POPLAR	SURVEYED
293	18"POPLAR	DEMOLITION
294	22"GUM	SURVEYED
295	21"GUM	SURVEYED
296	25"POPLAR	SURVEYED
297	20"GUM	SURVEYED
298	20"MAPLE	SURVEYED
299	19"MAPLE	SURVEYED
300	18"GUM	SURVEYED
301	18"POPLAR	SURVEYED
302	18"WHITEOAK	SURVEYED
303	18"GUM	SURVEYED
304	19"GUM	SURVEYED
305	26"GUM	SURVEYED
306	23"GUM	SURVEYED
307	23"POPLAR	SURVEYED
308	19"POPLAR	SURVEYED
309	26"POPLAR	SURVEYED
310	23"GUM	SURVEYED

Point Table		
Point #	Description	CONDITION
311	20"GUM	SURVEYED
312	21"GUM	SURVEYED
313	19"GUM	SURVEYED
314	25"POPLAR	SURVEYED
315	18"GUM	SURVEYED
316	20"MAPLE	SURVEYED
317	20"MAPLE	SURVEYED
318	25"GUM	SURVEYED
319	26"GUM	SURVEYED
320	27"POPLAR	SURVEYED
321	18"GUM	SURVEYED
322	19"POPLAR	DEMOLITION
323	21"POPLAR	SURVEYED
324	22"GUM	SURVEYED
325	22"WHITEOAK	SURVEYED
326	22"WHITEOAK	SURVEYED
327	24"GUM	SURVEYED
328	25"WHITEOAK	DEMOLITION
329	21"GUM	DEMOLITION
330	24"GUM	SURVEYED
331	23"WHITEOAK	SURVEYED
332	18"POPLAR	SURVEYED
333	22"WHITEOAK	SURVEYED
334	21"WHITEOAK	SURVEYED
335	27"WHITEOAK	SURVEYED
336	19"WHITEOAK	SURVEYED
337	18"POPLAR	SURVEYED
338	21"WHITEOAK	SURVEYED
339	19"WHITEOAK	SURVEYED
340	19"WHITEOAK	DEMOLITION
341	18"WHITEOAK	DEMOLITION
342	20"POPLAR	SURVEYED
343	19"REDOAK	SURVEYED
344	18"WHITEOAK	SURVEYED
345	20"WHITEOAK	SURVEYED
346	22"REDOAK	SURVEYED
347	20"GUM	SURVEYED
348	19"WHITEOAK	SURVEYED
349	18"WHITEOAK	DEMOLITION
350	20"GUM	SURVEYED
351	20"WHITEOAK	DEMOLITION
352	26"WHITEOAK	SURVEYED
353	22"POPLAR	SURVEYED
354	18"POPLAR	SURVEYED
355	23"POPLAR	SURVEYED
356	21"GUM	SURVEYED
357	22"GUM	SURVEYED
358	23"MAPLE	SURVEYED
359	22"GUM	SURVEYED
360	28"POPLAR	SURVEYED
361	29"POPLAR	SURVEYED
362	26"MAPLE	SURVEYED
363	18"POPLAR	SURVEYED
364	19"POPLAR	SURVEYED
365	22"POPLAR	SURVEYED
366	18"MAPLE	SURVEYED
367	22"POPLAR	SURVEYED
368	19"MAPLE	SURVEYED
369	21"POPLAR	SURVEYED
370	23"POPLAR	SURVEYED

1 C003 EXISTING CONDITIONS TREE SURVEY TABLE
SCALE: N/A

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project:
HOPSON GATEWAY ZONING
PERRY ROAD @ US 1 HIGHWAY
WHITE OAK TOWNSHIP
APEX, NORTH CAROLINA 27502

seal:
NORTH CAROLINA PROFESSIONAL ENGINEER SEAL 044477 CASEY A. ROYAL
PRELIMINARY NOT FOR CONSTRUCTION

No.	DATE	REVISION	BY
1	AUGUST 8 2023	TOWN OF APEX - 2nd ZONING COMMENTS	JR
2	SEPTEMBER 8 2023	TOWN OF APEX - 3rd ZONING COMMENTS	JR
3	SEPTEMBER 25, 2023	TOWN OF APEX - 4th ZONING COMMENTS	JR
4	APRIL 1, 2023	TOWN OF APEX - 1st ZONING COMMENTS	JR

title:
EXISTING CONDITIONS TREE SURVEY TABLE

proj #:
240307
date:
November 1, 2024
dwg by: FS chkd by: JR
scale:
As Noted
sheet:
C003
(PUD PLAN)

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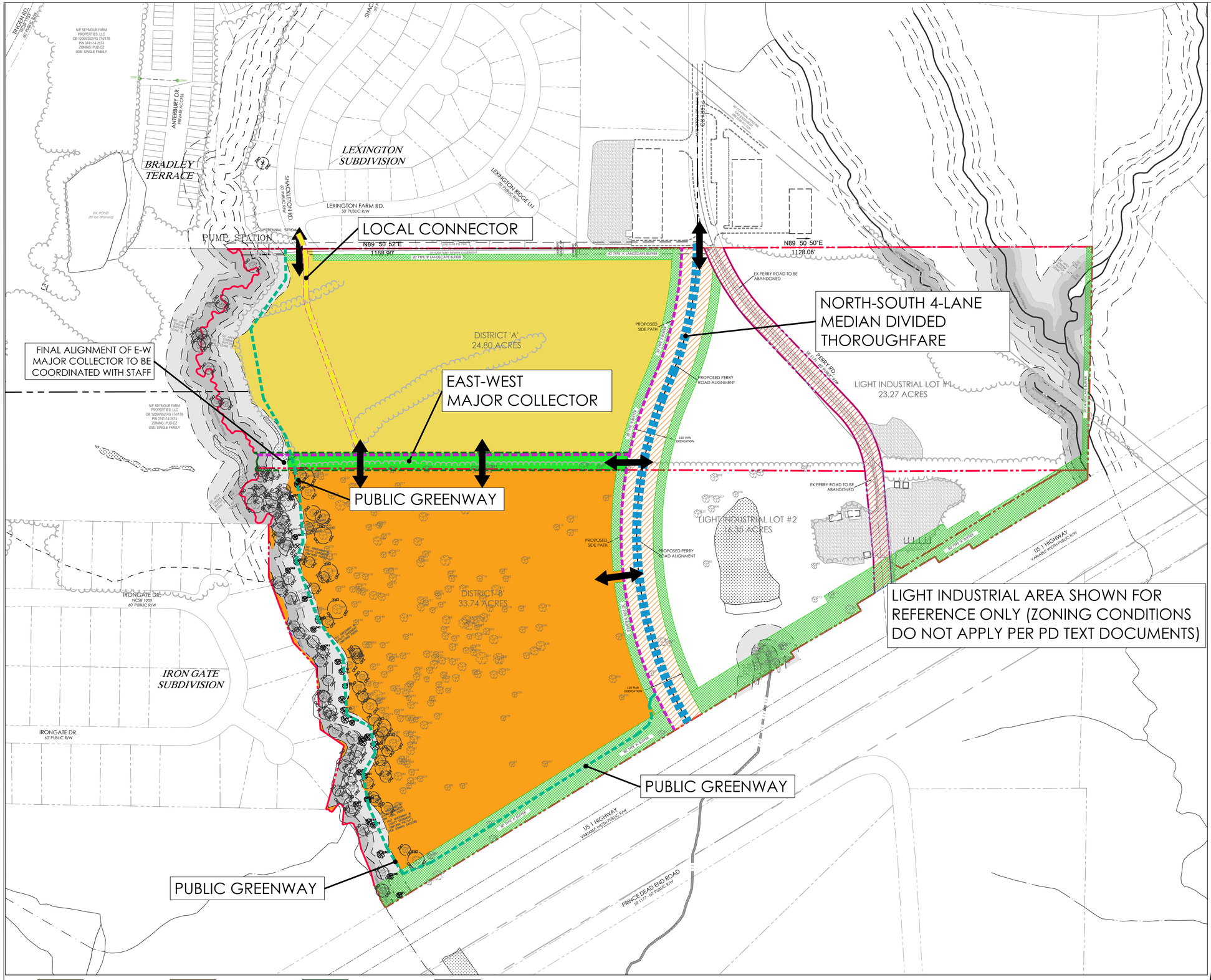

1 C100 CONCEPTUAL SITE PLAN & LOT IDENTIFICATION
SCALE: 1"=150'

0 75 150 300
SCALE: 1" = 150'

N

PLAN SHEETS ARE INTENDED FOR ILLUSTRATIVE PURPOSES ONLY

RIPARIAN BUFFERS AND WETLANDS:

RIPARIAN BUFFERS AND WETLANDS LOCATED ON SITE BY SOILS & ENVIRONMENTAL CONSULTANTS, INC TO BE CONFIRMED BY THE US ARMY CORPS OF ENGINEERS, DWR, AND/OR THE TOWN OF APEX.
TOWN OF APEX PROJECT # 23-001
DWR PROJECT # 24-319

EXISTING CONDITIONS NOTES:

1. *BOUNDARY SURVEY PROVIDED BY SMITH & SMITH SURVEYORS OF APEX, NC.*
2. *TOPOGRAPHIC INFORMATION FROM WAKE COUNTY GIS AND SURVEYOR DATA.*
3. *NO SLOPES EQUAL TO OR GREATER THAN 3:1 FOUND ON THE SITE.*
4. NC SHPO DOES NOT SHOW ANY EXISTING HISTORICAL STRUCTURES WITHIN THE BOUNDARY OF THE PROJECT.
5. *PROPOSED GREENWAY, SIDEPATHS, AND/OR MULTI-USE TRAILS ARE SHOWN ON THE ADOPTED PARKS AND GREENWAYS MASTER PLAN. FINAL LOCATION TO BE COORDINATED WITH STAFF.*
6. *100-YR FLOOD PLAIN IS NOT LOCATED ON OR WITHIN 100' OF THE PROPERTIES.*
7. PROPERTIES ARE LOCATED WITHIN THE SECONDARY WATERSHED OVERLAY DISTRICT, BIG BRANCH CREEK, HARRIS LAKE, CAPE FEAR RIVER BASIN.

SITE AND UTILITY NOTES:

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

POTENTIAL ACCESS POINTS:

POTENTIAL ACCESS POINTS SHOWN ON THE CONCEPTUAL SITE PLAN (C100) AND CONCEPTUAL UTILITY PLAN (C110) ARE NOT SHOWN IN EXACT LOCATIONS BUT SHOW PROPOSED CONNECTIONS. CONNECTIONS CAN ONLY BE REMOVED FROM THE DEVELOPMENT CONNECTIVITY REQUIREMENTS OF THE PUD IF THE DEVELOPER SHOWS TO THE SATISFACTION OF THE PLANNING DIRECTOR, IN CONSULTATION WITH THE TECHNICAL REVIEW COMMITTEE (TRC), THAT THE CONSTRUCTION OF THE CONNECTION WOULD BE IMPRACTICAL BASED ON ENVIRONMENTAL CONDITIONS FOUND IN THE FIELD AT THE TIME OF MASTER SUBDIVISION PLAN, MINOR SITE PLAN, OR MAJOR SITE PLAN REVIEW AND APPROVAL.

LOCATION OF ACCESS POINTS DEPICTED ARE APPROXIMATE AND SUBJECT TO TOWN OF APEX AND NCDOT APPROVAL AT THE TIME OF SITE PLAN OR SUBDIVISION PLAN APPROVAL.

ZONE 1 ZONE 2 ZONE 3 STREAM BUFFERS

PROJECT PERIMETER BOUNDARY
POTENTIAL WATER CONNECTIONS
POTENTIAL SEWER CONNECTIONS
POTENTIAL ACCESS POINTS
LOCAL CONNECTOR
MAJOR COLLECTOR
THOROUGHFARE
PROPOSED SIDE PATH
PUBLIC GREENWAY

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WHITE OAK TOWNSHIP
APEX, NORTH CAROLINA 27502

seal:
NORTH CAROLINA PROFESSIONAL ENGINEER SEAL 047147 JEFFREY A. ROACH
PRELIMINARY NOT FOR CONSTRUCTION

No.	DATE	REVISION	BY
1	AUGUST 8 2025	TOWN OF APEX - 2ND ZONING COMMENTS	JR
2	NOVEMBER 1 2025	TOWN OF APEX - 3RD ZONING COMMENTS	JR
3	SEPTEMBER 15, 2025	TOWN OF APEX - 4TH ZONING COMMENTS	JR
4	APRIL 1, 2025	TOWN OF APEX - 1ST ZONING COMMENTS	JR
5			

title:
CONCEPTUAL SITE PLAN & LOT IDENTIFICATION

proj #: 240307
date: November 1, 2024
dwg by: FS chkd by: JR
scale: As Noted
sheet: *C100*
(PUD PLAN)

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TOWN OF APEX PROJECT # 23-001
DWR PROJECT # 24-319

EXISTING CONDITIONS NOTES:

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9. THE PROJECT IS REQUESTING FULL TOWN SERVICES, INCLUDING BUT NOT LIMITED TO WATER, SEWER AND ELECTRICITY.
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    c. AT LEAST 10 FEET AWAY FROM ANY OTHER DESIGNATED RCA SUCH AS, BUT NOT LIMITED TO, HISTORIC BUILDINGS AND STRUCTURES, WETLANDS, AND PONDS.
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project:
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PERRY ROAD @ US 1 HIGHWAY
WHITE OAK TOWNSHIP
APEX, NORTH CAROLINA 27502

seal:
NORTH CAROLINA PROFESSIONAL ENGINEER SEAL 044471 GREGORY A. ROBERTS
PRELIMINARY NOT FOR CONSTRUCTION

No.	DATE	REVISION	BY
1	AUGUST 9, 2024	TOWN OF APEX - 1ST ZONING COMMENTS	JR
2	SEPTEMBER 25, 2024	TOWN OF APEX - 2ND ZONING COMMENTS	JR
3	SEPTEMBER 25, 2025	TOWN OF APEX - 4th ZONING COMMENTS	JR
4	APRIL 1, 2025	TOWN OF APEX - 1ST ZONING COMMENTS	JR

title:
CONCEPTUAL UTILITY PLAN

proj #: 240307
date: November 1, 2024
dwg by: FS chkd by: JR
scale: As Noted
sheet: *C110*
(PUD PLAN)

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TOWNHOUSE ELEVATION 'A'



TOWNHOUSE ELEVATION 'B'



TOWNHOUSE ELEVATION 'C'



TOWNHOUSE ELEVATION 'D'



Elevation H



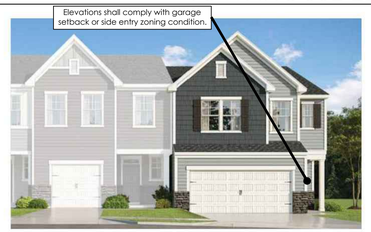
Elevation D



Elevation E







Elevations shall comply with garage setback or side entry zoning condition.

Elevation E



Elevation shall comply with garage setback or side entry zoning condition.

TOWNHOUSE ELEVATION 'E'

TOWNHOUSE ELEVATION 'F'



Elevation F



Elevation E



Elevation D

TOWNHOUSE ELEVATION 'G'



SMALL-SCALE MULTI-FAMILY 'A'



SMALL-SCALE MULTI-FAMILY 'B'



TOWNHOUSE ELEVATION 'H'



TOWNHOUSE ELEVATION 'J'



TOWNHOUSE ELEVATION 'I'



TOWNHOUSE ELEVATION 'K'



SMALL-SCALE MULTI-FAMILY 'C'



SMALL-SCALE MULTI-FAMILY 'D'

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

FINAL BUILDING ELEVATIONS MUST COMPLY WITH THESE STANDARDS BUT MAY VARY FROM HOME-TO-HOME AND BUILDING-TO-BUILDING.

FOR MULTI-FAMILY AND NON-RESIDENTIAL BUILDINGS, ALL FLAT ROOFS SHALL BE LIGHT OR WHITE COLORED OR UTILIZE A COOL ROOF MATERIAL.

TOWNHOUSE BUILDING ELEVATIONS ALSO APPLY TO DUPLEX UNITS IF INCORPORATED INTO THE PROJECT SCOPE.

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WHITE OAK TOWNSHIP
APEX, NORTH CAROLINA 27502

seal:
NORTH CAROLINA PROFESSIONAL ENGINEER SEAL 047127 REV A. ROACH
PRELIMINARY NOT FOR CONSTRUCTION

No.	DATE	REVISION	BY
1	AUGUST 8, 2025	TOWN OF APEX - 2ND ZONING COMMENTS	R
2	SEPTEMBER 8, 2025	TOWN OF APEX - 3RD ZONING COMMENTS	R
3	SEPTEMBER 23, 2025	TOWN OF APEX - 4th ZONING COMMENTS	R
4	APRIL 3, 2025	TOWN OF APEX - 1st ZONING COMMENTS	R

title:
CONCEPTUAL BUILDING ELEVATIONS TOWNHOUSE RESIDENTIAL

proj #:
240307

date:
November 1, 2024

dwg by: FS
chkd by: JR

scale:
As Noted

sheet:
C121
(PUD PLAN)

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SINGLE-FAMILY ELEVATION 'A'



SINGLE-FAMILY ELEVATION 'B'



SINGLE-FAMILY ELEVATION 'C'

SINGLE-FAMILY ELEVATION 'D'



SINGLE-FAMILY ELEVATION 'E'



SINGLE-FAMILY ELEVATION 'F'



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

FINAL BUILDING ELEVATIONS MUST COMPLY WITH THESE STANDARDS BUT MAY VARY FROM HOME-TO-HOME AND BUILDING-TO-BUILDING.

FOR MULTI-FAMILY AND NON-RESIDENTIAL BUILDINGS, ALL FLAT ROOFS SHALL BE LIGHT OR WHITE COLORED OR UTILIZE A COOL ROOF MATERIAL.

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project:
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WHITE OAK TOWNSHIP
APEX, NORTH CAROLINA 27502

seal:
NORTH CAROLINA PROFESSIONAL SEAL 14427 ENGINEER PEREY A. ROACH
PRELIMINARY NOT FOR CONSTRUCTION

No.	DATE	REVISION	BY
2	AUGUST 8, 2025	TOWN OF APEX - 2nd ZONING COMMENTS	JR
3	SEPTEMBER 5, 2025	TOWN OF APEX - 3rd ZONING COMMENTS	JR
4	SEPTEMBER 25, 2025	TOWN OF APEX - 4th ZONING COMMENTS	JR
5	APRIL 3, 2023	TOWN OF APEX - 1st ZONING COMMENTS	JR

title:
CONCEPTUAL BUILDING ELEVATIONS SINGLE-FAMILY RESIDENTIAL

proj #: 240307
date: November 1, 2024
dwg by: FS
chkd by: JR
scale: As Noted
sheet: C122
(PUD PLAN)

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MULTI-FAMILY
ELEVATION 'A'
(WALKER RIDGE)





MULTI-FAMILY
ELEVATION 'C'
(ARDEN)





MULTI-FAMILY
ELEVATION 'B'
(SOLIS)





MULTI-FAMILY
ELEVATION 'D'
(CONCEPT)

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

FINAL BUILDING ELEVATIONS MUST COMPLY WITH THESE STANDARDS BUT MAY VARY FROM HOME-TO-HOME AND BUILDING-TO-BUILDING.

FOR MULTI-FAMILY AND NON-RESIDENTIAL BUILDINGS, ALL FLAT ROOFS SHALL BE LIGHT OR WHITE COLORED OR UTILIZE A COOL ROOF MATERIAL.

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project:
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PERRY ROAD @ US 1 HIGHWAY
WHITE OAK TOWNSHIP
APEX, NORTH CAROLINA 27502

seal:
PRELIMINARY PLAT NOT FOR CONSTRUCTION

No.	DATE	REVISION	BY
5	AUGUST 8, 2025	TOWN OF APEX - 2ND ZONING COMMENTS	JR
4	SEPTEMBER 6, 2025	TOWN OF APEX - 3RD ZONING COMMENTS	JR
3	SEPTEMBER 23, 2025	TOWN OF APEX - 4th ZONING COMMENTS	JR
2	APRIL 3, 2025	TOWN OF APEX - 1st ZONING COMMENTS	JR
1			

title:
CONCEPTUAL BUILDING ELEVATIONS MULTI-FAMILY BUILDINGS

proj #:
240307
date:
November 1, 2024
dwg by: FS
chkd by: JR
scale:
As Noted
sheet:
C123
(PUD PLAN)

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ELEVATION REMOVED

MULTI-FAMILY ELEVATION 'E'



MULTI-FAMILY ELEVATION 'F'

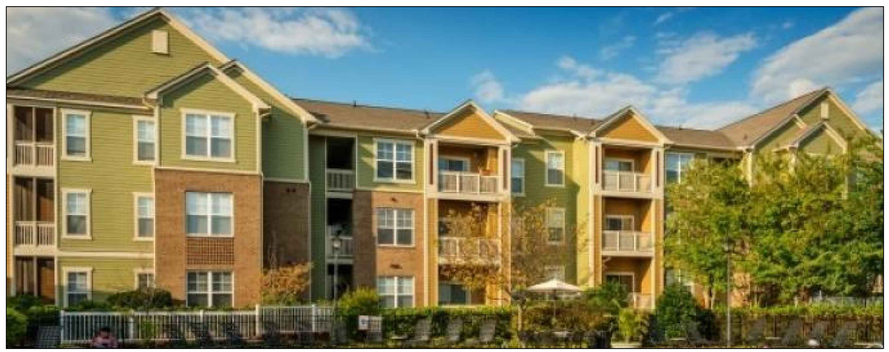


MULTI-FAMILY ELEVATION 'G'



MULTI-FAMILY ELEVATION 'H'

(GARDEN STYLE A)



MULTI-FAMILY ELEVATION 'I'

(GARDEN STYLE B)

CLUBHOUSE ELEVATION 'A'



CLUBHOUSE ELEVATION 'B'



CLUBHOUSE ELEVATION 'C'



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FINAL BUILDING ELEVATIONS MUST COMPLY WITH THESE STANDARDS BUT MAY VARY FROM HOME-TO-HOME AND BUILDING-TO-BUILDING.

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APEX, NORTH CAROLINA 27502

seal:
NORTH CAROLINA PROFESSIONAL SEAL 14427 ENGINEER JEFFREY A. ROACH
PRELIMINARY NOT FOR CONSTRUCTION

No.	DATE	REVISION	BY
2	AUGUST 8, 2023	TOWN OF APEX - 2nd ZONING COMMENTS	JR
3	SEPTEMBER 5, 2023	TOWN OF APEX - 3rd ZONING COMMENTS	JR
4	SEPTEMBER 25, 2023	TOWN OF APEX - 4th ZONING COMMENTS	JR
5	APRIL 3, 2023	TOWN OF APEX - 1st ZONING COMMENTS	JR

title:
CONCEPTUAL BUILDING ELEVATIONS MULTI-FAMILY & CLUBHOUSE

proj #: 240307

date: November 1, 2024

dwg by: FS chkd by: JR

scale: As Noted

sheet: C124

(PUD PLAN)

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Proposed Uses and Zoning Conditions for Town Tract

1. The LI-CZ Rezoned Lands may be used for, and only for, the uses listed below. The permitted uses are subject to the limitations and regulations stated in the UDO and any additional limitations or regulations stated below. For convenience, some relevant sections of the UDO may be referenced; such references do not imply that other sections of the UDO do not apply. An "S" indicates that a use category or specific use type is allowed only is reviewed and approved in accordance with the procedures and standards of UDO Sec. 2.3.5 Special Use.
    a. Yard waste transfer station (S)
    b. Utility, minor
    c. Government Services
    d. Chipping and mulching (S)
    e. Communication tower, commercial (S)
    f. Communication tower, public safety (S)
    g. Greenway
    h. Organics (food waste) drop off, recycling, recovery, processing, and/or composting (S)
    i. Composting facility (S)
    j. Recycling Center (S)
    k. Recycling Collection Station (S)
2. Required buffers and screening:
    - A 60' Type A buffer shall be provided along US Hwy 1, except for electric substations under the use "Utility, minor"; there is no buffer required along the boundary of the electric substation and associated lines coming into the substation.
    - If the other permitted uses are visible through the electric substation or associated lines, those other permitted uses must be screened from US Hwy 1 through the planting of a line of evergreen trees/shrubs meeting a 10' Type A standard or by way of an 8' tall opaque fence in lieu of vegetation; the screening (vegetation or fence) can be located either on the highway side or development side of the electric substation and associated lines, as determined by the Planning Director after consultation with the Electric Utilities Director.
3. All other standards of the UDO may be varied based on the financial and operational needs of the Town of Apex, but any changes to the site shall be required to be shown on a site plan for Technical Review Committee review and comment, and made available to the public on the Interactive Development Map or similar. Known variations include, but are not limited to:
    a. The right-of-way, road improvements, and buffers typically required by the UDO shall not be required along the existing Perry Rd section that is to be abandoned.
    b. Road improvements to the new/realigned Perry Road shall be the responsibility of ACRE, the developer of the parcel(s) west of the new/realigned Perry Road as set forth in the Hopson Gateway PUD.
    c. If a tree located within a buffer has a portion of the critical root zone extending outside of that buffer, the Town shall not be required to protect the critical root zone outside the buffer.
    d. A tree survey is only needed within the buffers immediately adjacent to the limits of disturbance.
    e. Outdoor storage is allowed as a stand-alone use; no building shall be required for any use with outdoor storage.
    f. Resource Conservation Area (RCA) within a perimeter buffer that is shown on a Minor or Major Site Plan may be relocated through a Site Plan revision to accommodate future development with adjoining properties.
    g. Existing lighting shall be considered legally established, non-conforming lighting and shall be allowed to remain until such time as the property is redeveloped in such a manner that the lighting is re

h. The yard waste pile associated with a “Yard waste transfer station” shall be limited to 30’ in height, with a slope no greater than 2:1.

| Agenda Item | cover sheet

for consideration by the Apex Town Council

Item Type: CONSENT AGENDA

Meeting Date: December 09, 2025

Item Details

Presenter(s): Amanda Bunce, Assistant Director

Department(s): Planning

Requested Motion

Motion to approve the Statement of the Town Council and Ordinance for Rezoning Application No. 25CZ15, Todd Rechler, RXR Realty, petitioner, for the properties located at 0, 0, 0, 3142, 3138, 3130, 0, & 3134 Veridea Pkwy; 0 Technology Dr (portion of); and 6300 King David Ct (PINs 0740167653, 0740078021, 0740558687 (portion of), 0741117192, 0730977967, 0740081019, 0740082199, 0740082327, 0740070950, & 0740283126).

Approval Recommended?

The Planning Department recommends approval.

Item Details

Rezoning Application #25CZ15 was approved at the November 13, 2025 Town Council meeting.

Attachments

- CN20-A1: Statement of the Town Council and Ordinance - Rezoning Case No. 25CZ15 Veridea Expansion IV
- CN20-A2: Attachment A: Legal Description - Rezoning Case No. 25CZ15 Veridea Expansion IV - Statement & Ordinance
- CN20-A3: Attachment B: Veridea SD Plan - Rezoning Case No. 25CZ15 Veridea Expansion IV - Statement & Ordinance
- CN20-A4: Attachment C: Veridea Environmental Enhancement Plan - Rezoning Case No. 25CZ15 Veridea Expansion IV - Statement & Ordinance
- CN20-A5: Attachment D: Veridea Pattern Book - Rezoning Case No. 25CZ15 Veridea Expansion IV - Statement & Ordinance

STATEMENT OF TOWN COUNCIL AND ORDINANCE AMENDING THE OFFICIAL ZONING DISTRICT MAP OF THE TOWN OF APEX TO CHANGE THE ZONING OF APPROXIMATELY 130.74 ACRES LOCATED AT 0, 0, 0, 3142, 3138, 3130, 0, & 3134 VERIDEA PKWY; 0 TECHNOLOGY DR (PORTION OF); AND 6300 KING DAVID CT FROM PLANNED UNIT DEVELOPMENT-CONDITIONAL ZONING (PUD-CZ #07CZ01), RURAL RESIDENTIAL (RR), & LIGHT INDUSTRIAL (LI) TO SUSTAINABLE DEVELOPMENT-CONDITIONAL ZONING (SD-CZ) FOR VERIDEA

#25CZ15

WHEREAS, RXR Len Apex Owner, LLC/Todd Rechler, RXR Realty, owner/applicant (the "Applicant"), submitted a completed application for a conditional zoning on the 2nd of September 2025 (the "Application"). The proposed conditional zoning is designated #25CZ15;

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 #25CZ15 before the Planning Board on the 10th day of November 2025;

WHEREAS, the Apex Planning Board held a public hearing on the 10th day of November 2025, gathered facts, received public comments and formulated a recommendation regarding the application for conditional zoning #25CZ15. A motion was made by the Apex Planning Board to recommend approval; the motion passed unanimously for the application for #25CZ15;

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 #25CZ15 before the Apex Town Council on the 13th day of November 2025;

WHEREAS, the Apex Town Council held a public hearing on the 13th day of November 2025. Amanda Bunce, Assistant Planning Director, presented the Planning Board's recommendation at the public hearing;

WHEREAS, all persons who desired to present information relevant to the application for #25CZ15 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 not consistent with the 2045 Land Use Plan and other adopted plans in that: The 2045 Land Use Map designates a portion of this area as Office Employment/Industrial Employment and approval of this rezoning will automatically amend the 2045 Land Use Map to Regional Mixed Use: Medium Density Residential/High Density Residential/Office Employment/Commercial Services/Industrial Employment. This designation on the 2045 Land Use Map includes the zoning district Sustainable Development-Conditional Zoning (SD-CZ) and the Apex Town Council has further considered that the proposed rezoning to Sustainable Development-Conditional Zoning (SD-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 encourage more efficient and compatible development of the properties, provide for the same development standards as applicable to the undeveloped adjacent properties, and allow for uses that will generate jobs and increase the tax base; and

WHEREAS, the Apex Town Council by a vote of 5 to 0 approved Application #25CZ15rezoning the subject tract located at 1712 & 17176 E. Williams Street from Planned Unit Development-Conditional Zoning (PUD-CZ #07CZ01), Rural Residential (RR), & Light Industrial (LI)to Sustainable Development-Conditional Zoning (SD-CZ) for Veridea.

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

Section 1: 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."

Ordinance Amending the Official Zoning District Map #25CZ15

Section 2: 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 Planned Unit Development-Conditional Zoning (PUD-CZ #07CZ01), Rural Residential (RR), & Light Industrial (LI)to Sustainable Development-Conditional Zoning (SD-CZ) for Veridea, subject to the conditions stated herein.

Section 3: 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.

Section 4: The "Rezoned Lands" are subject to the conditions in Attachment "B" Veridea SD Plan which are imposed as part of this rezoning, Attachment "C" Veridea Environmental Enhancement Plan, and Attachment "D" Veridea Pattern Book. At the request of the applicant and pursuant to UDO Sec. 2.3.16.D, the zoning of these parcels to the Veridea SD-CZ district shall not increase the permitted number of residential units or square footage of retail or office/industrial uses on a pro-rata basis, based on the size of the parcels added to the district.

Section 5: 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_____

With ____ Council Member(s) voting "aye."

With ____ Council Member(s) voting "no."

This the _____ day of _____ 2025.

TOWN OF APEX

_____
Jacques K. Gilbert
Mayor

ATTEST:

_____
Allen Coleman, CMC, NCCCC
Town Clerk

APPROVED AS TO FORM:

_____
Town Attorney

AFFIDAVIT OF OWNERSHIP: EXHIBIT A – LEGAL DESCRIPTION

Application #: 25CZ15 Submittal Date: _____

Insert legal description below.

PIN: 0740283126 (6300 King David Court)

Being all of the land now or formerly owned by RXR Len Apex Owner, LLC, as described in Deed Book 19737, page 1859 in the Wake County Register of Deeds; being more particularly described as:

Beginning at a point, being the northeast corner of lands now or formerly owned by Roger W. and Glenda K. Bushee, as described in Deed Book 4691, page 197, being also a corner of lands now or formerly owned by RXR Len Apex Owner, LLC, as described in Deed Book 19263, page 2335, the point of beginning; thence from the beginning, and with the common line of RXR Len Apex Owner, LLC, North 09°39'36" East a distance of 200.09 feet to a point; thence North 85°22'14" East a distance of 220.54 feet to a point; thence South 25°29'27" East a distance of 398.53 feet to a point; thence South 28°17'19" West a distance of 258.03 feet to an existing iron pipe; thence South 89°42'24" West a distance of 427.65 feet to an existing iron pipe; thence North 09°53'16" East a distance of 120.00 feet to an existing iron pipe, being a southern corner of lands now or formerly owned by Roger W. and Glenda K. Bushee, as described in Deed Book 4691, page 197; thence with said common line, South 80°06'44" East a distance of 60.00 feet to a point; thence North 09°39'36" East a distance of 270.00 feet to the point and place of beginning, containing an area of 217,807 square feet or 5.00 acres.

Application #: 25CZ15 Submittal Date:

Insert legal description below.

PIN: 0741117192

Being all of the land now or formerly owned by RXR Len Apex Owner, LLC, as described as "PIN: 0741-11-7192 (Tract 1)" in Deed Book 19947, page 487 in the Wake County Register of Deeds; being more particularly described as:

Beginning at an existing concrete monument on the eastern right of way line of Veridea Parkway, a 60 foot public right of way as shown on Book of Maps 2003, page 1756, being also a corner on the northern right of way line of U.S. Highway 1, a variable width controlled access right of way as shown on Book of Maps 2010, page 282, the point of beginning; thence from the beginning and with the eastern right of way line of Veridea Parkway, North 35°53'59" West a distance of 81.82 feet to an existing iron pipe, being a southern corner of lands now or formerly owned by Greater Raleigh Area Christian Education, Inc., as shown on Book of Maps 2015, page 14; thence leaving the eastern right of way line of Veridea Parkway and with said common line, North 00°44'04" East a distance of 32.54 feet to an existing iron pipe; thence South 89°07'32" East a distance of 204.62 feet to an existing iron pipe on the northern right of way line of U.S. Highway 1; thence with the northern right of way line of U.S. Highway 1, South 58°38'37" West a distance of 183.90 feet to the point and place of beginning, containing an area of 10,829 square feet or 0.25 acres.

AFFIDAVIT OF OWNERSHIP: EXHIBIT A – LEGAL DESCRIPTION

Application #: 25CZ15 Submittal Date:

Insert legal description below.

Tract PIN: 0740-16-7653 (REID: 0407980)
Being a portion of the land now or formerly owned by RXR Len Apex Owner, LLC, as described in Deed Book 19263, page 2403 in the Wake County Register of Deeds; being more particularly described as:
Beginning at an existing rebar with cap at the southeast corner of the subject parcel, being on the northern right of way line of the N.C. Highway 540 Ramp, a variable width controlled access right of way, as described in Deed Book 15539, page 1855, the point of beginning; thence from the beginning and with the northern right of way line of the N.C. Highway 540 Ramp, North 65°24'12" West a distance of 112.48 feet to an existing concrete monument; thence with a curve to the right a radius of 865.00 feet, an arc length of 261.30 feet, a chord bearing of North 54°43'51" West, a chord length of 260.31 feet to an existing concrete monument; thence North 42°11'22" West a distance of 182.87 feet to an existing concrete monument; thence North 40° 19'02" West a distance of 35.61 feet to a point; thence North 44°05'45" West a distance of 184.73 feet to an existing concrete monument; thence with a curve to the left a radius of 534.00 feet, an arc length of 249.50 feet, a chord bearing of North 64°32'31" West, a chord length of 247.24 feet to an existing concrete monument; thence North 77°55'37" West a distance of 220.93 feet to an existing concrete monument; thence North 25° 05'55" West a distance of 60.93 feet to an existing concrete monument on the eastern right of way line of Veridea Parkway, a variable width controlled access and public right of way, as described in Deed Book 15539, page 1885; thence with the eastern right of way line of Veridea Parkway, with a curve to the right a radius of 5930.50 feet, an arc length of 363.87 feet, a chord bearing of North 18°48'19" East, a chord length of 363.81 feet to a point; thence North 20°49'17" East a distance of 59.37 feet to a point; thence North 17°36'52" East a distance of 299.95 feet to a point; thence North 07°20'42" East a distance of 127.17 feet to a point; thence North 16°56'54" East a distance of 296.14 feet to a point; thence with a curve to the left a radius of 2067.50 feet, an arc length of 227.29 feet, a chord bearing of North 13°47'56" East, a chord length of 227.18 feet to a point, being a southwest corner of lands now or formerly owned by RXR Len Apex Owner, LLC, as described in Deed Book 19263, page 2335; thence leaving the eastern right of way line of Veridea Parkway and with said common line, North 84°14'41" East a distance of 440.42 feet to a point, being the northwest corner of lands now or formerly owned by RXR Len Apex Owner, LLC, as described in Deed Book 19263, page 2335; thence with said common line, South 01°55'47" East a distance of 1400.56 feet to a point; thence North 87°37'02" East a distance of 180.32 feet to a point; thence South 00°14'49" East a distance of 667.80 feet to the point and place of beginning, containing an area of 1,187,508 square feet or 27.26 acres.

AFFIDAVIT OF OWNERSHIP: EXHIBIT A – LEGAL DESCRIPTION

Application #: 25CZ15 Submittal Date:

Insert legal description below.

Tract PIN: 0740-07-8021 (REID: 0407983)
Being a portion of the land now or formerly owned by RXR Len Apex Owner, LLC, as described in Deed Book 19263, page 2403 in the Wake County Register of Deeds; being more particularly described as:

Beginning at an existing concrete monument at the northeast corner of the subject parcel, being on the western right of way line of Veridea Parkway, a variable width controlled access and public right of way as described in Deed Book 15539, page 1885, the point of beginning; thence from the beginning and with the western right of way line of Veridea Parkway, with a curve to the right a radius of 1933.03 feet, an arc length of 173.41 feet, a chord bearing of South 14°22'33" West, a chord length of 173.35 feet to a point; thence South 16°56'46" West a distance of 296.14 feet to a point; thence South 36°46'38" West a distance of 128.94 feet to a point; thence South 21°28'31" West a distance of 304.38 feet to a point; thence South 20°42'10" West a distance of 61.19 feet to a point; thence with a curve to the left a radius of 6150.50 feet, an arc length of 428.45 feet, a chord bearing of South 18°25'23" West, a chord length of 428.36 feet to an existing concrete monument; thence with a curve to the left a radius of 6150.50 feet, an arc length of 203.98 feet, a chord bearing of South 15°28'40" West, a chord length of 203.97 feet to an existing concrete monument; thence with a curve to the left a radius of 6150.50 feet, an arc length of 244.84 feet, a chord bearing of South 13°23'14" West, a chord length of 244.82 feet to an existing concrete monument on the northern right of way line of N.C. Highway 540, a variable width controlled access right of way, as described in Deed Book 15539, page 1837; thence with the northern right of way line of N.C. Highway 540, South 82°34'50" West a distance of 63.94 feet to an existing concrete monument; thence with a curve to the right a radius of 4035.00 feet, an arc length of 584.49 feet, a chord bearing of North 63°59'55" West, a chord length of 583.98 feet to a point, being the southeast corner of lands now or formerly owned by RXR Len Apex Owner, LLC, as described in Deed Book 19263, page 2403; thence leaving the northern right of way line of N.C. Highway 540 and with said common line, North 02°26'42" East a distance of 1505.96 feet to an existing iron pipe, being the southwest corner of lands now or formerly owned by RXR Len Apex Owner, LLC, as described in Deed Book 19263, page 2403; thence with said common line, South 89°09'45" East a distance of 1110.26 feet to the point and place of beginning, containing an area of 1,405,383 square feet or 32.26 acres.

PIN: 0730977967; 0740081019 (3142/3138 Veridea Parkway)

Being all of the lands now or formerly owned by RXR Len Apex Owner, LLC, as described in Deed Book 20025, page 1418 in the Wake County Register of Deeds; being more particularly described as:

Beginning at an existing rebar at the northeast corner of the subject parcel, being the northwest corner of lands now or formerly owned by Yifei Wang and wife, Hua Mei, as described in Deed Book 18896, page 1725, the point of beginning; thence from the beginning and with said common line, South 12°31'48" East a distance of 97.81 feet to a set iron pipe; thence continuing with the common line of Yifei Wang and wife, Hua Mei, South 12°33'12" East a distance of 427.74 feet to an existing iron pipe; thence North 65°17'57" East a distance of 161.57 feet to an existing iron pipe, being a western corner of lands now or formerly owned by RXR Len Apex Owner, LLC, as described in Deed Book 19263, page 2403; thence with said common line, South 02°17'48" West a distance of 67.39 feet to an existing iron pipe, being a northeast corner of lands now or formerly owned by RXR Len Apex Owner, LLC, as described in Deed Book 19263, page 2403; thence South 65°19'45" West a distance of 538.99 feet to a set iron pipe; thence South 01°27'55" West a distance of 148.65 feet to a set iron pipe; thence South 77°54'05" West a distance of 389.22 feet to an existing iron pipe; thence North 00°01'19" West a distance of 967.73 feet to a set iron pipe; thence North 89°58'41" East a distance of 616.26 feet to the point and place of beginning; containing an area of 563,969 square feet or 12.95 acres.

Less and except all of the lands now or formerly owned by RXR Len Apex Owner, LLC, as described in Deed Book 19968, page 1143; being more particularly described as:

Beginning at an existing iron pipe, being a southern corner of lands now or formerly owned by RXR Len Apex Owner, LLC, as described in Deed Book 20025, page 1418 and further shown as the “Bobby and Elizabeth Poe” parcel on Book of Maps 2014, page 1223, the point of beginning; thence from the beginning and with said common line, North 15°48'08" West a distance of 246.92 feet to a set iron pipe; thence South 55°46'59" East a distance of 284.93 feet to a set iron pipe on a northern line of lands now or formerly owned by RXR Len Apex Owner, LLC, as described in Deed Book 20025, page 1418 and further shown as the “Bobby and Elizabeth Poe Tract 2” parcel on Book of Maps 2014, page 1223; thence with said common line, South 65°19'22" West a distance of 185.29 feet to the point and place of beginning, containing an area of 22,602 square feet or 0.52 acres.

AFFIDAVIT OF OWNERSHIP: EXHIBIT A – LEGAL DESCRIPTION

Application #: 25CZ15 Submittal Date:

Insert legal description below.

PIN: 0740070950

Being all of the land now or formerly owned by RXR Len Apex Owner, LLC, as described in Deed Book 19968, page 1143, in the Wake County Register of Deeds; being more particularly described as:

Beginning at an existing iron pipe, being a southern corner of lands now or formerly owned by RXR Len Apex Owner, LLC, as described in Deed Book 20025, page 1418 and further shown as the “Bobby and Elizabeth Poe” parcel on Book of Maps 2014, page 1223, the point of beginning; thence from the beginning and with said common line, North 15°48'08" West a distance of 246.92 feet to a set iron pipe; thence South 55°46'59" East a distance of 284.93 feet to a set iron pipe on a northern line of lands now or formerly owned by RXR Len Apex Owner, LLC, as described in Deed Book 20025, page 1418 and further shown as the “Bobby and Elizabeth Poe Tract 2” parcel on Book of Maps 2014, page 1223; thence with said common line, South 65°19'22" West a distance of 185.29 feet to the point and place of beginning, containing an area of 22,602 square feet or 0.52 acres.

AFFIDAVIT OF OWNERSHIP: EXHIBIT A – LEGAL DESCRIPTION

Application #: ~~25CZ15~~ Submittal Date: _____

Insert legal description below.

PIN: 0740082199; 0740082327 (0/3130 Veridea Parkway)

Being all of the lands now or formerly owned by Yifei Wang and wife, Hua Mei, as described in Deed Book 18896, page 1725 in the Wake County Register of Deeds; being more particularly described as:

Beginning at an existing iron pipe, being the southeast corner of the subject parcel, being also a northeast corner of lands now or formerly owned by RXR Len Apex Owner, LLC, as described in Deed Book 20025, page 1418, the point of beginning; thence from the beginning and with said common line, South 65°17'57" West a distance of 161.57 feet to an existing iron pipe, being the southeast corner of lands now or formerly owned by RXR Len Apex Owner, LLC, as described in Deed Book 20025, page 1418; thence with said common line, North 12°33'12" West a distance of 427.74 feet to a set iron pipe, being a northeast corner of lands now or formerly owned by RXR Len Apex Owner, LLC, as described in Deed Book 20025, page 1418; thence with said common line, North 12°31'48" West a distance of 97.81 feet to an existing rebar on the southern line of lands now or formerly owned by RXR Len Apex Owner, LLC, as described in Deed Book 19263, page 2403; thence with said common line, North 89°58'41" East a distance of 133.87 feet to an existing iron pipe, being the southwest corner of lands now or formerly owned by RXR Len Apex Owner, LLC, as described in Deed Book 19297, page 1692; thence with said common line, North 87°19'22" East a distance of 145.34 feet to an existing iron pipe, being a western corner of lands now or formerly owned by RXR Len Apex Owner, LLC, as described in Deed Book 19297, page 1692; thence with said common line, South 02°19'40" West a distance of 199.14 feet to a set iron pipe, being a northwest corner of lands now or formerly owned by RXR Len Apex Owner, LLC, as described in Deed Book 19263, page 2403; thence with said common line, South 02°19'40" West a distance of 64.13 feet to an existing iron pipe, being a northwest corner of lands now or formerly owned by RXR Len Apex Owner, LLC, as described in Deed Book 19263, page 2403; thence with said common line, South 02°13'53" West a distance of 189.40 feet to the point and place of beginning; containing an area of 104,069 square feet or 2.39 acres.

AFFIDAVIT OF OWNERSHIP: EXHIBIT A – LEGAL DESCRIPTION

Application #: 25CZ15 Submittal Date: 10/1/2025

Insert legal description below.

PIN: 0740558687 “0” Technology Drive

Beginning at an existing Rebar having an NC Grid NAD 83 Coordinate of N: 706447.20 E: 2046758.62. Thence South 01°08'38" East a distance of 80.10 feet to a point; thence North 88°51'22" East a distance of 155.80 feet to a point; thence South 02°16'41" West a distance of 461.59 feet to a point along the Northern Right of Way of NC Highway 540; thence along Right of way South 61°27'09" West a distance of 26.84 feet to a point; thence South 59°58'25" West a distance of 237.08 feet to a point; thence North 28°22'04" West a distance of 10.00 feet to a point; thence with a curve turning to the right with an arc length of 786.41 feet, with a radius of 1650.00 feet, with a chord bearing of South 75°17'10" West, with a chord length of 778.99 feet to a point; thence North 88°45'04" West a distance of 203.97 feet to a point; thence North 87°37'46" West a distance of 718.10 feet to a point; thence North 87°36'50" West a distance of 643.60 feet to a point; thence North 87°37'20" West a distance of 356.63 feet to a point; thence leaving said Right of way North 19°26'04" East a distance of 147.77 feet to a point; thence North 11°48'54" West a distance of 104.71 feet to a point; thence North 30°01'31" East a distance of 156.29 feet to a point; thence North 23°38'07" West a distance of 210.79 feet to a point; thence North 03°52'45" East a distance of 158.77 feet to a point; thence North 88°51'48" East a distance of 28.47 feet to an Iron Pipe; thence North 88°51'48" East a distance of 1457.31 feet to a point; thence North 88°51'48" East a distance of 1251.38 feet to the Point of Beginning,
Having an area of 2202540 square feet, 50.56 acres

Attachment B

ORDINANCE AMENDING THE OFFICIAL ZONING DISTRICT MAP
#09CZ07

WHEREAS, the application of Lookout Ventures, Inc., petitioner, for the rezoning of lands hereinafter described was duly filed with the office of the Planning Director and thereafter public hearings were held hereon on the 13th day of December, 2010 and the 13th day of January, 2011 before the Planning Board and the 18th day of January, 2011, the 1st day and 15th of February, 2011, the 15th day of March, 2011 and the 10th day of May, 2011, before the Town Council, respectively, pursuant to due notice mailed and published pursuant to G.S. § 160A-384. Thereafter, the Planning Board submitted its final report to the Town Council recommending approval of said application for the rezoning of the lands hereinafter described, all in accordance with the requirements of the Town of Apex Unified Development Ordinance and the provisions of Chapter 160A, Article 19, of the North Carolina General Statutes; **NOW, THEREFORE,**

BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF APEX

Section 1: 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 lands hereinafter described from Planned Unit Development Conditional Zoning (PUD-CZ), Light Industrial (LI), Rural Residential (RR) and Residential Agricultural (RA) to SD-CZ (Sustainable Development Conditional Zoning) District, said lands so rezoned being described as follows:

See Attachement "A" (Legal Description)

Section 2: 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 directed by this Ordinance.

Section 3: A request to amend the Official Zoning District Map is granted whereby the previously described property and the subject of the previously mentioned change in zoning classification is subject to the following limitations:

See Attachment "B" (SD Plan and UDO Amendments)

Section 4: This property shall be perpetually bound to 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 5: This ordinance shall be in full force and effect from and after its adoption.

Motion by Council Member Jones

Seconded by Council Member Jensen

With 4 Council Member(s) voting "aye."
With 0 Council Member(s) voting "no."

This the 2nd day of August, 2011.

TOWN OF APEX, NORTH CAROLINA

Mayor

ATTEST:

Town Clerk

APPROVED AS TO FORM:

Town Attorney

STATEMENT OF THE APEX TOWN COUNCIL PURSUANT TO G.S. 160A-383 ADDRESSING ACTION ON ZONING PETITION #09CZ09

Lookout Ventures, Inc., owners/applicants (the "Applicant"), submitted a completed application for a conditional zoning on the 1st day of June, 2009 (the "Application"). The proposed conditional zoning is designated #09CZ07.

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 #09CZ07 before the Planning Board held on the 13th day of December, 2010 and the 13th day of January, 2011.

Pursuant to G.S. §160A-384 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 #09CZ07 before the Town Council on the 18th day of January, 2011, the 1st day and 15th of February, 2011, the 15th day of March, 2011 and the 10th day of May, 2011.

The Apex Planning Board held a public hearing on the 13th day of December, 2010 and the 13th day of January, 2011, gathered facts, received public comments and formulated a recommendation regarding the application for conditional zoning #09CZ07. A motion was made at the Apex Planning Board to recommend approval; the motion passed unanimously for the application for #09CZ07.

The Apex Town Council held a public hearing on the 18th day of January, 2011, the 1st day and 15th of February, 2011, the 15th day of March, 2011 and the 10th day of May, 2011. Dianne Khin presented the Planning Board's recommendation at the public hearing.

All persons who desired to present information relevant to the application for #09CZ07 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.

The Town Council by a vote of 5 and 0 approved Application #09CZ07.

In zoning Application #09CZ07, Applicant seeks to rezone the subject tract located west of NC 55, south of US#1, north and adjacent to proposed 540 from Planned Unit Development Conditional Zoning (PUD-CZ), Light Industrial (LI), Rural Residential (RR) and Residential Agricultural (RA) to SD-CZ (Sustainable Development Conditional Zoning). After public hearing, Town Council approved the rezoning. This Statement will address consistency with the Town's comprehensive and other applicable plans, reasonableness and affect on public interest.

Approval of the rezoning is in line with the mixed use development proposed on the 2025 Land Use Plan. The rezoning request includes amendments to the Unified Development Ordinance, the 2025 Land Use Plan, and the Official Zoning District Map. The changes being made are consistent with the long range vision to create a unified sustainable development in the requested area. The rezoning is compatible with the surrounding area, and should be of no detriment to immediate neighbors and the surrounding community.

Property Description

Tract 1 (Poe):

BEGINNING at a point which is the northeast corner of the 54.650 acre tract shown on Boundary Survey Prepared for Apex Land Assemblage, LLC by Riley Surveying, PA dated February 23, 2006 and recorded in Book of Maps 2006, Page 416, Wake County Registry; thence along the line of said 54.650 acre tract N 89° 54' 34" W 1794.53 feet to a point in the centerline of Big Branch; thence along the centerline of Big Branch, the following courses and distances denoted L87 through L156 on the following table:

CENTERLINE BIG BRANCH

LINE TABLE		
LINE	*BEARING*	*LENGTH*
L87	*N20° 48' 14" E*	*52.19*
L88	*N27° 36' 15" E*	*25.74*
L89	*N62° 55' 07" E*	*26.76*
L90	*N28° 59' 45" W*	*21.84*
L91	*N05° 57' 55" W*	*34.25*
L92	*N49° 54' 20" E*	*15.65*
L93	*N35° 51' 41" E*	*26.00*
L94	*N57° 55' 36" W*	*27.74*
L95	*S77° 58' 08" W*	*70.86*
L96	*N69° 24' 20" W*	*55.42*
L97	*N16° 11' 53" W*	*54.07*
L98	*N47° 25' 48" E*	*30.81*
L99	*S76° 51' 18" E*	*46.52*
L100	*N23° 56' 06" E*	*15.13*
L101	*N10° 54' 23" E*	*79.33*
L102	*N70° 46' 49" W*	*21.80*
L103	*N13° 56' 38" W*	*44.13*
L104	*N54° 44' 36" W*	*48.38*
L105	*S57° 22' 33" W*	*58.59*
L106	*S44° 34' 58" W*	*46.68*
L107	*N46° 23' 02" W*	*39.79*
L108	*N72° 28' 16" W*	*36.60*
L109	*S47° 16' 54" W*	*18.92*
L110	*N74° 34' 40" W*	*21.22*
L111	*N28° 53' 03" W*	*20.74*
L112	*N42° 52' 48" W*	*46.75*
L113	*N06° 56' 21" E*	*26.65*
L114	*N88° 28' 36" E*	*43.87*
L115	*N27° 02' 14" E*	*18.93*
L116	*N01° 17' 25" E*	*31.60*
L117	*N45° 56' 56" E*	*50.02*
L124	*N39° 28' 55" E*	*39.13*
L125	*N15° 03' 15" W*	*20.63*
L126	*N51° 44' 06" W*	*25.88*
L127	*N30° 05' 45" E*	*27.95*
L128	*S60° 15' 59" E*	*30.79*
L129	*S36° 33' 19" E*	*34.28*
L130	*S78° 44' 24" E*	*52.43*
L131	*N41° 37' 38" E*	*15.36*
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L134	*N05° 02' 00" W*	*35.48*
L135	*S62° 06' 04" W*	*33.82*
L136	*N44° 56' 44" W*	*39.84*
L137	*N44° 38' 21" E*	*21.58*
L138	*N53° 06' 38 E*	*60.88*
L139	*N61° 14' 38" W*	*39.17*
L140	*N50° 48' 06" W*	*23.78*
L141	*N10° 02' 40" W*	*28.54*
L142	*N38° 49' 48" E*	*55.95*
L143	*N43° 06' 48" W*	*60.59*
L144	*N42° 29' 30" E*	*31.74*
L145	*N70° 52' 59" W*	*69.18*
L146	*N86° 33' 59" W*	*111.94*
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L154	*N01° 09' 10" W*	*65.77*
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L118	*N01° 25' 13" E*	*14.01*
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L121	*N46° 17' 51" W*	*51.21*
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L123	*N69° 35' 22" E*	*41.13*

Thence leaving the course of Big Branch, N 87° 20' 59" E 1317.72 feet to a point; thence N 00° 20' 59" E 1411.74 feet to a point; thence N 87° 17' 47" E 1396.96 feet to a point; thence S 02° 19' 40" W 527.05 feet to a point; thence S 90° 00' 00" W 750.13 feet to a point; thence S 00° 00' 00" W 967.73 feet to a point; thence N 77° 55' 24" E 389.22 feet to a point; thence N 01° 29' 14" E 148.65 feet to a point; thence N 65° 20' 41" E 538.98 feet to a point; thence S 02° 20' 59" W 179.73 feet to a point; thence S 02° 28' 41" W 1915.88 feet to a point; thence N 89° 11' 33" W 648.01 feet to the point and place of beginning and being all of Tract 3 containing 128.439 acres shown on a survey entitled "Exempt Division Survey – Property of Bobby and Elizabeth Poe" prepared by Riley Surveying, PA dated November 9, 2006.

Tract 2 (Poe):

BEING all of the 1.710 acre tract and the 0.042 acre tract shown as area in the right of way of Old Holly Springs – Apex Road shown on a map entitled "Property of Bobby W. and Elizabeth A. Poe, F.D. Prince, Sr, Trustee" recorded in Book of Maps 2002, Page 109, Wake County Registry, reference to which is hereby made for greater certainty of description and also being more particularly described as follows: Beginning at an existing nail in the northwest corner of the property of E.K. Huang, et. al. as described in Deed Book 6650, Page 866, Wake County Registry, and the southwest corner of the property of F.D. Prince, Sr. as described in Deed Book 8291, page 540, Wake County Registry, runs thence North 05 degrees 23 minutes 24 seconds East 64.21 feet to an iron pipe; thence North 74 degrees 31 minutes 24 seconds East 381.93 feet to an iron pipe; thence South 86 degrees 04 minutes 18 seconds East 863.27 feet to an iron pipe in the west right of way of SR 1153 (Old Holly Springs – Apex Road). Thence South 86 degrees 04 minutes 18 seconds East 30.32 feet to the centerline of SR 1153; thence along the centerline of SR 1153, South 12 degrees, 45 minutes 03 seconds West 60.72 feet to a point; thence with the north line of Huang, et. al., North 86 degrees 04 minutes 18 seconds West 30.32 feet to an existing iron pipe; thence North 86 degrees 04 minutes 18 seconds West 843.70 feet to an existing iron pipe; thence South 74 degrees 31 minutes 24 seconds West 394.54 feet to an existing iron pipe, the point and place of Beginning, and also being Tract 1 containing 1.754 acres shown on a survey entitled "Exempt Division Survey – Property of Bobby and Elizabeth Poe" prepared by Riley Surveying, PA dated November 9, 2006.

Tract 3 (Lyna):

BEGINNING at a point in the centerline of Old Holly Springs Apex Road, said point being calculated as follows: Beginning at a point in the line of Tract A shown on a map entitled "Proposed Subdivision and Recombination of Properties of Wake County" which is recorded in Book of Maps 1998, Page 782, Wake County Registry, said point also being North 45° 03' 47" East 1591.01 feet from the centerline of the intersection of Old Holly Springs Apex Road and

Woods Creek Road; thence North 09° 24' 42" East 362.56 feet to a point; thence North 85° 47' 44" West 162.21 feet to an iron pin in the centerline of Old Holly Springs Apex Road; thence along the centerline of Old Holly Springs Apex Road in an northerly direction along a left hand curve having a radius of 1963.49 feet an arc distance of 423.08 feet and chord bearing and distance of North 12° 12' 26" East 422.26 feet to the POINT AND PLACE OF BEGINNING: thence continuing along the centerline of said Old Holly Springs Apex Road in a northerly direction along a left hand curve having a radius of 1963.49 feet, an arc distance of 259.39 feet and a chord bearing and distance of North 02° 14' 59" East 259.20 feet; thence North 00° 00' 56" East 187.39 feet to a point; thence South 67° 20' 57" East 925.18 feet to a point; thence South 61° 30' 00" East 301.10 feet to a point; thence South 73° 33' 19" East 346.87 feet to a point; thence South 74° 36' 50" East 217.48 feet to a point; thence South 70° 39" 03" East 219.39 feet to a point; thence South 66° 06' 14" East 183.83 feet to a point; thence South 51° 10' 55" East 327.09 feet to a point in the centerline of White Oak Creek a/k/a Falls Branch Creek; thence along the centerline of said creek as follows: South 03° 23' 35" East 31.18 feet to a point; thence South 19° 58' 50" East 138.13 feet to a point; thence South 09° 01' 05" West 63.94 feet to a point; thence South 22° 49' 37" West 94.25 feet to a point; thence South 05° 19' 49" West 65.12 feet to a point; thence leaving the center line of said creek N 67° 48' 05" W 2481.26 feet to the point and place of BEGINNING and being all of Tract 1 containing 23.62 acres as shown on a survey entitled "Exempt Subdivision prepared for Apex Land Assemblage, LLC" by Riley Surveying, P.A. dated May 13, 2005.

Tract 4 (Reeves):

BEGINNING at a point in the line of Tract A shown on a map entitled "Proposed Subdivision and Recombination of Properties of Wake County" which is recorded in Book of Maps 1998, Page 782, Wake County Registry, said point also being North 45° 03' 47" East 1591.01 feet from the centerline of the intersection of Old Holly Springs Apex Road and Woods Creek Road, being the point and place of BEGINNING, thence North 09° 24' 42" East 362.56 feet to a point; thence North 85° 47' 44" West 162.21 feet to a point; thence North 85° 47' 44" West 30.48 feet to an iron pin in the centerline of Old Holly Springs Apex Road; thence along the centerline of Old Holly Springs Apex Road in an northerly direction along a left hand curve having a radius of 1963.49 feet, an arc distance of 423.08 feet and chord bearing and distance of North 12° 12' 26" East 422.26 feet to a point; thence leaving the centerline of said road South 67° 48' 05" East 2481.26 feet to a point in the centerline of White Oak Creek a/k/a Falls Branch Creek; thence along the centerline of said creek as follows South 05° 19' 49" West 39.71 feet to a point; thence South 17° 13' 42" West 52.16 feet to a point; thence South 63° 16' 26" West 25.88 feet to a point; thence South 17° 55' 39" West 68.74 feet to a point; thence leaving the line of said creek North 78° 00' 00" West 876.99 feet to a point; thence North 84° 10' 00" West 1370.01 feet to the point and place of BEGINNING, and being all of Tract 2 containing 23.62 acres as shown on a survey entitled "Exempt Subdivision prepared for Apex Land Assemblage, LLC" by Riley Surveying, P.A. dated May 13, 2005.

Tract 5 (Goodwin/ALAN):

BEING all that certain tract or parcel of land containing 54.650 acres, more or less, as shown on plat of survey entitled "Boundary Survey Prepared for Apex Land Assemblage, LLC" dated February 16, 2006 and revised February 23, 2006, prepared by Phillip W. Riley, professional Land Surveyor, of Riley Surveying, P.A. and recorded in Book of Maps 2006, Page 416, Wake County Registry, which plat is referenced for a more particular description.

Tract 6 (Adams):

BEING all that certain tract or parcel of land containing 86.334 acres as shown on plat of survey entitled "Boundary Survey, Prepared for HH Trinity Apex Investments, LLC, Holly Springs Township, Wake County, NC" dated September 17, 2007, prepared by Phillip W. Riley, Professional Land Surveyor, of Riley Survey, P.A. and recorded in Book of Maps 2007, Page 2469, Wake County Registry, which plat is referenced for a more particular description.

Tract 7 (Cox):

BEING all that certain tract or parcel of land containing 65.210 acres as shown on plat of survey entitled "Boundary Survey, Prepared for HH Trinity Apex Investments, LLC, Holly Springs Township, Wake County, NC" dated September 19, 2007, prepared by Phillip W. Riley, Professional Land Surveyor, of Riley Survey, P.A. and recorded in Book of Maps 2007, Page 2467, Wake County Registry, which plat is referenced for a more particular description.

Tracts 8 - 11 (Raymer):

BEING all those certain tracts or parcels of land designated as Tract I-A, containing 278.521 acres; Tract II, containing 2.134 acres; Tract III, containing 4.333 acres; and Tract 840' x 40', containing 0.626 acres, as shown on plat of survey entitled "Boundary Survey, Prepared for HH Trinity Apex Investments, LLC, Holly Springs Township, Wake County, NC" dated September 20, 2007, prepared by Phillip W. Riley, Professional Land Surveyor, of Riley Surveying, P.A. and recorded in Book of Maps 2007, Page 2468, Wake County Registry, which plat is referenced for a more particular description.

Tract 12 (Apex Town Square):

Being all of that certain tract of land lying in the Town of Apex, Holly Springs Township, Wake County, North Carolina, and being more particularly described as follows:

BEGINNING at an existing iron pipe at the northeastern corner of the now or formerly EMC Corporation property described in Deed recorded Book 2791, Page 428, Wake County Registry, said pipe also being located in the western line of the now or formerly Cash and Maynard Tract 1-A as shown on plat of survey recorded in Book of Maps 2003, Page 398, Wake County Registry (the "Plat"), said pipe being located North 02° 14' 00" East 271.08 feet from a common corner with said Cash and Maynard Tract 1-A and the now or formerly Cor Bregman property in said EMC Corporation's eastern property line as shown on the Plat; thence with said EMC Corporation's northern property line, South 89° 33' 33" West 1,910.66 feet to an existing iron pipe; thence with EMC Corporation's interior eastern property line, North 02° 07' 56" East

543.28 feet to an existing iron pipe, the southeastern corner of the now or formerly Colon Hobby property; thence with the eastern property line of said Colon Hobby property, North 00° 59' 41" East 734.53 feet to a set iron pipe marking the southwest corner of the said Cash and Maynard Tract 1-A; thence with said Cash and Maynard's Tract 1-A's southern property line and passing over an existing iron pipe at a distance of 15.08 feet, South 87° 48' 34" East 1,905.24 feet (total) to an existing iron pipe; thence continuing with said Cash and Maynard's Tract 1-A's interior western property line, South 01° 15' 42" West 1,190.09 feet to the point or place of BEGINNING, containing 53.939 acres, more or less, including any deed/survey gaps that may exist along the western line of the property herein described, as shown on the Plat, which Plat is referenced for a more particular description and being all of the property conveyed to Apex Town Square, LLC, by deed dated January 6, 2006, and recorded in Book 11766, Page 242, Wake County Registry.

Tract 13 (Bregman):

Lying and being in Town of Apex, Holly Springs Township, Wake County, North Carolina, and being more particularly described as follows:

BEGINNING at an existing iron pipe at a corner of the property now or formerly owned by Heartland Raleigh Apex U.S. 1 Limited Partnership (Book 4454, Page 666, Wake County Registry ["WCR"]), said pipe being located at NC Grid Coordinates: N=707,936.09; E2,048,195.68, and also being located South 31° 57' 19" West a distance of 2,292.37 feet (Grid) from NCGS Monument "TANK" (N=709,881.08; E2,049,408.93); from said POINT OF BEGINNING, running thence along and with the western line of the aforesaid Heartland Raleigh property the following courses and distances:

- South 02° 41' 34" West a distance of 537.74 feet to an existing iron pipe;
- South 02° 41' 34" West a distance of 100.28 feet to an existing iron pipe;
- South 02° 41' 34" West a distance of 2.08 feet to an existing iron pipe;
- South 02° 39' 56" West a distance of 37.18 feet to an existing iron pipe in the northern right-of-way of Technology Drive;

running thence along and with the northern right-of-way of Technology Drive the following courses and distances:

- along and with the arc of a curve to the left having a radius of 411.97 feet (Chord Bearing: South 60° 59' 56" West; Chord Distance: 224.57 feet) a distance of 227.45 feet to an existing iron pipe;
- South 45° 37' 55" West a distance of 288.89 feet to an existing iron pipe;
- South 44° 59' 17" West a distance of 549.68 feet to an existing iron pipe;
- South 44° 59' 17" West a distance of 70.66 feet to an existing iron pipe;
- along and with the arc of a curve to the right having a radius of 351.97 feet (Chord Bearing: South 57° 36' 33" West; Chord Distance: 151.96 feet) a distance of 153.17 feet to an existing iron pipe;
- along and with the arc of a curve to the right having a radius of 351.97 feet (Chord Bearing: South 79° 30' 30" West; Chord Distance: 115.27 feet) a distance of 115.79 feet to an existing iron pipe;
- South 88° 51' 29" West a distance of 164.77 feet to a point in the eastern line of property

now or formerly owned by Data General (Book 2791, Page 428, WCR);

leaving the northern right-of-way of Technology Drive and running thence along and with the eastern line of the aforesaid Data General property, North 02° 16' 29" East a distance of 1,200.00 feet to an existing iron pipe; continuing with the eastern line of the Data General property and running thence North 02° 17' 20" East a distance of 416.31 feet to an existing iron pipe in the southern line of the aforesaid Heartland Raleigh property; running thence along and with the southern line of the Heartland Raleigh property, South 86° 16' 48" East a distance of 1,218.14 feet to the POINT AND PLACE OF BEGINNING, containing 34.0763 acres, more or less, and being all of Tract 4 north of the right-of-way of Technology Drive, as shown on that certain survey entitled "Recombination And Minor Subdivision of Technology Drive Property For Thomas H. Byrd, III", dated December 11, 1996, and prepared by Niall W. Gillespie, R.L.S. (No. L-2629) (File Name: BYRDTOPO), to which survey reference is hereby made for a more particular description, and being the same property conveyed to Cor S. Bregman by deed recorded in Book 7409, Page 255, Wake County Registry, and being the same property conveyed to Cornelius S. Bregman and Kandes K. Bregman, as Trustees of the Cornelius and Kandes Bregman Trust, under Agreement dated September 20, 1999 by deed recorded in Book 10856, Page 2786, Wake County Registry, LESS AND EXCEPT (i) the property conveyed to Thomas H. Byrd, IV, and wife Lisa W. Byrd, by deed recorded in Book 10129, Page 491, Wake County Registry, and (ii) the property conveyed to the Department of Transportation by deed recorded in Book 8128, Page 153, Wake County Registry.

Tracts 14 - 15 (EMC):

Being all those certain tracts or parcels of land containing approximately 47.419 acres and identified as portions of parcel identification numbers 0740672147 (containing approximately 46.61 acres) and 0740570471 (containing approximately 77.66 acres), and as generally shown as Tract 2 on the map attached hereto as Schedule 1.

Tract 16 (Whitehouse):

Being all that certain tract or parcel of land containing approximately 27.47 acres and identified as parcel identification number 0740287376 and being the same property conveyed to Brenda P. Whitehouse, individually, a 55% undivided interest, and Brenda P. Whitehouse as Trustee of the Irene F. Prince Family Trust dated February 19, 2004, a 45% undivided interest, by deed recorded in Book 10680, Page 477, Wake County Registry.

Tract 17 (F. Prince):

Being all that certain tract or parcel of land containing approximately 75.63 acres and identified as parcel identification number 0740191376 and being the same property conveyed to F.D. Prince, Sr., sole Trustee, or his successors in trust, under the Frank Dixon Prince, Sr. Living Trust, dated October 20, 1988, and any amendments thereto, by deed recorded in Book 8291, Page 540, Wake County Registry.

Tract 18 (F. Prince):

Being all that certain tract or parcel of land containing approximately 21.36 acres and identified as parcel identification number 0730996270 and being the same property conveyed to F.D. Prince, Sr., sole Trustee, or his successors in trust, under the Frank Dixon Prince, Sr. Living Trust, dated October 20, 1988, and any amendments thereto, by deed recorded in Book 8291, Page 540, Wake County Registry.

Tract 19 (B. Prince):

Being all that certain tract or parcel of land containing approximately 32.06 acres and identified as parcel identification number 0741207566 and being the same property conveyed to William Ira Prince, III, by deed recorded in Book 2673, Page 652, Wake County Registry.

Tract 20 (J. Prince):

Being all that certain tract or parcel of land containing approximately 1.80 acres and identified as parcel identification number 0740293940 and being the same property conveyed to William I. Prince and Jean P. Prince, by deed recorded in Book 6217, Page 146, Wake County Registry.

Tracts 21-38 (Stephens):

Being all of those certain tracts or parcels of land identified as parcel identification numbers 0740886966, 0740991702, 0740992565, 0740991337, 0740991237, 0740990140, 0740980647, 0740982309, 0740982534, 0740982635, 0740982769, 0740982866, 0740982964, 0740982929, 0740992024, 0740992069, 0740992169 and 0740982764.

Tract 39 (Tew):

Being all that certain tract or parcel of land containing approximately 1.84 acres and identified as parcel identification number 0741203157 and being the same property conveyed to Kim Prince Tew, and husband, David Wayne Tew, by deed recorded in Book 10633, Page 1741, Wake County Registry.

Tract 40 (Huang):

Being all that certain tract or parcel of land containing approximately 13.33 acres and identified as parcel identification number 0740180091 and being the same property conveyed to Ruey Shiue Huang, Co-Trustee, and Edward K. Huang, Co-Trustee, of The Huang Family Trust, dated September 30, 2005, by deed recorded in Book 10656, Page 33, Wake County Registry.

Sustainable Development Plan

for

VERIDEA

A Sustainable Mixed-Use Community
Apex, North Carolina

10 MAY 2011

Responsible Person:

Lookout Ventures, Inc.
P. O. Box 1166
Zebulon NC

SUSTAINABLE DEVELOPMENT PLAN

DEVELOPER AND RESPONSIBLE PERSON

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SUSTAINABILITY AGENDA
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PRINCIPLES AND GOALS
DEVELOPED BY

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ARTICLE 1.0 DEFINITIONS OF CAPITALIZED TERMS USED IN THE SUSTAINABLE DEVELOPMENT (SD) PLAN

A-Grid: cumulatively, those Thoroughfares that by virtue of their pedestrian-supportive qualities, and their importance to pedestrian connectivity, are part of multi-modal transportation network that is vehicle tolerant and is linked to the contextual nature of the place. *See B-Grid.*

A-Grid Zones: areas of the Concept Map where A-Grids are required.

Accessory Structures: structures or buildings incidental to and appropriate to support a Function or use (i.e., ticket booths and storage for outdoor amphitheaters, and dugouts and storage for baseball and softball.)

Accessory Unit or Building: a dwelling not greater than 800 square feet sharing ownership and shared or separate utility connections with a Principal Building. *See Table 10 and Table 17.* (Syn: ancillary unit)

Advanced Materials: a broad technology category based on a rapidly evolving area of science, with applications ranging from aircraft to computer chips. Advanced structural materials can make products strong, lighter, and more effective as well as enable the development of totally new products. The materials can increasingly be designed and tailored to specific applications. A material is said to be "advanced" if it is a new material for the application. *See Table 12.*

Agricultural Plot: a parcel of land used for small-scale agricultural purposes such as the raising of agricultural products or poultry. *See Table 12 and Table 19.*

Alleé: a regularly spaced and aligned row or rows of trees usually planted along a Thoroughfare or Path.

Anticipatory Design: a development approach intended to predict and facilitate the use of innovative technology and other best development practices as they evolve and become practically and economically feasible over time.

Arcade: a Private Frontage conventional for Retail use wherein the Facade is a colonnade supporting habitable space that overlaps the Sidewalk, while the Facade at Sidewalk level remains at the Frontage Line.

Avenue ("**AV**"): a Thoroughfare designed for high vehicular capacity and low to moderate speed, acting as a short distance connector between Village Centers, and usually equipped with a landscaped median.

B-Grid: cumulatively, those Thoroughfares that by virtue of their use or location are vehicle supportive and pedestrian tolerant. *See A-Grid.*

B-Grid Zones: areas of the Concept Map where B-Grids are permitted.

Backbuilding: a single-Story structure connecting a Principal Building to an Outbuilding. *See Table 17.*

Bed and Breakfast: an owner or manager controlled Lodging type, permitted to serve breakfast in the mornings to guests in the Neighborhood General (NG) zone and at all times in other Sustainable Zones.

Bicycle Lane ("**BL**"): a dedicated lane for cycling within a moderate-speed vehicular Thoroughfare.

Bicycle Route ("**BR**"): a Thoroughfare suitable for the shared use of bicycles and automobiles moving at low speeds. These routes are signed as "bike route."

Bicycle Trail ("**BT**"): a bicycle and pedestrian way running independently of a vehicular Thoroughfare.

Biotechnology: the science of using living things and components of living things to produce goods and services. It involves manipulating and modifying organisms, often at the molecular level, to create new and practical applications for agriculture, medicine and industry. *See Table 12.*

Block: the aggregate of private Lots, Passages, Rear Alleys and Rear Lanes, circumscribed by Thoroughfares.

Boulevard ("**BV**"): a Thoroughfare designed for high vehicular capacity and moderate speed, traversing an urbanized area. Boulevards are usually equipped with Slip Streets buffering Sidewalks and buildings.

By Right: characterizing a proposal or component of a proposal for the Development that is allowed by the SD Plan.

Civic Building: a building primarily dedicated to public functions such as arts, culture, education, recreation, government, transit, and parking, or for other public purposes. Civic Buildings are primarily operated by public or not-for-profit entities.

Civic Space: land containing a Civic Building and/or an outdoor area dedicated for public use including Parks but not including street rights of way. Civic Space types are defined by the combination of certain physical constants including the relationships among their intended use, their size, their landscaping and their enfronting buildings. *See Table 13.*

Civic Use: Open Space that is designated for Civic Buildings and Civic Space and Public Space.

Commercial: the term collectively defining workplace, Office, Retail, and Lodging Functions.

Common Destination: an area of focused community activity. It may include, without limitation, one or more of the following: a Civic Space, a Civic Building, a Commercial center, or a transit station or stop, and may act as the social center of a neighborhood.

Community Garden: a grouping of garden plots available for small scale cultivation, generally to the residents of apartments and other dwelling types without private gardens, permitting individual storage sheds, and providing a locus of recreation and sociability greater than that of a private yard, thus being a Common Destination.

Concept Map: *See* Veridea **Sustainable Development Concept Map**.

Concessions: a place where food, drinks and incidental retail items are sold or rented.

Conference Center: a facility that is constructed for and devoted to meetings and meeting space. *See Table 12.*

Configuration: the form of a building, based on its massing, Private Frontage, and height or the geographic characteristics of an area of land.

Convention Center: a Facility designed to accommodate multiple groups or large groups and consisting of exhibit halls, meeting rooms, ballrooms or banquet space but not sleeping accommodations. *See Table 12.*

Corridor: a lineal geographic system incorporating transportation and/or Greenway trajectories.

Curb: the edge of the vehicular pavement that may be raised or flush to a Swale. It usually incorporates the drainage system. *See Table 4A and Table 4B.*

Density: the amount of development measured on the basis of a Gross Acre of land area expressed in the number of Dwelling Units Per Acre ("DUA") for residential or Floor Area Ratio ("FAR") for non-residential.

Design Speed: the velocity at which a Thoroughfare tends to be driven without the constraints of signage or enforcement. There are four ranges of speed: Very Low: (below 20 MPH); Low: (20-25 MPH); Moderate: (25-35 MPH); High: (above 35 MPH). Lane width is determined by desired Design Speed. *See Table 3A.*

Design Standards: all of the provisions of the SD Plan, other than authorized Density, related to the development of Veridea, including but not limited to standards, designs, criteria, illustrations and other elements and materials of both a descriptive and proscriptive nature.

Developable Areas: lands other than those in the OS Open Space Zone.

Development: refers to Veridea and the land encompassed by the Veridea Sustainable Development Plan as a whole.

Disposition: the placement of a building on its Lot. *See Table 9 and Table 17.*

Drive ("**DR**"): a Thoroughfare along the boundary between an urbanized and a natural condition, usually along a waterfront or Park. One side has the urban character of a Thoroughfare, with Sidewalk and building, while the other has the qualities of a Road or parkway, with naturalistic planting and rural details.

Dwelling Units Per Acre ("**DUA**"): the number of dwelling units per Gross Acre.

Driveway: a vehicular lane within a Lot, often leading to a garage. *See Article 5.8 and Table 3B.f.*

Effective Parking: the amount of parking required for Mixed Use after adjustment by the Shared Parking Factor. *See Table 11.*

Effective Turning Radius: the measurement of the inside Turning Radius taking parked cars into account. *See Table 17.*

Elevation: an exterior wall of a building not along a Frontage Line. *See Table 17.* See: **Facade.**

Encroach: to break the plane of a vertical or horizontal regulatory limit with a structural element so that it extends into a Setback, into an easement, into the Public Frontage, or above a height limit.

Encroachment: any structural element that breaks the plane of a vertical or horizontal regulatory limit, extending into a Setback, into an easement, into the Public Frontage, or above a height limit.

Environmental Enhancement Plan: additional Sustainability Standards related to environmental enhancement required to be submitted to the Town Council for approval in accordance with UDO 2.3.16 F) 3) b).

Existing Communication Towers: towers that are currently in place within Veridea, including any and all guy wires, anchors, supporting cables, tower assembly, and ancillary buildings.

Expression Line: a line prescribed at a certain level of a building for the major part of the width of a Facade, expressed by a variation in material or by a limited projection such as a molding or balcony. *See Table 8.* (Syn: transition line.)

Facade: the exterior wall of a building that is set along a Frontage Line. *See* **Elevation.**

Farm: an active, usually commercial, agricultural operation, such as the raising of agricultural products, livestock, poultry and dairying at a scale requiring industrial sized machinery and farm buildings, consistent with the requirements and limitations of the UDO. *See Table 12 and Table 19.*

Floor Area Ratio ("**FAR**"): the ratio of total building floor area per Gross Acre.

Forecourt: a Private Frontage wherein a portion of the Facade is close to the Frontage Line and the central portion is set back. *See Table 7.*

Frontage: the area between a building Facade and the vehicular lanes, inclusive of its built and planted components. Frontage is divided into **Private Frontage** and **Public Frontage.** *See Table 4A and Table 7.*

Frontage Line: a Lot Line bordering a Public Frontage. Facades facing

Frontage Lines define the public realm and are therefore more regulated than the Elevations facing other Lot Lines. *See Table 17.*

Function: the use or uses accommodated by a building and its Lot, categorized as *Restricted, Limited,* or *Open*, according to the intensity of the use. *See Table 10 and Table 12.*

Gallery: a Private Frontage conventional for Retail use wherein the Facade is aligned close to the Frontage Line with an attached cantilevered shed or lightweight colonnade overlapping the Sidewalk. *See Table 7.*

Goal(s): the desired result of Veridea's effort to achieve sustainability.

Green: a Civic Space type for unstructured recreation, spatially defined by landscaping rather than building Frontages. *See Table 13.*

Green Roof: a building roof partially or completely covered with vegetation and soil, or some other living medium, over a waterproofing membrane.

Green Technology: a continuously evolving group of methods and materials, including—but not limited to—environmentally-sound techniques for: generating energy, energy efficiency, chemistry, nanotechnology and construction. *See Table 12.*

Greenway: a Corridor in largely natural conditions, which shall include trails for bicycles or pedestrians.

Gross Acre: an acre of land within the Veridea Sustainable Development District used for the purpose of Density calculation.

Guiding Principles: the Principles used to develop Veridea.

High Performance Computing: the use of supercomputers and computer clusters to solve advanced computation problems. *See Table 12.*

Highway ("**HW**"): a rural and suburban Thoroughfare of high vehicular speed and capacity. This type is allocated to the more rural Sustainable Zones (OS and NG).

Home Occupation: non-Retail Commercial enterprises within or closely associated with a dwelling.

Impermeable Surface: surfaces constructed using materials that allow no infiltration of water into the soil. Impermeable surfaces include, but are not limited to, public and private Thoroughfares, sidewalks, driveways, rooftops, parking lots and patios constructed with asphalt, concrete, compacted aggregate base course or other impervious materials. The surface area of bodies of water (natural or man-made) and wooden decks shall be considered permeable and shall not be included in the calculation of built-upon area. Green Roofs, permeable pavements, and other surfaces constructed with uniformly graded gravel, porous materials or pervious materials and designed in accordance with the NC Division of Water Quality Stormwater Best Management Practices Manual to accommodate the infiltration of water shall not be considered impermeable surfaces and shall not be included in the

calculation of the built-upon area.

Independent Living: a Project, or a portion of a Project, consisting of residences of any type or various types primarily accommodating age targeted residents maintaining an independent lifestyle.

Industrial: the term collectively defining Manufacturing, warehousing and storage uses.

Information Technology: the application of computer, communications and software technology to the management, processing and dissemination of information. *See Table 12.*

Internal Trip Capture: a concept used in transportation modeling to define an automobile trip between different land uses within Veridea that would have required an automobile trip external to the site.

Layer: a range of depth of a Lot, measured from the Frontage Line, within which certain elements are permitted. *See Table 17.*

Lightwell: a Private Frontage type that is a below-grade entrance or recess designed to allow light into basements. *See Table 7.* (Syn: light court.)

Liner Building: a building specifically designed to mask a blank building wall, a service area, a parking lot, or a Parking Structure from a Frontage.

Live-Work: a Mixed Use unit consisting of a Commercial and Residential Function. *See Table 10.*

Lodging: premises available for daily and weekly renting of bedrooms. *See Table 10 and Table 12.*

Lot: a parcel of land accommodating a building or buildings of unified design. The size of a Lot is controlled by its width in order to determine the grain (i.e., fine grain, as characterized by a tight-knit Thoroughfare grid, or coarse grain, as characterized by a loose-knit street grid) of the urban fabric.

Lot Line: the boundary that legally and geometrically demarcates a Lot.

Lot Width: the length of the Principal Frontage Line of a Lot.

Manufacturing: all areas of manufacturing, including design, control, fabrication, and assembly for uses where activities are conducted and confined within a building or structure including, but are not limited to: electronics, computers/IT, instrumentation, industrial equipment, medical, pharmaceutical, telecom, aerospace, defense, government, appliances, food, beverage and consumer products.

Medical Devices: products used for medical purposes for patients, in diagnosis, therapy or surgery. *See Table 12.*

Mixed Use: multiple Functions within the same building through vertical integration or adjacency, or in multiple buildings by adjacency.

Mixed Use Block: See Mixed Use and Block. *See Table 12.*

Modular Construction: single-family, multi-family or mixed use building constructed on-site and composed of components substantially assembled in a manufacturing plant and transported to the building site for final assembly that complies with the requirements of the North Carolina State Building Code.

Nanotechnology: is an advanced technology involving the fabrication and use of devices so small that the convenient unit of measurement is the nanometer (one thousand-millionth of a meter); or, is the art of manipulating and exploiting the properties of matter at a molecular level. *See Table 12.*

Natatorium: a building containing a swimming pool. *See Table 12.*

NCDENR: The North Carolina Department of the Environment and Natural Resources, or any successor executive agency or agencies having the powers and authority of such department.

Neighborhood General: A Sustainable Zone. *See* Table 1.

Neighborhood Mixed-Use: A Sustainable Zone. *See* Table 1.

Non-residential Uses: uses and building functions other than residential. Vertically integrated residential and Non-residential uses will be considered non-residential for the purposes of the SD Plan and the UDO. *See Article 4.2.2 and Table 12.*

Office: premises available for the transaction of general business, lab and research uses but excluding Retail uses. *See Table 10.*

Open Space ("**OS**"): A Sustainable Zone. *See* Table 1.

Outbuilding: an Accessory Building, usually located toward the rear of the same Lot as a Principal Building, and sometimes connected to the Principal Building by a Backbuilding. *See Table 17.*

Park: a Civic Space type or type of Open Space used for active and/or passive recreation purposes or natural preserve available for unstructured recreation, including all examples in Table 13.

Parking Garage (deck): See Parking Structure.

Parking Management Plan: a plan setting forth various policies and programs intended to optimize the efficient use of parking resources.

Parking Structure: a building containing one or more Stories of parking at, above and/or below grade. A Parking Structure may be stand alone or may be connected to or integrated with other uses. *See Table 12.*

Passage ("**PS**"): a pedestrian connector, open or roofed, that passes between buildings to provide shortcuts through long Blocks and connect rear parking areas to Frontages.

Path ("**PT**"): a pedestrian and/or bicycle way traversing a Park or rural area, with landscape matching the contiguous Neighborhood General (NG) Zone, ideally connecting directly with the urban sidewalk network.

Pattern Book(s): a book or books of text, diagrams and illustrations setting forth the principles of design for Veridea or some portion thereof in order to provide consistencies in characteristic form, massing, composition, style, method, materials, lighting and signage while simultaneously allowing for architectural and aesthetic diversity.

Planter: the element of the Public Frontage, which accommodates street trees and other vegetation, whether continuous or individual.

Plaza: a Civic Space type designed for Civic purposes and Commercial activities in the more urban Sustainable Zones, generally paved and spatially defined by building Frontages.

Power Facility: A facility for the generation of electric or thermal power. *See Table 12.*

Principal Building: the main building on a Lot, usually located toward the Frontage. *See Table 17.*

Principal Entrance: the main point of access for pedestrians into a building.

Principal Frontage: on corner Lots, the Private Frontage designated to bear the address and Principal Entrance to the building, and the measure of minimum Lot width. *See* **Frontage.**

Principle(s): fundamental positions that serve as the foundation for the creation of Veridea.

Private Frontage: the privately held Layer between the Frontage Line and the Principal Building Facade. *See Table 7 and Table 17.*

Project: individual developments within the Veridea Sustainable Development District to which the Sustainable Development Plan applies.

Public Frontage: the area between the Curb of the vehicular lanes and the Frontage Line, possibly containing utility easements, for walkways. *See Table 4A and Table 4B.*

Public Parking Facility: a parking facility that may include decks, structures or lots that may be publicly or privately owned and contain shared spaces available for public use that are not allocated to other residential or non-residential uses within Veridea.

Public School: A school operated by the Wake County Public Schools System, a charter school, or other type of school sanctioned by the State of North Carolina for public instruction and wholly or partially funded by the State and/or Wake County.

Public Space: land accessible to the general public through dedication or easement, but not including street rights of way.

Rear Alley ("**RA**"): a vehicular way, either public or private, located to the rear of Lots providing access to service areas, parking, and Outbuildings and possibly containing utility easements. *See Table 4A and Table 4C.*

Rear Lane ("**RL**"): a vehicular way, either public or private, located to the rear of Lots providing access to service areas, parking, and Outbuildings and containing utility easements. *See Table 4A and Table 4C.*

Rearyard: a building that occupies the full Frontage Line, leaving the rear of the Lot as the sole yard. *See Table 9.* (Var: Townhouse, Apartment House)

Regional Public Transit System: a transit system operated by a public agency that serves a geographic area that extends beyond the jurisdictional limits of the Town of Apex that includes, as one of its elements, a fixed guideway or comparable transit technology.

Renewable Energy Facility: a facility that either: i) generates thermal and/or electric power primarily by the use of a Renewable Energy Resource; ii) uses heat derived primarily from a Renewable Energy Resource to produce electricity or useful, measurable thermal or mechanical energy; iii) is a solar thermal energy facility; iv) specifically allows for co-firing with non-renewable energy resources as long as non-renewable energy resources are not the primary energy source; or v) provides energy storage capacity.

Renewable Energy Resource: a solar electric, solar thermal, wind, hydropower, geothermal, or ocean current or wave energy resource; a biomass resource, including agricultural waste, animal waste, wood waste, spent pulping liquors, combustible residues, combustible liquids, combustible gases, energy crops, or landfill methane; waste heat derived from a renewable energy resource and used to produce electricity or useful, measurable thermal energy; or hydrogen derived from a renewable energy resource. Renewable Energy Resource does not include peat, a fossil fuel, or nuclear energy resource.

Responsible Person: that person identified in the SD Plan and appointed pursuant to UDO 2.3.16 D), or his successors or assigns, to make certain decisions with respect to the SD Plan and the zoning of Veridea. The Responsible Person is sometimes referred to in this SD Plan as the "Developer."

Retail: the sale, (other than wholesale), rental or repair of goods, merchandise and services and food and beverage service and sales.

Retail Kiosk: a place where merchandise and food and drink may be sold or rented. *See Table 12.*

Retail Storage within Retail Spaces: stock rooms and storage areas located within retail spaces. *See Table 12.*

Road ("**RD**"): a local, rural and suburban Thoroughfare of low-to-moderate vehicular speed and capacity. This type is allocated to the more rural, less dense Sustainable Zones (OS-NG). *See Table 3A and Table 4C.*

School Authority: The Wake County Public Schools System or other entity having state-sanctioned authority for public education.

School Dormitory: an educational building or a group of rooms in a building

used for institutional living and sleeping purposes for students. *See Table 12.*

Secondary Frontage: on corner Lots, the Private Frontage that is not the Principal Frontage. As it affects the public realm, its First Layer is regulated. *See Table 17.*

Setback: the area of a Lot measured from the Lot line to a building Facade or Elevation that is maintained clear of permanent structures, with the exception of Encroachments listed in *Article 5.5. See Table 14.g.* (Var: build-to-line.)

Shared Parking Factor: an accounting for parking spaces that are available to more than one Function. *See Table 11.*

Shopfront: a Private Frontage conventional for Retail use, with substantial glazing and sometimes an awning, wherein the Facade is aligned close to the Frontage Line with the building entrance at Sidewalk grade. *See Table 7.*

Shopping Center: a building or multiple buildings consisting of a complex of shops, with interconnecting walkways along with associated parking. *See Table 12.*

Slip Street: an outer vehicular lane or lanes of a Thoroughfare, designed for slow speeds while inner lanes carry higher speed traffic, and that may be separated from them by a planted median. (Syn: access lane, service lane)

Smart Power: the system of generation, transmission, distribution and use of energy through means that both increase efficiency throughout the system and reduce the environmental impact of the cycle of production, delivery and use. The referenced means include development, manufacture and deployment of information technology, engineering, manufacturing, construction techniques, building science, controls, and HVAC and lighting systems. *See Table 12.*

Square: a Civic Space type designed for unstructured recreation and Civic purposes, spatially defined by building Frontages and consisting of Paths, lawns and trees, formally disposed. S*ee Table 13.*

Stoop: a Private Frontage wherein the Facade is aligned close to the Frontage Line with the first Story elevated from the Sidewalk for privacy, with an exterior stair and landing at the entrance. *See Table 7.*

Story: a habitable level within a building, excluding an attic, mezzanine, or raised basement. *See Table 8.* Regardless of the number of stories, maximum height of a multi-story building shall not exceed 400 feet.

Strategy: general approach to achieve desired goals for Veridea.

Street ("**ST**"): a local urban Thoroughfare of low speed and capacity. *See Table 3B and Table 4B*.

Streetscreen: a freestanding wall or a free standing or attached trellis system for supporting plants along the Frontage Line, or coplanar with the Facade. It may mask a parking lot from the Thoroughfare, provide privacy to a side yard, and/or strengthen the spatial definition of the public realm. (Syn:

streetwall.) *See Article 5.5.5f.*

Sustainability: the process and ultimately the benefits of implementing a sustainable development program.

Sustainable: as used within the context of "sustainable development," and as derived from the 1987 Brundtland report: "development that meets the needs of the present without compromising the ability of future generations to meet their own needs". In practice, to develop sustainably is to integrate the economic, social and environmental dimensions to create human habitats that contribute to a quality life now, and in the future based upon an evolution of society, knowledge and technology.

Sustainable Zone: one of several areas described in the SD Plan and shown on the Sustainable Development Concept Map (and thereafter more clearly delineated in subdivision and site plans) analogous to Zoning Districts established under the UDO. Allowable land uses and development regulations applicable to such zones shall be as provided in the SD Plan.

Swale: a low or slightly depressed natural area for drainage.

Thoroughfare: a way for use, including a street, by vehicular and pedestrian traffic and to provide access to Lots and Open Space, consisting of vehicular lanes and the Public Frontage. *See Table 3A, Table 3B, Table 4C and Table 17a.*

Town Standards: any statement, codification or other document setting forth standards, designs, directives or plans for the construction of roads, utilities, parks, public facilities or infrastructure of any nature adopted by the Town of Apex and regulating the development of property and the construction of improvements and infrastructure within the jurisdiction of the Town. Town Standards shall include, but shall not be limited to, the Town of Apex Code of Ordinances, the Apex Unified Development Ordinance, Apex Comprehensive Plan, Apex Watershed Overlay District, Apex 2025 Land Use Plan, Apex Transportation Plans, NC 540 Land Use Plan, the Apex Standard Specifications and Standard Details, Wastewater Master Plan, Water Distribution Master Plan, and the Apex Parks and Recreation Master Plan.

Townhouse: a building that occupies the full Frontage Line, leaving the rear of the Lot as the sole yard. *See* **Rearyard Building.**

Transit Oriented Development ("**TOD**"): those areas within an average 1/2 mile radius or 2640 feet of a transit stop (bus or rail) present or proposed as a Common Destination, as set forth in *Article 5.7.2d.*

Transportation Demand Management ("**TDM**"): is a general term for strategies that result in more efficient use of transportation resources. The strategies include developing comprehensive plans for bus and rail transit, bike/transit integration, car sharing, flex cars, and park and ride resources.

Turning Radius: the curved edge of a Thoroughfare at an intersection, measured at the inside edge of the vehicular tracking. The smaller the Turning

Radius, the shorter the pedestrian crossing distance and the more slowly the vehicle is forced to make the turn. *See Table 3B and Table 17.*

Unified Development Ordinance ("**UDO**"): The Apex Unified Development Ordinance.

Urban Farm: agricultural land used for the production of fruits and vegetables, livestock, poultry or other agricultural products, or some combination thereof, consistent with the requirements and limitations of the UDO**.** *See Table 12 and Table 19.*

Urbanism: collective term for the condition of a compact, Mixed Use settlement, including the physical form of its development and its environmental, functional, economic, and socio-cultural aspects.

Urban Core ("**UC**"): A Sustainable Zone. *See Table 1.*

Vegetable Garden: private agricultural land dedicated to food production to be locally consumed, restricted to back yards. *See Table 12 and Table 19.*

Veridea Sustainable Development Concept Map: the map or set of maps that depicts a concept for the development of a community and the conceptual location of Sustainable Zones and Thoroughfares within it. *See Table 2.*

Veridea Sustainable Development District: the zoning district as depicted by the Veridea Sustainable Development Concept Map and developed in accordance with this SD Plan.

Vertical Farm: agricultural production in buildings not primarily within yards, but as a part of or incidental to inhabited buildings, or as a stand alone feature, utilizing container gardens or boxes, which may be associated with windows, balconies and terraces, or roof gardens.

Village Center ("**VC**"): A Sustainable Zone. *See Table 1.*

Yield: characterizing a Thoroughfare that has two-way traffic but only one effective travel lane because of parked cars, necessitating slow movement and driver negotiation. Also, characterizing parking on such a Thoroughfare.

ARTICLE 2.0 THE DISTRICT

2.1 INTRODUCTION

This Sustainable Development Plan (the "SD Plan") is submitted by the Responsible Person and approved by the Town Council pursuant to UDO 2.3.16 of the Town of Apex (the "Town" or "Apex") with respect to the proposed rezoning of property within the Town for the Sustainable, mixed-use development to be known as "Veridea." The SD Plan and its standards and applicable provisions of the UDO and other Town Ordinances and Town Standards shall authorize, regulate, and control the development of land within Veridea and shall establish the design and form for such development. To the extent that the SD Plan varies from the provisions of the UDO, other Town Ordinances, Town Standards or any document or policy referenced or incorporated therein as they exist on the date of approval of the SD Plan and as they may be amended from time to time by the Town Council, the SD Plan shall control.

2.2 CHANGE OF THE RESPONSIBLE PERSON

Pursuant to UDO 2.3.16 D), the Petition to Amend the Official Zoning District Map requesting the rezoning of Veridea to Sustainable Development Conditional Zoning District SD-CZ identified and appointed Lookout Ventures, Inc. as the Responsible Person for the district. Any successor corporation to Lookout Ventures, Inc. by way of merger or other reorganization shall become Responsible Person for the district, and written notice of such succession shall be provided to the Planning Director. At any time following the rezoning of Veridea as requested, Lookout Ventures, Inc. (or its successor corporation) may appoint another person as the Responsible Person for the district by providing notice of such change in writing to the Planning Director of the Town. In the event of the death, incapacity or dissolution of the Responsible Person without its appointment of a new Responsible Person, a new Responsible Person shall be appointed by the owners of fifty-one percent (51%) of the land comprising Veridea at the time of such appointment and written notice of such appointment shall be provided to the Planning Director.

2.3 AUTHORIZED DEVELOPMENT

No development shall occur within Veridea, or any parcel added to Veridea, except as is specifically authorized by this SD Plan with reference, when appropriate, to the UDO.

2.4 MASTER PROPERTY OWNERS' ASSOCIATION

Prior to the Developer's conveyance of any of the Properties within Veridea by the Developer or its assigns, a Master Property Owners' Association ("MPOA") will be established. Membership in the MPOA will be mandatory for any property owner. The MPOA will be funded by dues to be established in the Declaration or other duly recorded document. The MPOA will be responsible for the enforcement of recorded restrictive covenants and for the maintenance of certain common areas within Veridea, including private Thoroughfares. Subassociations of property owners may be established for individual development tracts within Veridea, which will be responsible for the maintenance of the common area within that specific tract, unless otherwise provided in documents relating to the respective subassociation. Should any subassociation fail to perform its maintenance obligations, the MPOA shall be responsible for such performance within a commercially reasonable timeframe. The Town will maintain all Thoroughfares and any other real property that is properly dedicated to and accepted by the Town.

2.5 DECLARATION OF RESTRICTIVE COVENANTS

Prior to the Developer's conveyance of any property within Veridea subsequent to its rezoning, the Developer shall record in the Wake County Registry with respect to the Development a Declaration of Restrictive Covenants (the "Declaration"), duly executed by the record owner or owners of each parcel included within the Development, stating that the Development is within the zoning jurisdiction of the Town of Apex and is zoned Sustainable Development Conditional Zoning ("SDCZ") District and that (i) the Development and the use of property therein are therefore subject to regulations applicable to the SDCZ District described in Section 2.3.16 of the UDO and other provisions of such Ordinance, a copy of which is available in the Planning Department of the Town of Apex (the "Planning Department") at the Apex Town Hall, 73 Hunter Street, Apex, North Carolina 27502; (ii) the Development and the use of land within the Development are also subject to the terms and provisions of a Sustainable Development Plan approved upon the rezoning of the Development to SDCZ District, a copy of which is available in the Planning Department; (iii) under applicable provisions of the UDO and the aforementioned SD Plan, the Developer, its successors and assigns, as Responsible Person, has the sole authority to make certain decisions with regard to property comprising the Development; and (iv) upon acceptance and recordation of any deed conveying property within Veridea, the grantee or grantees of such deed shall become a member of the Master Property Owners' Association for Veridea established pursuant to Section 2.4 of this Plan and any subassociation established pursuant to such section that relates to the property conveyed in the respective deed. The Declaration shall further provide that (i) each deed conveying land within Veridea recorded subsequent to the recordation of the Declaration shall state that the respective conveyance is subject to the Declaration, but that the failure to include such statement in a deed shall not affect the enforceability of the Declaration with respect to the property conveyed or invalidate the respective conveyance; and (ii) no rezoning petition shall be submitted or proposed with regard to the Development, or any portion thereof, without the written consent of the Developer.

ARTICLE 3.0 GENERAL SUSTAINABILITY STANDARDS AND FURTHER DEVELOPMENT APPROVALS

3.1 PURPOSE OF THE PLAN

3.1.1 The SD Plan has been adopted to facilitate the development of Veridea as a community of safe, healthy, resource efficient and transit-oriented mixed-use Projects planned and developed in accordance with Principles promoting Sustainability. Accordingly, Veridea will be developed in view of the following Guiding Principles:

a. Create economic value
b. Eliminate the concept of waste
c. Insist on a renewable future
d. Create delightful urban places
e. Integrate nature throughout the community

The Guiding Principles for Veridea have been developed in accordance with The Hannover Principles, Design for Sustainability, which was authored by William McDonough and Michael Braungart. The Hannover Principles are as follows:

1. **Insist on rights of humanity and nature to co-exist** in a healthy, supportive, diverse and Sustainable condition.

2. **Recognize interdependence**. The elements of human design interact with and depend upon the natural world, with broad and diverse implications at every scale. Expand design considerations to recognizing even distant effects.

3. **Respect relationships between spirit and matter**. Consider all aspects of human settlement including community, dwelling, industry and trade in terms of existing and evolving connections between spiritual and material consciousness.

4. **Accept responsibility for the consequences of design** decisions upon human well-being, the viability of natural systems and their right to co-exist.

5. **Create safe objects of long-term value**. Do not burden future generations with requirements for maintenance or vigilant administration of potential danger due to the careless creation of products, processes or standards.

6. **Eliminate the concept of waste**. Evaluate and optimize the full life-cycle of products and processes, to approach the state of natural systems, in which there is no waste.

7. **Rely on natural energy flows**. Human designs should, like the living world, derive their creative forces from perpetual solar income. Incorporate this energy efficiently and safely for responsible use.

8. **Understand the limitations of design**. No human creation lasts forever and design does not solve all problems. Those who create and plan should practice humility in the face of nature. Treat nature as a model and mentor, not as an inconvenience to be evaded or controlled.

9. **Seek constant improvement by the sharing of knowledge**. Encourage direct and open communication between colleagues, patrons, manufacturers and users to link long term Sustainable considerations with ethical responsibility, and re-establish the integral relationship between natural processes and human activity.

In addition, the Guiding Principles are grounded in the belief that they can only be achieved through a flexible development plan which recognizes the reality of the time in which elements of the plan are developed. The Guiding Principles will be pursued in an anticipatory manner, one which acknowledges that Veridea will be developed over a sustained period of time and according to evolving criteria that define accepted and attainable Sustainable development practices. The SD Plan establishes a flexible framework of development standards (collectively, the "Sustainability Standards") that, by its very nature, seeks to anticipate future trends and technologies and acknowledges that future technologies and practices are, by definition, evolutionary. Accordingly, an Anticipatory Design process shall be used in the planning and design of Veridea and in the design of specific Projects within Veridea.

3.1.2 In order to achieve these Guiding Principles, Veridea shall be developed as Sustainable Zones, as described in Table 1, in accordance with the SD Plan and the Sustainability Standards. In accordance with UDO 2.3.16 F) 2), Sustainability Standards include natural and cultural resource standards, transportation infrastructure standards, utility infrastructure standards, energy standards, community design standards, and building standards. Additional, modified or elective Sustainability Standards shall be adopted in accordance with UDO 2.3.16 F) 3). Sustainability Standards contemplated for Veridea shall include an Environmental Enhancement Plan and may include additional plans as follows:

Sustainability Standards	Authority	When Adopted
SD Plan	UDO 2.3.16	Rezoning
Environmental Enhancement Plan	UDO 2.3.16 F) 3) b)	Prior to first site plan or subdivision plan
Pattern Book	UDO 2.3.16 F) 3) a)	With first site plan
Transportation Demand Management Plan	UDO 2.3.16 F) 3) a)	With first site plan that deviates from UDO standards related to parking
Parking Management Plan	UDO 2.3.16 F) 3) a)	With first site plan that deviates from UDO standards related to parking

Additional Sustainability Standards	UDO 2.3.16 F) 3) a)	As appropriate, subsequent to rezoning
Elective Sustainability Standards	UDO 2.3.16 F) 3) c)	

Figure 1. Sustainability Standards in Veridea

3.1.3 In addition to the total authorized development authorized by this SD Plan, a minimum of 250 acres of land, in varying locations and varying scales and forms, shall be designated by the Responsible Person during the site plan and subdivision approval process as follows:

a. 100 acres shall be designated for Resource Conservation Area.
b. Sufficient acreage shall be designated to accommodate the recreation requirements specifically set forth in Article 3.4.2.2; and
c. 150 acres less the acreage sufficient to accommodate the recreation requirements of Article 3.4.2.2 shall be designated for Open Space, Public Space, and Civic Space. Civic Buildings dedicated to government, transit or parking and any portion of the respective lot not routinely accessible to the public shall not be included in the acreage designated pursuant to this subsection. Civic Buildings dedicated to arts, culture, education and social activity and any portion of the respective lot routinely accessible to the public shall be included in the acreage designated pursuant to this subsection. Any privately-owned or operated buildings located in an Open Space zone and any portion of the respective lot not routinely accessible to the public shall not be included in the acreage designated pursuant to this subsection.

3.2 SUSTAINABLE FRAMEWORK

3.2.1 The Veridea Sustainable Development District is utilized for Veridea to create a framework for compact and connected Sustainable Urbanism. In view of its scale and the Guiding Principles, the Veridea Sustainable Development District is distinguished from the other districts within the UDO and offers an additional lifestyle choice to Apex for current and future residents. Because technology and the laws and regulations affecting sustainability are evolutionary, the SD Plan recognizes the need to enable Anticipatory Design and to maintain flexibility in order to incorporate and adapt to future best practices.

3.2.2 In view of the Guiding Principles, the Goals of Veridea are intended to capture the spirit and intent of sustainability in order to achieve the following desired results:

a. Economic Value
    i. Create a model community of Sustainable design.

ii. Create a framework for the next generation version of the Research Triangle Park that is a vibrant, urban, mixed-use transit-oriented community.

b. Energy
   i. Pursue renewably sourced energy supplies.
   ii. Maximize energy efficiency.
   iii. Pursue energy opportunities presented by the evolving regulatory landscape and emerging renewable energy technologies.

c. Water
   i. Release to the ecosystem only water that is clean and healthy.
   ii. Treat water as a precious resource by conserving and reusing it to the maximum extent practicable.

d. Community
   i. Create a world class model of a safe, healthy, delightful, Sustainable mixed-use urban environment that enables the community to live, work and play.
   ii. Facilitate a mix of housing types, sizes and tenure options that allow all members of society to remain part of the community throughout the human life cycle.
   iii. Establish a full-service pedestrian-friendly transit-oriented community that respects and encourages wellness and safety.
   iv. Establish a community that respects the history of Apex and compliments and expands its existing community infrastructure.
   v. Set aside Open Space and Civic Space throughout the community.
   vi. Reduce, re-use and recycle construction and demolition materials whenever practicable.

3.3 DEVELOPMENT APPROVALS

3.3.1 Site Plans

a. The approval of site plans within the Development shall comply with the procedures and standards of UDO 2.3.6 except as modified in the SD Plan.

b. Within the Development, notwithstanding any provision of UDO 2.3.6 D) 2), only those individual site plans that propose 100,000 square feet or more of nonresidential floor area or 200 residential units or more shall be considered Major Site Plans and shall be processed and reviewed in accordance with UDO 2.3.6 D) 3). Notwithstanding UDO 2.3.6 D) 2) a), multiple site plan applications within any three year period for one property, or portions of the same property, or neighboring properties if owned by the same entity, shall be considered as individual site plans for the determination of the existence of a Major Site Plan and shall not be considered cumulatively for any purpose. All other site plans within the Development, shall be considered Minor Site Plans and shall be processed and reviewed in accordance with UDO 2.3.6 D) 1).

3.3.2 Subdivision Plans

The approval of subdivision plans shall comply with the procedures and standards of UDO 2.3.7 except as modified in the SD Plan. A minor Subdivision Plan, for the purposes of UDO 2.3.7 G), shall be defined as a division of a tract or parcel into fewer than 200 lots. In approving a major Subdivision Plan, the Town Council shall find that the area of the proposed subdivision will be adequately served by public fire and law enforcement personnel.

3.3.3 Written Statement from Responsible Person Required; Noncompliance

Any site plan or Subdivision Plan submitted to the Town for approval for a Project to be undertaken by a party other than the Responsible Person must be accompanied by a written statement from the Responsible Person indicating its approval of the Project. Such written statement shall also state the authorized development allocated to the Project (i.e., number of dwelling units and/or square feet of non-residential Retail, Office and/or Industrial Uses) as well as the development fee credits, if any, other credits, and/or liabilities and responsibilities assigned to or assumed by the Project.

Any event of non-compliance with any requirement of this SD Plan or the UDO that relates solely to a Project or Projects within Veridea shall not be attributed to Veridea as a whole, but rather shall be attributed only to that Project or Projects, such that any enforcement action taken by the Town shall be limited to the Project or Projects at issue.

In addition to any other remedy that may be available to the Town, if a violation of this SD Plan, Town Standards, Sustainability Standards applicable to Veridea or the UDO remains in existence with respect to a Project or Projects or a distinct area within Veridea after the Town complies with the procedures of UDO 11.5, the Town may withhold the issuing, approving or granting of grading permits, building permits, certificates of compliance or occupancy, site plans, subdivision plans or plats and other permits or approvals for the Project or Projects or distinct area in issue until the non-compliance is corrected and cured.

In addition to any other remedy that may be available to the Town, if a violation of this SD Plan, Town Standards, Sustainability Standards applicable to Veridea or the UDO which applies to Veridea as a whole remains in existence after the Town complies with the procedures of UDO 11.5, the Town may withhold the issuing, approving or granting of grading permits, site plans and subdivision plans or plats throughout Veridea until the non-compliance is corrected and cured.

3.3.4. Additional, Modified and Elective Sustainability Standards

All of the provisions of the SD Plan, including those related to development approvals, may be affected by any standards applicable to SD-CZ districts that may be adopted at any time or from time to time by the Town Council in accordance with UDO 2.3.16 F) 3). Upon the consent of the Responsible Person, any Sustainability Standards adopted or modified by the Town

Council in accordance with the provisions of UDO 2.3.16 F) 3) a), b) or c) shall apply to subsequent site plans and Subdivision Plans and be incorporated into the SD Plan. The Environmental Enhancement Plan shall be the sole required additional Sustainability Standard under this SD Plan and shall be adopted pursuant to UDO 2.3.16 F) 3) b).

3.3.5. Encroachment Agreements

Notwithstanding any other provision in this SD Plan, any encroachment into a Town of Apex right-of-way or easement requires an encroachment and maintenance agreement with the Town before such encroachment is made.

3.4 RESOURCE CONSERVATION – NATURAL AND CULTURAL RESOURCE STANDARDS

3.4.1 General

The natural and cultural resource standards set forth herein, as a component of the Sustainability Standards, provide certain community resources and conserve and protect natural and cultural resources and the quality of the water, land, and air within Veridea.

As set forth in Article 3.1.1 of the SD Plan, Veridea will be developed in view of the Guiding Principles over time according to evolving criteria that will define accepted and attainable sustainable development practices at the time of site plan or Subdivision Plan submission. As set forth in Article 3.1.2 and elsewhere within the SD Plan, Veridea shall include both Open Space, as an independent zone, and Developable Areas, generally identified as Sustainable Development Zones. Accordingly, Environmental and Natural Resource Protection Standards and Community Resource Standards shall vary as to those that apply within the Open Space zones, and those that apply within the Sustainable Development Zones. Further, due to the different levels of development within each Sustainable Development Zone, the Environmental and Natural Resource Protection Standards and Community Resource Standards shall vary with the level of development intensity within each zone. Also as set forth in Article 3.1.1 of the SD Plan, development standards are intended to be flexible in order to anticipate future trends and technologies, and yet acknowledge that future technologies and practices are unknown.

The provisions of Section 9 (d) of Session Law 2006-246, which provide a landward setback of 30 feet for built upon areas adjacent to certain surface waters, shall be applicable to Veridea except to the extent exceptions are granted by the Town Council in accordance with Section 11 (a) of such Session Law. Otherwise, UDO 6.1 shall apply until the Environmental Enhancement Plan is adopted by Town Council in accordance with UDO 2.3.16. F) 3) b).

3.4.2 Community Resource Standards

Veridea will achieve intensity of development within an environment of Sustainability.

3.4.2.1. Parks, Recreation and Open Space

All of the landscape that comprises Veridea will be purposefully designed to achieve a wide range of Goals to achieve Sustainability. The scale of Veridea's Parks will vary from small urban greens and squares, to active recreation areas with playfields, to natural preserve areas conducive to passive recreation. Within each Park, recreation, and open space site setting, appropriate human activity, from the passive to the most active, will be accommodated. Parks may be publicly or privately owned as determined at the time of site plan or Subdivision Plan approval, however only public parks will count toward recreation requirements. As Veridea is developed, land shall be dedicated for parks, recreation, and open space or fees in-lieu paid with respect thereto as contemplated by UDO 7.3.1 and 7.5.9 B). At any time, the Town Council and the Responsible Person may agree upon a plan or plans that deal with parks, recreation and open space for all or any portion of Veridea.

3.4.2.2. Specific Recreation Requirements

In accordance with the above and consistent with other requirements of the SD Plan, the Developer shall, at a minimum, dedicate land parcels to accommodate the following: i) four (4) lighted regulation softball fields in keeping with the standards of the American Softball Association (ASA) Men's Slow-Pitch Open Division; ii) six (6) lighted tennis courts in keeping with the standards of the United States Tennis Association (USTA); iii) a 22,500 square foot community center consistent with phase 1 of the existing community center at 53 Hunter Street, Apex, North Carolina; and iv) a dog park of at least one (1) acre. The Responsible Person shall have the discretion to disperse items i – iv and any part of items i or ii. No later than at the time 1000 residential units have received building permits, the Responsible Person shall submit to the Town Council for approval a Master Parks Plan depicting the location of the land parcels associated with items i, ii, iii and iv. The land parcels for items i, ii, iii, and iv shall be dedicated to the Town no later than at the time 2000 residential units have received building permits. Once the Master Parks Plan has been approved, any portion of the remaining obligation under Article 3.4.2.1. may be satisfied, at the election of the Responsible Person, by the payment of fees in lieu pursuant to UDO 7.3.1, which shall be utilized by the Town as soon as practicable for the foregoing construction of items i, ii, iii and iv.

The Responsible Person shall receive credits from the Town Council against fees in lieu payable under UDO 7.3.1 for the value of any historic or

cultural resource sites or facilities dedicated to and accepted by the Town and for amounts which it expends in developing and improving land for parks, recreation and open space pursuant to the recommendation of the Parks, Recreation and Cultural Resources Advisory Commission and approval by Town Council. Notwithstanding the foregoing sentence, any dedicated historic or cultural resource sites or facilities for which the Responsible Person receives credits against fees in lieu cannot be credited toward the RCA requirement set forth in Article 3.4.3 hereof.

3.4.2.3. Greenways

The Development will provide easements for Town of Apex greenways generally consistent with the current Parks and Recreation Master Plan. To the extent practicable, greenways will be constructed to Town Standards and located along stream corridors and within Open Space and easements. In cases where greenways generally follow public rights-of-way, greenways may be either constructed as a multi-use trail in lieu of a sidewalk, or when located within more urban areas, as pedestrian-oriented streetscapes containing both hardscape elements (including but not limited to sidewalks, decorative lighting, street furniture, and fountains) and street tree plantings which do not have to meet typical island widths or sizes. Greenways may be located within existing and future utility easements. Greenways may be publicly or privately owned as determined at the time of site plan or Subdivision Plan approval. Greenways may be dedicated to the Town as linear Parks, subject to the Town's approval.

3.4.2.4 Public Schools

The Development shall make available for purchase or lease by a School Authority three (3) Public School sites within Veridea, each having a minimum size of five (5) acres. Unless earlier purchased or leased by a School Authority, one (1) of such school sites shall be reserved by the Responsible Person upon the issuance of the 2,000th residential building permit within Veridea, and a similar reservation shall occur on the issuance of each of the 4,000th and 6,000th residential building permit within Veridea. Each area reserved should meet site design standards of a School Authority. Each such reservation shall exist for a period of ten (10) years, and during such period no permanent construction shall occur within the area reserved. The Public Schools constructed upon the areas so reserved shall be of a compact urban form and design appropriate for Veridea and meeting the standards of the State or the School Authority. There may be arrangements with the Town for the shared use of recreational facilities.

3.4.3 Resource Conservation – Environmental and Natural Resource Protection Standards

3.4.3.1 Resource Conservation Area ("RCA")

UDO 8.1, Resource Conservation, and other provisions of the UDO dealing with RCA not otherwise specifically dealt with in this SD Plan shall apply to the Development until the Environmental Enhancement Plan is adopted by Town Council in accordance with UDO 2.3.16.F) 3) b), except as follows:

a. UDO 8.1.2 A) shall apply to the Development as a whole as opposed to individual site plans or Subdivision Plans.

b. UDO 8.1.2 B) 2) f) shall not apply.

c. The maximum impermeable surface area shall be as listed in Table 14.

d. Notwithstanding UDO 8.1.3, Tree and Vegetation Conservation, the requirements for conservation of existing trees and vegetation and new landscaping requirements are set forth in Article 5.9 of the SD Plan.

e. Not including the land parcels to be dedicated to the Town pursuant to SD Plan 3.4.2.2, both: i) Open Space, excluding Civic Buildings and all associated parking, municipal parking lots, and parking associated with Open Space that exceeds the direct needs of such Open Space; and ii) recreation area provided in Public Space or Civic Space within the Development including, but not limited to, open space, pools, tennis courts, tot lots, ball fields, and village greens shall be allowed to be counted as partial credit toward the RCA requirement. The credit for such area shall be 50% of the area provided. (For example, 1 acre of area shall count as 0.5 acres of RCA) In order to qualify as RCA, the area must be located on a lot 0.5 acre or larger in size.

f. Notwithstanding UDO 8.1.2 A) 1) d), the provision of off-site RCA shall be provided at the same rate as the on-site RCA, and off-site RCA may be provided in lieu of on-site RCA.

3.4.3.2 Water

a. Stormwater Management

The Goals of Stormwater Management within Veridea are as follows:

i. Reducing pollutants to protect surface water bodies;
ii. Promoting recharge of ground water resources;
iii. Eliminating flooding within the Development and downstream;
iv. Enhancing safety and aesthetics for the public; and
v. Creating wildlife habitats and educational opportunities.

Specific stormwater management standards, technologies, devices and control structures for the Development shall work interdependently and holistically with the built and natural environment both on-site and off-site. The standards for Veridea's stormwater management shall be in

accordance with Town Standards. Further, to the extent practicable, low impact development ("LID") techniques such as bio-swales, vegetated channels, pervious pavement where appropriate, rainwater harvesting and "green" roofs to convey and treat runoff, may be used within the Development to the maximum extent practicable, based on the best available technology and research at the time of site plan and/or Subdivision Plan submission.

b. Water Conservation

The Goals of water conservation within Veridea are as follows:

i. Reducing per capita water use while retaining attractive landscapes;
ii. Protecting ground and surface water supplies from unsustainable depletion;
iii. Eliminating unnecessary waste in water use practices;
iv. Reducing wastewater treatment volume and associated municipal expenditures; and
v. Promoting the increased use of re-use water for irrigation.

Water conservation standards within the Development shall be in accordance with the Town of Apex Water Conservation Ordinance. Landscape plant materials shall be in accordance with NCDENR or North Carolina Cooperative Extension standards for drought tolerant, native species. Only re-use water, where practicably available, shall be used for landscape irrigation; however, where re-use water is not available, potable water use for landscape irrigation shall be used in accordance with the Town of Apex Water Conservation Ordinance.

c. Surface Water Enhancement

Encroachment on streams and associated riparian buffers will be unavoidable in some places in order to accomplish the Goals in light of the Guiding Principles. However, the Environmental Enhancement Plan, in accordance with 3.4.1 of the SD Plan, will be developed to provide for the protection and enhancement of the aquatic function of the surface water resources within the Development.

The Environmental Enhancement Plan will address surface water enhancement with the following objectives:

i. Maintaining water quality by capturing or controlling sediment, nutrients, and other pollutants to an extent that is equal to or better than would be the case if the encroachments did not occur;
ii. Maintaining the hydraulic conditions downstream to ensure that post-development peak flows do not exceed pre-development flows for the 1-year, 24-hour and 10-year, 24-hour storms, stream

channel stability is maintained or improved, increased sedimentation of the stream bed is avoided, and no increase in downstream flooding occurs;

iii. Maintaining or enhancing the aquatic ecosystem in order to restore or improve biodiversity;
iv. Augmenting low flow in order to improve downstream aquatic habitat;
v. Providing space and ecological conditions that maintain or enhance wildlife habitat and travel corridors;
vi. Constructing wetlands or enhancing naturally occurring wetlands; and
vii. Enhancing public use and enjoyment of the natural systems will be considered during the planning process.

3.4.3.3 Land

a. Sedimentation and Erosion Control

The Goals for sedimentation and erosion control are as follows:

i. Minimize disturbance to vegetation and soils;
ii. Minimize runoff and diversion;
iii. Minimize the need for additional storm drainage facilities;
iv. Reduce sedimentation; and
v. Prompt restoration after land clearing and grading.

Land disturbing activity within the Development shall comply with the Town of Apex Soil Erosion and Sedimentation Control Ordinance, as amended from time to time. The Town's standards related to the design of erosion and sedimentation collection devices for the 25-year storm and for the provision for 3,600 cubic feet per disturbed acre in sediment basins shall be implemented in the Development unless alternative design standards that are the functional equivalent or better are proposed by the Developer and approved by the TRC.

b. Waste Minimization

The Goals of waste minimization within Veridea are as follows:

i. Minimize the volume of demolition and construction waste generated in the Development;
ii. Distinguish between useful or reusable resources in demolition materials and waste materials from demolished buildings; and
iii. Expand the market for recycled construction and demolition materials.

The waste minimization standards shall support the following solid waste goals identified in the Wake County Environmental Stewardship Agenda, adopted by the Wake County Board of Commissioners February 21, 2005

and as may be amended from time to time:

i. Ensuring a solid waste management system for waste reduction, reuse and recycling to the maximum extent practicable;
ii. Providing convenient opportunities for residents, institutions, and businesses to recycle a full range of marketable materials (including yard debris), and to properly dispose of waste requiring special handling (e.g., used motor oil, household hazardous wastes, pesticide containers, automobile batteries, electronic waste, and others);
iii. Offering incentives, disincentives, and policies that motivate residents, businesses, and institutions to reduce and recycle waste, including institution of a countywide construction and demolition debris mandatory recycling ordinance;
iv. Devising an efficient recovery and processing infrastructure with the capacity to collect and divert from disposal all recyclable materials that have reliable market outlets;
v. Supplying accessible, user-friendly information to all citizens on how to reduce and recycle waste in their homes, places of work, and places of learning;
vi. Devising an expanded recycled products purchasing program with formal policies on procurement of products with recycled content and other "green" products by participating Wake local governments; and
vii. Working with Environmental Education and Environmental Information Providers to develop effective programs and services for a variety of County audiences on the importance of reducing, reusing, and recycling solid waste; buying recycled products and creating new and local markets; and reducing personal consumption and/or disposal of material goods and/or packaging.

Specifications of building and site work material may include recycled content requirements consistent with industry standards, including but not limited to, aggregate base and sub-base materials, asphalt, concrete, and finishes.

3.4.3.4 Air

The SD Plan for Veridea is grounded in the belief that the most effective planning Strategy to reduce greenhouse gas emissions is the pursuit of a dense, mixed-use, walkable and ultimately transit-oriented development. Greenhouse gas emissions are associated with both transportation and the total energy demands of the built environment. By targeting the expected growth within an area that can be served best by the municipality's ability to provide and afford municipal services, by balancing the land uses within the community, and by designing the community in conjunction with multi-modal transportation, a walkable, livable community such as Veridea can be created as a model of Sustainability.

Further, the creation of such a community concentrates development and attracts development that otherwise would occur outside of Veridea in a

sprawl-like manner that is inherently less Sustainable.

The SD Plan recognizes that the technologies and practices associated with the reduction of greenhouse gas emissions are evolving. Accordingly, in recognition of the impacts of greenhouse gas emissions and in an effort to minimize such emissions, transportation planning at all scales shall be approached and implemented in a manner that encourages the pattern of development defined within the Sustainable Development Plan.

The Goals for Air Quality within Veridea are as follows:

a. Establish a connected circulation plan that uses an integrated network of Thoroughfares, sidewalks, and paths linked to land uses with convenient access to alternative modes of travel including rail, bus, and walking to increase community internal trip capture and reduce vehicular trip generation and vehicle miles traveled in order to lower overall emissions and traffic congestion in otherwise heavily traveled areas.

b. Incorporate Transit Oriented Development in conjunction with a parking management Strategy within a mixed-use community, linked to a growth area to increase pedestrian and bicycle traffic, and transit share while reducing vehicle miles traveled.

c. Provide open space and landscaping within the Development to maintain a significant carbon absorbing medium.

d. To the extent practicable, comply with applicable EPA emission goals for the operation of non-road diesel engines.

3.5 TRANSPORTATION INFRASTRUCTURE STANDARDS

3.5.1 General

The transportation infrastructure standards set forth herein, a component of the Sustainability Standards, shall adhere to the Principles described and depicted throughout this Sustainable Development Plan.

Transit Oriented Development in conjunction with a parking management Strategy within a mixed-use community, linked to a growth area, has been proven to be very effective in increasing pedestrian and bicycle traffic and transit share while reducing vehicle trips and vehicle miles traveled. By establishing a connected circulation plan that uses an integrated network of Thoroughfares, sidewalks, and paths linked to land uses with convenient access to alternative modes of travel including rail, bus, and walking, community internal trip capture is significantly increased. One significant advantage of Sustainable Urbanism is that it reduces sprawl and the need to drive. Reduction in vehicular trip

generation and vehicle miles traveled lowers overall emissions and limits traffic congestion in otherwise heavily traveled areas. A second significant advantage of a connected circulation plan is that public safety is enhanced when the plan is based upon an integrated network of Thoroughfares that provides alternative routes from one destination to another, and that is designed to industry recognized criteria to reduce the performance speed of Thoroughfares and provides enhanced pedestrian safety.

a. Transportation Demand Management Plan

The SD Plan incorporates TDM strategies into the plan. The SD Plan provides for a compact mixed-use development with an efficient, connected multi-modal transportation network, key components of any TDM plan. The integration of land use and transportation decisions increases travel efficiencies and change travel behavior. This results in less auto dependence and an increase in use of other modes of transportation. TDM strategies will be applied to all levels of the land development process including long-range actions implemented after the land is developed. The Responsible Person shall prepare a Transportation Demand Management Plan outlining transportation options and incentives to be reviewed and, if feasible, developed, and setting the strategic framework for implementation. The options to be reviewed include:

i) Ridesharing;

ii) Telecommuting/flex time;

iii) Bicycle and pedestrian planning;

iv) Park and ride facilities;

v) Parking management;

vi) Shuttle bus;

vii) Bus/bus rapid transit;

viii) Car sharing; and

ix) Regional public transit.

The TDM Plan shall be submitted by the Responsible Person for approval by the Town, in accordance with UDO 2.3.16 F) 3) a) prior to or concurrent with the submittal of the first site plan that varies any standards related to parking set forth in the UDO. In accordance with UDO 2.3.16 F) 3) a) and the provisions of UDO 2.3.2 applicable to amendment to text, the TDM Plan may be updated or modified as the build-out of the Development occurs. Because preparation of the TDM Plan is triggered by the occurrence of development within Veridea, the TDM Plan is not required for the purposes of UDO 2.3.16 F) 3) b).

Parking planning and management refers to various policies and programs that result in more efficient use of parking resources. It recognizes that too much parking supply can be as damaging as too little and seeks to provide an optimal parking supply. A Parking Management Plan will be utilized in the B-Grid and

NG Zones. The plan shall address spillover parking for Commercial uses when located near single family development. The plan shall be submitted or updated as needed for site plans in the B-Grid and NG Zones.

3.5.2 Alternative Thoroughfare Standards

a. Thoroughfares shall conform to the *Apex Transportation Plan* to provide for the appropriate projection of principal streets in surrounding areas to permit reasonable access for surrounding properties. The exact placement of the streets and Thoroughfares within the plan may be adjusted. In areas within the Development, Thoroughfares shall be designed and located in proper relation to existing and proposed streets, to the topography of the area, and to natural features.
b. Thoroughfares in their construction shall conform to Town Standards except as noted within the SD Plan. Exceptions to Town Standards set forth in the SD Plan may be used by right, as an alternative to the Town Standards available. Exceptions are as listed hereafter or as provided elsewhere in this SD Plan:

    i. Section 3 *Streets of the Standard Specifications* shall apply except for the dimensional and other standards of 3.02b *Pavement & Right-of-Way Widths*, 3.02d *Radii of Curvature* and 3.02e Tangents, all of which shall be modified by the SD Plan, including but not limited to Tables 3A, 3B, 4A, 4B, and 4C, subject to TRC review and approval as to their application within the site plans or Subdivision Plans.
    ii. The dimensional standards of Standard Detail Number 3.01 *Street Typical Sections*, Sheets 1 through 4 shall be modified by this Sustainable Development Plan and Tables 3A, subject to TRC review and approval as to their application within the site plans or Subdivision Plans.
    iii. The location of utilities as shown on Standard Detail Number 3.10 *Standard Street Cross Section Showing Utility Locations* may be adjusted to permit street trees and utility locations in the Rear Alleys and Rear Lanes. Due to the anticipatory nature of the design of the Development, additional utilities, both public and private, may be incorporated into the right-of-way as the technology becomes available. Regulated utilities shall be permitted within the Thoroughfare right-of-way to include the District Utility Zone as illustrated in Table 4D.
c. In the event that Thoroughfares as identified in Table 4C do not meet the approval of the North Carolina Department of Transportation (“NCDOT”) for the design of thoroughfares under NCDOT’s jurisdiction, an alternative acceptable to the Responsible Person, the TRC and NCDOT may be utilized.
d. Thoroughfares shall be included as part of each Sustainable Zone.

e. Thoroughfares should be laid out in such manner as to encourage the flow of vehicle traffic at very low to low design speed, except upon major Thoroughfares, and to encourage pedestrian circulation. Public Sidewalks shall be required along all public streets except when the TRC approves an alternative plan during the site plan and construction plan review process upon its determination that the alternative plan, viewed in the context of surrounding development, adequately accommodates pedestrian connectivity. The street classifications shown on Tables 4B and 4C shall be used as guidance for sidewalk placement when possible. If determined by the TRC to provide an equal or better pedestrian system, Bicycle Trails may be allowed in lieu of some sidewalks within the Development. In addition to the requirements of Articles 3.5.1 and 3.5.2.b, the layout of thoroughfares and intersections will reasonably allow for emergency vehicle access. This may require an evaluation of emergency routes and turning radii during the site and construction plan review process. The TRC may consider alternative design elements and refer to third party published sources of information in order to minimize impacts to the intended character of the Development while accommodating emergency vehicles.

f. Private Thoroughfares and sidewalks may be allowed for Commercial, Manufacturing, and multi-family residential uses that conform to widths shown in Tables 4B and 4C, provided however that a five (5) foot public access easement will be provided on all private sidewalks fronting public Thoroughfares.

g. Rear Alleys and Rear Lanes shall be allowed that conform to widths shown in Tables 4B and 4C. Where required for public access and public utilities, continuous and/or crossing easements shall be provided for private Thoroughfares and/or sidewalks.

h. Right-of-way widths may be adjusted to the back of curbs during the site plan and construction plan review process. If the right-of-way does not extend beyond the back of curbs, public access and utility easements shall be provided to cover areas along the public street and Thoroughfare that allow for safe and adequate pedestrian flow and maintenance areas.

i. Design Standards for thoroughfare assemblies with reverse curves shall comply with the AASHTO Policy on Geometric Design of Highways and Streets, latest edition.

j. Thoroughfare standards may, at the election of the Responsible Person, include additional or elective regulations and standards, if any, adopted at any time and from time to time by Town Council in accordance with UDO 2.3.16 F) 3) a) or 2.3.16 F) 3) c).

3.5.3 Traffic

a. The Development and each Project will be designed to:
    i. Reduce vehicle miles traveled;
    ii. Increase share of alternative modes of transportation;
    iii. Reduce external trips; and

iv. Facilitate and encourage pedestrian and bicycle traffic.

b. Master Traffic Impact Analysis: A Master Traffic Impact Analysis ("Master TIA") will be prepared for Veridea. The Master TIA will address the maximum densities and allowable building square footage of various uses in the SD Plan along with recommended off-site thoroughfare improvements at the build-out of Veridea. Thoroughfare and associated improvements beyond those recommended in the Master TIA that are outside of the study area will be the responsibility of other developers or entities. Thoroughfare and associated improvements required as a direct result of other developments or background growth outside the scope of the Master TIA shall not be the responsibility of the Developer. However, internal improvements needed to serve site plans within Veridea will be identified when additional analyses are conducted.

The Developer shall provide Thoroughfare and associated improvements as recommended in the Master TIA. Additional traffic impact analyses ("TIAs") will be conducted for each major site plan or major Subdivision Plan required to serve Veridea, and Section 13.19 of the UDO shall be used as a guide for preparing the TIAs. TIAs shall be performed only for projects meeting the major site or subdivision plan threshold set forth in Article 3.3.1.b hereof. The study area of each TIA shall encompass all necessary street intersections internal to the Development but shall rely on the Master TIA for improvements along NC 55 and the proposed interchanges on the Triangle Expressway and US 1 external to the Development.

The Town shall have no obligation to provide financial assistance for the planning, design, permitting, acquisition of right of way, or construction of the following roadway improvements: i) those identified in the Master TIA; ii) those identified in the Article 3.5.5.a-g hereof; and iii) those identified in subsequent TIAs for each major site plan or major Subdivision Plan. Notwithstanding the foregoing, it is acknowledged that the Town may provide right of way that it currently owns for the new US 1 Interchange identified in the Master TIA and shown on the Town's Thoroughfare Plan.

c. Public Transit: A Regional Public Transit System may be accommodated and encouraged within the Development. Bus circulation shall be accommodated and encouraged within the Development. Optimally, the pedestrian network will provide direct pedestrian links from the proposed residential units, Offices and other commercial buildings to designated transit stops. Triangle Transit standards for bus stop amenities shall serve as a guideline. Access to the Regional Public Transit System by the adjacent pedestrian and bicycle network and park and ride facilities is an important component of the transit system. As noted in SD Plan 3.5.1.a, the TDM Plan will address bicycle and pedestrian planning as well as park and ride facilities.

d. Land Reservation: Land shall be reserved for the future Regional Public Transit System within Veridea. With regard to the Regional Public Transit System alignment and associated rights of way ("ROW") outside of Veridea, the location along Veridea's perimeter where the Regional Public Transit System will enter and exit Veridea in the vicinity of the interchange of US 1 with the Triangle Expressway will be determined by Triangle Transit, and/or other regional transit organization, and/or the Town. As Veridea is developed, site plans and Subdivision Plans will be shared with Triangle Transit, and/or other relevant regional transit organization, to assist such entities in the planning for and selection of the final alignment of the Regional Public Transit System.

The reservation of land to accommodate the Regional Public Transit System will be made as follows:

i. Land shall be reserved in a manner consistent with the development pattern of the Sustainability Zone in which it resides, and may overlap dedications made for other public uses such as Thoroughfares and utilities as long as the overlap is not contrary to sound planning and engineering practice that ensures that the reservation and dedication are sufficient for all planned infrastructure;
ii. Reservation shall include an area for transit station functions which shall be located within a UC zone, and shall be reserved in a manner that is in keeping with an urban development pattern of that zone as defined by the SD Plan, and may overlap reservations and, dedications made for other public uses such as Thoroughfares and utilities as long as the overlap is not contrary to sound planning and engineering practice that ensures that the reservation and dedication are sufficient for all planned infrastructure;
iii. Determination of the form, character, location, and relationship to adjacent development, relationship to other reservations and/or dedications and dimensions shall occur during site planning jointly by the Responsible Person, the TRC or Town Council, as appropriate.
iv. The reservation of land will prohibit permanent development within the designated reserve area until 2035 at which time, if there are no plans that financially commit the Triangle Transit, and/or other regional transit organization, and/or the Town to implement a regional rail plan that includes the Development, the Responsible Person may consider the reservation null and void.
v. Land reserved hereunder will be dedicated to Triangle Transit, and/or other regional transit organization, and/or the Town once the applicable entity secures funding and commits to construct the Regional Public Transit System within the Development.

vi. Buildout of any of single land use of the three (3) uses identified in Article 4.2.2.b.i-iii shall not exceed 85% of the total authorized development for the respective use, unless Town Council otherwise approves in accordance with UDO 2.3.16 F) 3) a), until the commencement of a Regional Public Transit System that will serve Veridea.

3.5.4 Schedule of Installation

Transportation infrastructure shall be completed in accordance with UDO 7.5.9. For the purposes of UDO 7.5.9, vertically-integrated residential and non-residential uses will be considered non-residential.

3.5.5 Phasing of Traffic Infrastructure

Traffic infrastructure shall be developed as build-out of Veridea occurs, as set forth herein. Percent build-out of "any single land use" refers to a percentage of building permits for residential dwelling units or certificates of occupancy for non-residential uses for the three (3) different uses identified in Article 4.2.2.b.i– iii hereof.

a. NC 55 at US 1 Northbound Ramps

Veridea shall not exceed 10% build-out of any single land use until the northbound inside right turn lane on NC 55 at US 1 is extended back to the intersection with Lufkin Road.

b. NC 55 at Lufkin Road

Veridea shall not exceed 10% build-out of any single land use until the third (3rd) northbound through lane on NC 55, starting at least 500 feet in advance of Lufkin Road, is constructed.

c. NC 55 at Lufkin Road Connector (Pristine Water Drive)/Site Access 1

Access shall not be granted to NC 55 through the fourth leg of the intersection across from the Lufkin Road Connector/Pristine Water Drive (Site Access 1) until the Lufkin Road Connector and Pristine Water Drive are complete and open to traffic. The Lufkin Road Connector includes a new location extension to Lufkin Rd and paving of Pristine Water Dr with improvements according to the Master Traffic Impact Analysis (Master TIA) including a landscaped median-divided cross section on NC 55 with a traffic signal.

d. Site Access 2, 3, 4, 5, 6, and 7

Access shall not be granted to NC 55 through Site Access 2, 3, 4, 5, 6, or 7 until improvements according to the Master TIA at the corresponding access are constructed including a landscaped median-divided cross section on NC 55.

e. NC 55 at Jessie Drive Extension

Access shall not be granted to NC 55 through Jessie Drive extension until improvements for Veridea according to the Master TIA are constructed including a landscaped median-divided cross section on NC 55 and a traffic signal.

f. NC 55 at Technology Drive

Access shall not be granted to NC 55 through Technology Drive until Technology Drive is widened to four-lane divided roadway and the departing second (2nd) eastbound through lane along NC 55 Business is constructed for a minimum of 1000 feet prior to the lane drop. In addition, access shall not be granted to NC 55 through Technology Drive until a second (2nd) northbound left turn lane and second (2nd) southbound left turn lane on NC 55 is open to traffic.

g. Perry Road at US 1 Interchange and Old Holly Springs Apex Road at Triangle Expressway Interchange

i. Veridea shall not exceed 15% build-out of any single land use until either the interchange of Perry Road at US 1 or the interchange of Old Holly Springs Apex Road at Triangle Expressway is open to traffic.

ii. Veridea shall not exceed 50% build-out of any single land use until both the interchange of Perry Road at US 1 and the interchange of Old Holly Springs Apex Road at Triangle Expressway are open to traffic.

iii. The Responsible Person shall coordinate with the NC Department of Transportation (NCDOT) and the Town of Apex to determine the appropriate phasing of completion of the ultimate lane geometry and signalization at the ramp termini as recommended in the Master TIA. The phasing plan for the ultimate build-out of improvements shall be determined through subsequent site plan and subdivision plan TIAs referenced by 3.5.3.b.

3.6 UTILITY INFRASTRUCTURE STANDARDS

3.6.1 General

Water and sanitary sewer lines with connections to municipal systems, adequate drainage system for the proper drainage of all surface water, and dry utilities, including but not limited to, electrical distribution, natural gas, and telecommunication lines shall be provided in accordance with the Town Standards, unless otherwise noted in Article 3.6.2. Dry utilities, wherever practicable, shall be installed underground.

3.6.2 Alternative Utility Standards

a. At the election of the Responsible Person, standards and requirements applicable to utilities in the Development may include any additional Sustainability Standards adopted by the Town Council in accordance with UDO 2.3.16 F) 3) a) or 2.3.16 F) 3) c).
b. Easement encroachments and shared use easements shall be allowed with the approval of the Town Council to minimize land disturbance and Thoroughfare sections, to encourage joint trenching agreements, and to maximize the beneficial use of easements for greenway trails at the time of site plan and Subdivision Plan submittal.

3.6.3 Schedule of Installation

Utility infrastructure shall be completed in accordance UDO 7.5.9. For the purposes of UDO 7.5.9, vertically-integrated residential and non-residential uses will be considered non-residential.

3.6.4 Regional Utility Standards

a. Potable Water
It is anticipated that off-site extension of existing potable water mains will be required. Within the Development, a network of potable water mains will be required. Potable water infrastructure for the Development shall be in accordance with the Town's Water Distribution System Master Plan and Cross Connection Control Ordinance (Sec. 12-156 through 166), as amended from time to time.
b. Reclaimed Water
The Developer may request that the Town apply to NCDENR for conjunctive systems permit in order to modify the Middle Creek Water Reclamation Facility ("WRF") to provide a source of reclaimed water for use within the Development. If such permit is issued, then water re-use distribution infrastructure may be provided within the Development to provide a circulation network of water for non-potable uses, including fire suppression. Standards and specifications related to reclaimed water shall comply with rules and regulations as promulgated, established and interpreted by NCDENR and Town Standards, if any. It is anticipated that any reclaimed water that is not consumed in the reuse options available will be discharged within the Development in accordance with applicable law and regulation.

If and when the Town adopts standards for the permitting, construction, modification and operation of reclaimed water distribution lines, the Town shall work cooperatively with Veridea to ensure that the standards allow for all actual or planned for uses within the Development. Should public reuse water become available to the Development through the Town of Apex, the Town specifications and details will be the authority for design, ownership and maintenance issues within Town right-of-way.

c. Sanitary Sewer
In all cases, Veridea shall follow the Town's Wastewater Master Plan, as may be amended from time to time. If a conjunctive systems permit is issued for the Middle Creek WRF as set forth in 3.6.4.b hereof, then the Town's Wastewater Master Plan may be amended to allow for wastewater generated within the Development to discharge to the Middle Creek WRF. If a conjunctive systems permit is not issued for the Middle Creek WRF, then wastewater generated within the Development shall be treated in accordance with the Town's Wastewater Master Plan.

d. Electric and Thermal
If a Renewable Energy Facility is available, distribution lines may be provided to provide an alternate source to meet power and thermal demands within the Development.

3.7 ENERGY STANDARDS

3.7.1 Renewable Energy

The Goals for the use of Renewable Energy Facilities and Renewable Energy Resources within Veridea are as follows:

i. Removing regulatory obstacles and adopting streamlined processes for the installation and safe interconnection of renewable energy technologies;
ii. Creating a receptive environment for innovative uses of Renewable Energy Facilities;
iii. Providing for use of shared non-polluting Renewable Energy Resources to reduce climate change and greenhouse gas emissions; and,
iv. Enhancing the opportunity for increased development of Renewable Energy Facilities and Renewable Energy Resources in the future to increase energy independence;

The use of Renewable Energy Facilities shall be allowed. Renewable energy standards, a component of the Sustainability Standards, shall be consistent with generally accepted industry standards and best practices, recognizing that relevant technology and standards are evolving. Such standards include, but are not limited to, priorities, standards, and practices developed by entities such as the American Society of Heating, Refrigerating and Air-Conditioning Engineers ("ASHRAE"), Environmental Protection Agency ("EPA"), and the Department of Energy ("DOE"), and requirements for interconnection and other associated safety metrics.

3.7.2 Energy Efficiency

The goals for energy efficiency within Veridea are as follows:

i. Encourage the use of energy efficient technologies and design to fully maximize the use of existing generation capacity;
ii. Encourage environmental stewardship through reduction in energy use;
iii. Encourage local investment in efficiency as a substitute for out-of-state resources;
iv. Promote an overall reduction in energy demand to ensure reliability of supply in the face of increased population and to preserve affordability in the face of rising costs imposed by carbon constraints; and
v. The improvement of energy performance by 20% compared to baseline building performance ratings per ASHRAE/ IESNA Standard 90.1-2004.

The use of technologies and designs intended to maximize energy efficiency shall be consistent with generally accepted industry standards and best practices, recognizing that relevant technology and standards are evolving. Such standards include, but are not limited to guidelines developed by the US Green Building Council (USGBC), ASHRAE, EPA, and DOE.

3.8 NO OBLIGATION

3.8.1 No Obligation

Nothing in this SD Plan obligates the Town to provide any financial assistance with respect to any infrastructure or improvements referenced herein, nor shall it prohibit the Town from doing so.

ARTICLE 4.0 COMMUNITY DESIGN STANDARDS

4.1 GENERAL

4.1.1 Development shall comply with the community design standards, a component of the Sustainability Standards, set forth in this Article.

4.1.2 Subdivision Plans and site plans shall be prepared in accordance with the SD Plan.

4.1.3 Site plans and Subdivision Plans shall designate areas and elements as follows:

a. Sustainable Zones:
   i. **OS** Open Space
   ii. **NG** Neighborhood General
   iii. **NM** Neighborhood Mixed-Use
   iv. **VC** Village Center
   v. **UC** Urban Core
b. Civic Uses; and
c. Thoroughfares.

The respective Sustainable Zones are described in Table 1.

4.1.4 It is possible that as the build out of the Development occurs, the Town Council may adopt elective regulations and standards applicable to SD-CZ districts pursuant to UDO 2.3.16 F) 3) c).

4.1.5 Open Space is one of the Sustainable Zones, and will exist both as an independent Zone as well as being integrated into and completely surrounded by other Sustainable Zones.

4.2 VERIDEA SUSTAINABLE DEVELOPMENT CONCEPT MAP

4.2.1 Veridea Sustainable Development Concept Map

Table 2 contains the Veridea Sustainable Development Concept Map (Concept Map), which depicts a concept for the development of Veridea and the conceptual location of its Sustainable Zones. The Concept Map depicts the configuration of land uses believed to be appropriate for Veridea. However, based on future planning, market and demographic conditions, the Sustainable Zones may be located anywhere within the Development as determined by the Responsible Person. The Responsible Person may revise the Concept Map from time to time and shall provide the TRC with a copy of each revision. The development of Veridea shall include the following minimum acreages with respect to the Sustainable Zones noted:

NG	Neighborhood General	75 acres
NM	Neighborhood Mixed-Use	50 acres
VC	Village Center	215 acres
UC	Urban Core	135 acres

The VC and UC Zones shall contain a minimum of 150 acres allocated as A-Grid Zones. Further, a minimum of 250 acres within Veridea shall be designated as provided in Article 3.1.3 hereof.

4.2.2 Land Use Locations and Densities

a. Land uses and Densities allowed in each Sustainable Zone are set forth in Article 7 Tables. Such land uses can be located anywhere within the respective Sustainable Zones.
b. For purposes of the SD Plan, Density is expressed in terms of housing units per acre for residential uses and as FAR for other uses as specified for the area of each respective Sustainable Zone in Table 14. The FAR for each Sustainable Zone is set as an average Density for the zone. Areas designated for Open Space, utilities infrastructure, Thoroughfares and other transportation infrastructure, such as a Regional Public Transit System, may be allocated from time to time by the Responsible Person to any other area or areas for the purpose of calculating authorized Density for the area or areas receiving the allocation. The Responsible Person shall have the authority to reallocate the authorized square footage numbers of the Non-residential Uses within Article 4.2.2.b.ii and iii on a square foot-for-square foot basis; provided, however, that the Responsible Person may only increase or decrease the Retail square footage by up to 20% subject to the limitation that the reallocation shall not result in a total daily vehicular trip generation for Veridea that exceeds the maximum daily vehicular trip generation that served as the basis for the Master TIA. Any further increase related to retail must be approved by Town Council in accordance with UDO 2.3.16 F) 3) a. In addition to the total authorized development provided below, Public, Civic, Utilities, Recreational and Lodging Uses are authorized to support the total authorized development set forth in Article 4.2.2.b.i, ii, and iii. In the event that additional parcels are incorporated into the Veridea Sustainable Development District, the total authorized development hereinafter provided shall be adjusted in accordance with UDO 2.3.16 D).

The total authorized development for the Development shall be as follows:

i.	Authorized Number of Dwelling Units (all types)	8,000
ii.	Authorized Retail Uses (gross leasable area)	3,500,000 Square Feet
iii.	Authorized Office and Industrial Uses (gross floor area)	12,000,000 Square Feet

4.2.3 The Sustainable Development Concept Map designates VC and UC zones as being either A-Grid or B-Grid. Subsequent approved site plans and Subdivision Plans shall confirm or modify such zones as called for in the SD Plan, and shall designate Thoroughfares within the VC and UC zones as being either A-Grid or B-Grid.

a. Buildings and frontages along the A-Grids shall reflect multi-modal and pedestrian standards of the SD Plan supporting pedestrian activity.

Thoroughfares within an A-Grid Zone may be developed according to B-Grid standards subject to the following special and limiting conditions:

i. Transition conditions within A-Grid Zones to adjacent B- Grid Zones; and

ii. Small internal Thoroughfares of limited length to respond to a specific condition of the site or a use. Notwithstanding these special and limiting conditions, no more than 15% of the aggregate length of Thoroughfares within an A-Grid Zone may be designated as a B-Grid and follow B-Grid standards. Location and other specifics of such B-Grid Thoroughfares shall be addressed within site plans.

b. Buildings and frontages along the B-Grids may reflect automobile- oriented standards. B-Grids may be developed in whole or in part to A-Grid standards. It is the goal that B-Grid zones eventually become redeveloped as A-Grids. Therefore, site plans for B-Grids shall reflect in their planning and site engineering this goal by:

i. Establishing a B-Grid Thoroughfare grid and therefore a block layout that can be redeveloped into smaller blocks exhibiting the characteristics of an A-Grid;
ii. Establishing the B-Grid Thoroughfares in such a manner that they can be redeveloped into A-Grid Thoroughfares and frontages; and
iii. Locating utilities and site features so that they will not prohibit the establishment of an A-Grid development pattern, and do so without significant redesign or cost impacts. Site plans for B- Grid zones shall depict both the B-Grid configuration, and conceptually reflect how the B-Grid configuration may be redeveloped into an A-Grid.

4.2.4. Development Thresholds

In order to create and maintain a mix of uses as the buildout of Veridea occurs, the following requirements shall be applicable to development within Veridea, unless otherwise provided by the Town Council at the request of the Responsible Person:

Threshold 1: Certificates of Occupancy shall not be issued for more than 10% (1,200,000 sf) of the total authorized Office and/or Industrial square footage or more than 20% (700,000 sf) of the total authorized Retail square footage unless and until building permits have been issued for dwelling units. Similarly, building permits for no more than 20% (1,600 units) of the total authorized dwelling units can be issued until Certificates of Occupancy have been issued for at least 2% (70,000 sf) of the total authorized retail square footage and 2% (240,000 sf) of the total authorized Office and/or Industrial square footage.

Threshold 2: Certificates of Occupancy shall not be issued for more than 25% (3,000,000 sf) of the total authorized Office and/or Industrial square footage or more than 50% (1,750,000 sf) of the total authorized Retail square footage until building permits have been issued for at least 5% (400 units) of the total authorized dwelling units. Similarly, building permits for no more than 37.5%(3,000 units) of the total authorized dwelling units can be issued until Certificates of Occupancy have been issued for at least 10% (350,000 sf) of the total authorized Retail square footage and 5% (600,000 sf) of the total authorized Office and/or Industrial square footage.

Threshold 3: Certificates of Occupancy shall not be issued for more than 50% (6,000,000 sf) of the total authorized Office and/or Industrial square footage or more than 60% (2,100,000 sf) of the total authorized Retail square footage until building permits have been issued for at least 15% (1,200 units) of the total authorized dwelling units. Similarly, building permits for no more than 60% (4,800 units) of the total authorized dwelling units can be issued until Certificates of Occupancy have been issued for at least 25% (875,000 sf) of the total authorized Retail square footage and 10% (1,200,000 sf) of the total authorized Office and/or Industrial square footage.

Threshold 4: Certificates of Occupancy shall not be issued for more than 70% (8,400,000 sf) of the total authorized Office and/or Industrial square footage or more than 80% (2,800,000 sf) of the total authorized Retail square footage until building permits have been issued for at least 40% (3,200 units) of the total authorized dwelling units. Similarly, building permits for no more than 80% (6,400 units) of the total authorized dwelling units can be issued until Certificates of Occupancy have been issued for at least 40% (1,400,000 sf) of the total authorized Retail square footage and 25% (3,000,000 sf) of the total authorized Office and/or Industrial square footage.

Threshold 5: Certificates of Occupancy shall not be issued for more than 85% (10,200,000 sf) of the total authorized Office and/or Industrial square footage (or more than 85% (2,975,000 sf) of the total authorized Retail square footage until building permits have been issued for at least 50% (4,000 units) of the total authorized dwelling units. Similarly, building permits for no more than 85% (6,800 units) of the total authorized dwelling units can be issued until Certificates of Occupancy have been issued for at least 50% (1,750,000 sf) of the total authorized Retail square footage and 40% (4,800,000 sf) of the total authorized Office and/or Industrial square footage.

Threshold 6: See the requirements set forth in SD Plan 3.5.3.d.vi and 4.2.2.b.

The foregoing requirements are illustrated by the tables below:

RESIDENTIAL CONTROL

	Minimum Required	
DU BP's	**Retail SF C/O's**	**O&I SF C/O's**
1 - 1,600	0	0
1,601 - 3,000	70,000	240,000
3,001 - 4,800	350,000	600,000
4,801 - 6,400	875,000	1,200,000
6,401 - 6,800	1,400,000	3,000,000
6,801 - 8,000	1,750,000	4,800,000

RETAIL CONTROL

	Minimum Required	
Retail SF C/O's	**DU BP's**	**O&I SF C/O's**
0 - 700,000	0	0
700,001 - 1,750,000	1	0
1,750,001 - 2,100,000	400	0
2,100,001 - 2,800,000	1,200	0
2,800,001 - 2,975,000	3,200	240,000
2,975,001 - 3,500,000	4,000	240,000

O&I CONTROL

	Minimum Required	
O&I SF C/O's	**DU BP's**	**Retail SF C/O's**
0 - 1,200,000	0	0
1,200,001 - 3,000,000	1	0
3,000,001 - 6,000,000	400	0
6,000,001 - 8,400,000	1,200	0
8,400,001 - 10,200,000	3,200	70,000
10,200,001 - 12,000,000	4,000	70,000

Although the foregoing tables are intended to illustrate the preceding text, the text shall control the construction of this Article 4.2.4.

4.3 SUSTAINABLE ZONES

4.3.1 Sustainable Zones, as shown on the Sustainable Development Concept Map shall have the character described in Table 1.

4.3.2 Open Space (OS) consists of lands approximating or reverting to a natural condition and farmland, parks, greenways, Civic Uses, utility corridors and easements, and waterways or water bodies, including lands unsuitable for development due to topography, hydrology and/or vegetation.

a. Open Space includes areas protected by law or regulation, as well as land designated for conservation.
b. Open Space shall be identified in site and Subdivision Plans approved for the Development. Upon the approval of a subdivision or site plan designating an area Open Space, such area may be conveyed in fee or by easement to (i) an entity created by law to hold interests in property designated for conservation purposes, or (ii) to a property owners association formed, in part, for such purpose, or (iii) to a public entity.
c. Land area within Open Space may be used in calculating the Density of a Project.
d. Open Space is an independent Sustainable Zone and will also be integrated into other Sustainable Zones.

4.3.3 Neighborhood General (NG) consists of low Density residential areas, adjacent to higher Density zones that consist of some Mixed Use. Home occupations and Outbuildings are allowed. Planting is naturalistic and Setbacks are relatively deep. Blocks may be large and the Thoroughfares irregular to accommodate natural conditions.

4.3.4 Neighborhood Mixed-Use (NM) consists of Mixed Uses within a medium to high Density residential urban fabric. It may have a wide range of building types: single, sideyard, rowhouses, and apartments. Setbacks and landscaping are variable. Thoroughfares with curbs and sidewalks define medium-sized blocks.

4.3.5 Village Center – A-Grid (VC A-Grid) consists of higher Density Mixed Use buildings that accommodate retail, Office, rowhouses and apartments. It has a tight network of Thoroughfares, with wide sidewalks, steady street tree planting and buildings set close to the sidewalks.

4.3.6 Village Center – B-Grid (VC B-Grid) consists of larger block sizes, and larger format uses supporting regional users. It has a coarse network of Thoroughfares, with sidewalks and steady street tree planting.

4.3.7 Urban Core – A-Grid (UC A-Grid) consists of the highest Density and height, with the greatest variety of uses, and civic buildings of regional importance. It may have larger blocks; Thoroughfares have steady street tree planting and buildings are set close to wide sidewalks.

4.3.8 Urban Core – B-Grid (UC B-Grid) consists of the highest Density and height, with predominantly Office, lab, and research uses. It may have larger blocks; streets have steady street tree planting and buildings may be set back from the sidewalks.

4.4 CIVIC USES

4.4.1 General

a. Space for Civic Uses shall be designated on the Sustainable Development Concept Map as Civic Space (CS) and Civic Building (CB) as Subdivision Plans and site plans are approved for the Development.
b. Civic Space (CS) shall denote public sites supportive of or ancillary to Civic Buildings or sites permanently dedicated to Open Space.
c. Civic Building (CB) shall denote sites for buildings primarily operated by governmental or not-for-profit organizations dedicated to Functions such as culture, education, religion, government, transit and municipal parking.

4.4.2 Civic Space (CS) Specific to NG, NM, VC, and UC Zones

a. Civic Spaces shall be designed as generally described in Table 13 and distributed throughout Sustainable Zones as described in Table 14e.

4.5 THOROUGHFARE STANDARDS

4.5.1 General

a. Thoroughfares are intended for use by vehicular and pedestrian traffic and to provide access throughout the Development.
b. Thoroughfares shall consist of vehicular lanes and Public Frontages. Walkways shall be in accordance with Table 4B.
c. Thoroughfares shall be designed in context with the desired vehicular design speed of the Sustainable Zones through which they pass. The Public Frontages of Thoroughfares that pass from one Sustainable Zone to another shall be adjusted accordingly or, alternatively, the Sustainable Zone may follow the alignment of the Thoroughfare to the depth of one Lot, retaining a single Public Frontage throughout its course.
d. Within areas designated as B-Grid Zones, pedestrian use shall be a secondary consideration of the Thoroughfare. Design conflict(s) between vehicular and pedestrian traffic generally shall be decided in favor of the vehicle. Within the more urban A-Grid Zones, pedestrian use shall be a primary consideration of the Thoroughfare. Design conflict(s) between vehicular and pedestrian movement generally shall be decided in favor of the pedestrian.
e. The Thoroughfare network shall be designed to define Blocks not exceeding the size indicated in Table 14. The perimeter shall be measured as the sum of Lot Frontage Lines.

f. Street trees shall satisfy traffic calming measures required within the Development.
g. Thoroughfares shall terminate at other Thoroughfares, forming a network. Internal Thoroughfares shall connect wherever practicable to those on adjacent sites. Cul-de-sacs may be permitted to accommodate unusual site conditions subject to UDO 7.2.1 G).
h. Each Lot shall be bounded by a vehicular Thoroughfare, except that 20% of the Lots within each Sustainable Zone may be bounded by a Passage, so long as the Thoroughfare assembly behind such Lots is constructed to Rear Alley standards, will meet emergency vehicle access requirements and is public.
i. Thoroughfares within designated B-Grid Zones and designated as B-Grid Thoroughfares may follow the specified B-Grid Public Frontage and Private Frontage requirements in Tables 4A and 4B, and Table 7.
j. B-Grid Thoroughfares are permitted within A-Grid Zones for Thoroughfares necessary to support vehicular traffic and that enhance the pedestrian network per Article 4.2.3. These Thoroughfares shall be addressed on the individual site plans and may follow the standards for B-Grid.
k. The B-Grid Zones may abut freeways and conventional commercial arteries that are pedestrian intolerant. B-Grid Zones are used to transition into the more multi-modal and pedestrian supportive environments. B-Grid Zones may be developed in whole or in part to A-Grid standards and may evolve into A-Grid Zones over time.

4.5.2 Vehicular lanes

a. The standards for vehicular lanes shall follow the guidance in Table 3A or the Town Standards, or may follow other additional or elective regulations and standards adopted by the Town Council in accordance with UDO 2.3.16 F) 3) a) or 2.3.16 F) 3) c).
b. A bicycle network consisting of Bicycle Trails, Bicycle Routes and Bicycle Lanes shall be permitted as set forth in Table 14d.

4.5.3 Public Frontages

a. General to all zones OS, NG, NM, VC, UC
    i. The Public Frontage contributes to the character of the Sustainable Zone, and includes the requisite types of Sidewalk, Curb, Planter, bicycle parking, and street trees.
    ii. Public Frontages shall be designed as shown in Table 4A and Table 4B and allocated within Sustainable Zones as specified in Table 14d.
    iii. Within the Public Frontages, the types of Public Planting and Public Lighting shall be as shown in Table 4A, Table 4B, Table 5 and Table 6.
b. Specific to OS and NG Zones
    i. The Public Frontage may include trees of various species, naturalistically clustered, as well as understory.
    ii. The landscape may consist primarily of native species requiring minimal irrigation, fertilization and maintenance.

c. Specific to NM, VC and UC Zone
   i. The landscape shall consist primarily of durable species tolerant of soil compaction.
d. Specific to NM Zone
   i. The Public Frontage shall include trees planted in a regularly-spaced and aligned pattern of single or alternated species with shade canopies of a height that, at maturity, clears at least one Story. Various street tree species shall be used within the NM Zone.
e. Specific to VC and UC Zone
   i. The Public Frontage shall include trees planted in a regularly-spaced and aligned pattern of single species with shade canopies of a height that, at maturity, clears at least one Story. Various street tree species shall be used within the VC and UC Zones. At Retail Frontages, the spacing of the trees may be irregular, to avoid visually obscuring the Shopfronts.
   ii. Streetscape solar panels as shown in Table 18 may be used in the place of street trees where required. This section shall provide design flexibility in the creation of a public statement in the form of either art or symbolic statements of sustainability, but shall not allow the wholesale replacement of mandatory street trees with solar-powered streetlights or prohibit the installation of larger solar panel assemblages elsewhere within the Development.
   iii. Thoroughfares with Galleries, Arcades, or a right-of-way width of 40 feet or less shall be exempt from the tree planting requirement.

ARTICLE 5.0 BUILDING STANDARDS

5.1 TABLES AND PLAN

5.1.1 It is possible that the evolution of technology, building materials and lifestyle may result in the future in the Town Council's adoption of elective Sustainability Standards for SD-CZ districts pursuant to UDO 2.3.16 F) 3) c).

5.1.2 B-Grid Zones within the Development shall comply with UDO 9.2 and 9.3, except that the requirements of UDO 9.2 and 9.3 may be varied, in accordance with UDO 2.3.16 F) 3) a), by the standards set forth in the Pattern Book.

5.2 CIVIC BUILDINGS

5.2.1 Civic Buildings ("CB")

a. Civic Buildings shall be subject to the requirements of this Article.

5.3 OPEN SPACE ("OS") ZONES

5.3.1 Buildings shall not be allowed in an OS Zone, except as listed in Table 12 and for accessory structures incidental to and necessary to support the permitted Functions and uses.

5.4 BUILDING DISPOSITION

5.4.1 Specific to OS, NG, NM, VC and UC Zones

a. Newly platted Lots shall be dimensioned according to Table 14f and Table 15.
b. Building Disposition shall be as shown in Table 9 and Table 14i.
c. Buildings shall be disposed in relation to the boundaries of their Lots according to Table 14g, Table 14h, and Table 15.
d. One Principal Building at the Frontage and one Outbuilding to the rear of the Principal Building may be built on each Lot as shown in Table 17c.
e. Lot coverage by buildings shall not exceed that specified in Table 14f and Table 15.
f. Facades shall be built parallel to a rectilinear Principal Frontage Line or to the tangent of a curved Principal Frontage Line, and along a minimum percentage of the Frontage width at the Setback, as specified as Frontage Buildout on Table 14g and Table 15.
g. Setbacks for Principal Buildings shall be as shown in Table 14g and Table 15.
h. Adequate access to and clearance around utilities and HVAC units shall be provided.

5.4.2 Specific to UC Zone

a. The Principal Entrance shall be on a Frontage Line.

5.4.3 Specific to NM, VC and UC Zones

a. Farmers Markets may be located on unbuffered Lots of any size.
b. Diagonal parking on commercial streets shall be as set forth in the SD Plan.

5.5 BUILDING CONFIGURATION

5.5.1 General to OS, NG, NM, VC and UC Zones
a. The Private Frontage of buildings shall conform to and be allocated in accordance with Table 7 and Table 14j.
b. Buildings on corner Lots shall have two Private Frontages as shown in Table 17. Prescriptions for the second and third Layers pertain only to the Principal Frontage. Prescriptions for the first Layer pertain to both Frontages.
c. All Facades shall be glazed with clear glass no less than 30% of the first Story, however glazing shall be no less than 50% in the VC Zone A-Grid and UC Zone A-Grid areas.
d. Building stories, Stepbacks, and Expression Lines shall conform to Table 8 and Table 14j.
e. In a Parking Structure or garage, each above-ground level counts as a single Story regardless of its relationship to habitable Stories.
f. Story limits do not apply to attics or raised basements, masts, belfries, clock towers, chimney flues, water tanks, cupolas or elevator bulkheads.
g. Prescriptions for the parking Layers pertain only to the Principal Frontage. Prescriptions for the first Layer pertain to both Frontages of a corner Lot.
h. Public access requirements shall comply with UDO 7.5.4 E) except that the requirements of UDO 7.5.4 E) may be varied in accordance with UDO 2.3.16 F) 3) a), by the standards set forth in the Pattern Book.

5.5.2 Specific to NG, NM and VC Zones
a. The habitable area of an Accessory Unit within a Principal Building or an Outbuilding shall not exceed 800 square feet, excluding any enclosed parking area.

5.5.3 Specific to NG Zone
a. No portion of the Private Frontage may Encroach into the Sidewalk.
b. Open porches may Encroach into the first Layer 50% of its depth. (Table 17d)
c. Balconies, cantilevers, and bay windows may Encroach into the first Layer up to 25% of the depth defined for the first Layer. In addition, porches including balconies on porch roofs may Encroach into the first Layer up to 50% of the depth defined for the first Layer.
d. A first level Residential or Lodging Function shall be raised a minimum of three steps from average Sidewalk grade, except as required for accessibility under applicable federal and state laws or to accommodate single-family senior housing units.

5.5.4 Specific to NM Zone
a. Balconies, open porches, cantilevers and bay windows may Encroach into the first Layer 50% of its depth. (Table 17d)

5.5.5 Specific to OS, VC and UC Zones

a. Arcades, awnings, and Galleries may Encroach into the Sidewalk to within 2 feet of the Curb but must clear the Sidewalk vertically by at least 9 feet. Arcades and Galleries within public rights-of-way require encroachment and maintenance agreements with the Town.
b. Maximum Encroachments for Arcades shall be as shown on Table 8.
c. Stoops, Lightwells, balconies, bay windows, cantilevers and terraces may Encroach into the first Layer for 100% of its depth. (Table 17d)
d. Loading docks and service areas shall be permitted along/within Frontages.
e. In the absence of a building Facade along any part of a Frontage Line, a Streetscreen may be built co-planar with the Facade or adjacent Facades.
f. Streetscreens shall be between 3.5 and 8 feet in height. The Streetscreen may be in the form of a hedge, fence or wall. Walls may be constructed of masonry, stone, stucco, EIFS or may match the building materials of the adjacent buildings. Fences shall be constructed of wood or wrought iron (or products created to resemble these materials) and shall be finished on the side facing the public right-of way. Streetscreens shall have openings no larger than reasonably necessary to allow vehicular and pedestrian access.
g. Arena, auditorium or stadium uses shall be located a minimum of 500 feet from any NG or NM Zone and may be located in Mixed Use Blocks, in Mixed Use buildings or on Lots of sufficient size and with sufficient Frontage to support the use and comply with the egress requirements of the North Carolina State Building Code.
h. Outdoor entertainment areas such as small amphitheaters may be incorporated without enclosure into Open Space, Public Space, or Civic Space or on an individual Lot as long as there is sufficient Frontage to support the use and comply with the egress requirements of the North Carolina State Building Code.
i. Drive-through facilities associated with financial institutions and pharmacies may be integrated into multi-story buildings.

5.5.6 Specific to NM, VC and UC Zones

a. Lodging Functions may be located in Mixed Use Blocks, in Mixed Use buildings or on Lots of any size to support the use and comply with the egress requirements of the North Carolina State Building Code when the use is located 100 feet or more from NG Zones.

5.6 BUILDING FUNCTION

5.6.1 General to OS, NG, NM, VC and UC Zones

a. Buildings in each Sustainable Zone shall comply with Article 7 Tables.
b. Historic Sites may be used for residential, lodging, food and beverage, Office or retail sales and service use.

5.6.2 Specific to NG Zone

a. Accessory Functions of Lodging or Office shall be permitted within an Accessory Building. See Table 10.

5.6.3 Specific to NM Zones

a. Commercial Functions shall be permitted.

5.6.4 Specific to VC and UC Zones

a. Commercial Functions shall be permitted.
b. Manufacturing Functions may be permitted.
c. Utilities such as communication towers and water towers may be integrated into building structures without the need for screening. See Article 5.5.2 for existing cell towers.
d. Electrical Power Facilities shall be set back a minimum of 20 feet from property lines or easement lines and may be screened or buffered by architectural means or located internally within a block to permit integration into an urban fabric.

5.7 PARKING AND DENSITY STANDARDS

5.7.1 Specific to NG Zone

a. Buildable Density on a Lot shall be determined by the actual parking provided as applied to the Functions permitted in Table 10 and Table 11.

5.7.2 Specific to OS, NM, NG, VC and UC Zones

a. As provided in Tables 10 and 11, buildable Density on a Lot shall be determined by the sum of the actual parking calculated as that provided (1) within the Lot (2) along the parking lane corresponding to the Lot Frontage, and (3) by purchase, lease, allocation, dedication, reservation or assignment from a public or private parking structure or lot within 1,200 feet of any entrance for customer, patron, or resident parking and within 1,200 feet of any entrance of the principal use for employee parking, if available.
b. The actual parking may be adjusted downward according to the Shared Parking Factor of Table 11 to determine the Effective Parking. The Shared Parking Factor is available for any two Functions within any block, any pair of adjacent Blocks or within any area contained within a single site plan submittal. Further adjustment is permitted for areas controlled by a comprehensive parking plan in accordance with Article 5.7.3.
c. Based on the Effective Parking available, the Density of the projected Function may be determined according to Table 10.
d. Within the area of a Transit Oriented Development (“TOD”) the Effective Parking may be further adjusted downward by 30% and the distances listed in 5.7.2.a are permitted to be increased by 20%.
e. Accessory Units do not factor into Density calculations.
f. Liner Buildings less than 30 feet deep and up to the first two Stories shall be exempt from parking requirements.
g. Retail spaces of 1,500 square feet or less of net floor area shall be exempt from the parking requirements.
h. In accordance with SD Plan 3.1.2, a Parking Management Plan, subject to review and approval by the Town Council in accordance with UDO 2.3.16 F) 3) a), shall be submitted with the first site plan that deviates from applicable UDO standards related to parking and shall be updated as necessary for subsequent site plans.

5.7.3 Off-Street Parking: Further reduction in off-street parking beyond those otherwise allowed by the SD Plan is permitted for the Veridea Sustainable Development District or portions thereof within the area of a TOD in conjunction with a TDM plan.

5.7.4 Off-Street and On-Street Loading: The Veridea Sustainable Development District or portions thereof are permitted to have comprehensive loading plans to include on-street loading in Thoroughfares during non-peak hours, on side streets and/or in non-dedicated parking areas of parking lots for all or portions of the site.

5.7.5 A portion of the parking spaces provided in any public or private parking lots or parking deck may be compact spaces if such spaces are: a) assigned and/or private spaces; b) assigned to a car-share program; c) specifically designated for electric cars; or d) approved by the TRC upon its determination that then current market data support the use by compact vehicles of the number of compact spaces proposed. A compact space will be a space of at least 8.5 feet by 14 feet, and a compact vehicle shall be a vehicle that can safely park in the area of the compact space proposed.

5.8 PARKING LOCATION STANDARDS

5.8.1 General to OS, NG, NM, VC and UC Zones

a. Parking shall be accessed by Rear Alleys or Rear Lanes, when available.
b. Open parking areas and Parking Structures shall be masked from the Frontage by a Building or Streetscreen.
c. For buildings on B-Grids, open parking areas and Parking Structures are allowed unmasked on the Frontage in the front Layer, except for corner Lots at intersections with the A-Grid.
d. Bicycle parking locations at Common Destinations shall be determined at the time of site plan approval for all Sustainable Zones including OS Zones.
e. Commercial Parking Garages may be incorporated into Mixed Use Blocks or in Mixed Use buildings on the same Lot to allow for internal block parking.

5.8.2 Specific to NG Zone

a. Open parking areas shall be located at the second and third Lot Layers, except that Driveways, drop-offs and unpaved parking areas may be located at the first Lot Layer. (Table 17d)
b. Garages shall be located at the second or third Layer except that side- or rear-entry types may be allowed in the first Layer by the TRC.
c. Driveways at Frontages shall be no wider than 24 feet in the first Layer. (Table 3B.f)

5.8.3 Specific to NM Zone

a. All parking areas and garages shall be located at the second or third Layer except for lots located on designated B-Grids. (Table 17d)
b. Driveways at Frontages shall be no wider than 24 feet in the first Layer. (Table 3B.f)

5.8.4 Specific to VC and UC Zones

a. All parking lots, garages, and Parking Structures shall be located at the second or third Layer except along B-Grids where parking may be located in the first layer. (Table 17d)
b. Vehicular entrances to parking lots, garages, and Parking Structures shall be no wider than 24 feet at the Frontage for A-Grid Thoroughfares. Driveways at Frontages for B-Grid Thoroughfares shall be no wider than necessary to accommodate the straight and turn lanes in the first Layer. (Table 3B.f)
c. Parking Structures on the A-Grid shall have Liner Buildings lining the first and second Stories.

5.9 LANDSCAPE STANDARDS

5.9.1 General to OS, NG, NM, VC and UC Zones

a. The landscape plantings shall consist of native or naturalized species requiring minimal irrigation, fertilization and maintenance as shown on Table 6.
b. Street trees and landscape planted in public rights-of-way shall require maintenance agreements with the Town.
c. Public utility locations, placement and accessibility shall be laid out and engineered so that trees and landscaping and utility conflicts are eliminated or substantially minimized.
d. Trees shall not be required in the first Layer where Setbacks are less than 12 feet.
e. Planting selection in the first Layer shall be appropriate for the scale of the space and located so as to avoid conflicts with buildings, walls and utilities.
f. Street trees shall be planted within the Public Frontage as illustrated in Table 7 and listed in Table 4C. Street trees may be shifted or eliminated along any Thoroughfares as long as the average number of trees based upon the Public Frontage is met for the site plan or Subdivision Plan. Tree preservation areas located in Open Space Zones shall be exempt from the street tree planting requirements. Public Frontages on Thoroughfares that are exempt from the tree planting requirement and Thoroughfare Assemblies for Rear Lanes, Rear Alleys, or where the landscape type is listed as trees clustered shall not be used in the calculation of the average number of trees.
g. In order to accommodate the intended density, connectivity and integration of uses, the landscape requirements set forth in UDO 7.2.5 C) 9) and UDO 7.2.5 C) 12) through UDO 7.2.5. C) 14) shall not apply within the Development.
h. Screening shall comply with UDO 8.2.8. Notwithstanding the foregoing, HVAC and other mechanical units shall not be required to be screened from adjacent properties when not visible from the public street.
i. Veridea shall comply with UDO 8.2.1, 8.2.2 and 8.2.3, except that, in order to accommodate the intended density, connectivity and integration of uses, the landscape buffer requirements of UDO 8.2 shall not apply.

j. Fences, walls and berms shall comply with UDO 8.2.7, except to the extent modified by Articles 5.5.5.e, 5.5.5.f. and 5.8.1.b. hereof.

5.9.2 Specific to NG and NM Zones

a. The first Layer may not be paved, with the exception of Driveways as specified in Article 5.8. (Table 17d)

5.9.3 Specific to NG Zone

a. One appropriately sized tree at maturity per Lot shall be planted within the first Layer. (Table 17d)
b. Trees shall be of single or multiple native or naturalized species as shown on Table 6.
c. Trees shall be naturalistically clustered.
d. Lawn shall be permitted upon site plan approval. Only re-use water, where available, may be used for Lawn irrigation.

5.9.4 Specific to NM Zone

a. One appropriately sized tree at maturity per Lot shall be planted within the first Layer. (Table 17d)
b. Trees should not be of a single species throughout large areas. Tree species selected are permitted to alternate along blocks. Selection of plant material shall be appropriate for the scale of the space.
c. Lawn shall be permitted. Only re-use water, where available, may be used for Lawn irrigation.

5.9.5 Specific to VC and UC Zones

a. Trees shall not be required in the first Layer.
b. The first Layer may be paved to match the pavement of the Public Frontage.
c. A minimum of one shade tree is required for every two thousand (2,000) square feet of vehicular surface area located within or adjacent to the parking area. Parking Structures are excluded from this requirement.
d. A minimum of 1 shrub is required for every five hundred (500) square feet of vehicular surface area. Selection of the plant material shall be appropriate for the scale of the space. Parking Structures are excluded from this requirement.
e. All vehicular surface areas within fifty (50) feet of any right-of-way that are visible from a Thoroughfare (street) are required to be screened from off-site view to a minimum height of thirty-six (36) inches. Plants, closed fences, walls, earthen berms or a combination thereof may be used to satisfy this requirement. Plants must be a minimum of thirty-six (36) inches at maturity or used in combination with earthen berms to satisfy this requirement. Screening material other than plants and earthen berms shall be harmonious with surrounding architecture and shall accommodate pedestrian and vehicular ingress and egress where applicable.
f. No vehicular parking space shall be located farther than fifty (50) feet from the back of curb in a planting area with one shade tree, or seventy five (75) feet from the back of curb in a planting area with two or more shade trees. Parking Structures are excluded from this requirement.

5.10 SIGNAGE

5.10.1 General to All Sustainable Zones

Signage shall comply with UDO 8.6, Signs, except that the requirements of UDO 8.6 may be varied by the standards set forth in the Pattern Book(s).

5.11 COMMUNICATION TOWERS

5.11.1 General to All Sustainable Zones

a. Communication Towers are exempt from the standards set forth in UDO 4.4.3 B).
b. Existing Communication Towers will be contained on a Lot.
c. Existing Communication Towers may be located a Lot that contains other uses.
d. Existing Communication Towers, or a portion thereof, may occupy a leased parcel on the Lot in which it is located.
e. New or relocated Communication Towers shall be located in accordance with Table 12.
f. New rooftop communication towers and devices may be allowed within UC and VC Zones.

5.12 EXTERIOR LIGHTING

5.12.1 General to All Sustainable Zones

Exterior lighting shall comply with UDO 8.7, Exterior Lighting, except that the requirements of UDO 8.7 may be varied by the standards set forth in the Pattern Book(s).

5.13 PATTERN BOOK(S)

A Pattern Book(s) may be submitted for approval from time to time in accordance with UDO 2.3.16 F) 3) a). Each site plan submitted with respect to Veridea shall designate the existing Pattern Book, or portion thereof, which shall be applicable to the site plan, or a Pattern Book applicable thereto shall be submitted with the site plan for approval pursuant to UDO 2.3.16 F) 3) a).

ARTICLE 6.0 TABLES

6.1 TABLES

6.1.1. The Tables which follow shall establish, together with the foregoing provisions of the SD Plan and applicable provisions of the UDO, other Town Ordinances and Town Standards, the standards and regulations which shall govern all development and land use within the Development.

6.1.2. If the Responsible Person so determines, as with the other provisions of the SD Plan, specific portions of the Tables may be affected by additional or elective regulations and standards hereafter adopted by the Town Council in accordance with UDO 2.3.16 F) 3) a) or 2.3.16 F) 3) c).

6.1.3. Design Standards contained in one or more of the Articles, Sections, or Tables of the Plan that pertain to the same aspect of development may be implemented independently or in conjunction with one another.

6.1.4. The text and numerical descriptions in the Tables are an integral part of this SD Plan. However, the graphics that accompany them represent guidelines. Where in conflict, the text and numerical descriptions shall take precedence over graphics.

6.2 TOWN STANDARDS

6.2.1 The Town and the Responsible Person may enter into a Development Agreement providing that the Town Standards applicable to the Development shall be those in existence as of the date of the adoption of this SD Plan. However, notwithstanding the foregoing, the Apex Standard Specifications and Standard Details, as modified and amended from time to time, shall be applicable to the Development, except to the extent otherwise specifically provided in this SD Plan or where the modified Apex Standard Specifications and Standard Details are specifically inapplicable to Veridea.

TABLE 1. SUSTAINABLE ZONE DESCRIPTIONS

TABLE 1A: Sustainable Zone Descriptions. This table provides descriptions of the character of each Sustainable Zone.

OS



OS - OPEN SPACE

OS Open Space Zone consists of lands approximating or reverting to a natural condition and farmland, parks, Civic Uses, RCA, utility corridors, non-street easements, greenways, waterways or water bodies, including lands unsuitable for settlement due to topography, hydrology or vegetation.

General Character:	Natural landscape and parkland (active and passive parks) with some civic and agricultural use
Building Placement:	Variable front and side setbacks for park structures, civic structures, agricultural and maintenance buildings
Frontage Types:	Variable
Building Height:	1- to 2-Story
Type of Civic Space:	Parks, Greenways, Civic Buildings

NG



NG - NEIGHBORHOOD GENERAL

NG Neighborhood General Zone consists of low density residential areas, adjacent to higher zones that consists of some mixed use. Home occupations and outbuildings are allowed. Planting is naturalistic and setbacks are relatively deep. Blocks may be large and the Thoroughfares irregular to accommodate natural conditions.

General Character:	Lawns, and landscaped yards surrounding predominantly detached single-family houses with some mix of Townhouses; pedestrians occasionally
Building Placement:	Medium and variable front and side yard Setbacks
Frontage Types:	Porches, fences, naturalistic tree planting
Building Height:	1- to 3-Story with some 4-Story
Type of Civic Space:	Parks, Greenways

NM

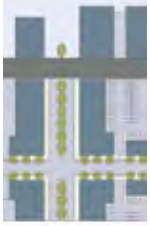


NM - NEIGHBORHOOD MIXED-USE

NM Neighborhood Mixed-Use Zone consists of mixed uses within a medium to high density residential urban fabric. It may have a wide range of building types: single, sideyard, rowhouses, and apartments. Setbacks and landscaping are variable. Thoroughfares with curbs and sidewalks define medium-sized blocks.

General Character:	Mix of Houses, Townhouses & Apartment buildings, with moderate Commercial activity; balance between landscape and buildings; presence of pedestrians
Building Placement:	Shallow to medium front and side yard Setbacks
Frontage Types:	Porches, fences, Dooryards
Building Height:	1-to 4-Story with a few taller Mixed Use buildings up to 7 stories adjacent to Village Center Zones and major transportation corridors
Type of Civic Space:	Squares, Greens

VC A-GRID



VC - VILLAGE CENTER - A-GRID

VC Village Center Zone consists of higher density mixed use buildings that accommodate retail, offices, rowhouses and apartments. It has a tight network of Thoroughfares, with wide sidewalks, steady street tree planting and buildings set close to the sidewalks.

General Character:	Shops mixed with Townhouses, larger Apartment houses, Offices, workplace, and Civic buildings; predominantly attached buildings; trees within the public right-of-way; substantial pedestrian activity
Building Placement:	Shallow Setbacks or none; buildings oriented to the street defining a street wall. See the Concept Map for locations
Frontage Types:	Stoops, Shopfronts, Galleries
Building Height:	1- to 10-Story with some variation up to 15 stories adjacent to Urban Center Zones,
Type of Civic Space:	Parks, Plazas and Squares, median landscaping

UC A-GRID



UC - URBAN CORE - A-GRID

UC Urban Core Zone consists of the highest density and height, with the greatest variety of uses, and civic buildings of regional importance. It may have larger blocks; Thoroughfares have steady street tree planting and buildings are set close to wide sidewalks.

General Character:	Medium-high to high-Density Mixed Use buildings, entertainment, Civic and cultural uses. Attached buildings forming a continuous street wall; trees within the public right-of-way; highest pedestrian and transit activity
Building Placement:	Shallow Setbacks or none; buildings oriented to street, defining a street wall.
Frontage Types:	Stoops, Dooryards, Forecourts, Shopfronts, Galleries, and Arcades
Building Height:	4- to 20-Story with a few shorter buildings including some 1 story uses
Type of Civic Space:	Parks, Plazas and Squares; median landscaping

TABLE 1. SUSTAINABLE ZONE DESCRIPTIONS

VC B-GRID



VC - VILLAGE CENTER - B-GRID

VC Village Center Zone consisting of larger block sizes, and larger format uses supporting regional users. It has a coarse network of Thoroughfares, with sidewalks, regular street tree planting.

General Character:	Larger single-use retail, office, and manufacturing formats with out-parcels permitted, transitioning to shops mixed with Townhouses, and larger Apartment houses towards A-Grid Zones; trees within the public right-of-way; substantial automobile activity
Building Placement:	Larger setbacks with parking permitted in the setback for any Layer except along adjacent A-Grids
Frontage Types:	Common Yard, Shopfronts,
Building Height:	Predominantly 1- to 4-Story with some increased variation up to 7 stories
Type of Civic Space:	Not required

UC B-GRID



UC - URBAN CORE - B-GRID

UC Urban Core Zone consists of the highest density and height, with predominantly office, lab, and research uses. It may have larger blocks; a coarse network of Thoroughfares, regular street tree planting and may have buildings set back from the sidewalks.

General Character:	High-density single and Mixed Use buildings. Attached and detached buildings forming a continuous street wall or set-back from the street; trees within the public right-of-way; highest pedestrian activity near the building and substantial automobile activity at the parking
Building Placement:	Shallow setbacks or none along A-Grid Thoroughfares with buildings oriented to streets transitioning to larger setbacks with parking permitted in the setback for any Layer
Frontage Types:	Common Yards, Stoops, Dooryards, Forecourts, Shopfronts, Galleries, and Arcades
Building Height:	1- to 20-Story with a few shorter buildings including some 1 story uses
Type of Civic Space:	None required

TABLE 2. VERIDEA SUSTAINABLE DEVELOPMENT CONCEPT MAP

Sustainable Zones

OS	Open Space and Civic Use
NG	Neighborhood General
NM	Neighborhood Mixed Use
VC-A	Village Center - A Grid
VC-B	Village Center - B Grid
UC-A	Urban Core - A Grid
UC-B	Urban Core - B Grid

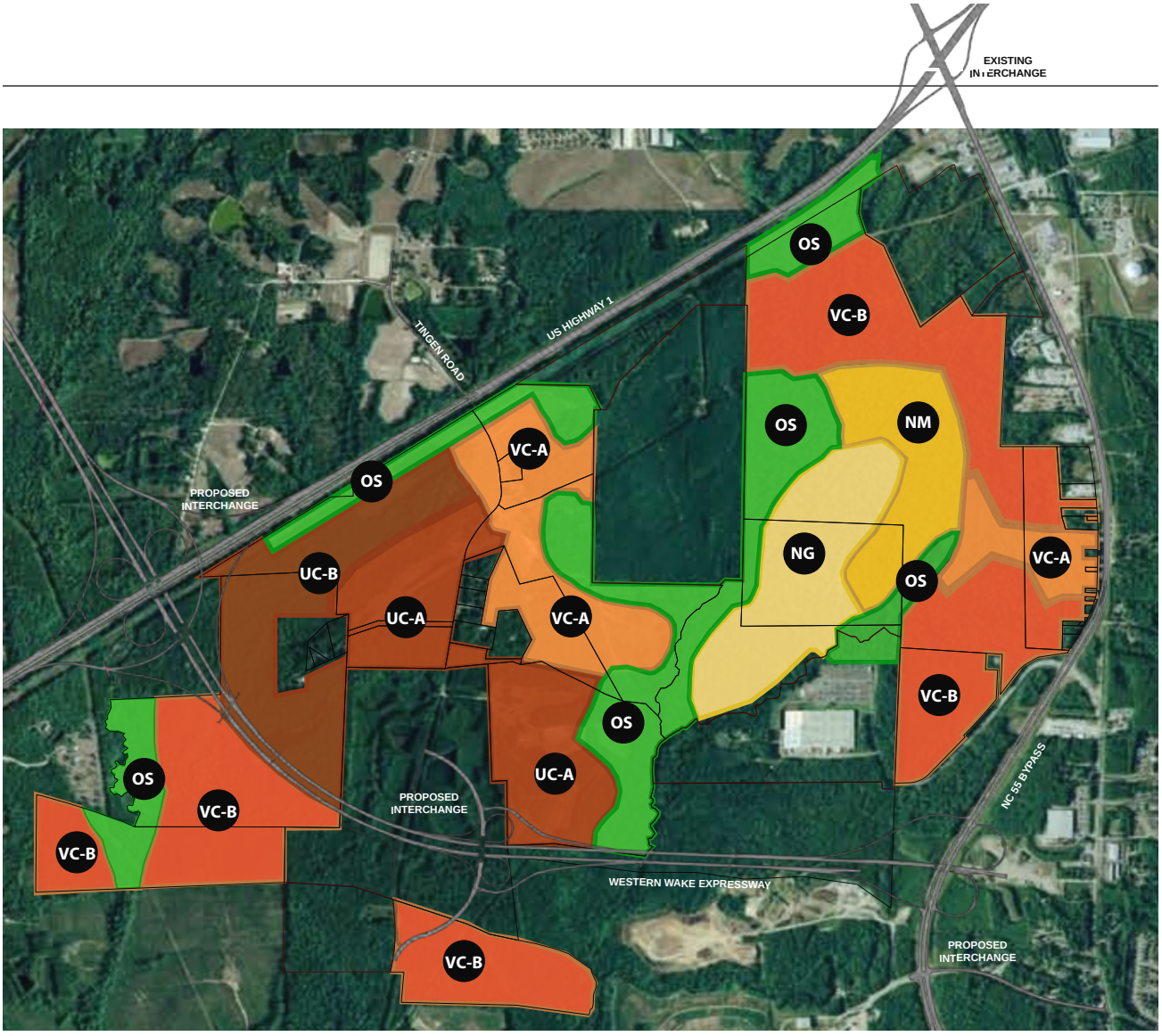


TABLE 3A. VEHICULAR LANE DIMENSIONS

TABLE 3A: Vehicular Lane Dimensions. This table assigns lane widths to Sustainable Zones. The Design ADT (Average Daily Traffic) is the determinant for each of these sections. The assemblies are shown in Table 3B. Design Speeds shown in these Tables represent desired speeds for traffic flow based on typical sections. Thoroughfare alignments (excluding Rear Lanes and Rear Alleys) shall be based on a minimum 25 mile per hour design speed. Design exceptions to otherwise posted regulatory speed, if approved by the TRC will require warning signs.

DESIGN SPEED	TRAVEL LANE WIDTH	OS	NG	NM	VC	UC
Below 20 mph	10 feet	■	■	▫		
20-25 mph	10 feet	■	■	■	▫	▫
25-35 mph	10 feet	■	■	■	■	■
25-35 mph	11 feet	■			■	■
Above 35 mph	12 feet	■			■	■

DESIGN SPEED	PARKING LANE WIDTH					
20-25 mph	(Angle) 16 to18 feet				■	■
20-25 mph	(Parallel) 7 to 8 feet		■	■	■	
25-35 mph	(Parallel) 8 feet		■	■	■	■
Above 35 mph	(Parallel) 9 feet				■	■

DESIGN SPEED	EFFECTIVE TURNING RADIUS					(See Table 17b)
Below 20 mph	5-10 feet		■	■	■	■
20-25 mph	10-15 feet	■	■	■	■	■
25-35 mph	15-20 feet	■	■	■	■	■
Above 35 mph	20-30 feet	■			▫	▫

■ BY RIGHT

▫ BY THE TRC

TABLE 3B. VEHICULAR LANE & PARKING ASSEMBLIES

TABLE 3B: Vehicular Lane/Parking Assemblies. The projected design speeds determine the dimensions of the vehicular lanes and Turning Radii assembled for Thoroughfares. All dimensions listed are minimums. Design Speeds shown in these Tables represent desired speeds for traffic flow based on typical sections. Thoroughfare alignments (excluding Rear Lanes and Rear Alleys) shall be based on a minimum 25 mile per hour design speed. Design exceptions to otherwise posted regulatory speed, if approved by the TRC will require warning signs.

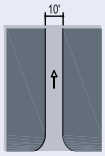
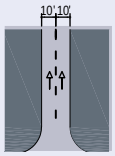
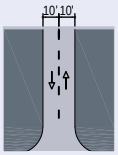
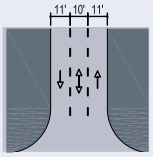
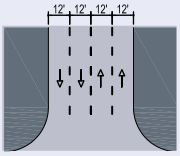
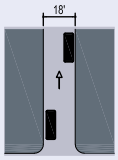
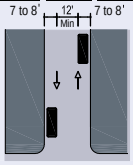
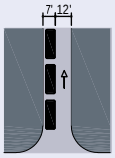
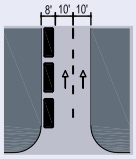
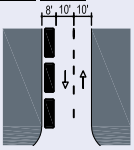
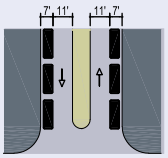
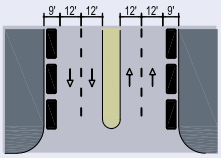
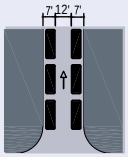
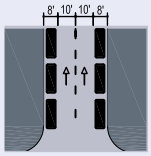
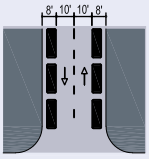
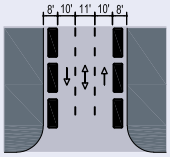
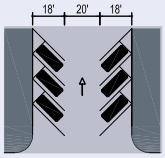
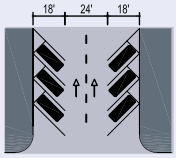
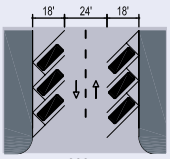
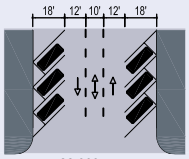
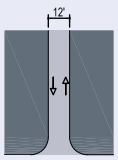
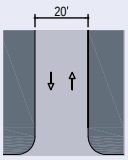
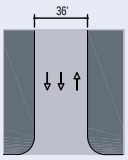
	ONE WAY MOVEMENT →		TWO WAY MOVEMENT →		
a. NO PARKING	OS NG	OS	OS NG	OS	OS
					
Design ADT	300 VPD	600 VPD	2,500 VPD	22,000 VPD	36,000 VPD
Pedestrian Crossing	3 Seconds	5 Seconds	5 Seconds	9 Seconds	13 Seconds
Design Speed	20 - 30 MPH	Below 20 MPH	20-25 MPH		35 MPH and above
b. YIELD PARKING	OS NM		NG NM VC UC		
					
Design ADT	1,000 VPD		1,000 VPD		
Pedestrian Crossing	5 Seconds		7 Seconds		
Design Speed					
c. PARKING ONE SIDE PARALLEL	OS NG NM VC	NG NM VC	NG NM VC	NG NM VC UC	NG NM VC UC
					
Design ADT	5,000 VPD	18,000 VPD	16,000 VPD	15,000 VPD	32,000 VPD
Pedestrian Crossing	5 Seconds	8 Seconds	8 Seconds	11 Seconds	13 Seconds
Design Speed	20-30 MPH		25-30 MPH	25-30 MPH	
d. PARKING BOTH SIDES PARALLEL	NG NM VC UC	NM VC UC	NM VC UC	VC UC	
					
Design ADT	8,000 VPD	20,000 VPD	15,000 VPD	22,000 VPD	
Pedestrian Crossing	7 Seconds	10 Seconds	10 Seconds	13 Seconds	
Design Speed	Below 20 MPH	25-30 MPH	25-30 MPH	25-30 MPH	
e. PARKING BOTH SIDES DIAGONAL	VC UC	VC UC	VC UC	VC UC	
					
Design ADT	18,000 VPD	20,000 VPD	15,000 VPD	22,000 VPD	
Pedestrian Crossing	15 Seconds	17 Seconds	17 Seconds	20 Seconds	
Design Speed	Below 20 MPH	20-25 MPH	20-25 MPH	25-30 MPH	
f. PARKING ACCESS			NG NM	NG NM VC UC	NM VC UC
					
Design ADT					
Pedestrian Crossing			3 Seconds	6 Seconds	10 Seconds
Design Speed					

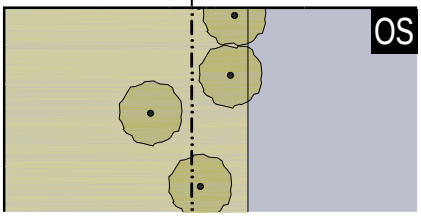
TABLE 4A. PUBLIC FRONTAGES - GENERAL

TABLE 4A: Public Frontages - General. The Public Frontage is the area between the private Lot line and the edge of the vehicular lanes. Dimensions are given in Table 4B. Note:

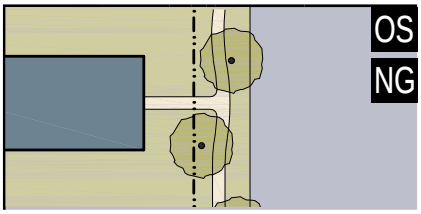
PLAN

LOT ▶ ◀ R.O.W.
PRIVATE FRONTAGE ▶ ◀ PUBLIC FRONTAGE

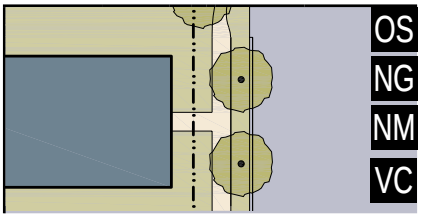
a. (HW) Highway: This Frontage has open Swales, Bicycle Trails and no parking. The landscaping consists of the natural condition or multiple species arrayed in naturalistic clusters. Buildings are buffered by distance or berms.



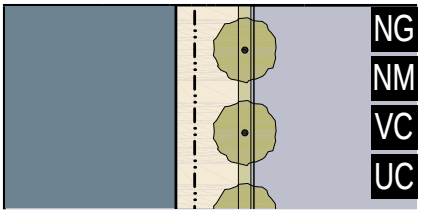
b. (RD) Road: This Frontage has open Swales and a Sidewalk walking Path or Bicycle Trail and Yield parking. The landscaping consists of multiple species arrayed in naturalistic clusters.



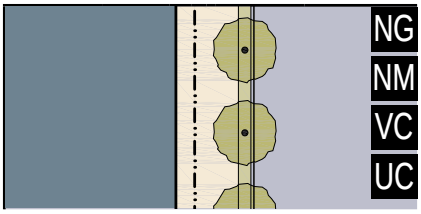
c. (ST) Street: This Frontage has raised Curbs drained by inlets and Sidewalks separated from the vehicular lanes by individual or continuous Planters, with parking on one or both sides. The landscaping consists of street trees of a single or alternating species aligned in a regularly spaced Allee, with the exception that Streets with a right-of-way (R.O.W.) width of 40 feet or less are exempt from tree requirements.



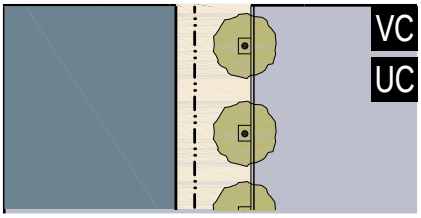
d. (DR) Drive: This Frontage has raised Curbs drained by inlets and a wide Sidewalk or paved Path along one side, related to a Greenway or waterfront. It is separated from the vehicular lanes by individual or continuous Planters. The landscaping consists of street trees of a single or alternating species aligned in a regularly spaced Allee.



e. (AV) Avenue: This Frontage has raised Curbs drained by inlets and wide Sidewalks separated from the vehicular lanes by a narrow continuous Planter with parking on both sides. The landscaping consists of a single tree species aligned in a regularly spaced Allee.



f. (CS) (AV) Commercial Street or Avenue: This Frontage has raised Curbs drained by inlets and very wide Sidewalks along both sides separated from the vehicular lanes by separate tree wells and parking on both sides. The landscaping consists of a single tree species aligned with regular spacing where possible, but clears the storefront entrances.



g. (BV) Boulevard: This Frontage may have Slip Streets on both sides. It consists of raised Curbs drained by inlets and Sidewalks along both sides, separated from the vehicular lanes by Planters. The landscaping consists of double rows of a single tree species aligned in a regularly spaced Allee.

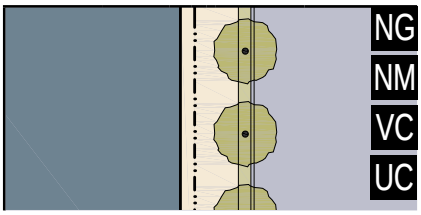


TABLE 4B. PUBLIC FRONTAGES - SPECIFIC

Table 4B: Public Frontages - Specific. This table assembles prescriptions and dimensions for the Public Frontage elements - Curbs, walkways and Planters – relative to specific Thoroughfare types within Sustainable Zones. Table 4B-a assembles all of the elements for the various street types. Public Frontages also include bicycle parking where applicable.

R U R A L I I I I I I I I I I I I I I I I I Z O N E S I I I I I I I I I I I I I I I I I U R B A N

B - G R I D I I I I I I I I I I I I A - G R I D

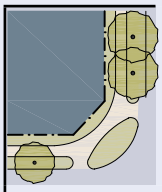
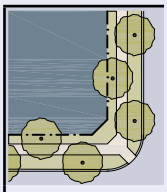
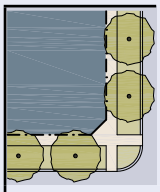
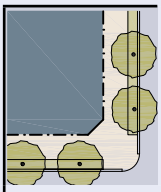
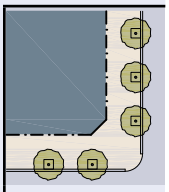
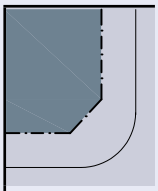
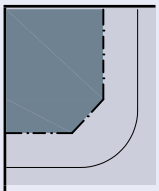
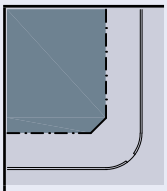
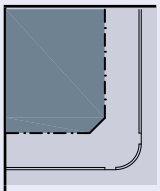
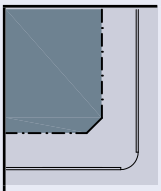
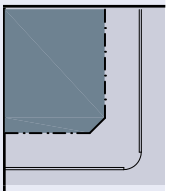
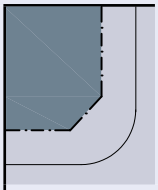
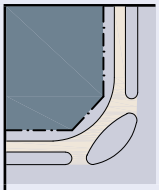
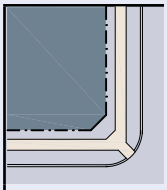
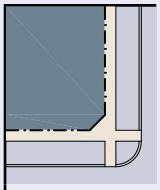
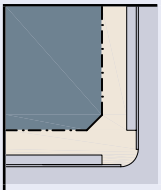
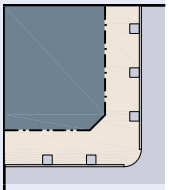
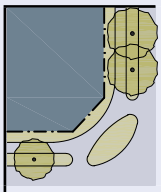
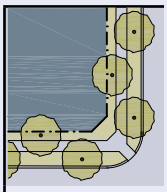
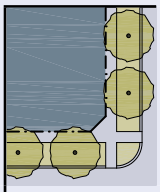
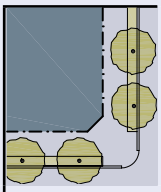
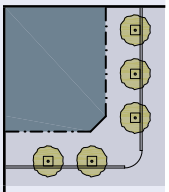
SUSTAINABLE ZONE Public Frontage Type	OS HW	OS NG RD & ST	NG NM VC ST-DR-AV	NM VC UC ST-DR-AV-BV	VC UC CS-DR-AV-BV	VC UC CS-DR-AV-BV
a. **Assembly:** The principal variables are the type and dimension of Curbs, walkways, Planters and landscape. Total Width	 16-24 feet	 12-24 feet	 12-18 feet	 12-18 feet	 18-24 feet	 18-30 feet
b. **Curb:** The detailing of the edge of the vehicular pavement, incorporating drainage. Type Radius	 Open Swale 10-30 feet	 Open Swale or Curb 10-30 feet	 Raised Curb 5-20 feet	 Raised Curb 5-20 feet	 Raised Curb 5-20 feet	 Raised Curb 5-20 feet
c. **Walkway:** The pavement dedicated exclusively to pedestrian activity. Type Width	 Path Optional n/a	 Path, Sidewalk, or BT 5-8 feet	 Sidewalk 5-8 feet	 Sidewalk 5-8 feet	 Sidewalk 12-20 feet	 Sidewalk 12-30 feet
d. **Planter:** The layer which accommodates street trees and other landscape. Arrangement Species Planter Type Planter Width	 Clustered Multiple Continuous Swale 8 feet-16 feet	 Clustered Multiple Continuous Swale 8 feet-16 feet	 Regular Alternating Continuous Planter 8 feet-12 feet	 Regular Single Continuous Planter 8 feet-12 feet	 Regular Single Continuous Planter 4 feet-6 feet	 Opportunistic Single Tree Well 4 feet-6 feet
e. **Landscape:** The recommended plant species. (See Table 6)						
f. **Lighting:** The recommended Public Lighting. (See Table 5)						

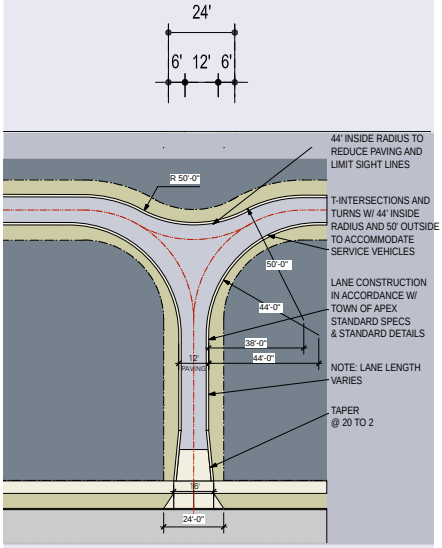
TABLE 4C. THOROUGHFARE ASSEMBLIES

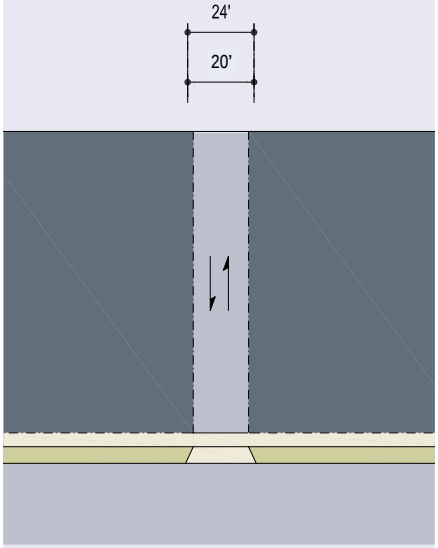
TABLE 4C: Thoroughfare Assemblies. These Thoroughfares are assembled from the elements that appear in Tables 3A and 3B and incorporate the Public Frontages of Table 4A. The key gives the Thoroughfare type followed by the right-of-way width, followed by the pavement width, and in some instances followed by specialized transportation capability. All dimensions listed are minimums. Design Speeds shown in these Tables represent desired speeds for traffic flow based on typical sections. Thoroughfare alignments (excluding Rear Lanes and Rear Alleys) shall be based on a minimum 25 mile per hour design speed. Design exceptions to otherwise posted regulatory speed, if approved by the TRC will require warning signs.

KEY ST-57-20-BL

- Thoroughfare Type
- Right of Way Width
- Pavement Width
- Transportation Provisions

THOROUGHFARE TYPES	
Highway:	HW
Boulevard:	BV
Avenue:	AV
Commercial Street:	CS
Drive:	DR
Street:	ST
Road:	RD
Rear Alley:	RA
Rear Lane:	RL
Bicycle Trail:	BT
Bicycle Lane:	BL
Bicycle Route:	BR
Path:	PT
Passage:	PS
Transit Route:	TR





KEY	RL-24-12	RA-24-20
Thoroughfare Type	Rear Lane	Rear Alley
Sustainable Zone Assignment	OS, NG, NM	NG, NM, VC, UC
Right-of-Way Width	24 feet	24 feet min
Pavement Width	12 feet	20 feet min
Movement	Yield Movement	Slow Movement
Design Speed	10 MPH	10 MPH
Pedestrian Crossing Time	3.5 seconds	7 seconds
Traffic Lanes	n/a	n/a
Parking Lanes	None	None
Curb Radius	Flared section with driveway apron	Driveway apron
Walkway Type	None	None
Planter Type	None	None
Curb Type		
Landscape Type	None	None
Transportation Provision	None	None

Note: Rear Lanes may be public or private. If Rear Lanes are public, the minimum pavement width shall be 16 feet. Private maintenance shall be required for private Rear Lanes and the maintenance shall be adequately funded by a Veridea property owners' association.

Note: Rear Alleys may be public or private. If Rear Alleys are private, then private maintenance shall be required and the maintenance shall be adequately funded by a Veridea property owners' association.

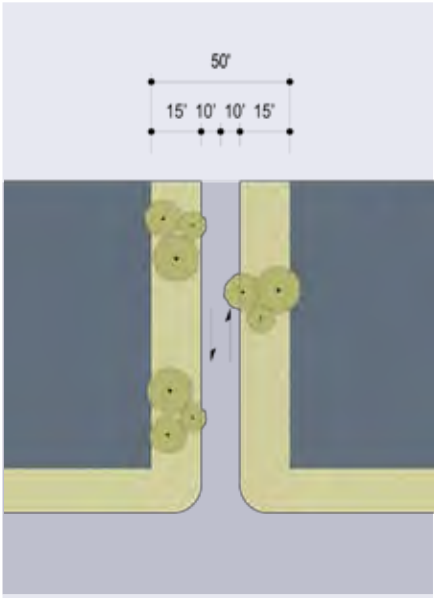
TABLE 4C THOROUGHFARE ASSEMBLIES

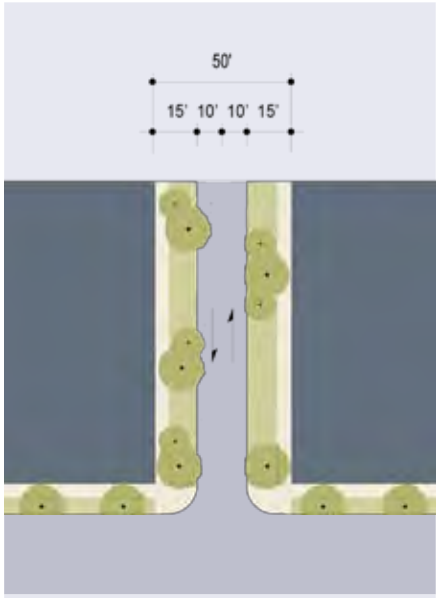
KEY ST-57-20-BL

- Thoroughfare Type
- Right of Way Width
- Pavement Width
- Transportation Provisions

THOROUGHFARE TYPES

Highway:	HW
Boulevard:	BV
Avenue:	AV
Commercial Street:	CS
Drive:	DR
Street:	ST
Road:	RD
Rear Alley:	RA
Rear Lane:	RL
Bicycle Trail:	BT
Bicycle Lane:	BL
Bicycle Route:	BR
Path:	PT
Passage:	PS
Transit Route:	TR





KEY	RDOS-50-20	RD-50-20
Thoroughfare Type	Road	Road
Sustainable Zone Assignment	OS	OS, NG
Right-of-Way Width	50 feet	50 feet
Pavement Width	16 feet	18 feet
Movement	Slow Movement	Slow Movement
Design Speed	15 MPH	15 MPH
Pedestrian Crossing Time	5.1 seconds	5.1 seconds
Traffic Lanes	2 lanes	2 lanes
Parking Lanes	None	None
Curb Radius	25 feet	25 feet
Walkway Type	Path, Sidewalk or BT	Path, Sidewalk or BT
Planter Type	Continuous Swale	Continuous Swale
Curb Type	Swale or Curb	Swale or Curb
Landscape Type	Trees clustered	Trees clustered
Transportation Provision	BT	BT

Note: Requires approval of TRC

Note: Curb radius to be high-strength / reinforced

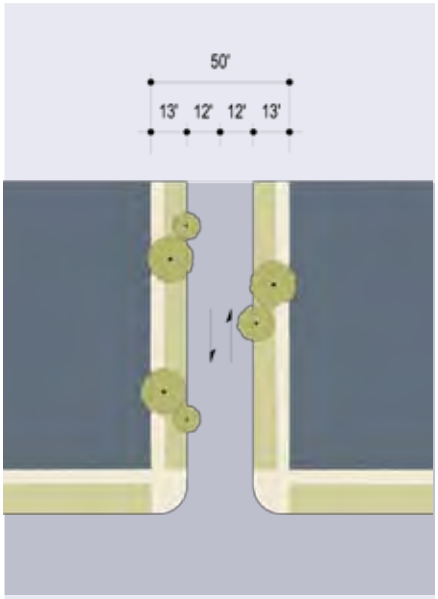
TABLE 4C THOROUGHFARE ASSEMBLIES

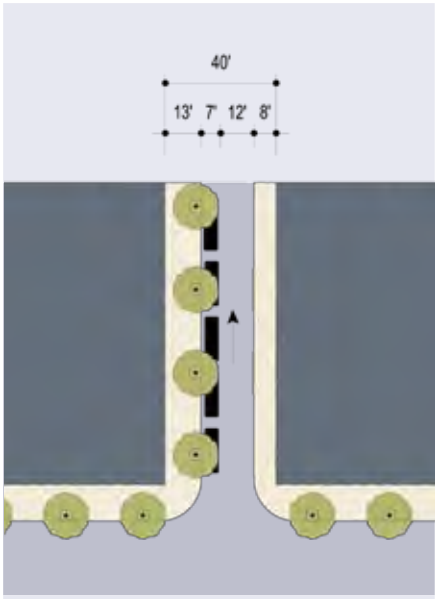
KEY ST-57-20-BL

- Thoroughfare Type
- Right of Way Width
- Pavement Width
- Transportation Provisions

THOROUGHFARE TYPES

Highway:	HW
Boulevard:	BV
Avenue:	AV
Commercial Street:	CS
Drive:	DR
Street:	ST
Road:	RD
Rear Alley:	RA
Rear Lane:	RL
Bicycle Trail:	BT
Bicycle Lane:	BL
Bicycle Route:	BR
Path:	PT
Passage:	PS
Transit Route:	TR





KEY	RD-50-24	ST-40-19
Thoroughfare Type	Road	Street
Sustainable Zone Assignment	OS, NG	OS, NG, NM, VC
Right-of-Way Width	50 feet	40 feet
Pavement Width	24 feet	19 feet
Movement	Slow Movement	Slow Movement
Design Speed	20 MPH	20 MPH
Pedestrian Crossing Time	6.8 seconds	5.4 seconds
Traffic Lanes	2 lanes	1 lane
Parking Lanes	None	One side @ 7 feet marked
Curb Radius	25 feet	15 feet
Walkway Type	Path, Sidewalk or BT	13/8 foot Sidewalk
Planter Type	Continuous Swale	Tree well (Permitted but not required per 4.5.3 e. ii.)
Curb Type	Swale or Curb	Curb
Landscape Type	Trees clustered	Trees at 50' o.c. Avg. (Permitted but not required per 4.5.3 e. ii.)
Transportation Provision	BL optional, BT optional	

Note: Requires approval of TRC
Note: Curb radius to be high-strength / reinforced

Note: Curb radius to be high-strength / reinforced

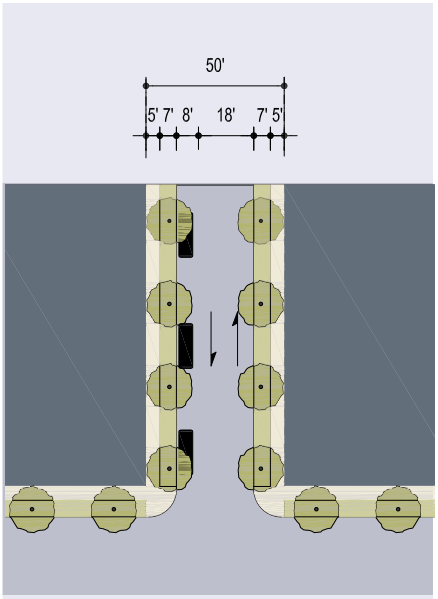
TABLE 4C THOROUGHFARE ASSEMBLIES

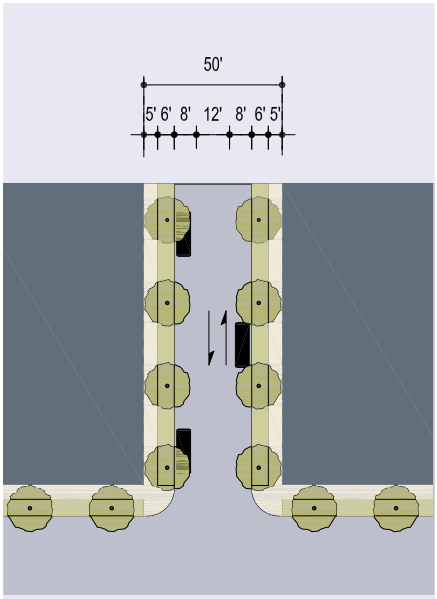
KEY ST-57-20-BL

- Thoroughfare Type
- Right of Way Width
- Pavement Width
- Transportation Provisions

THOROUGHFARE TYPES

Highway:	HW
Boulevard:	BV
Avenue:	AV
Commercial Street:	CS
Drive:	DR
Street:	ST
Road:	RD
Rear Alley:	RA
Rear Lane:	RL
Bicycle Trail:	BT
Bicycle Lane:	BL
Bicycle Route:	BR
Path:	PT
Passage:	PS
Transit Route:	TR





KEY	ST-50-26	ST-50-28
Thoroughfare Type	Street	Street
Sustainable Zone Assignment	NG, NM, VC, UC	NG, NM, VC, UC
Right-of-Way Width	50 feet	50 feet
Pavement Width	26 feet	28 feet
Movement	Free Movement	Yield Movement
Design Speed	20 MPH	20 MPH
Pedestrian Crossing Time	7.4 seconds	7.6 seconds
Traffic Lanes	2 lanes	2 lane
Parking Lanes	One side @ 8 feet marked	Both sides @ 8 feet unmarked
Curb Radius	10 feet	10 feet
Walkway Type	5 foot Sidewalk	5 foot Sidewalk
Planter Type	7 foot continuous Planter	6 foot continuous Planter
Curb Type	Curb	Curb
Landscape Type	Trees at 50' o.c. Avg.	Trees at 50' o.c. Avg.
Transportation Provision	BL optional	BL optional

Note: Curb radius to be high-strength / reinforced

Note: Curb radius to be high-strength / reinforced

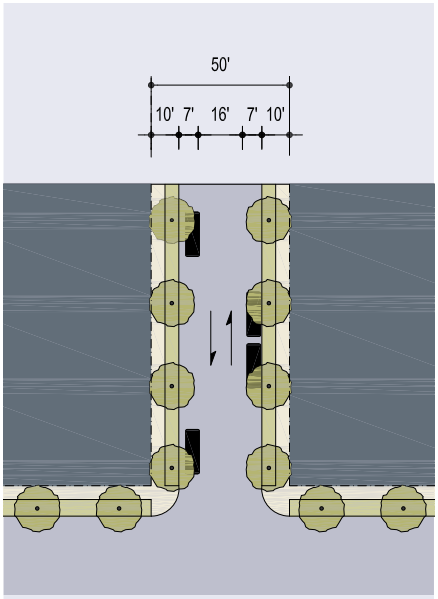
TABLE 4C THOROUGHFARE ASSEMBLIES

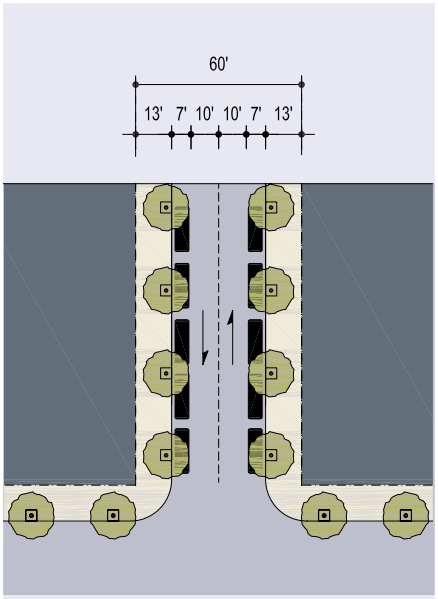
KEY ST-57-20-BL

- Thoroughfare Type
- Right of Way Width
- Pavement Width
- Transportation Provisions

THOROUGHFARE TYPES

Highway:	HW
Boulevard:	BV
Avenue:	AV
Commercial Street:	CS
Drive:	DR
Street:	ST
Road:	RD
Rear Alley:	RA
Rear Lane:	RL
Bicycle Trail:	BT
Bicycle Lane:	BL
Bicycle Route:	BR
Path:	PT
Passage:	PS
Transit Route:	TR





KEY	ST-50-30	ST-60-34
Thoroughfare Type	Street	Street
Sustainable Zone Assignment	NG, NM, VC	NG, NM, VC, UC
Right-of-Way Width	50 feet	60 feet
Pavement Width	30 feet	34 feet
Movement	Slow Movement	Slow Movement
Design Speed	20 MPH	20 MPH
Pedestrian Crossing Time	8.5 seconds	9.7 seconds
Traffic Lanes	2 lanes	2 lanes
Parking Lanes	Both sides @ 7 feet unmarked	Both Sides @ 7 feet marked
Curb Radius	10 feet	15 feet
Walkway Type	5 foot Sidewalk	6 foot Sidewalk
Planter Type	5 foot continuous Planter	Tree well or 7 foot continuous Planter
Curb Type	Curb	Curb
Landscape Type	Trees at 50' o.c. Avg.	Trees at 50' o.c. Avg.
Transportation Provision	BL optional	BR

Note: Curb radius to be high-strength / reinforced

Note: Curb radius to be high-strength / reinforced

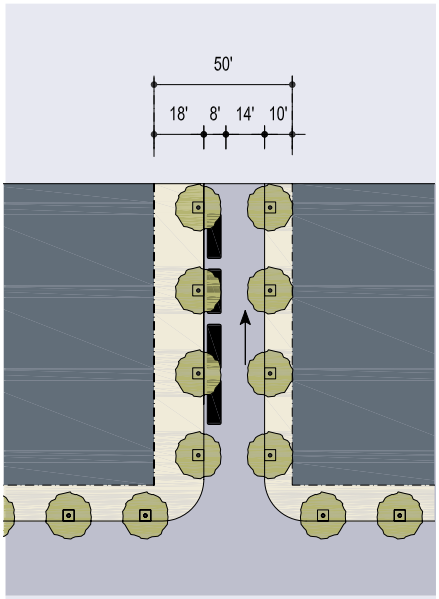
TABLE 4C THOROUGHFARE ASSEMBLIES

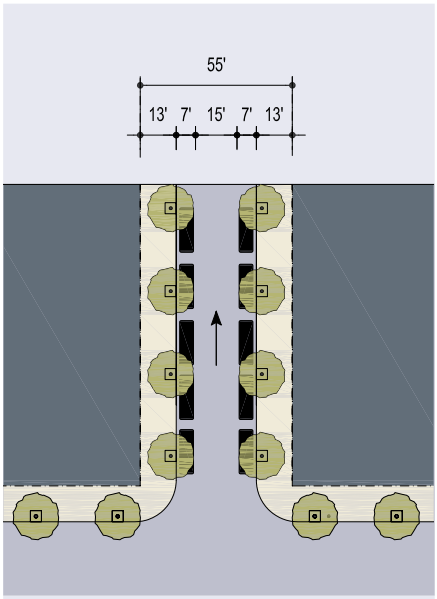
KEY ST-57-20-BL

- Thoroughfare Type
- Right of Way Width
- Pavement Width
- Transportation Provisions

THOROUGHFARE TYPES

Highway:	HW
Boulevard:	BV
Avenue:	AV
Commercial Street:	CS
Drive:	DR
Street:	ST
Road:	RD
Rear Alley:	RA
Rear Lane:	RL
Bicycle Trail:	BT
Bicycle Lane:	BL
Bicycle Route:	BR
Path:	PT
Passage:	PS
Transit Route:	TR





KEY	CS-50-22	CS-55-29
Thoroughfare Type	Commercial Street	Commercial Street
Sustainable Zone Assignment	NG, NM, VC, UC	NG, NM, VC, UC
Right-of-Way Width	50 feet	55 feet
Pavement Width	22 feet	29 feet
Movement	Slow Movement	Slow Movement
Design Speed	20 MPH	20 MPH
Pedestrian Crossing Time	6.2 seconds	8.2 seconds
Traffic Lanes	1 lane	1 lane
Parking Lanes	One side @ 8 feet marked	Both sides @ 7 feet marked
Curb Radius	15 feet	15 feet
Walkway Type	18/10 foot Sidewalk	13 foot Sidewalk
Planter Type	Tree well	Tree well
Curb Type	Curb	Curb
Landscape Type	Trees at 50' o.c. Avg.	Trees at 50' o.c. Avg.
Transportation Provision		

Note: Curb radius to be high-strength / reinforced

Note: Curb radius to be high-strength / reinforced

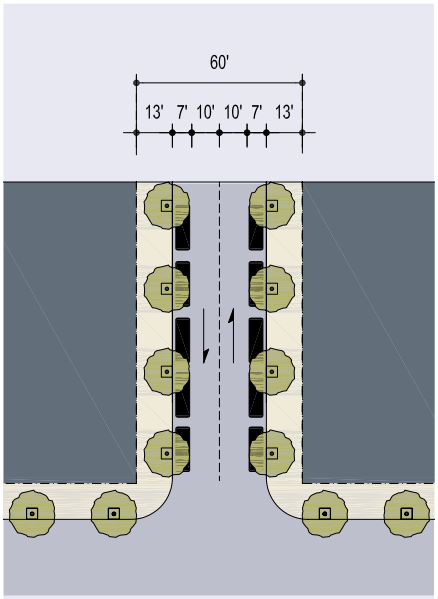
TABLE 4C THOROUGHFARE ASSEMBLIES

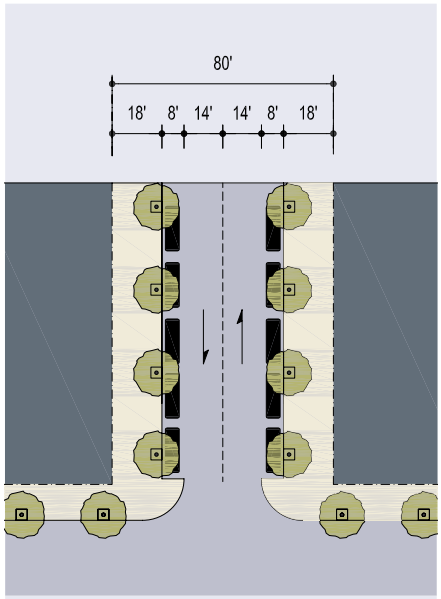
KEY ST-57-20-BL

- Thoroughfare Type
- Right of Way Width
- Pavement Width
- Transportation Provisions

THOROUGHFARE TYPES

Highway:	HW
Boulevard:	BV
Avenue:	AV
Commercial Street:	CS
Drive:	DR
Street:	ST
Road:	RD
Rear Alley:	RA
Rear Lane:	RL
Bicycle Trail:	BT
Bicycle Lane:	BL
Bicycle Route:	BR
Path:	PT
Passage:	PS
Transit Route:	TR





KEY	CS-60-34	CS-80-44
Thoroughfare Type	Commercial Street	Commercial Street
Sustainable Zone Assignment	NM, VC, UC	VC, UC
Right-of-Way Width	60 feet	80 feet
Pavement Width	34 feet	44 feet
Movement	Slow Movement	Free Movement
Design Speed	20 MPH	25 MPH
Pedestrian Crossing Time	9.7 seconds	8 seconds at corners
Traffic Lanes	2 lanes	2 lanes
Parking Lanes	Both sides @ 7 feet marked	Both sides @ 8 feet marked
Curb Radius	10 feet	10 feet
Walkway Type	13 foot Sidewalk	18 foot Sidewalk
Planter Type	Tree well	Tree well
Curb Type	Curb	Curb
Landscape Type	Trees at 50' o.c. Avg.	Trees at 50' o.c. Avg.
Transportation Provision		

Note: Curb radius to be high-strength / reinforced

Note: Curb radius to be high-strength / reinforced

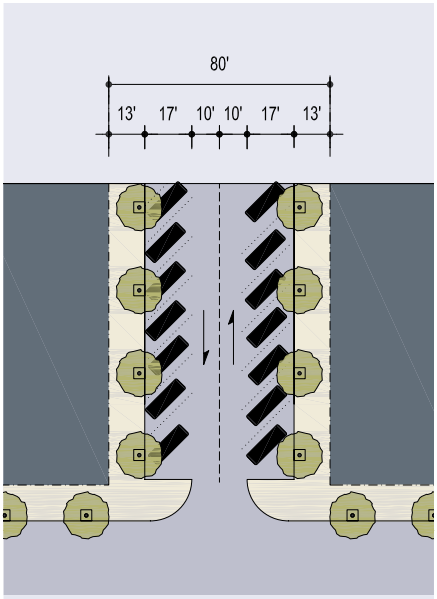
TABLE 4C THOROUGHFARE ASSEMBLIES

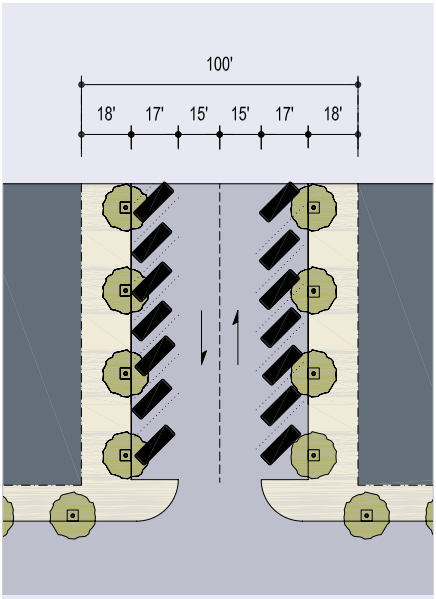
KEY ST-57-20-BL

- Thoroughfare Type
- Right of Way Width
- Pavement Width
- Transportation Provisions

THOROUGHFARE TYPES

Highway:	HW
Boulevard:	BV
Avenue:	AV
Commercial Street:	CS
Drive:	DR
Street:	ST
Road:	RD
Rear Alley:	RA
Rear Lane:	RL
Bicycle Trail:	BT
Bicycle Lane:	BL
Bicycle Route:	BR
Path:	PT
Passage:	PS
Transit Route:	TR





KEY	CS-80-54	CS-100-64
Thoroughfare Type	Commercial Street	Commercial Street
Sustainable Zone Assignment	VC, UC	VC, UC
Right-of-Way Width	80 feet	100 feet
Pavement Width	54 feet	64 feet
Movement	Slow Movement	Slow Movement
Design Speed	25 MPH	25 MPH
Pedestrian Crossing Time	5.7 seconds at corners	8.5 seconds at corners
Traffic Lanes	2 lanes	2 lanes
Parking Lanes	Both sides angled @ 17 feet marked	Both sides angled @ 17 feet marked
Curb Radius	10 feet	10 feet
Walkway Type	13 foot Sidewalk	18 foot Sidewalk
Planter Type	Tree well	Tree well
Curb Type	Curb	Curb
Landscape Type	Trees at 50' o.c. Avg.	Trees at 50' o.c. Avg.
Transportation Provision		

Note: Curb radius to be high-strength / reinforced

Note: Curb radius to be high-strength / reinforced

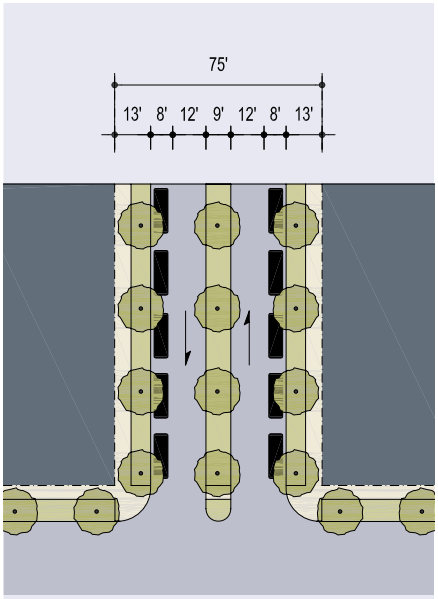
TABLE 4C THOROUGHFARE ASSEMBLIES

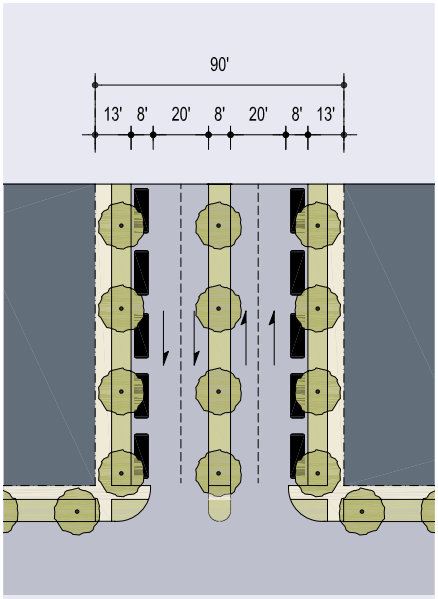
KEY ST-57-20-BL

- Thoroughfare Type
- Right of Way Width
- Pavement Width
- Transportation Provisions

THOROUGHFARE TYPES

Highway:	HW
Boulevard:	BV
Avenue:	AV
Commercial Street:	CS
Drive:	DR
Street:	ST
Road:	RD
Rear Alley:	RA
Rear Lane:	RL
Bicycle Trail:	BT
Bicycle Lane:	BL
Bicycle Route:	BR
Path:	PT
Passage:	PS
Transit Route:	TR





KEY	AV-75-40	AV-90-56
Thoroughfare Type	Avenue	Avenue
Sustainable Zone Assignment	NG, NM, VC, UC	NG, NM, VC, UC
Right-of-Way Width	75 feet	90 feet
Pavement Width	40 feet total	56 feet total
Movement	Slow Movement	Slow Movement
Design Speed	25 MPH	25 MPH
Pedestrian Crossing Time	5.7 seconds - 5.7 seconds	5.7 seconds - 5.7 seconds at corners
Traffic Lanes	2 lanes	4 lanes
Parking Lanes	Both sides @ 8 feet marked	Both sides @ 8 feet marked
Curb Radius	10 feet	10 feet
Walkway Type	6 foot Sidewalk	6 foot Sidewalk
Planter Type	7 foot continuous Planter	7 foot continuous Planter
Curb Type	Curb or Swale	Curb or Swale
Landscape Type	Trees at 50' o.c. Avg.	Trees at 50' o.c. Avg.
Transportation Provision	BR, TR	BR, TR

Note: Curb radius to be high-strength / reinforced

Note: Curb radius to be high-strength / reinforced

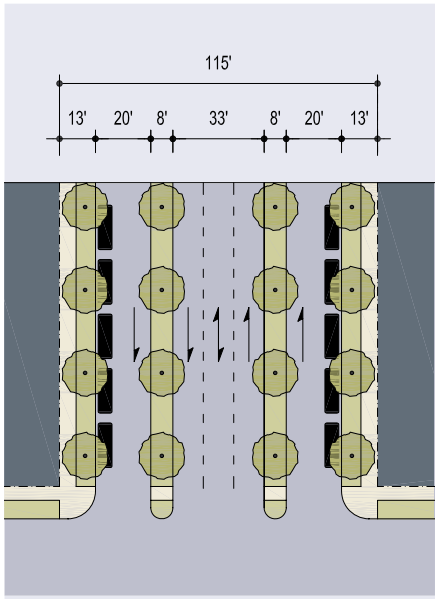
TABLE 4C THOROUGHFARE ASSEMBLIES

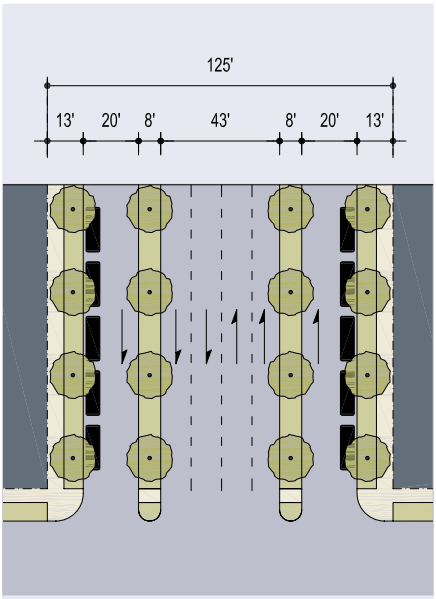
KEY ST-57-20-BL

- Thoroughfare Type
- Right of Way Width
- Pavement Width
- Transportation Provisions

THOROUGHFARE TYPES

Highway:	HW
Boulevard:	BV
Avenue:	AV
Commercial Street:	CS
Drive:	DR
Street:	ST
Road:	RD
Rear Alley:	RA
Rear Lane:	RL
Bicycle Trail:	BT
Bicycle Lane:	BL
Bicycle Route:	BR
Path:	PT
Passage:	PS
Transit Route:	TR





KEY	BV-115-33	BV-125-43
Thoroughfare Type	Boulevard	Boulevard
Sustainable Zone Assignment	VC, UC	VC, UC
Right-of-Way Width	115 feet	125 feet
Pavement Width	20 feet - 33 feet - 20 feet	20 feet - 43 feet - 20 feet
Movement	Free Movement (inner lanes)	Free Movement (inner lanes)
Design Speed	35 MPH	35 MPH
Pedestrian Crossing Time	5.7 seconds - 9.4 seconds - 5.7 seconds	5.7 seconds - 12.2 seconds - 5.7 seconds
Traffic Lanes	3 lanes, one turning lane & two one-way slip roads	4 lanes & two one-way slip roads
Parking Lanes	8 feet	8 feet
Curb Radius	10 feet	10 feet
Walkway Type	6 foot Sidewalk	6 foot Sidewalk
Planter Type	7 foot continuous Planter	7 foot continuous Planter
Curb Type	Curb	Curb
Landscape Type	Trees at 50' o.c. Avg.	Trees at 50' o.c. Avg.
Transportation Provision	BR, TR	BR, TR

Note: Curb radius to be high-strength / reinforced

Note: Curb radius to be high-strength / reinforced

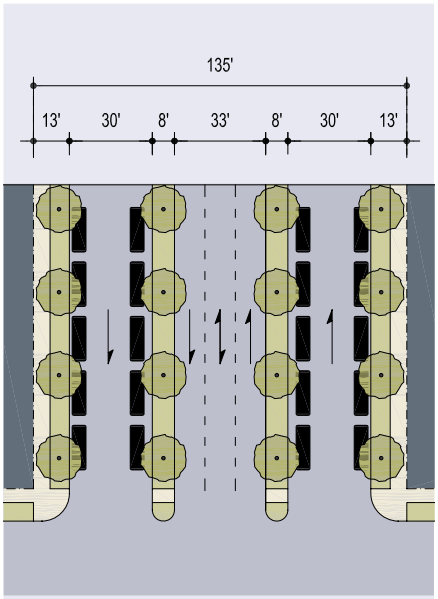
TABLE 4C THOROUGHFARE ASSEMBLIES

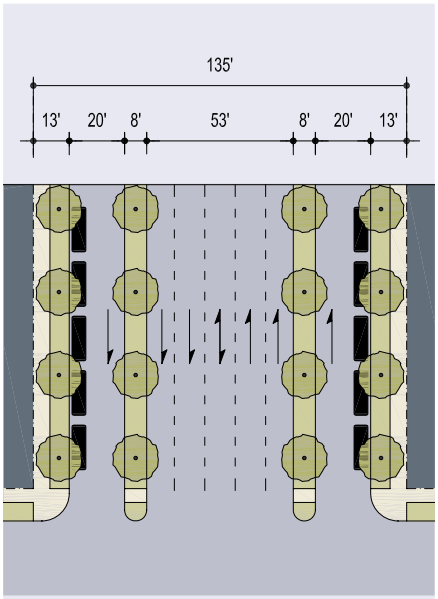
KEY ST-57-20-BL

- Thoroughfare Type
- Right of Way Width
- Pavement Width
- Transportation Provisions

THOROUGHFARE TYPES

Highway:	HW
Boulevard:	BV
Avenue:	AV
Commercial Street:	CS
Drive:	DR
Street:	ST
Road:	RD
Rear Alley:	RA
Rear Lane:	RL
Bicycle Trail:	BT
Bicycle Lane:	BL
Bicycle Route:	BR
Path:	PT
Passage:	PS
Transit Route:	TR





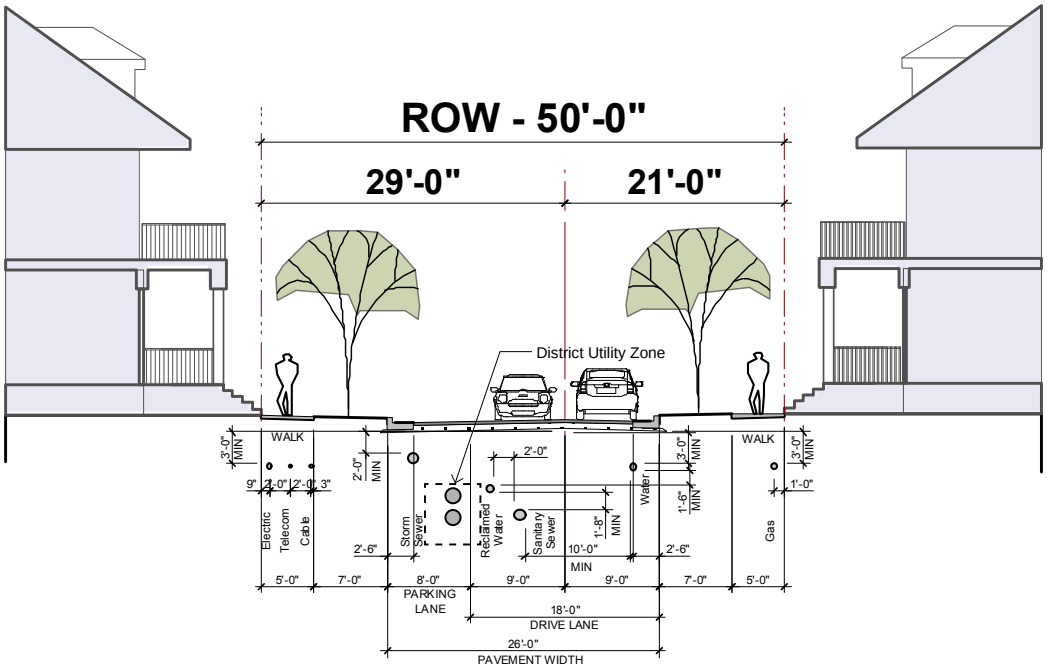
KEY	BV-135-33	BV-135-53
Thoroughfare Type	Boulevard	Boulevard
Sustainable Zone Assignment	VC, UC	VC, UC
Right-of-Way Width	135 feet	135 feet
Pavement Width	30 feet - 33 feet - 30 feet	20 feet - 53 feet - 20 feet
Movement	Free Movement	Free Movement
Design Speed	35 MPH	35 MPH
Pedestrian Crossing Time	8.5 seconds - 9.4 seconds - 8.5 seconds	5.7 seconds - 15.1 seconds - 5.7 seconds
Traffic Lanes	3 lanes, one turning lane & two one-way slip roads	5 Lanes, one turning lane & two one-way slip roads
Parking Lanes	8 feet	8 feet
Curb Radius	10 feet	10 feet
Walkway Type	6 foot Sidewalk	6 foot Sidewalk
Planter Type	7 foot continuous Planter	7 foot continuous Planter
Curb Type	Curb	Curb
Landscape Type	Trees at 50' o.c. Avg.	Trees at 50' o.c. Avg.
Transportation Provision	BR, TR	BR, TR

Note: Curb radius to be high-strength / reinforced

Note: Curb radius to be high-strength / reinforced

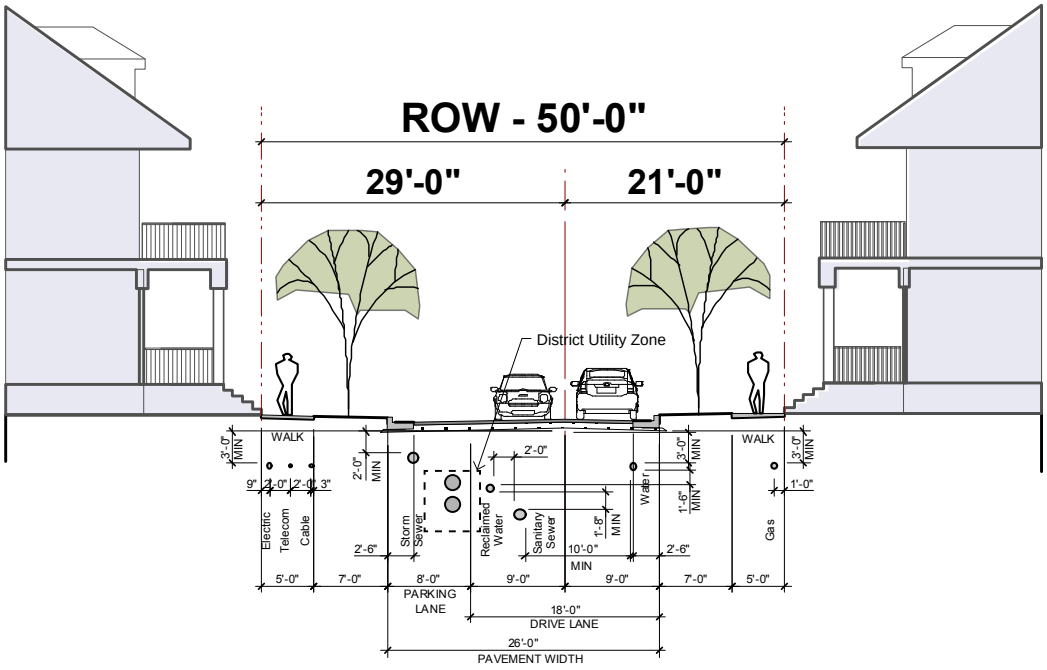
TABLE 4D. THOROUGHFARE CROSS SECTIONS

TABLE 4D: Thoroughfare Cross Sections. These Thoroughfares Cross Sections are assembled from the some of the typical Thoroughfares that appear in Table 4C and represent Standard Street Cross Sections Showing Utilities.



ST-50-26 without Rear Lane

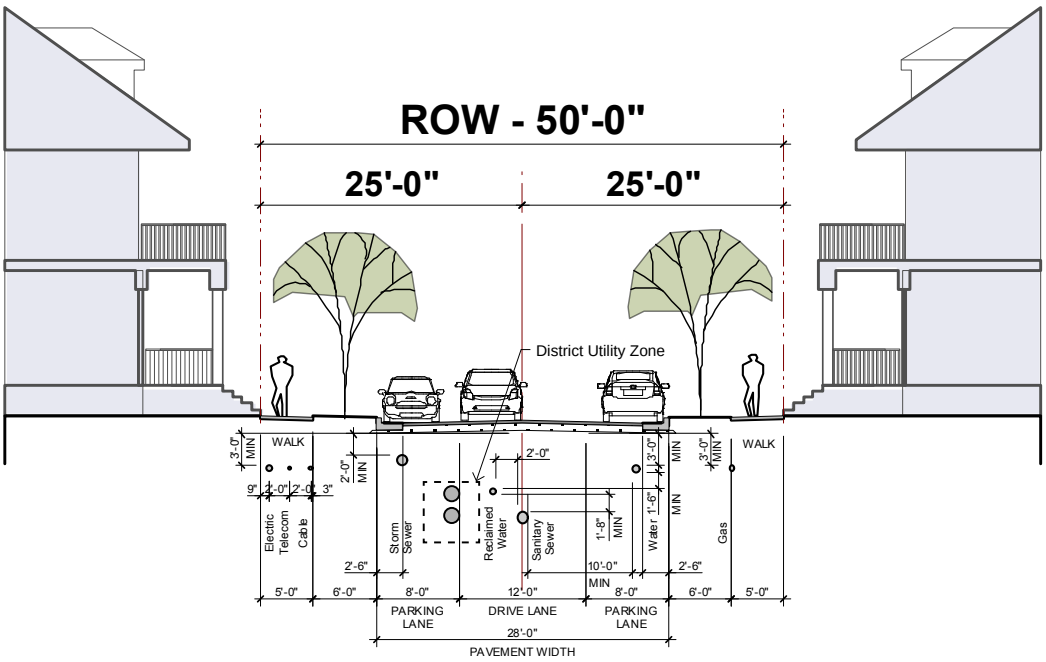
Thoroughfare Sections with Utilities



ST-50-26 with Rear Lane

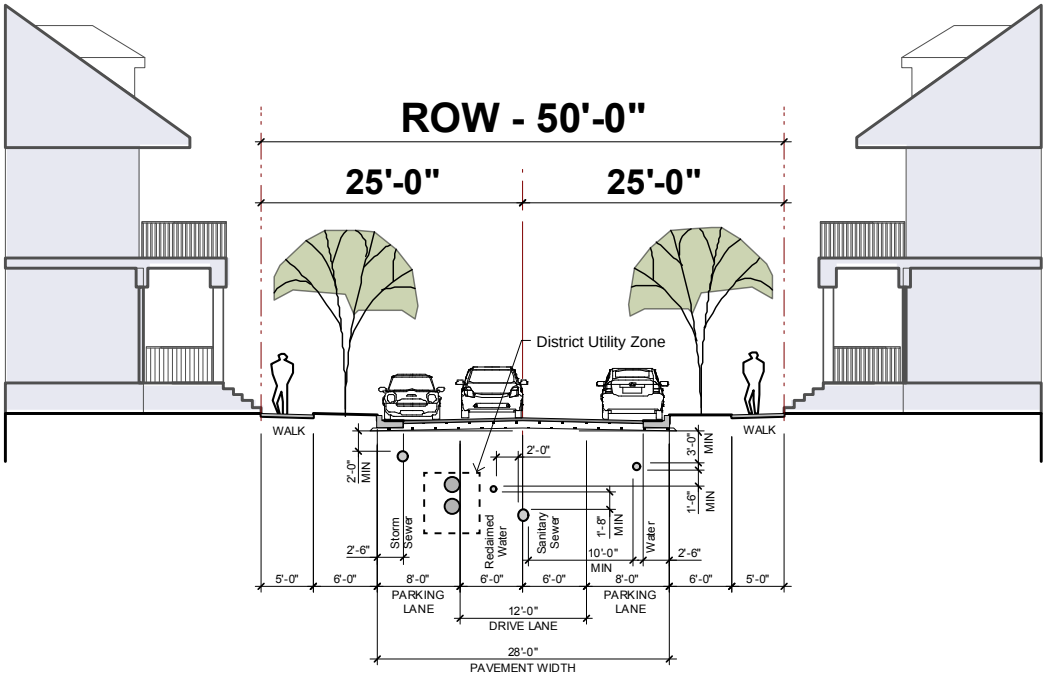
Thoroughfare Sections with Utilities

TABLE 4D. THOROUGHFARE CROSS SECTIONS



ST-50-28 without Rear Lane

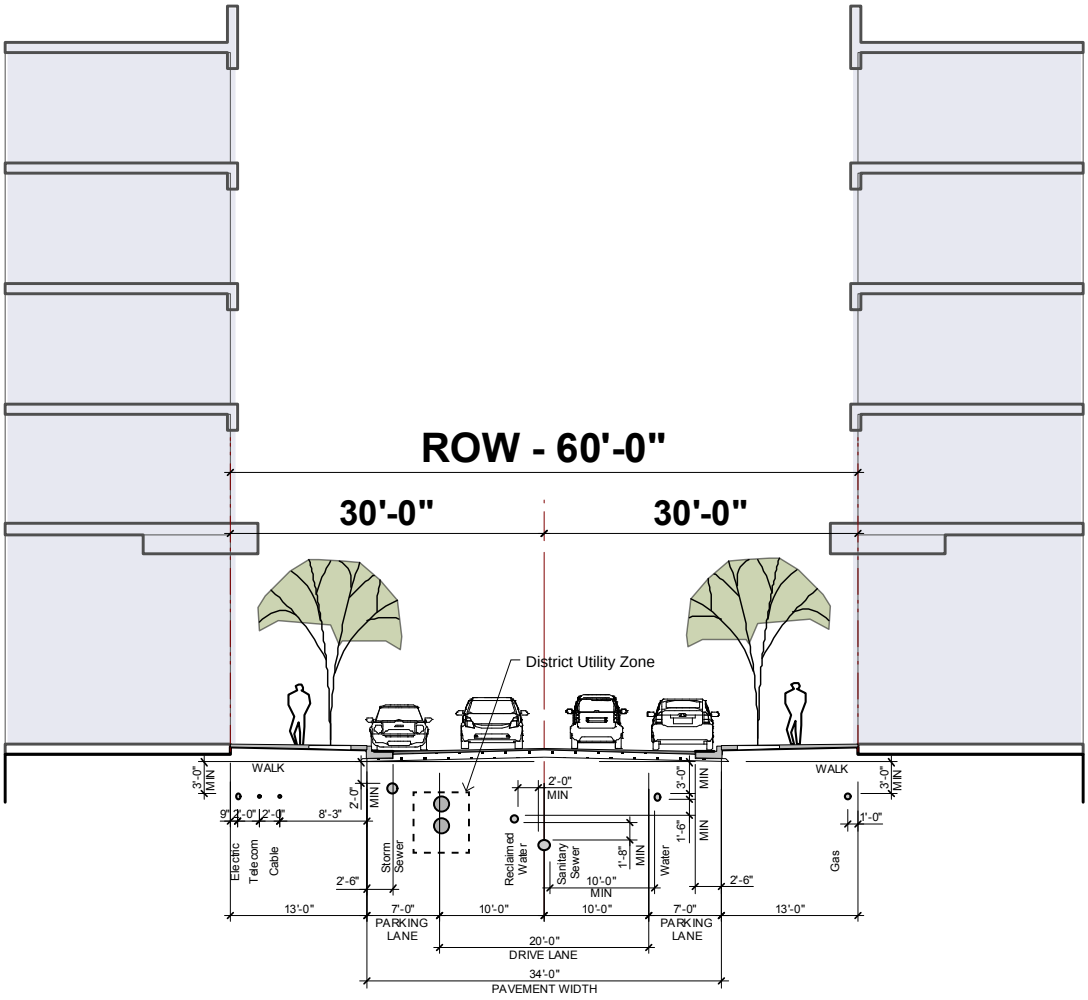
Thoroughfare Sections with Utilities



ST-50-28 with Rear Lane

Thoroughfare Sections with Utilities

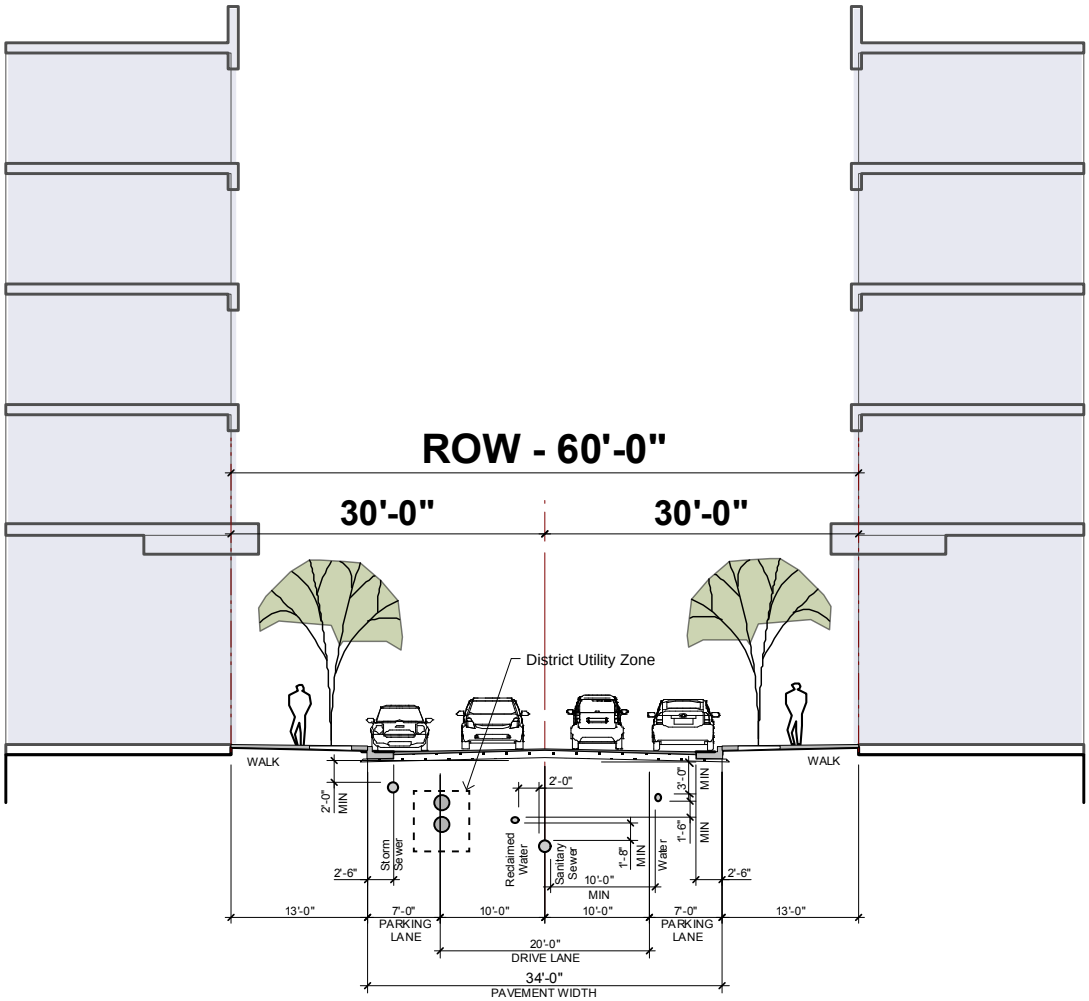
TABLE 4D. THOROUGHFARE CROSS SECTIONS



CS-60-34 without Rear Alley

Thoroughfare Sections with Utilities

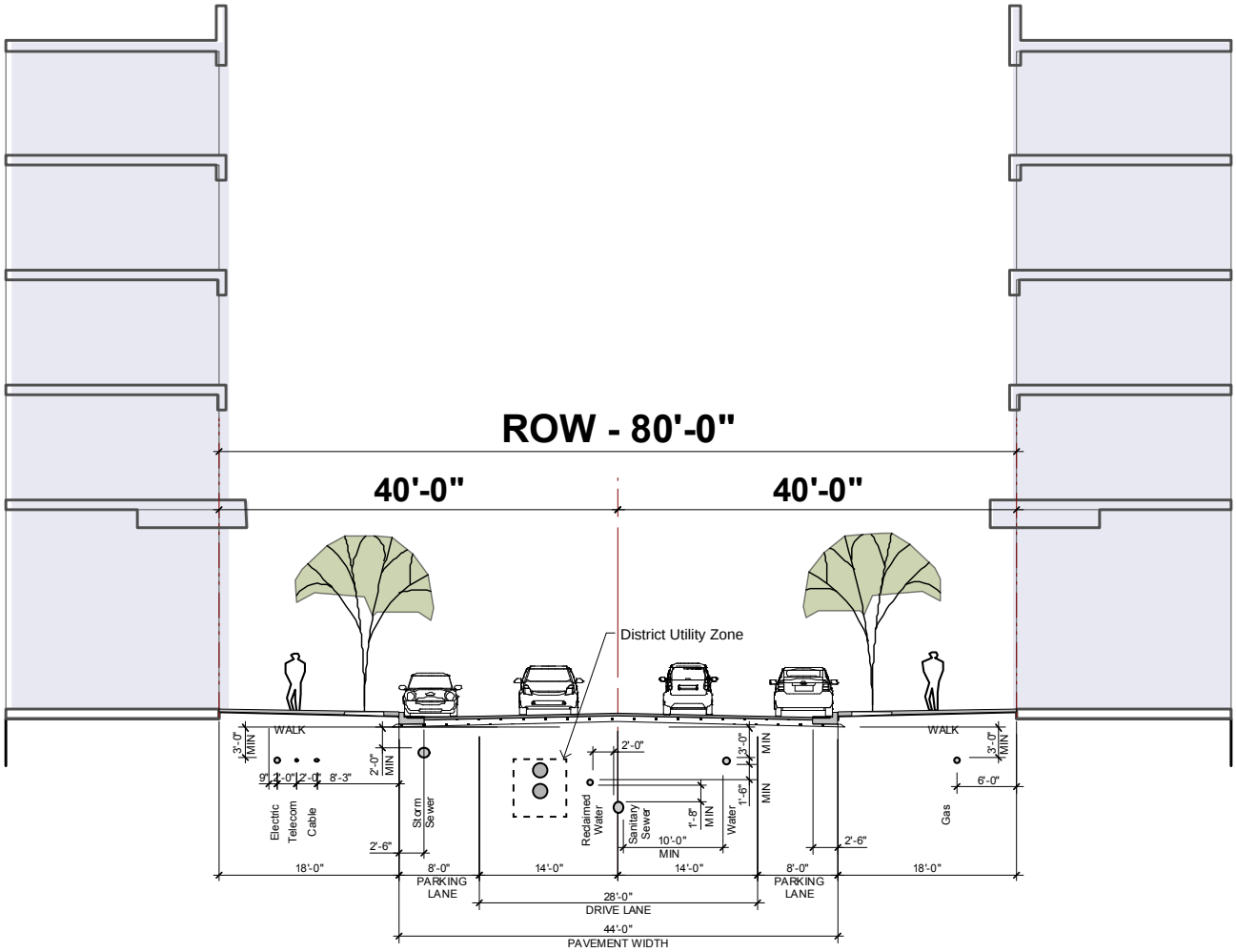
TABLE 4D. THOROUGHFARE CROSS SECTIONS



CS-60-34 with Rear Alley

Thoroughfare Sections with Utilities

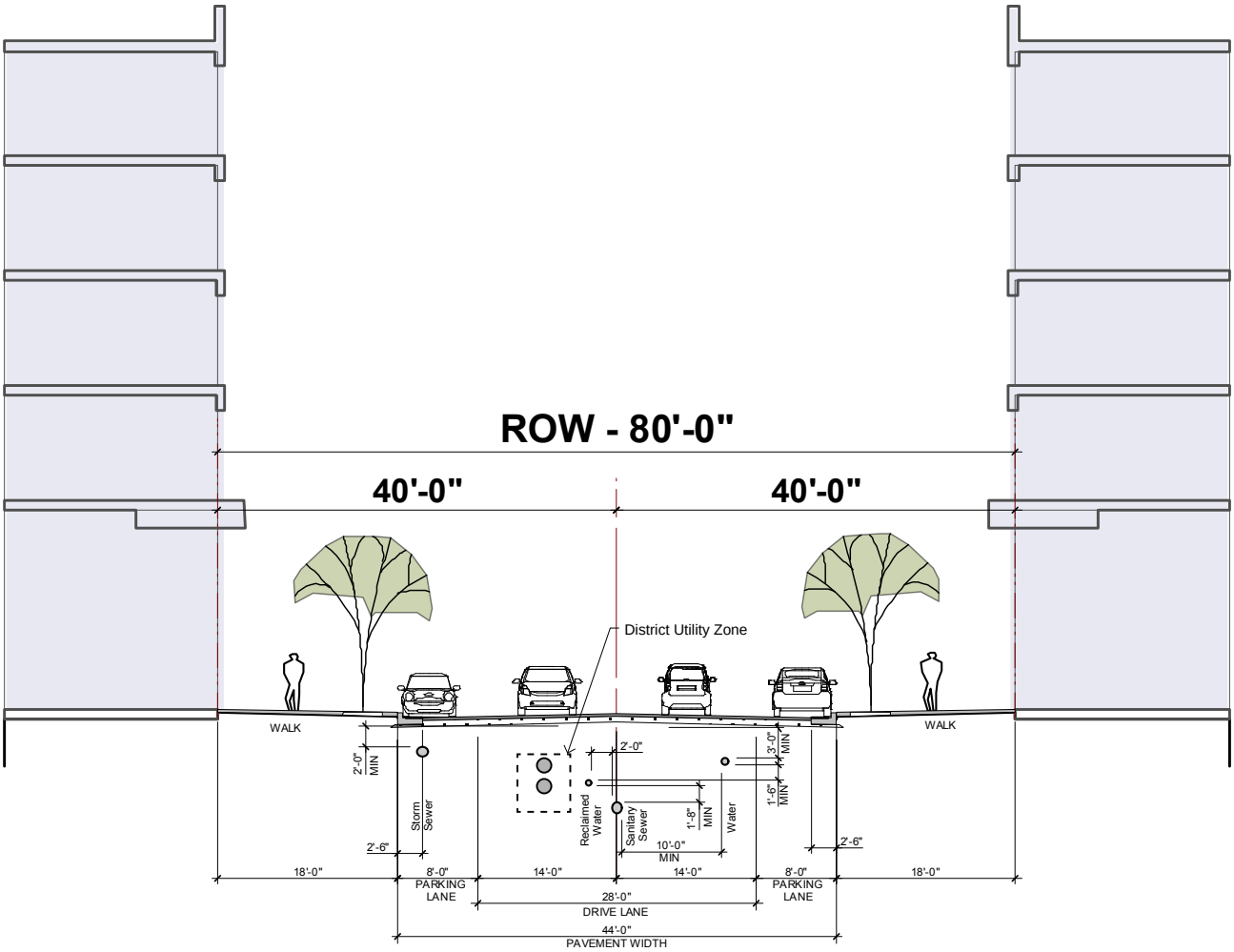
TABLE 4D. THOROUGHFARE CROSS SECTIONS



CS-80-44 without Rear Alley

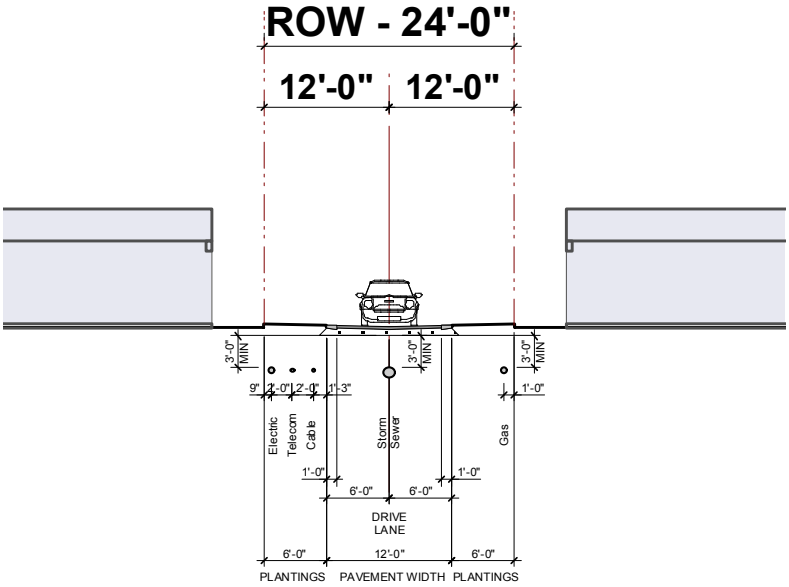
Thoroughfare Sections with Utilities

TABLE 4D. THOROUGHFARE CROSS SECTIONS



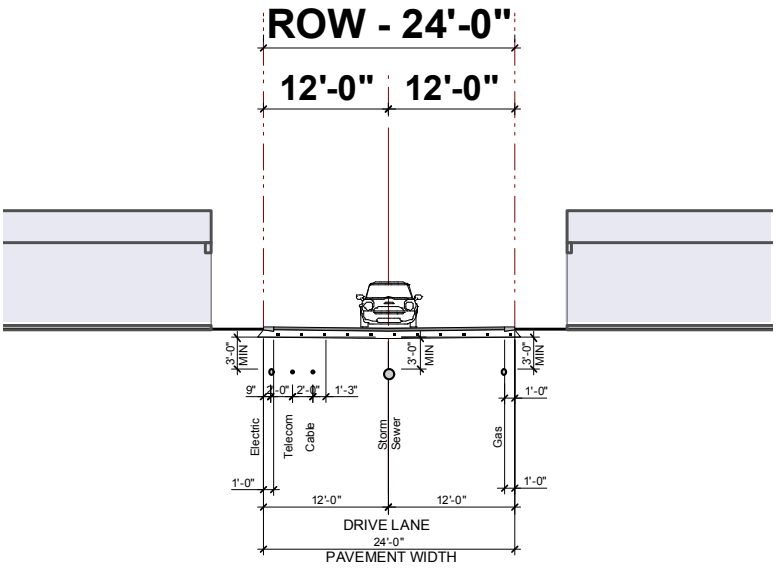
CS-80-44 with Rear Alley

Thoroughfare Sections with Utilities



RL-12-24 Rear Lane

Thoroughfare Sections with Utilities



RA-24-24 Rear Alley

Thoroughfare Sections with Utilities

TABLE 6. PUBLIC PLANTING

TABLE 6: Public Planting. This table shows five common types of street tree shapes and their appropriateness within the Sustainable Zones. Provide adequate soil volumes for street trees set within hardscape. A registered professional shall prepare a landscape plan and provide planting details to ensure adequate soil preparation for the size and species proposed on the plan.

	OS	NG	NM	VC	UC	Native and Naturalized Plant List Table Page 27
Oval 	▪	▪	▪	▪	▪	
Ball 	▪	▪	▪	▪	▪	
Pyramid 	▪	▪	▪	▪	▪	
Umbrella 	▪	▪	▪	▪	▪	
Vase 	▪	▪	▪	▪	▪	

TABLE 6. PUBLIC PLANTING

TABLE 6: Public Planting. This table shows a list of native and naturalized trees divided in five common types of street tree shapes and their appropriateness within the Sustainable Zones. Other types of hardy plant material are allowed with TRC approval.

Oval Shape (OS, NG, NM, VC, UC)		Tree Size*
Acer campestre	Hedge Maple	L
Acer truncatum	Purpleblow Maple	M
Carpinus caroliniana	American Hornbeam	M
Pistacia chinensis cultivar “Keith Davey”	Chinese Pistache	M
Tilia americana	American Linden	L
Tilia cordata	Littleleaf Linden	M
Ball Shape (OS, NG, NM, VC, UC)		
Acer barbatum	Southern Sugar Maple	M
Acer buergeranum	Trident Maple	S
Acer ginnala	Amur Maple	M
Amelanchier arborea	Downy Serviceberry	M
Platanus X acerifolia	London Planetree	L
Quercus coccinea	Scarlet Oak	L
Quercus lyrata	Overcup Oak	L
Quercus phellos	Willow Oak	L
Qurcus shumardii	Shumard Oak	L
Quercus virginiana	Live Oak	L
Pyramid Shape (OS, NG, NM)		
Carpinus betulus	European Hornbeam	M
Cryptomeria japonica	Japanese Cryptomeria	M
Ginkgo biloba (Male only)	Ginkgo	L
Ilex opaca	American Holly	L
Juniperus virginiana	Eastern Redcedar	L
Magnolia grandifolia	Southern Magnolia	L
Metasequoia glyptostroboides	Dawn Redwood	L
Nyssa sylvatica	Black Gum	L
Umbrella Shape (OS, NG, NM)		
Celtis laevigata	Sugar Hackberry	L
Cornus florida	Flowering Dogwood	S
Gleditsia triacanthos var.inermis	Thornless Honey Locust	M
Koelreuteria paniculata	Golden Rain Tree	M
Ostrya virginiana	Ironwood	L
Ulmus parvifolia	Lacebark Elm	L
Vitex agnus-castus	Chaste Tree	S
Zelkova serrata	Japanese Zelkova	L
Vase Shape (OS, NG, NM)		
Acer ginnala	Amur Maple	M
Cercis canadensis	Eastern Redbud	S
Chionanthus virginicus	Fringetree	S
Lagerstroemia indica	Crape Myrtle	S/M
Styrax japonica	Japanese Snowbell	S

* Tree Size

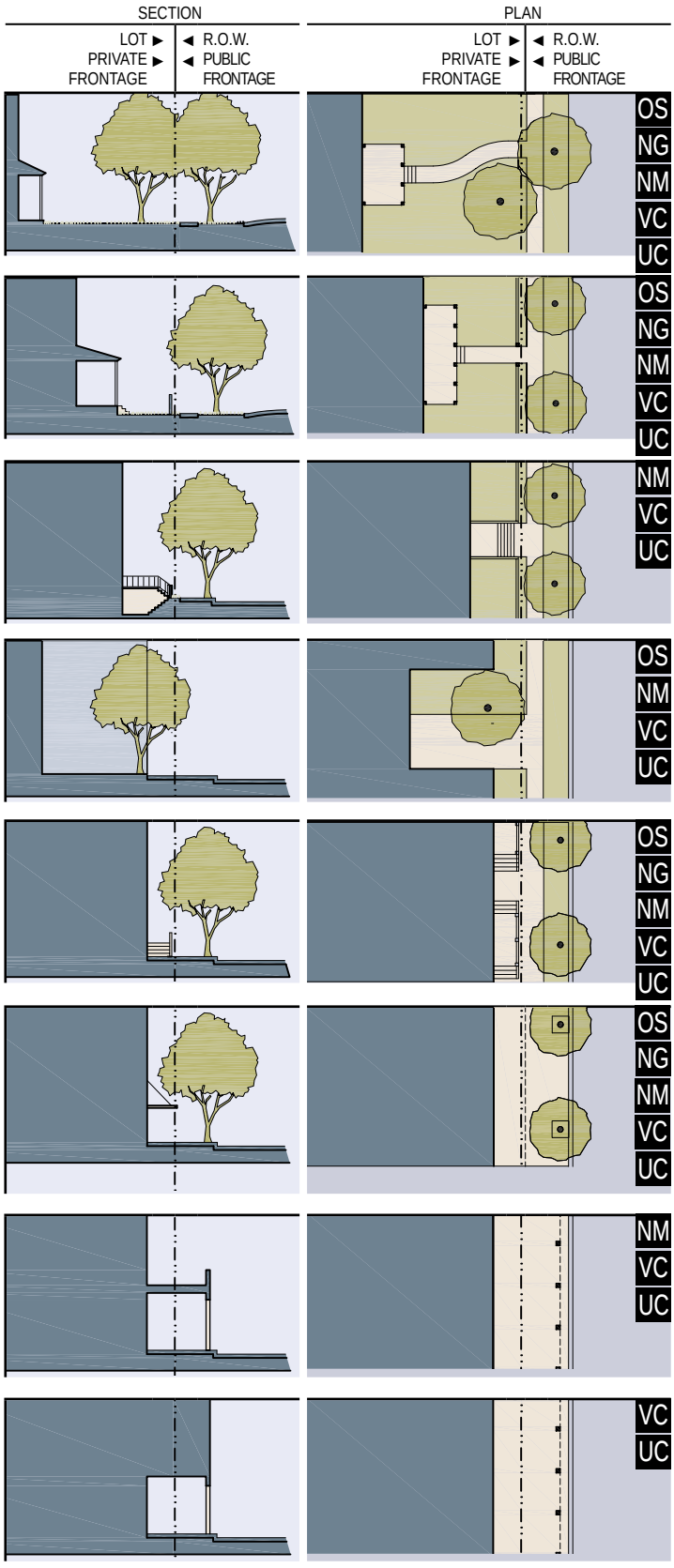
Small Tree (S): Trees with a mature height of less than 20 feet tall. Small trees shall be planted in permeable areas no less than 6’ x 8’ and 3’ minimum depth of soil preparation per Town of Apex standards.

Medium Tree (M): Trees with mature height between 20 and 30 feet tall. Medium trees shall be planted in permeable areas no less than 6’ x 8’ and 3’ minimum depth of soil preparation per Town of Apex standards

Large Trees (L): Trees with mature height above 30 feet tall. Large trees shall be planted in permeable areas no less than 10’ x 12’ and 3’ minimum depth of soil preparation per Town of Apex standards

TABLE 7. PRIVATE FRONTAGES

TABLE 7: Private Frontages. The Private Frontage is the area between the building Facade and the Lot line. Note that buildings in B-Grid Zones reflect automobile-oriented standards with parking permitted in front and larger building setbacks.



a. Common Yard - A-Grid: a planted Frontage wherein the Facade is set back from the Frontage Line. The front yard created remains unfenced and is visually continuous with adjacent yards, supporting a common landscape.
Common Yard - B-Grid: a Frontage that permits parking in the front Layer with perimeter landscaping

b. Porch: a planted Frontage wherein the Facade is set back from the Frontage Line with an attached porch permitted to Encroach. A fence, low wall or slope at the Frontage Line may be used to maintain street spatial definition. Porches shall be no less than 8 feet deep.

c. Terrace or Lightwell: a Frontage wherein the Facade is set back from the Frontage line by an elevated terrace and/or a sunken Lightwell. This type buffers Residential use from urban Sidewalks and removes the private yard from public Encroachment. Terraces are suitable for conversion to outdoor cafes. Syn: Dooryard.

d. Forecourt: a Frontage wherein a portion of the Facade is close to the Frontage Line and the central portion is set back. The Forecourt created is suitable for vehicular drop-offs. This type should be allocated in conjunction with other Frontage types. Large trees within the Forecourts may overhang the Sidewalks.

e. Stoop: a Frontage wherein the Facade is aligned close to the Frontage Line with the first Story elevated from the Sidewalk sufficiently to secure privacy for the windows. The entrance is usually an exterior stair and landing. This type is recommended for ground-floor Residential use.

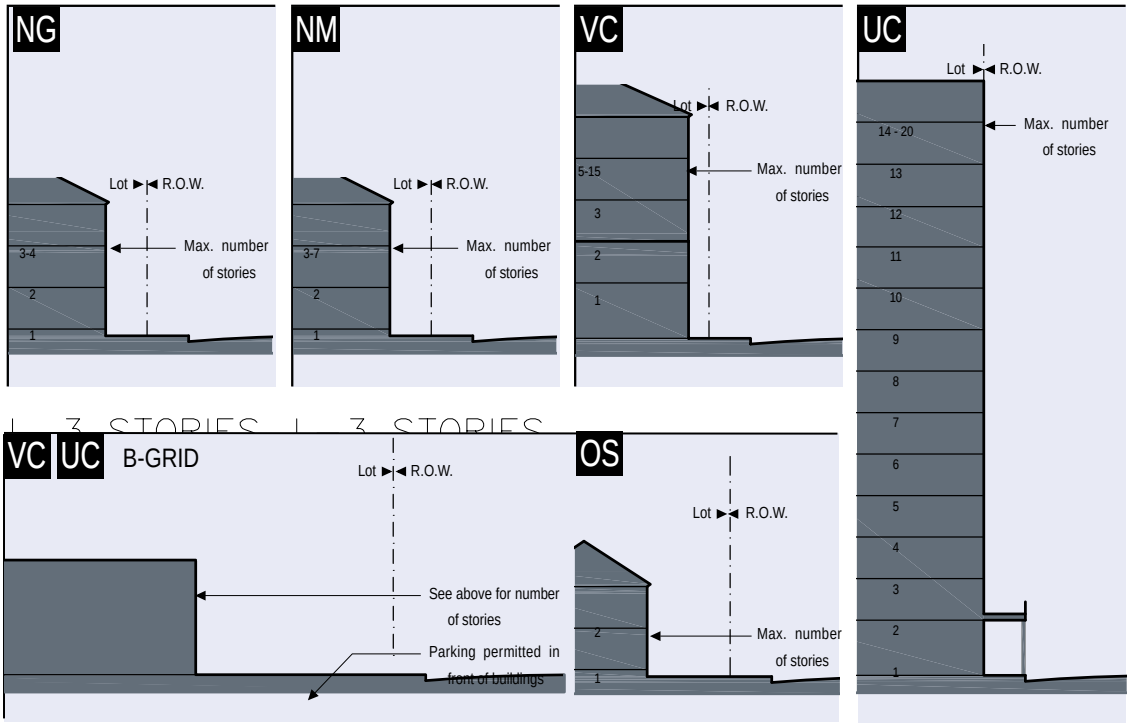
f. Shopfront - A-Grid: a Frontage wherein the Facade is aligned close to the Frontage Line with the building entrance at Sidewalk grade. This type is conventional for Retail use. It has a substantial glazing on the Sidewalk level and may have awning or canopies that may overlap the Sidewalk to within 2 feet of the Curb. Syn: Retail Frontage.
Shopfront- B-Grid: a Frontage that permits parking in the front Layer with perimeter landscaping

g. Gallery: a Frontage wherein the Facade is aligned close to the Frontage line with an attached cantilevered shed or a lightweight colonnade overlapping the Sidewalk. This type is conventional for Retail use. The Gallery shall be no less than 10 feet wide (clear) and should overlap the Sidewalk to within 2 feet of the Curb.

h. Arcade: a colonnade supporting habitable space that overlaps the Sidewalk, while the Facade at Sidewalk level remains at or behind the Frontage Line. This type is conventional for Retail use. The Arcade shall be no less than 12 feet wide (clear) and should overlap the Sidewalk to within 2 feet of the Curb. See Table 8.

TABLE 8. BUILDING CONFIGURATION

TABLE 8: Building Configuration. This table shows the Configurations for different building heights for each Sustainable Zone. Maximum number of stories specified in Table 14k. Regardless of the number of stories, maximum height of a multi-story building shall not exceed 400 feet.



* UC not in excess of 20 stories without specific site plan review and approval by Council.

Stepbacks/Arcade/Gallery Heights. The diagrams below show Arcade and Gallery Frontages. Diagrams above apply to all other Frontages.

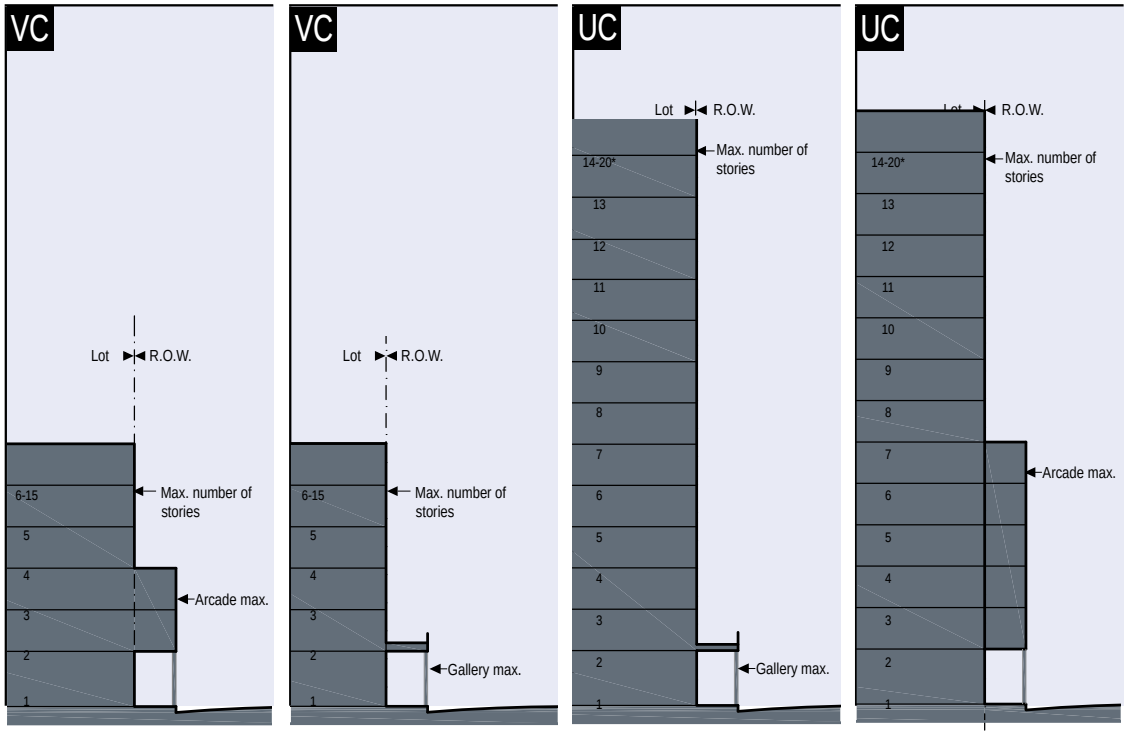
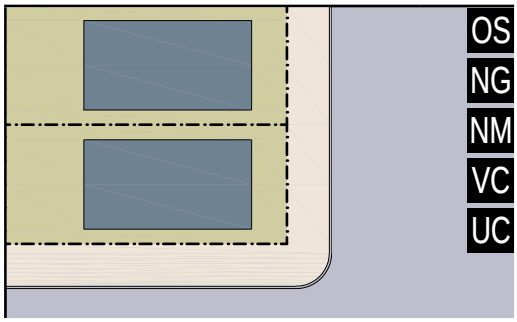


TABLE 9. BUILDING DISPOSITION

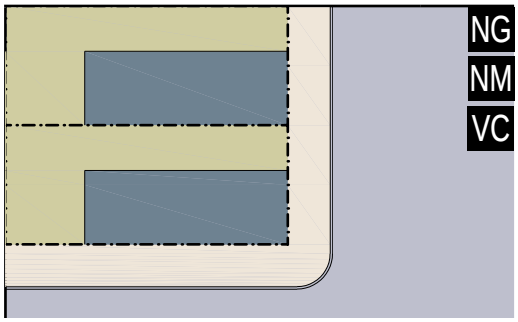
TABLE 9: Building Disposition. This table depicts the location of the structure relative to the boundaries of each individual Lot, establishing suitable basic building types for each Sustainable Zone.

a. Edgeyard - A-Grid: A building that occupies the center of its Lot with Setbacks on all sides. The front yard is visually continuous with the yards of adjacent buildings. The rear yard can be secured for privacy by fences and a well-placed Backbuilding and/or Outbuilding.

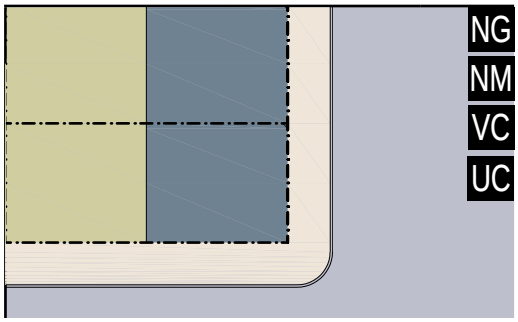
Edgeyard - B-Grid (VC & UC Zones): A building that occupies the center of its Lot with Setbacks on all sides. The front Layer side and rear yards may be used for parking. This is the least urban of types as the building Facade sets back from the Frontage. The rear yard can be used for truck access and may secured for privacy by fences.



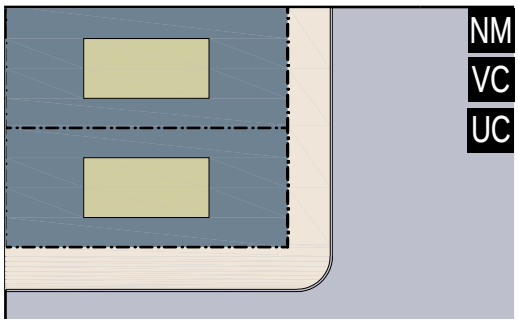
b. Sideyard: A building that occupies one side of the Lot with the Setback to the other side. A shallow Frontage Setback defines a more urban condition. If the adjacent building is similar with a blank side wall, the yard can be quite private. This type permits systematic climatic orientation in response to the sun or the breeze.



c. Rearyard: A building that occupies the full Frontage, leaving the rear of the Lot as the sole yard for residential and as building, sole yard or structured parking for other uses. This is a very urban type as the continuous Facade steadily defines the public Thoroughfare. The rear Elevations may be articulated for functional purposes. In its Residential form, this type is the Townhouse. For its Commercial form, the rear yard can accommodate substantial parking.



d. Courtyard: A building that occupies the boundaries of its Lot while internally defining one or more private spaces. This is the most urban of types, as it is able to shield the private realm from all sides while strongly defining the public Thoroughfare. Because of its ability to accommodate incompatible activities, masking them from all sides.



TABLES 10 & 11. BUILDING FUNCTION & PARKING CALCULATIONS

TABLE 10: Building Function. This table categorizes Building Functions within Sustainable Zones. Parking requirements are correlated to functional intensity. For Specific Function and Use permitted By Right or by Administrative Approval, see Table 12. The Commercial Function of a Live-Work unit may be anywhere in the unit. It may be occupied by a business operator who lives in the same structure that contains the Commercial activity or industry.

	OS NG	NM	VC UC
a. RESIDENTIAL	Residential: The number of single family dwellings on each Lot is restricted to one within a Principal Building and one within an Accessory Building. Both dwellings shall be under single ownership. The habitable area of the Accessory Unit shall not exceed 800 sf, excluding the enclosed parking area. See Table 11A for required parking.	Residential: The number of dwellings on each Lot is calculated by the minimum requirement of parking places for each dwelling, a ratio which may be reduced according to the shared parking standards (See Table 11). See Table 11A for required parking.	Residential: The number of dwellings on each Lot is calculated by the minimum requirement of 1.0 parking places per dwelling, a ratio which may be reduced according to the shared parking standards (See Table 11). Parking requirements may be satisfied off-site per Section 5.7. Parking is calculated by the minimum requirement of 0.75 parking places per dwelling for Independent Living.
b. LODGING	Lodging: The number of bedrooms available on each Lot for lodging is calculated by the requirement of 1.0 assigned parking place for each bedroom, up to five, in addition to the parking requirement for the dwelling. Food service may be provided in the a.m. Not applicable for OS.	Lodging: The number of bedrooms available on each Lot for lodging is calculated by the minimum requirement of 1.0 assigned parking places for each bedroom, up to twelve, in addition to the parking requirement for the dwelling. Food service may be provided at all times.	Lodging: The number of bedrooms available on each Lot for lodging is calculated by the minimum requirement of 0.5 assigned parking places for each bedroom. Food service may be provided at all times. The area allocated for food service shall be calculated and provided with parking according to Retail Function. Parking requirements may be satisfied off-site per Section 5.7.
c. OFFICE / MANUFACTURING	**Office/Manufacturing:** The building area available for office use on each Lot is restricted to the first Story of the Principal or the Accessory Building and by the minimum requirement of 3.0 assigned parking places per 1000 square feet of gross office space in addition to the parking requirement for any dwellings. The specific use shall be further limited to 8,000 SF for any single tenant use. Not applicable for OS.	Office/Manufacturing: The building area available for office may include the Accessory building, and by the minimum requirement of 3.0 assigned parking places per 1000 square feet of gross office space in addition to any parking requirement for other uses.	**Office/Manufacturing:** The building area available for office use on each Lot is calculated by the minimum requirement of 1.6 assigned parking places per 1000 square feet of gross office space. Parking requirements may be satisfied off-site per Section 5.7.
d. RETAIL	Retail: The building area available for Retail use is calculated by the minimum requirement of 3.0 assigned parking places per 1000 square feet of gross Retail space in addition to the parking requirement of any dwellings. The specific use shall be further limited to 8,000 SF for any single tenant use, or food service seating no more than 100.	Retail: The building area available for Retail use is calculated by the minimum requirement of 3.0 assigned parking places per 1000 square feet of gross Retail space in addition to any parking requirement for other uses. The specific use shall be further limited by Table 12 to include, but not be limited to neighborhood stores, or food service seating no more than 120.	Retail: The building area available for Retail use is calculated by the minimum requirement of 2.5 assigned parking places per 1000 square feet of gross Retail space. Retail spaces under 1500 square feet are exempt from parking requirements. Parking requirements may be satisfied off-site per Section 5.7.
e. CIVIC	See Table 12	See Table 12	See Table 12
f. OTHER	See Table 12	See Table 12	See Table 12

TABLE 11: Parking Calculations. The Shared Parking Factor for two Functions, when divided into the sum of the two amounts as listed on the Required Parking table below, produces the Effective Parking needed for each site involved in sharing. Conversely, if the Sharing Factor is used as a multiplier, it indicates the amount of building allowed on each site given the parking available. Within the overlay area of a Transit Oriented Development (TOD) the Effective Parking may be further adjusted downward by 30%.

REQUIRED PARKING (See Table 10)

	OS NG	NM	VC UC
RESIDENTIAL	See Table 11A	See Table 11A	1.0 / dwelling
LODGING	1.0 / bedroom	1.0 / bedroom	0.5 / bedroom
OFFICE	3.0 / 1000 sq. ft.	3.0 / 1000 sq. ft.	1.6 / 1000 sq. ft.
RETAIL	3.0 / 1000 sq. ft.	3.0 / 1000 sq. ft.	2.5 / 1000 sq. ft.
CIVIC	Determined by the Planning Director or Planning Director's designee		
OTHER	Determined by the Planning Director or Planning Director's designee		

SHARED PARKING FACTOR

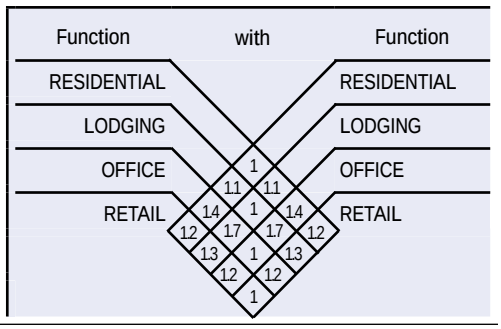


TABLE 11A. PARKING

Single Family Residential Building Types. This parking diagram illustrates the parking locations for on and off street parking for the various residential building types within the Neighborhood General and Neighborhood Mixed-Use Zones. Parking is calculated by the minimum requirement of 0.75 parking places per dwelling for Independent Living.

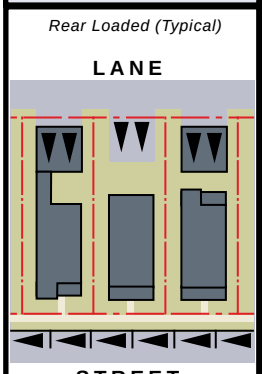
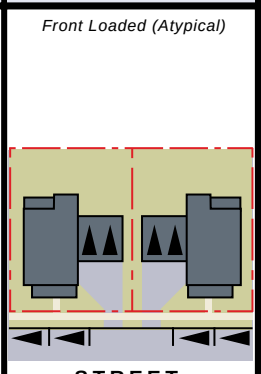
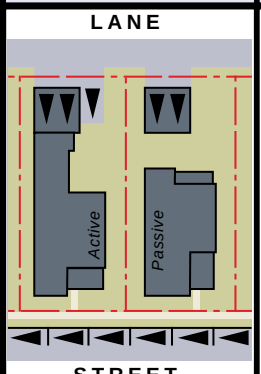
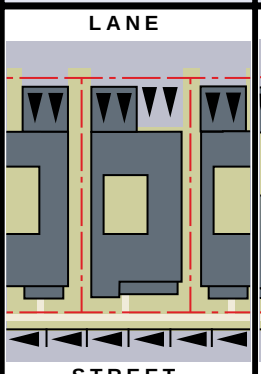
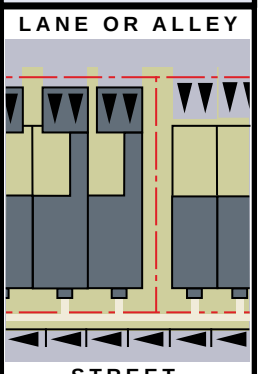
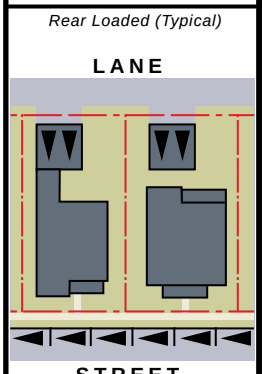
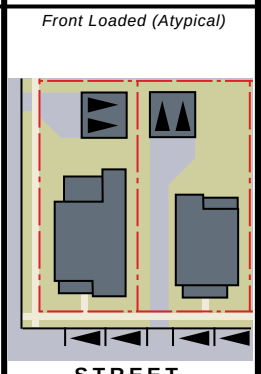
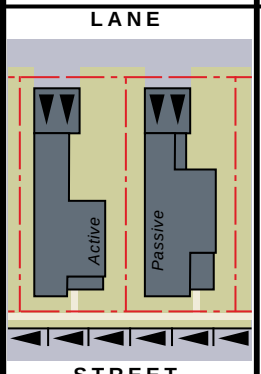
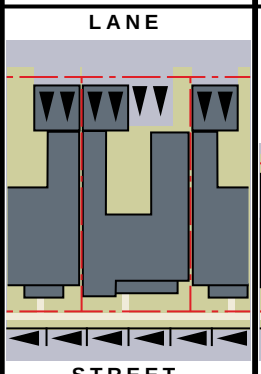
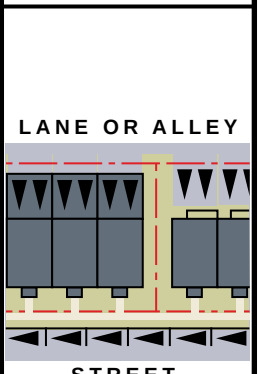
NG NM	NG NM	NG NM	NM	NG NM
Detached House	Detached House	Sideyard House	Courtyard House	Townhouse
				
				
Detached House: an edge yard building type. A single-family dwelling on small to large lots, shared with an accessory building in the rear yard.	**Detached House:** an edge yard building type. A single-family dwelling on medium to large lots, shared with an accessory building in the rear yard and front or side driveway where alley is not available (atypical condition).	**Sideyard House:** a sideyard building type. A single-family dwelling which occupies one side of the lot, with the primary yard to the other side, shared with ancillary building in the rear yard.	**Courtyard House:** a courtyard building type which surrounds one or more private yards. This is a functionally flexible type as it is able to shield the private open space from a public realm of great intensity.	**Townhouse:** a rear yard building type. A single family dwelling with common walls on the side lot lines, the facades forming a continuous frontage line. Rowhouses are the highest density type able to provide private yards..
NG **Required Parking:** 2 Off-Street	NG **Required Parking:** 2 Off-Street	NG **Required Parking:** 2 Off-Street	NM **Required Parking:** 2 Off-Street	NG **Required Parking:** 2 Off-Street
NM **Required Parking:** 2 Off-Street Table 11 Shared Parking Factor does not apply to this use.	NM **Required Parking:** 2 Off-Street Table 11 Shared Parking Factor does not apply to this use.	NM **Required Parking:** 2 Off-Street Table 11 Shared Parking Factor does not apply to this use.	NM **Required Parking:** 2 Off-Street Table 11 Shared Parking Factor does not apply to this use.	NM **Required Parking:** 2 Off-Street Table 11 Shared Parking Factor does not apply to this use.

TABLE 11A. PARKING

Townhome and Multi-Family Residential Building Types. This parking diagram illustrates the parking locations for on and off street parking for the various residential building types within the Neighborhood General and Neighborhood Mixed-Use Zones. Parking is calculated by the minimum requirement of 0.75 parking places per dwelling for Independent Living.

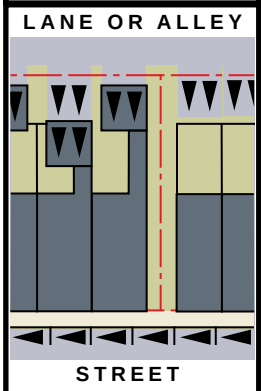
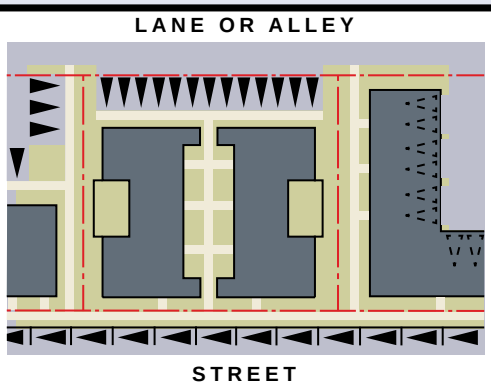
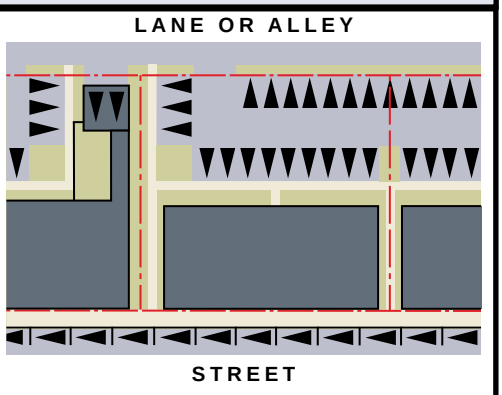
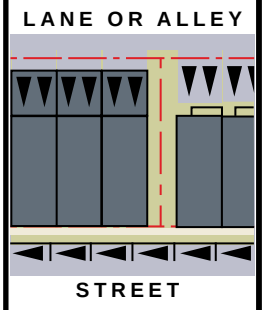
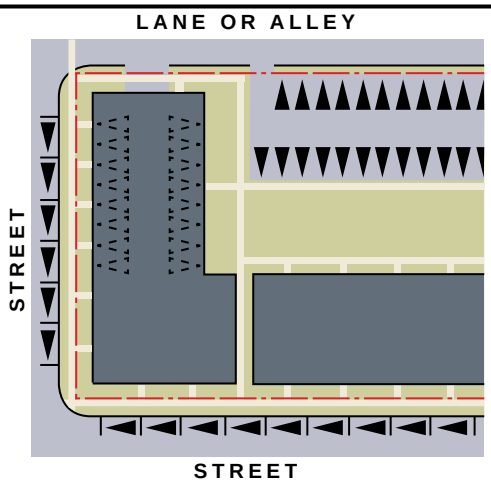
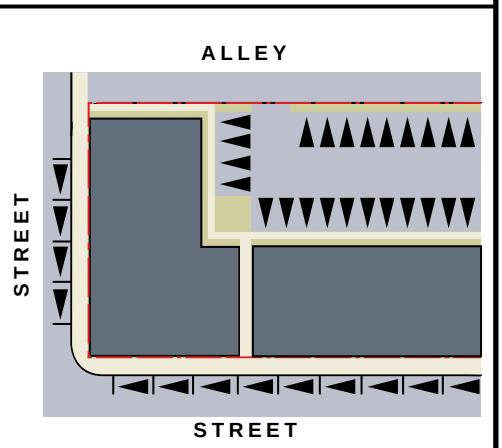
NG NM	NM	NG NM
Live-Work	Multi-Family or Apartment	Mixed Use
		
		
Live-Work: a rear yard, fully mixed use building type with one dwelling above or behind a commercial space. NG **Required Parking:** 2 Off-Street 1 On-Street NM **Required Parking:** 2 Off-Street 1 On-Street Table 11 Shared Parking Factor does not apply to this use.	**Multi-Family or Apartment:** a rear yard residential building type accommodating multiple dwellings disposed above and beside each other, with individual or sharing entries. Parking may be on the surface, structured or underground. NM **Required Parking:** 1.25 Parking Spaces per Unit	**Mixed Use Building or Mixed Use Block:** a rear yard, flexible commercial building type with residential uses above. Commercial buildings may have floor plates deeper than residential ones. NG **Required Parking (Residential):** 1.50 Off-Street Spaces per Unit NM **Required Parking (Residential):** 1.25 Off-Street Spaces per Unit

TABLE 12. SPECIFIC FUNCTION & USE

TABLE 12: Specific Function & Use. This table expands the categories of Table 10 to delegate specific Functions and uses within Sustainable Zones. Table 12 has been customized for local character and requirements. The Sustainable Development District provides for the following uses to be permitted within the Sustainable Zones.

Permitted (P): The permitted uses for the District

Permitted (b): The permitted uses for the District on B-Grid Thoroughfares and within B-Grid Zones only

SUSTAINABLE ZONE	OS	NG	NM	VC	UC
a. RESIDENTIAL					
Accessory Unit or Building		P	P	P	
Condominium			P	P	P
Congregate living facility *			P	P	P
Duplex		P	P		
Family care home *		P	P		
Farm residence	P	P	P		
Historic Site, Adaptive Use	P	P	P	P	P
Independent living		P	P	P	P
Multi-family or apartment			P	P	P
Nursing or convalescent facility *			P	P	P
Single-family		P	P	P	
Townhouse		P	P	P	P
Townhouse, detached		P			
Triplexes or quadplexes			P	P	
Live-Work		P	P	P	P
Modular Construction		P	P	P	P
Mixed Use Block		P	P	P	P
b. PUBLIC/CIVIC USES					
Ambulatory healthcare facility				P	P
Amphitheater **	P	P	P	P	P
Assembly hall, nonprofit			P	P	P
Church, or place of worship		P	P	P	P
Cemetery	P	P	P	P	P
Day care facility		P	P	P	P
Government service		P	P	P	P
Heliport or helipad	P		P	P	P
Hospital				P	P
Natatorium **	P		P	P	P
Restrooms	P	P	P	P	P
Picnic Shelter **	P	P	P	P	P
School, public or private **		P	P	P	P
Transportation facility				P	P
Veterinary clinic or hospital			P	P	P
c. UTILITIES					
Communication tower, (Commercial; Stealth)	P	P	P	P	P
Communication or water tower Integrated Into building or structure (Camouflage Stealth)	P	P	P	P	P
Utility, Minor	P			P	P
Power facility	P			P	P
Renewable Energy Facilities	P	P	P	P	P
d. RECREATIONAL USES					
Arena, auditorium, or stadium **	P			P	P
Entertainment, indoor **				P	P
Entertainment, outdoor **	P		P	P	P
Greenway	P	P	P	P	P
Horse boarding and riding stable **	P				
Park, active	P	P	P	P	P
Park, passive	P	P	P	P	P
Recreation facility, private	P	P	P	P	P
e. COMMUNICATIONS					
Broadcast station (radio and television)				b	P
Radio and television recording studio				b	P

TABLE 12. SPECIFIC FUNCTION & USE

SUSTAINABLE ZONE	OS	NG	NM	VC	UC
f. FOOD AND BEVERAGE SERVICE					
Concessions	P		P	P	P
Restaurant, drive-through				P	b
Restaurant, general	P		P	P	P
Bar or nightclub			P	P	P
g. OFFICE LAB AND RESEARCH					
Dispatching office				P	P
Historic site – adaptive use	P	P	P	P	P
Medical or dental clinic or office			P	P	P
Medical or dental laboratory				P	P
Office, business or professional			P	P	P
Publishing office			P	P	P
Research facility				P	P
h. PARKING, COMMERCIAL					
Parking Garage (deck), commercial			P	P	P
Parking Garage (deck) private			P	P	P
Parking lot, commercial				P	P
Parking lot, surface	P	P	P	P	P
i. LODGING					
Bed and breakfast (up to 5 rooms)		P	P	P	P
Bed and breakfast (up to 12 rooms)			P	P	P
Hotel or motel			P	P	P
Conference Center				P	P
Convention Center					P
School Dormitory				P	P
j. RETAIL SALES AND SERVICE					
Barber and beauty shop		P	P	P	P
Bookstore		P	P	P	P
Building Supplies, Retail				b	b
Convenience store			P	P	P
Convenience store with gas sales			P	P	P
Dry cleaners and laundry service		P	P	P	P
Farmer's market	P	P	P	P	P
Financial institution			P	P	P
Floral shop		P	P	P	P
Funeral home			P	P	P
Gas and fuel, retail				P	P
Greenhouse or nursery, retail			P	P	P
Grocery, general				P	P
Grocery, specialty		P	P	P	P
Health/fitness center or spa			P	P	P
Kennel, indoor				P	P
Laundromat			P	P	P
Newsstand or gift shop		P	P	P	P
Personal service			P	P	P
Pharmacy			P	P	P
Printing and copying service			P	P	P
Real estate sales		P	P	P	P
Retail Kiosk	P		P	P	P
Retail sales, bulky goods				b	b
Retail sales, general		P	P	P	P
Studio for art		P	P	P	P
Tailor shop		P	P	P	P
Theater				P	P
Shopping Center				P	P
k. VEHICLE REPAIR AND SERVICE					
Automotive paint or body shop					
Automotive parts				P	P
Automotive service station				P	P
Car wash or auto detailing				P	P
Repair services limited				P	P
Vehicle inspection center				P	P

TABLE 12. SPECIFIC FUNCTION & USE

SUSTAINABLE ZONE	OS	NG	NM	VC	UC
l. INDUSTRY, MANUFACTURING, STORAGE					
Biotechnology and Medical Devices				P	P
Information Technology and High					
Performance Computing				P	P
Manufacturing				P	P
Nanotechnology and Advanced Materials				P	P
Retail Storage within Retail spaces		P	P	P	P
Smart Power and Green Technology	P			P	P
Self-service storage			P	P	P
Warehousing				b	b
m. FOOD PRODUCTION (SEE TABLE 19)					
Farm	P				
Agricultural plots	P	P			
Vegetable gardens		P	P	P	P
Urban farms	P	P	P	P	
Community gardens	P	P	P	P	P
Green roofs		P	P	P	P
Vertical farms			P	P	P

If an application is submitted for a use type that is not permitted by Table 12 in one or more of the Sustainable Zones and the use type is not one prohibited by the UDO, the Planning Director shall be authorized to make a similar use interpretation based on the use categories Listed in Table 12. If the Planning Director determines that the proposed use does not fit any of the use categories, no similar use interpretation shall be made and the use shall not be permitted.

Any land uses not specially dealt with in this Table but otherwise permitted by the UDO and not excluded by any provision of this SD Plan are subject to a similar use interpretation by the Planning Director and if found to be similar to a use permitted by this Table shall be allowed within all sustainable zones in which the similar use is allowed.

* For the purposes of density and parking, dwelling rooms shall be treated as 0.2 dwelling units with parking per the multi-family requirements.

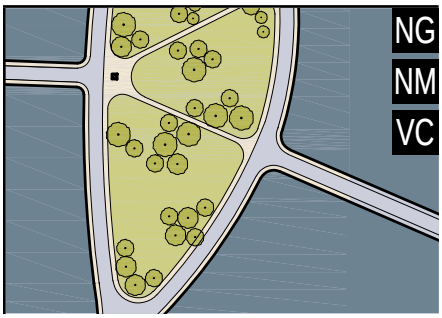
** The building and any portion of the lot routinely accessible to the public shall be included in the acreage designated pursuant to SD Plan 3.1.3.c.

TABLE 13. CIVIC SPACE

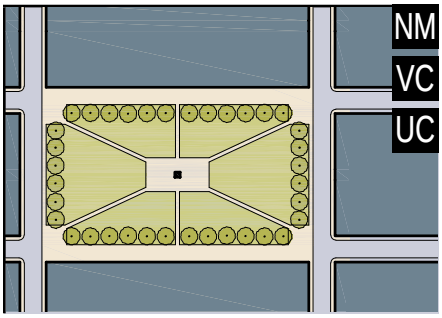
a. Park: A natural preserve available for unstructured recreation or a park for active recreation. A park may be independent of surrounding building Frontages. Its landscape shall consist of Paths and trails, meadows, waterbodies, woodland and open shelters, all naturalistically disposed. Parks may be lineal, following the trajectories of natural corridors.



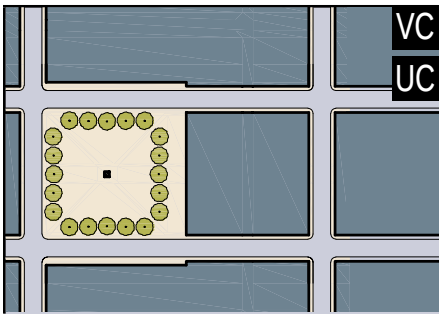
b. Green: An Open Space, available for unstructured recreation. A Green may be spatially defined by landscaping rather than building Frontages. Its landscape shall consist of lawn and trees, naturalistically disposed. The minimum size shall be 1/4 acre and the maximum shall be 8 acres.



c. Square: An Open Space available for unstructured recreation and Civic purposes. A Square is spatially defined by building Frontages. Its landscape shall consist of paths, lawns and trees, formally disposed. Squares shall be located at the intersection of important Thoroughfares. The minimum size shall be 1/2 acre and the maximum shall be 5 acres.



d. Plaza: A public or private Open Space available for Civic purposes and Commercial activities. A Plaza shall be spatially defined by building Frontages. Its landscape shall consist primarily of pavement. Trees are optional. Plazas should be located at the intersection of important streets. The minimum size shall be 1/8 acre and the maximum shall be 2 acres.



e. Playground: An Open Space designed and equipped for the recreation of children. A playground may be fenced and may include an open shelter. Playgrounds shall be interspersed within Residential areas and may be placed within a Block. Playgrounds may be included within Parks and Greens. There shall be no minimum or maximum size.

Dog Parks: An Open Space designed as a safe place where dogs may play and get exercise while not on a leash. Dog Parks shall be fenced and may be interspersed within Residential areas. They may be placed within a Block or included within Parks and Greens. There shall be no minimum or maximum size.

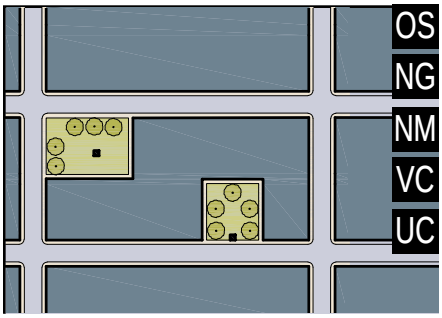
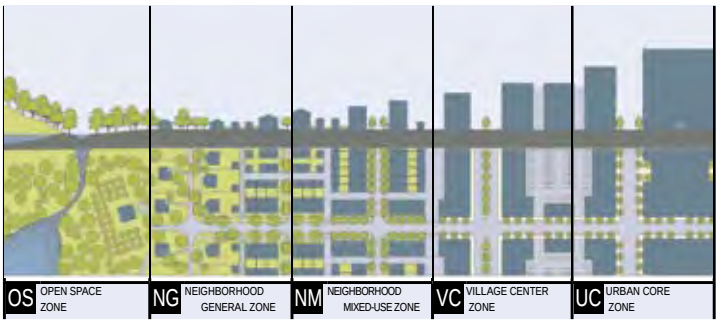


TABLE 14. FORM-BASED CODE SUMMARY



OS OPEN SPACE ZONE	NG NEIGHBORHOOD GENERAL ZONE	NM NEIGHBORHOOD MIXED-USE ZONE	VC VILLAGE CENTER ZONE	UC URBAN CORE ZONE

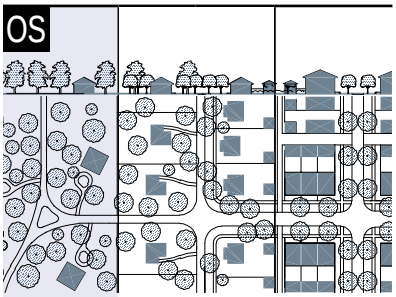
a. ALLOCATION OF ZONES						
Minimum Acres	not applicable	75 acres	50 acres	215 acres	135 acres	
Min Acres for Non-Residential	variable	3 acres	7 acres	120 acres	75 acres	
b. DENSITY (see Sustainable Development Concept Map						
By Right - DUA	not applicable	20 units / ac. gross	40 units / ac. gross	80 units / ac. gross	100 units / ac. gross	
By Right - Other Uses - FAR	permitted	2.00 / ac. gross	4.00 / ac. gross	6.00 / ac. gross	12.00 / ac. gross	
Maximum Impermeable Surface	30%	65%	75%	90%	100%	
c. BLOCK SIZE						
Block Perimeter: A-Grids	no maximum	3000 ft. max	2400 ft. max	2000 ft. max *	2000 ft. max *	
Block Perimeter: B-Grids	not applicable	not applicable	not applicable	* 3500 ft max with parking structures		
d. THOROUGHFARES (see Table 3 and Table 4)						
Highway (HW)	permitted	permitted	not permitted	not permitted	not permitted	
Boulevard (BV)	not permitted	not permitted	not permitted	permitted	permitted	
Avenue (AV)	not permitted	permitted	permitted	permitted	permitted	
Commercial Street (CS)	not permitted	not permitted	not permitted	permitted	permitted	
Drive (DR)	not permitted	permitted	permitted	permitted	permitted	
Street (ST)	permitted	permitted	permitted	permitted	not permitted	
Road (RD)	permitted	permitted	not permitted	not permitted	not permitted	
Rear Lane (RL)	permitted	permitted	permitted	not permitted	not permitted	
Rear Alley (RA)	not permitted	permitted	required	required	required	
Path (PT)	permitted	permitted	permitted	not permitted	not permitted	
Passage (PS)	not permitted	permitted	permitted	permitted	permitted	
Bicycle Trail (BT)	permitted	permitted	not permitted *	not permitted *	not permitted *	
Bicycle Lane (BL)	permitted	permitted	permitted	permitted	permitted	
Bicycle Route (BR)	permitted	permitted	permitted	permitted	permitted	
e. CIVIC SPACES (see Table 13)					* permitted within Open Spaces	
Park	permitted	permitted	permitted	permitted	permitted	
Green	not permitted	permitted	permitted	permitted	permitted	
Square	not permitted	not permitted	permitted	permitted	permitted	
Plaza	not permitted	not permitted	not permitted	permitted	permitted	
Playground	permitted	permitted	permitted	permitted	permitted	
f. LOT OCCUPATION						
Lot Width: A-Grids	variable	25 ft. min 120 ft. max	18 ft. min 400 ft. max	18 ft. min 600 ft. max	18 ft. min 700 ft. max	
Lot Width: B-Grids	not applicable	not applicable	not applicable	no max	no max	
g. SETBACKS - PRINCIPAL BUILDING (see Table 15)						
(g.1) Front Setback (Principal)	10 ft. min	15 ft. min	6 ft. min	0 ft. min	0 ft. min	
(g.2) Front Setback (Secondary)	5 ft. min	12 ft. min	6 ft. min	0 ft. min	0 ft. min	
(g.3) Side Setback	5 ft. min	0 ft. min.	0 ft. min	0 ft. min	0 ft. min	
(g.4) Rear Setback	5 ft. min	12 ft. min	3 ft. min	3 ft. min	0 ft. min	
h. SETBACKS - OUTBUILDING (see Table 15)						
(h.1) Front Setback	not applicable	20 ft. min +bldg setback	20 ft. min +bldg setback	40 ft. max from rear prop	not applicable	
(h.2) Side Setback	not applicable	0 ft. or 3 ft. min	0 ft. or 3 ft. min	0 ft. min	not applicable	
(h.3) Rear Setback	not applicable	3 ft. min	3 ft. min	3 ft. min	not applicable	
i. BUILDING DISPOSITION (see Table 9)						
Edgeyard	permitted	permitted	permitted	permitted	permitted	
Sideyard	not permitted	permitted	permitted	permitted	not permitted	
Rearyard	not permitted	permitted	permitted	permitted	permitted	
Courtyard	not permitted	not permitted	permitted	permitted	permitted	
j. PRIVATE FRONTAGES (see Table 7)						
Common Yard	permitted	permitted	permitted	permitted	permitted	
Porch & Fence	permitted	permitted	permitted	permitted	permitted	
Terrace or Lightwell	not permitted	not permitted	permitted	permitted	permitted	
Forecourt	permitted	not permitted	permitted	permitted	permitted	
Stoop	permitted	permitted	permitted	permitted	permitted	
Shopfront	permitted	permitted	permitted	permitted	permitted	
Gallery	not permitted	permitted	permitted	permitted	permitted	
Arcade	not permitted	not permitted	permitted	permitted	permitted	
k. BUILDING CONFIGURATION (see Table 8)						
Principal Building	1 to 2 Stories	4 Stories max	7 Stories max, 1 min	15 Stories, Note 2, 1 min	20 Stories, Note 1, 1 min	
Outbuilding	not applicable	2 Stories max	2 Stories max	2 Stories max	not applicable	

ZONE
LOT
DISPOSITION
CONFIGURATION
ARTICLE 5
ARTICLE 2, 3, 4

Note 1: Not in excess of 20 stories without specific site plan review and approval by Town Council.
Note 2: Not in excess of 15 stories without specific site plan review and approval by Town Council.
Note 3: Accessory Structures shall be treated as Principal Buildings.

TABLE 15A. FORM-BASED CODE GRAPHICS - OS - OPEN SPACE

OS



(see Table 1)

k. BUILDING CONFIGURATION (see Table 8)

Principal Building	2 stories max.
Outbuilding	not applicable.

f. LOT OCCUPATION (see Table 14f)

Lot Width	variable

i. BUILDING DISPOSITION (see Table 9)

Edgeyard	permitted
Sideyard	not permitted
Rearyard	not permitted
Courtyard	not permitted

g. SETBACKS - PRINCIPAL BUILDING (see Table 14g)

(g.1) Front Setback Principal	10 ft. min
(g.2) Front Setback Secondary	5 ft. min
(g.3) Side Setback	5 ft. min
(g.4) Rear Setback	5 ft. min

h. SETBACKS - OUTBUILDING (see Table 14h)

(h.1) Front Setback	not applicable
(h.2) Side Setback	not applicable
(h.3) Rear Setback	not applicable

j. PRIVATE FRONTAGES (see Table 7)

Common Lawn	permitted
Porch	permitted
Terrace or Lightwell.	not permitted
Forecourt	permitted
Stoop	permitted
Shopfront	permitted
Gallery	not permitted
Arcade	not permitted

Refer to Summary Table 14

PARKING PROVISIONS

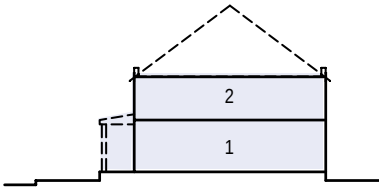
See Table 10 & Table 11

*or 15 ft. from center line of alley

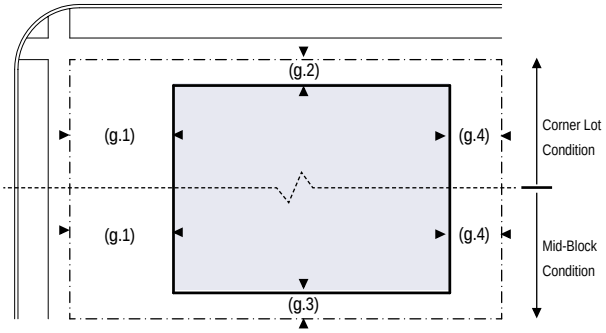
"N" stands for any Stories above those shown, up to the maximum. Refer to metrics for exact minimums and maximums

Vinyl Siding Notes:
1. Vinyl exterior material may be used in areas not in view of the public, such as service areas.
2. Elements such as vinyl trim, vinyl windows, decorative vents, and the like are permitted.

BUILDING CONFIGURATION
1. Stories exclude Attics and raised basements.



SETBACKS - PRINCIPAL BLDG
1. The Facades and Elevations of Principal Buildings shall be distanced from the Lot lines as shown.
2. Facades shall be built along the Principal Frontage.
3. Accessory Structures shall be treated as Principal Buildings.



SETBACKS - OUTBUILDING
1. Not applicable

PARKING PLACEMENT
1. Uncovered parking spaces may be provided within the second and third Layer as shown in the diagram (see Table 17d).
2. Covered parking shall be provided within the second or third Layer as shown in the diagram (see Table 17d). .
3. Trash containers shall be stored within the third Layer.

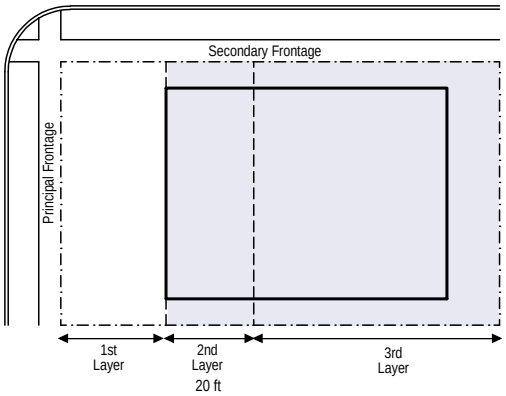
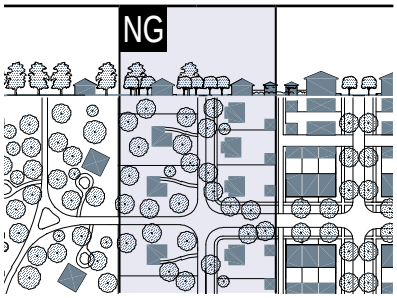


TABLE 15B. FORM-BASED CODE GRAPHICS - NG - NEIGHBORHOOD GENERAL



(see Table 1)

k. BUILDING CONFIGURATION (see Table 8)	
Principal Building	4 stories max.
Outbuilding	2 stories max.
f. LOT OCCUPATION (see Table 14f)	
Lot Width (Note 1)	25 ft. min 120 ft. max
i. BUILDING DISPOSITION (see Table 9)	
Edgeyard	permitted
Sideyard	permitted
Rearyard	permitted
Courtyard	not permitted
g. SETBACKS - PRINCIPAL BUILDING (see Table 14g)	
(g.1) Front Setback Principal	15 ft. min
(g.2) Front Setback Secondary	12 ft min.
(g.3) Side Setback	0 ft min.
(g.4) Rear Setback	12 ft min.
h. SETBACKS - OUTBUILDING (see Table 14h)	
(h.1) Front Setback	20 ft. min. + bldg setback
(h.2) Side Setback	0 ft. or 3 ft at corner
(h.3) Rear Setback	3 ft. min
j. PRIVATE FRONTAGES (see Table 7)	
Common Lawn	permitted
Porch	permitted
Terrace or Lightwell.	not permitted
Forecourt	not permitted
Stoop	permitted
Shopfront	permitted
Gallery	permitted
Arcade	not permitted

Refer to Summary Table 14

PARKING PROVISIONS
See Table 10 & Table 11

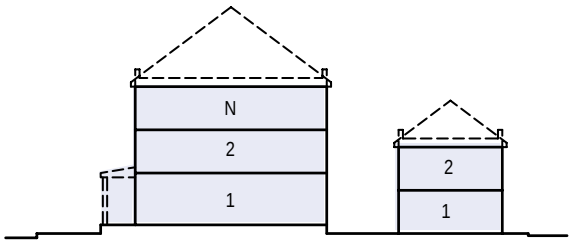
*or 15 ft. from center line of alley

"N" stands for any Stories above those shown, up to the maximum. Refer to metrics for exact minimums and maximums

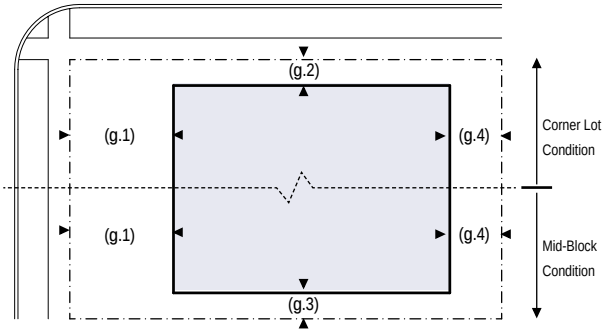
Note 1: Lot width reductions to 20' for single family and 18' for townhomes require specific site plan review and approval by Town Council.

Vinyl Siding Notes:
1. Vinyl siding is not permitted on single family homes and Townhouses except as permitted in vinyl siding note 3 below.
2. Vinyl exterior material may be used above the second story of an apartment, condominium or Mixed Use buildings and in areas not in view of the public, such as service areas.
3. Elements such as vinyl trim, vinyl windows, decorative vents, and the like are permitted.

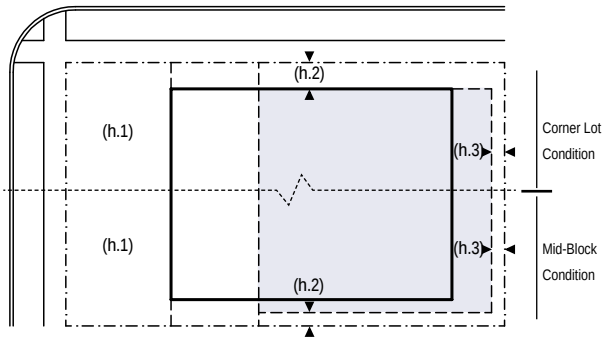
BUILDING CONFIGURATION
1. Stories exclude Attics and raised basements.



SETBACKS - PRINCIPAL BLDG
1. The Facades and Elevations of Principal Buildings shall be distanced from the Lot lines as shown.
2. Facades shall be built along the Principal Frontage



SETBACKS - OUTBUILDING
1. The Elevation of the Outbuilding shall be distanced from the Lot lines as shown.



PARKING PLACEMENT
1. Uncovered parking spaces may be provided within the second and third Layer as shown in the diagram (see Table 17d).
2. Covered parking shall be provided within the second or third Layer as shown in the diagram (see Table 17d). Side-entry garages are permitted on corner lots and front-entry garages may be allowed.
3. Trash containers shall be stored within the third Layer.

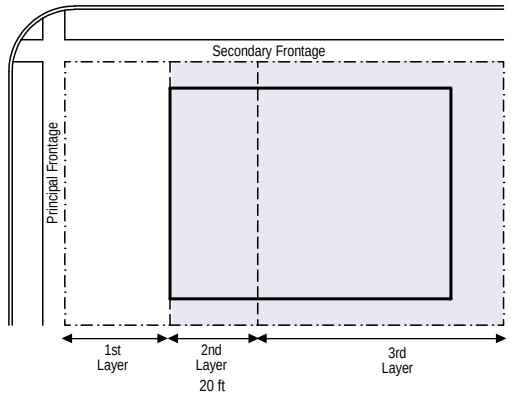
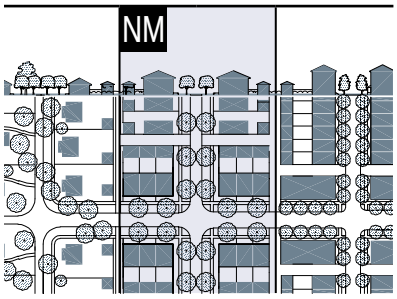


TABLE 15C. FORM-BASED CODE GRAPHICS - NM - NEIGHBORHOOD MIXED-USE



(see Table 1)

k. BUILDING CONFIGURATION (see Table 8)	
Principal Building	7 stories max, 1 min
Outbuilding	2 stories max.
f. LOT OCCUPATION (see Table 14f)	
Lot Width	18 ft min 400 ft max
i. BUILDING DISPOSITION (see Table 9)	
Edgeyard	permitted
Sideyard	permitted
Rearyard	permitted
Courtyard	permitted
g. SETBACKS - PRINCIPAL BUILDING (see Table 14g)	
(g.1) Front Setback Principal	6 ft. min.
(g.2) Front Setback Secondary	6 ft. min.
(g.3) Side Setback	0 ft. min.
(g.4) Rear Setback	3 ft. min.*
h. SETBACKS - OUTBUILDING (see Table 14h)	
(h.1) Front Setback	20 ft. min. + bldg. setback
(h.2) Side Setback	0 ft. min. or 3 ft at corner
(h.3) Rear Setback	3 ft. min
j. PRIVATE FRONTAGES (see Table 7)	
Common Lawn	permitted
Porch & Fence	permitted
Terrace or Lightwell.	permitted
Forecourt	permitted
Stoop	permitted
Shopfront	permitted
Gallery	permitted
Arcade	permitted
	Refer to Summary Table 14
PARKING PROVISIONS	
See Table 10 & Table 11	

*or 15 ft. from center line of alley

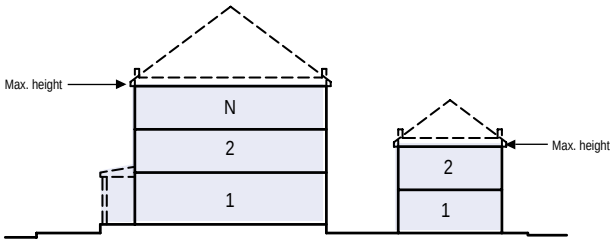
"N" stands for any Stories above those shown, up to the maximum. Refer to metrics for exact minimums and maximums

Vinyl Siding Notes:

1. Vinyl siding is not permitted on single family homes and Townhouses except as permitted in vinyl siding note 3 below.
2. Vinyl exterior material may be used above the second story of an apartment, condominium or Mixed Use buildings and in areas not in view of the public, such as service areas.
3. Elements such as vinyl trim, vinyl windows, decorative vents, and the like are permitted.

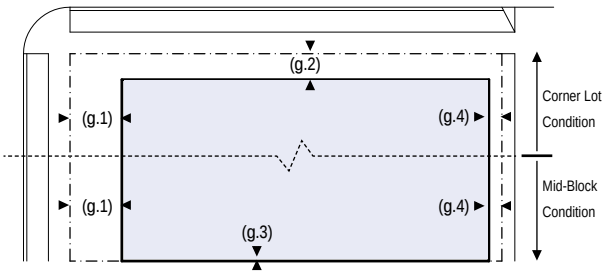
BUILDING CONFIGURATION

1. Stories exclude Attics and raised basements.



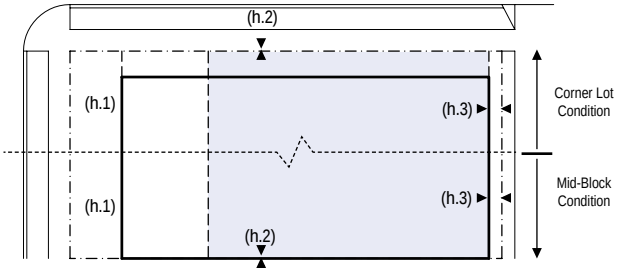
SETBACKS - PRINCIPAL BLDG

1. The Facades and Elevations of Principal Buildings shall be distanced from the Lot lines as shown.
2. Facades shall be built along the Principal Frontage.



SETBACKS - OUTBUILDING

1. The Elevations of the Out-building shall be distanced from the Lot lines as shown.



PARKING PLACEMENT

1. Uncovered parking spaces may be provided within the third Layer as shown in the diagram (see Table 17d).
2. Covered parking shall be provided within the third Layer as shown in the diagram (see Table 17d).
3. Trash containers shall be stored within the third Layer.

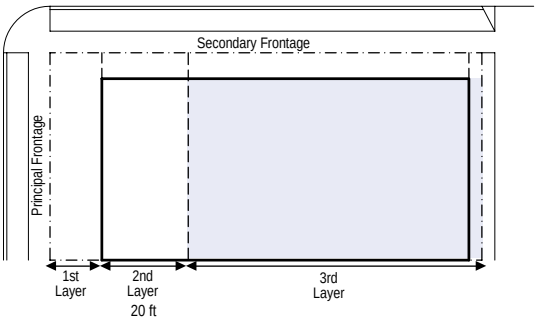
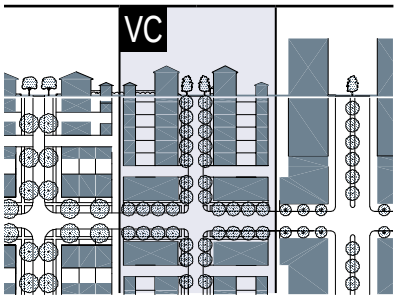


TABLE 15D. FORM-BASED CODE GRAPHICS - VC - VILLAGE CENTER



(see Table 1)

k. BUILDING CONFIGURATION (see Table 8)	
Principal Building	15 stories, Note 2, 1 min.
Outbuilding	2 stories max.
f. LOT OCCUPATION (see Table 14f)	
Lot Width: A-Grids	18 ft min 700 ft max
Lot Width: B-Grids	no max
i. BUILDING DISPOSITION (see Table 9)	
Edgeyard	permitted
Sideyard	permitted
Rearyard	permitted
Courtyard	permitted
g. SETBACKS - PRINCIPAL BUILDING (see Table 14g)	
(g.1) Front Setback Principal	0 ft. min.
(g.2) Front Setback Secondary	0 ft. min.
(g.3) Side Setback	0 ft. min.
(g.4) Rear Setback	3 ft. min.*
h. SETBACKS - OUTBUILDING (see Table 14h)	
(h.1) Front Setback	40 ft. max. from rear prop.
(h.1) Front Setback	40 ft. max. from rear prop.
(h.2) Side Setback	0 ft. min. or 2 ft at corner
(h.3) Rear Setback	3 ft. max.
j. PRIVATE FRONTAGES (see Table 7)	
Common Lawn	permitted
Porch	permitted
Terrace or Lightwell	permitted
Forecourt	permitted
Stoop	permitted
Shopfront	permitted
Gallery	permitted
Arcade	permitted
	Refer to Summary Table 14
PARKING PROVISIONS	
See Table 10 & Table 11	

*or 15 ft. from center line of alley

"N" stands for any Stories above those shown, up to the maximum. Refer to metrics for exact minimums and maximums.

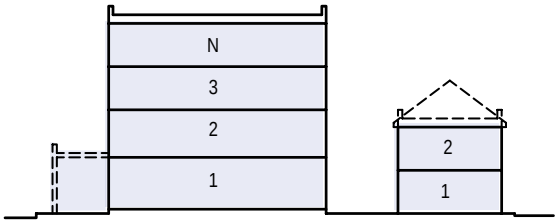
Note 2: Not in excess of 15 stories without specific site plan review and approval by Town Council.

Vinyl Siding Notes:

1. Vinyl siding is not permitted on single family homes and Townhouses except as permitted in vinyl siding note 3 below.
2. Vinyl exterior material may be used above the second story of an apartment, condominium or Mixed Use buildings and in areas not in view of the public, such as service areas.
3. Elements such as vinyl trim, vinyl windows, decorative vents, and the like are permitted.

BUILDING CONFIGURATION

1. Stories, exclude Attics mezzanines and basements.



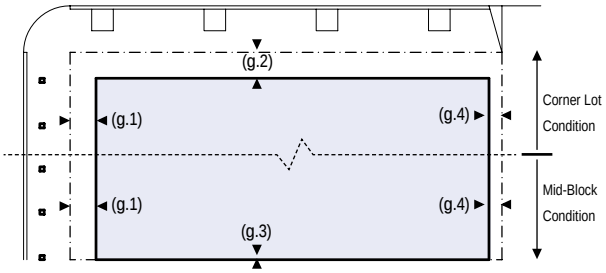
SETBACKS - PRINCIPAL BLDG

A-GRIDS

1. The Facades and Elevations of Principal Buildings shall be distanced from the Lot lines as shown.
2. Facades shall be built along the Principal Frontage.

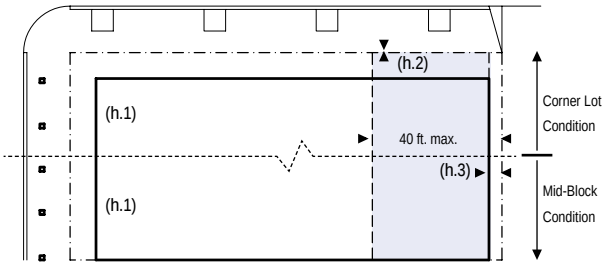
B-GRIDS

1. Multiple Buildings may be located on the same Lot.



SETBACKS - OUTBUILDING

1. The Elevations of the Outbuilding shall be distanced from the Lot lines as shown.



PARKING PLACEMENT

A-GRIDS

1. Uncovered parking spaces may be provided within the third Layer as shown in the diagram (see Table 17d).
2. Covered parking shall be provided within the third Layer as shown in the diagram (see Table 17d) except as noted above.
3. Trash containers shall be stored within the third Layer.

B-GRIDS

1. Uncovered parking spaces may be provided within any Layer as shown in the diagram (see Table 17d).
2. Trash containers shall be stored within the third Layer.

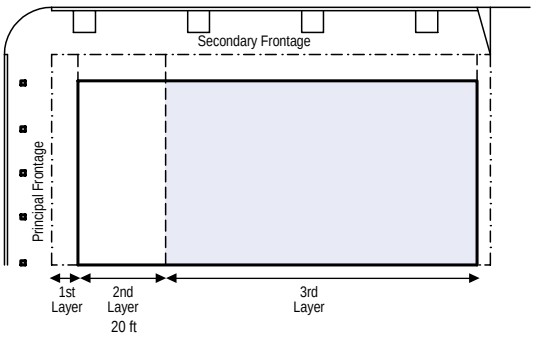
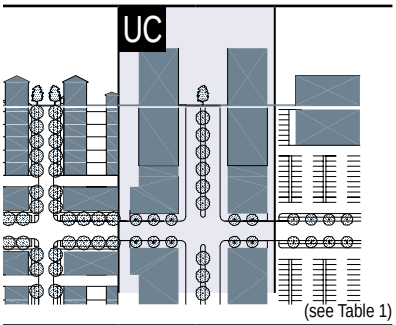


TABLE 15E. FORM-BASED CODE GRAPHICS - UC - URBAN CORE



(see Table 1)

k. BUILDING CONFIGURATION (see Table 8)	
Principal Building	20 stories, Note 1, 1 min.
Outbuilding	N/A
f. LOT OCCUPATION (see Table 14f)	
Lot Width: A-Grids	18 ft. min 700 ft. max
Lot Width: B-Grids	no max
i. BUILDING DISPOSITION (see Table 9)	
Edgeyard	permitted
Sideyard	not permitted
Rearyard	permitted
Courtyard	permitted
g. SETBACKS - PRINCIPAL BUILDING (see Table 14g)	
(g.1) Front Setback Principal	0 ft. min.
(g.2) Front Setback Secondary	0 ft. min.
(g.3) Side Setback	0 ft. min.
(g.4) Rear Setback	0 ft. min.
h. SETBACKS - OUTBUILDING (see Table 14h)	
Front Setback	N/A
Side Setback	N/A
Rear Setback	N/A
j. PRIVATE FRONTAGES (see Table 7)	
Common Lawn	permitted
Porch	permitted
Terrace or Lightwell	permitted
Forecourt	permitted
Stoop	permitted
Shopfront	permitted
Gallery	permitted
Arcade	permitted
	Refer to Summary Table 14
PARKING PROVISIONS	
See Table 10 & Table 11	

*or 15 ft. from center line of alley

"N" stands for any Stories above those shown, up to the maximum. Refer to metrics for exact minimums and maximums

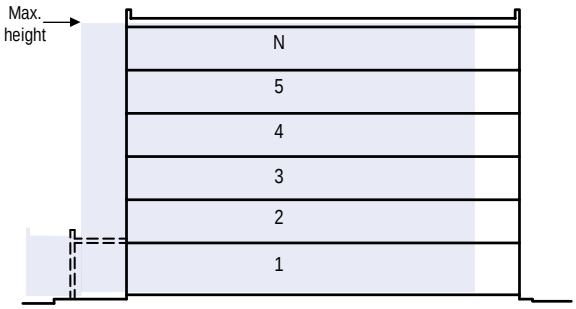
Note 1: Not in excess of 20 stories without specific site plan review and approval by Town Council.

Vinyl Siding Notes:

1. Vinyl siding is not permitted on single family homes and Townhouses except as permitted in vinyl siding note 3 below.
2. Vinyl exterior material may be used above the second story of an apartment, condominium or Mixed Use buildings and in areas not in view of the public, such as service areas.
3. Elements such as vinyl trim, vinyl windows, decorative vents, and the like are permitted.

BUILDING CONFIGURATION

1. Stories, exclude Attics mezzanines and basements.



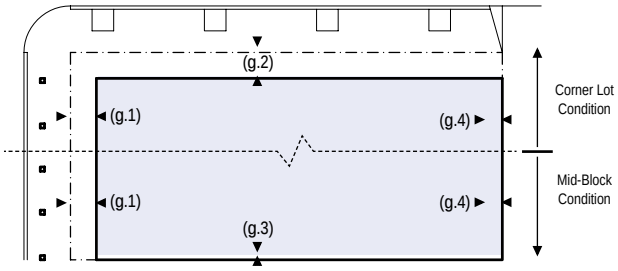
SETBACKS - PRINCIPAL BLDG

A-GRIDS

1. The Facades and Elevations of Principal Buildings shall be distanced from the Lot lines as shown.
2. Facades shall be built along the Principal Frontage.

B-GRIDS

1. Multiple Buildings may be located on the same Lot



PARKING PLACEMENT

A-GRIDS

1. Uncovered parking spaces may be provided within the third Layer as shown in the diagram (see Table 17d).
2. Covered parking shall be provided within the third Layer as shown in the diagram (see Table 17d) except as noted above.
3. Trash containers shall be stored within the third Layer.

B-GRIDS

1. Uncovered parking spaces may be provided within any Layer as shown in the diagram (see Table 17d).
2. Trash containers shall be stored within the third Layer.

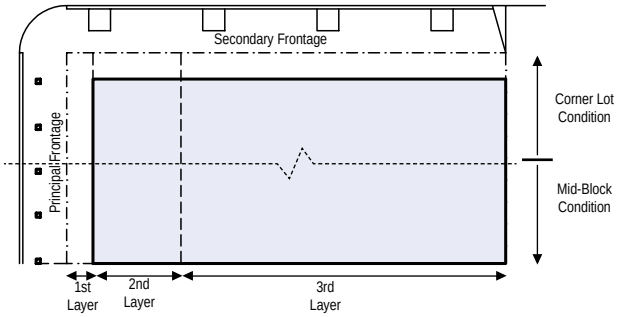
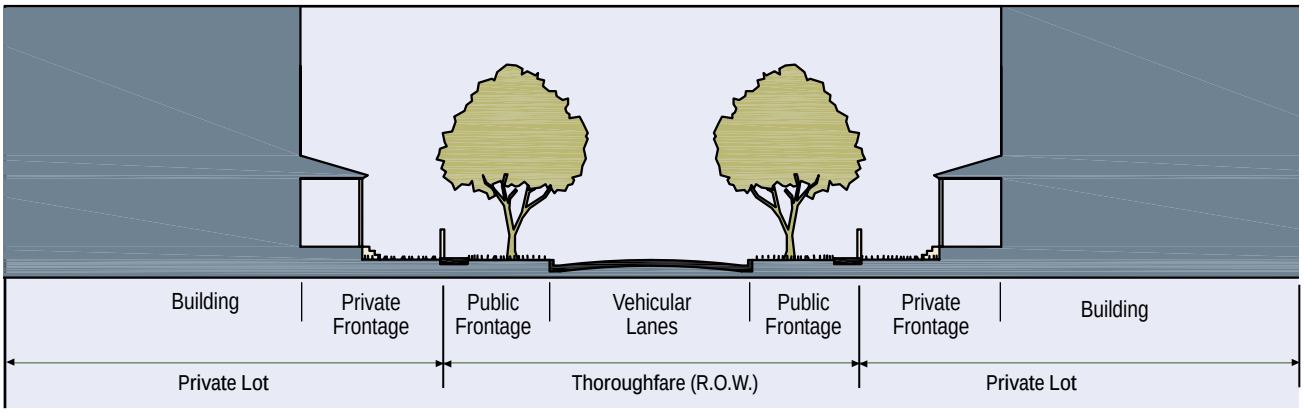
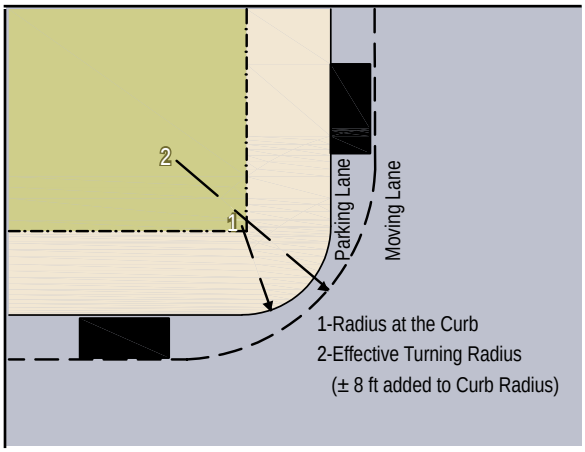


TABLE 17. DEFINITIONS ILLUSTRATED

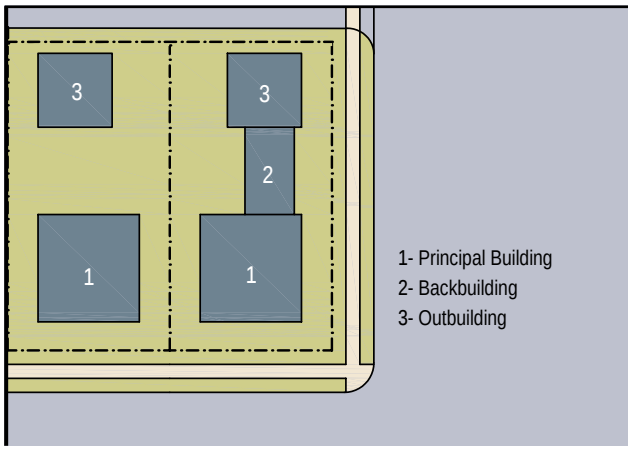
a. THOROUGHFARE & FRONTAGES



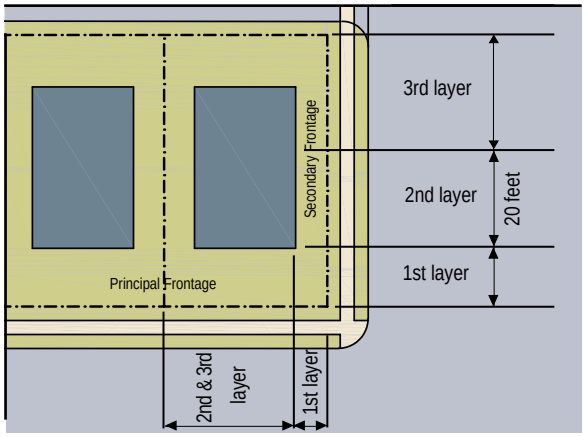
b. TURNING RADIUS



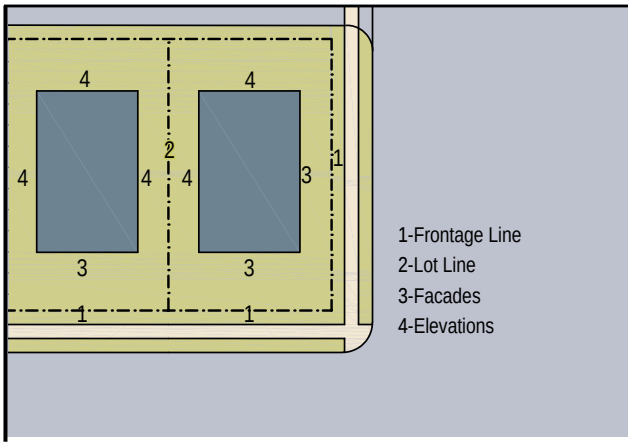
c. BUILDING DISPOSITION



d. LOT LAYERS



e. FRONTAGE & LOT LINES



f. SETBACK DESIGNATIONS

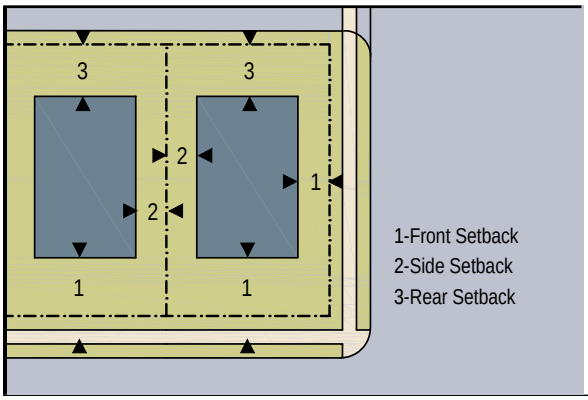


TABLE 18. SUSTAINABILITY - SOLAR ENERGY

Sustainability - Solar Energy. This table shows opportunities for the placement of types of solar-powered devices within the Sustainable Zones.

	OS	NG	NM	VC	UC	Specifics
Solar Farm 	.		.	.	.	
Roof Mounted Solar Panels 	.	.	.	.	.	
Streetscape Solar Panels 	.	.	.	.	.	Streetscape solar panels may be used in place of street trees

TABLE 19. SUSTAINABILITY - FOOD PRODUCTION

Sustainability - Food Production. This table shows ways of incorporating types of food production along the Sustainable Zones.

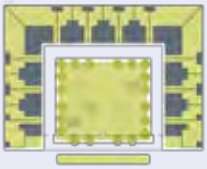
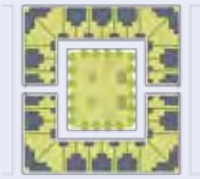
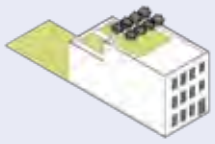
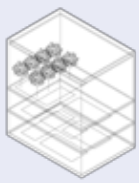
	OS	NG	NM	VC	UC	Specific
Farm 	▪					
Agricultural Plots 	▪	▪				
Vegetable Garden 		▪	▪	▪	▪	
Urban Farm 	▪	▪	▪	▪		
Community Garden 	▪	▪	▪	▪	▪	
Green Roof 		▪	▪	▪	▪	
Vertical Farm 			▪	▪	▪	

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TABLE 20. SUSTAINABILITY - COMPOSTING AND RECYCLING

	OS	NG	NM	VC	UC
On-Site Organics Processing	▪	▪			
Self-Drop Collection Systems					
Optional/Competitive Collection		▪			
Mandatory Curbside Collection			▪	▪	▪
Centralized Composting Systems	▪				
Smaller Regional Composting	▪	▪			
On-Site Processing		▪			
Re-Use Centers		▪	▪	▪	▪
Recycling Processing Centers		▪	▪	▪	▪
Once-Used Materials Storage		▪			
Transfer Stations		▪	▪	▪	▪
Disposal Facilities	Prohibited				

I. Article 2 / Administration
Sec. 2.3 / DEVELOPMENT APPROVALS

2.3.16 Sustainable Development Conditional Zoning District

A) ***General***

This Section establishes the procedures and standards applicable to the Town's Sustainable Development Conditional Zoning District SD-CZ.

B) ***General Applicability***

Before any development shall be designated as a Sustainable Development Conditional Zoning District SD-CZ on the Official Zoning District Map, it shall receive approval pursuant to the terms of this Section and Section 2.3.3 of this Ordinance.

C) ***Location***

A Sustainable Development Conditional Zoning District SD-CZ designation may be established on any land located in the Town and its ETJ that complies with all of the applicable standards of this Section and Section 3.3.4B), including the requirement that a Sustainable Development Conditional Zoning District SD-CZ include a minimum of 500 contiguous acres. An SD-CZ District may include other parcels of any size within 2000 feet of such parcel of at least 500 contiguous acres.

D) ***Unified Ownership or Control***

One person shall have all the responsibility and authority to make all the developer land use planning decisions for all land that is part of a Sustainable Development Conditional Zoning District SD-CZ. A person shall be considered to have such responsibility and authority for all lands in the Sustainable Development Conditional Zoning District SD-CZ either through ownership or by written agreement by and between such person and each owner of parcels comprising said lands agreeing to the conditions and standards of the adopting ordinance and the Sustainable Development Conditional Zoning District SD-CZ and granting the person such responsibility and authority. This one person, who shall be identified in the Sustainable Development Conditional Zoning District SD-CZ Re-Zoning Application as the "Responsible Person," will be the sole person from whom the Town will accept decisions regarding the Sustainable Development (SD) Plan and Sustainable Development Conditional Zoning District SD-CZ, including amendments, modifications or supplements thereof or the addition of lands thereto. The SD Plan shall provide the process for effecting a change or succession of Responsible Person for the purposes of a specific district. A parcel or parcels (the "Parcel") of any size may be added to an existing Sustainable Development Conditional Zoning District if (i) any portion of the Parcel is within two thousand (2000) feet of such existing district, (ii) the

Responsible Person of the existing district consents in writing and (iii) the Town Council approves a rezoning of the Parcel to Sustainable Development Conditional Zoning District SD-CZ in accordance with Sections 2.3.3 and 2.3.16. In such event the SD Plan approved for the existing SD-CZ District shall be applicable to the Parcel(s) added to such existing district, and the development densities authorized in the existing SD Plan (including number of residential units and authorized square footage of other land uses) shall be increased on a pro-rata basis based on the size of the Parcel(s) added to the district, unless the Town Council provides otherwise with the consent of the Responsible Person.

E) ***Procedures***

1) *Overview.* Approval of a Sustainable Development Conditional Zoning District SD-CZ shall constitute an amendment to the Official Zoning District Map. It shall be controlled by an SD Plan that is approved as part of the Sustainable Development Conditional Zoning District SD-CZ designation and that designates the appropriate form and scale of development within the Sustainable Development Conditional Zoning District SD-CZ. The procedure requires review and recommendation of approval or disapproval by the Planning Board and approval, approval with conditions, or disapproval by the Town Council.

2) *General.* The procedures for initiation of the application, the application contents, fees, submission and review by Town staff and/or consulting firms on retainer, public notification, review by the Planning Board and then approval, approval with conditions, or disapproval by the Town Council at a public hearing(s) shall comply with the requirements of Sec. 2.2 *Common Review Procedures,* Sec 2.2.7 *Neighborhood Meeting* and Sec. 2.3.16 (F) *Sustainability Standards*.

F) ***Standards***

1) In return for greater flexibility in site design requirements, the Sustainable Development Conditional Zoning District SD-CZ is expected to deliver exceptional quality designs on a large-scale basis that:

a) facilitate the integration of a broad array of uses;

b) preserve and enhance critical environmental and natural resources, including water resources and ecosystem services in the stream network flowing through the district;

c) incorporate creativity in the design and configuration of buildings, roads, public space and infrastructure; and

d) employ innovative techniques and practices aimed at maximizing efficiency in the use of energy and materials.

In short, the Sustainable Development Conditional Zoning District SD-CZ is expected to provide a high quality of life through the creation of a healthy, living landscape within a high-intensity mixed-used community.

2) The purpose, intent and scale of the Sustainable Development Conditional Zoning District SD-CZ are unique from the other districts established in Sec. 3.2. Thus, the unique nature of the Sustainable Development Conditional Zoning District SD-CZ necessitates alternative standards, regulations, specifications, details, designs, and criteria (the "Sustainability Standards") to meet the spirit and intent of this Ordinance. These Sustainability Standards, which shall be set forth in the SD Plan and may be established pursuant to paragraph 3) hereafter, may:

a) specify the nature, density, maximums on development, minimums on development, development thresholds, and design characteristics proposed for the Sustainable Development Conditional Zoning District SD-CZ;

b) address the relationship between building facades and the public realm, the form and mass of buildings in relation to one another, and the scale and types of streets and blocks;

c) facilitate a full diversity of building types, thoroughfare types, and public space types with appropriate characteristics for their respective locations;

d) facilitate the restoration and enhancement of the environment and natural resources through both accepted practice and innovative practices; and

e) modify and supersede the provisions of this Ordinance or any land development document referenced or incorporated therein, or other land development ordinances or policies of the Town. However, an SD Plan and development pursuant thereto shall conform to all applicable Town ordinances and policies, including the UDO, except to the extent that ordinances or policies, including the UDO, are varied in the approved SD Plan or in Sustainability Standards adopted pursuant to paragraph 3) hereafter. An SD Plan and the Sustainability Standards may not modify the requirements that an SD-CZ District include a minimum of 500 contiguous acres.

3) The Sustainability Standards and other provisions of the SD Plan, as well as Sustainability Standards established pursuant to this paragraph F) 3), shall form the basis for a development of exceptional quality and innovation that is an

enhancement to the welfare of the Town's citizens. At any time, and from time to time:

a) with the consent of the Responsible Person, the Town Council may adopt additional or modified Sustainability Standards for an approved SD-CZ District following review and recommendation by the Planning Board;

b) where an SD Plan requires additional or modified Sustainability Standards for an approved SD-CZ District, site plan approval, subdivision approval, construction or grading shall not commence within such SD-CZ District unless and until the required Sustainability Standards are adopted as provided in the SD Plan; with the consent of the Responsible Person, the Town Council shall review and consider and may adopt such additional and modified Sustainability Standards following review and recommendation by the Planning Board;

c) as an amendment to this Ordinance, the Town Council may adopt elective Sustainability Standards for SD-CZ districts, which may, at the election of a Responsible Person, (i) be incorporated, in whole or in part, into an approved SD Plan for an existing SD-CZ district or (ii) be included within an SD Plan for a proposed SD-CZ district. In the case of an approved SD Plan, the elective Sustainability Standards so incorporated may provide that they serve as a supplement to the provisions of the SD Plan and serve as an alternative to the application of any inconsistent provisions of the Plan;

d) actions by the Town Council under the foregoing subsections 2.3.16 F) 3) a), b) and c) shall be taken in accordance with the provisions of Sec. 2.3.2 applicable to Amendments to the Text of this Ordinance. It is provided, however, that such actions may be proposed only by the Town Council, the Planning Director, or the Responsible Person; and

e) this Subsection 2.3.16 does not reduce any authority that the Town otherwise has to amend its UDO or an approved SD-CZ rezoning and SD Plan; the vested rights applicable to a SD-CZ rezoning and SD Plan shall be determined by other applicable law and by the provisions of a developer agreement if any.

G) ***SD Plan***

To the degree necessary and appropriate, the SD Plan and the Sustainability Standards shall include, but shall not be limited to, requirements related to:

1) standards a) through d) set forth in the foregoing Section 2.3.16 F) 1);

2) design guidelines;

3) parks, open space and greenways;

4) water resources and ecosystem services;

5) comprehensive signage;

6) landscaping conditions;

7) parking requirements; and

8) public infrastructure improvements and public facilities.

The SD Plan shall also include a map depicting the concept for the development of the property. To the extent that provisions of the SD Plan or Sustainability Standards vary the provisions of this Ordinance, or other ordinances or policies of the Town, the provisions of the SD Plan or Sustainability Standards shall be applicable.

H) ***Placement of Sustainable Development Conditional Zoning District SD-CZ Designation on Official Zoning District Map***

After final approval of the adopting ordinance for the Sustainable Development Conditional Zoning District SD-CZ designation and the SD Plan, the Planning Director shall amend the Official Zoning District Map to show a Sustainable Development Conditional Zoning District SD-CZ designation.

I) ***Effect***

Approval of an adopting ordinance for Sustainable Development Conditional Zoning District SD-CZ designation and the SD Plan shall constitute an Official Zoning District Map designation and recognition by the Town that the landowner may proceed, consistent with the SD Plan, to develop the land. The next appropriate development approval for the land is a site plan or subdivision plan.

J) ***Deviation to SD Plan***

When appropriate to further the goals of an approved SD-CZ District and its SD Plan, the Planning Director may approve deviations of up to ten percent (10%) with respect to any standard, design, configuration, disposition, or matter established or quantified in an SD Plan or the Sustainability Standards, except that this authority shall not apply to density, maximums on development minimums on development or thresholds. Any other modification, revision or supplementation of an SD Plan or the Sustainability Standards shall require the approval of the Town Council following review by the Planning Board.

K) ***Amendment to Sustainable Development Conditional Zoning District SD-CZ***

An amendment to the Official Zoning District Map for a Sustainable Development Conditional Zoning District SD-CZ may be made only pursuant to the procedures and standards for its original approval, and specifically Sec. 2.3.16 (D) *Unified Ownership or Control*.

II. Article 3 / Zoning Districts
Sec. 3.2 / ZONING DISTRICTS ESTABLISHED

3.2.8 Conditional Zoning Other Districts

A) *CB-CZ Conservation Buffer District; and*

B) *SD-CZ Sustainable Development Conditional Zoning District.*

III. Article 3 / Zoning Districts
Sec. 3.3 / DISTRICT PURPOSES

3.3.4 Other Districts

B) ***Sustainable Development Conditional Zoning District***
The purpose and intent of the Sustainable Development Conditional Zoning District SD-CZ is to encourage the design of a sustainable community through the application of design approaches that allow and encourage flexibility, an intensity of uses, integration among uses, restoration and enhancement of the environment and natural resources, transit-oriented development, pedestrian-oriented development and the efficient use of resources, energy and materials. This shall be accomplished by allowing design flexibility and innovative approaches to environmental stewardship incorporated in a plan for development that:

1) addresses the relationship between building facades and the public realm, the form and mass of buildings in relation to one another, and the scale and types of streets and blocks;

2) facilitates a full diversity of building types, thoroughfare types, and public space types with appropriate characteristics for their respective locations; and

3) facilitates the restoration and enhancement of the environment and natural resources.

Further, because the aforementioned design standards are best implemented on a large-scale basis, a purpose and intent of the Sustainable Development Conditional Zoning District SD-CZ is to provide sufficient lands for such implementation. To this end, the Sustainable Development Conditional Zoning District SD-CZ must include a minimum of 500 contiguous acres. An SD-CZ

District may include other parcels of any size within 2000 feet of such parcel of at least 500 contiguous acres.

The unique purpose and intent, and the scale and standards to which the development plan must adhere, distinguish the Sustainable Development Conditional Zoning District SD-CZ from the other districts established in Sec. 3.2. Therefore, the specific procedures and standards for the review of the Sustainable Development Conditional Zoning District SD-CZ are found in Sec. 2.3.16, *Sustainable Development Conditional Zoning District SD-CZ.*

IV. Article 4 / Use Regulations
Sec.4.2 / USE TABLE
Sec.4.2.2 / Use Table

The Use Table in Section 4.2.2 shall be amended to include among the Zoning Districts shown at the top of the table "SD" to denote the **Sustainable Development Conditional Zoning District** as a Zoning District in the "Other" category and to place a double asterisk (**) in the block under SD for each use listed within all of the Use Types, with the exception of the following uses: Adult Establishment; Airplane Landing Strip; Airport; Sanitary Landfill; Land Clearing and Inert Debris Landfill; Mobile Homes; and Asphalt or Concrete Plant. Further, the following shall be inserted below the table:

"**Uses allowed as a matter-of-right in a Sustainable Development Conditional Zoning District shall be those uses authorized in the Sustainable Development Plan approved for such district. Standards applicable to each such use shall be as provided in this Use Table unless modified by the respective Sustainable Development Plan."

V. Article 4 / Use Regulations
Sec.4.3 / Use Classifications
Sec.4.3.1 / Residential Uses

A) ***Accessory Apartment***

A secondary dwelling unit either (1) inside of or added to an existing single-family dwelling, (2) in an accessory structure on the same lot as the principal single-family dwelling, (3) on any floor except for the ground floor of a commercial use in the B1 Neighborhood Business District, B2 Downtown Business District, MEC-CZ Major Employment Center District, TND-CZ Traditional Neighborhood District, PUD-CZ Planned Unit Development District, or (4) on any floor of a commercial use in the SD-CZ Sustainable Development Conditional Zoning District. An accessory apartment is a complete, independent living facility equipped with a kitchen and with provisions for sanitation and sleeping. An accessory structure may include a loft.

VI. Article 5 / Measurements

Sec.5.1 / TABLE OF INTENSITY AND DIMENSIONAL STANDARDS
Sec.5.1.4 / Other Development Districts

The table for "Other Development Districts" in Section 5.1.4 shall be amended to include "SD" to denote the **Sustainable Development Conditional Zoning District** under "Use" and below "*See Sec. 6.1, Watershed Protection Overlay Districts." "All uses" shall be inserted below "SD" and to the right thereof shall be inserted "All Intensity and Dimensional Standards shall be as set forth in the Sustainable Development Plan approved for the respective Sustainable Development Conditional Zoning District."

VII. TECHNICAL AMENDMENTS

A) Each of the following Sections shall be amended to insert "SD-CZ" immediately after "PUD-CZ" at each place in the respective Section at which "PUD-CZ" appears:

2.1.1 A) 2) b)
2.1.2 A) 2) b)
2.1.7 A) 2)
2.2.11 E)
2.3.15 B)
4.1.2 A)
4.5.6
4.5.6 A)
4.5.6 D)
4.5.6 F)
4.6.1 C) 1) a)
5.2.2 A) 2)
8.2.6
8.3.6 B) 5)
8.4.2
9.1.2

B) Section 2.3.1 shall be amended to insert within the Table under "Development Permit" and following "Traditional Neighborhood District (TND-CZ) (Sec. 2.3.4)" the words "Sustainable Development Conditional Zoning District (SD-CZ) (Sec. 2.3.16)"; to place the letter "R" under each of "Planning Director/Technical Review Committee" and "Planning Board"; and to place the letter "D" under "Town Council."

C) Section 2.3.3 J) 2) shall be amended to insert "or Section 2.3.16 J) *Minor Deviation to a SD Plan* or Section 2.3.16 K) *Modification of SD Plan*" following "2.3.4(M) *Minor Deviations*".

D) Section 2.3.16, **Site Work Prior to Development Approvals**, shall be re-numbered to "Section 2.3.17".

E) Section 2.3.17, **Utility Service**, shall be re-numbered to "Section 2.3.18".

F) Sections 4.3.1 A), 4.4.5 F), and 4.6.1 C) 3) shall each be amended to insert ", SD-CZ Sustainable Development Conditional Zoning District," immediately following "TND-CZ Traditional Neighborhood District" at each place where "TND-CZ Traditional Neighborhood District" appears.

G) Section 5.2.2 F) shall be amended to insert at the beginning of the paragraph "Except in Sustainable Development Conditional Zoning District (SD-CZ)," and to replace "I" with "i" in "internal."

H) Section 8.3.6 B) 5) shall be amended to substitute "Section 8.4.4" for "Section 8.5.3."

I. Article 2 / Administration
Sec. 2.3 / DEVELOPMENT APPROVALS

2.3.16 Sustainable Development Conditional Zoning District

A) ***General***

This Section establishes the procedures and standards applicable to the Town's Sustainable Development Conditional Zoning District SD-CZ.

B) ***General Applicability***

Before any development shall be designated as a Sustainable Development Conditional Zoning District SD-CZ on the Official Zoning District Map, it shall receive approval pursuant to the terms of this Section and Section 2.3.3 of this Ordinance.

C) ***Location***

A Sustainable Development Conditional Zoning District SD-CZ designation may be established on any land located in the Town and its ETJ that complies with all of the applicable standards of this Section and Section 3.3.4B), including the requirement that a Sustainable Development Conditional Zoning District SD-CZ include a minimum of 500 contiguous acres. An SD-CZ District may include other parcels of any size within 2000 feet of such parcel of at least 500 contiguous acres.

D) ***Unified Ownership or Control***

One person shall have all the responsibility and authority to make all the developer land use planning decisions for all land that is part of a Sustainable Development Conditional Zoning District SD-CZ. A person shall be considered to have such responsibility and authority for all lands in the Sustainable Development Conditional Zoning District SD-CZ either through ownership or by written agreement by and between such person and each owner of parcels comprising said lands agreeing to the conditions and standards of the adopting ordinance and the Sustainable Development Conditional Zoning District SD-CZ and granting the person such responsibility and authority. This one person, who shall be identified in the Sustainable Development Conditional Zoning District SD-CZ Re-Zoning Application as the "Responsible Person," will be the sole person from whom the Town will accept decisions regarding the Sustainable Development (SD) Plan and Sustainable Development Conditional Zoning District SD-CZ, including amendments, modifications or supplements thereof or the addition of lands thereto. The SD Plan shall provide the process for effecting a change or succession of Responsible Person for the purposes of a specific district. A parcel or parcels (the "Parcel") of any size may be added to an existing Sustainable Development Conditional Zoning District if (i) any portion of the Parcel is within two thousand (2000) feet of such existing district, (ii) the

Responsible Person of the existing district consents in writing and (iii) the Town Council approves a rezoning of the Parcel to Sustainable Development Conditional Zoning District SD-CZ in accordance with Sections 2.3.3 and 2.3.16. In such event the SD Plan approved for the existing SD-CZ District shall be applicable to the Parcel(s) added to such existing district, and the development densities authorized in the existing SD Plan (including number of residential units and authorized square footage of other land uses) shall be increased on a pro-rata basis based on the size of the Parcel(s) added to the district, unless the Town Council provides otherwise with the consent of the Responsible Person.

E) ***Procedures***

1) *Overview.* Approval of a Sustainable Development Conditional Zoning District SD-CZ shall constitute an amendment to the Official Zoning District Map. It shall be controlled by an SD Plan that is approved as part of the Sustainable Development Conditional Zoning District SD-CZ designation and that designates the appropriate form and scale of development within the Sustainable Development Conditional Zoning District SD-CZ. The procedure requires review and recommendation of approval or disapproval by the Planning Board and approval, approval with conditions, or disapproval by the Town Council.

2) *General.* The procedures for initiation of the application, the application contents, fees, submission and review by Town staff and/or consulting firms on retainer, public notification, review by the Planning Board and then approval, approval with conditions, or disapproval by the Town Council at a public hearing(s) shall comply with the requirements of Sec. 2.2 *Common Review Procedures,* Sec 2.2.7 *Neighborhood Meeting* and Sec. 2.3.16 (F) *Sustainability Standards*.

F) ***Standards***

1) In return for greater flexibility in site design requirements, the Sustainable Development Conditional Zoning District SD-CZ is expected to deliver exceptional quality designs on a large-scale basis that:

a) facilitate the integration of a broad array of uses;

b) preserve and enhance critical environmental and natural resources, including water resources and ecosystem services in the stream network flowing through the district;

c) incorporate creativity in the design and configuration of buildings, roads, public space and infrastructure; and

d) employ innovative techniques and practices aimed at maximizing efficiency in the use of energy and materials.

In short, the Sustainable Development Conditional Zoning District SD-CZ is expected to provide a high quality of life through the creation of a healthy, living landscape within a high-intensity mixed-used community.

2) The purpose, intent and scale of the Sustainable Development Conditional Zoning District SD-CZ are unique from the other districts established in Sec. 3.2. Thus, the unique nature of the Sustainable Development Conditional Zoning District SD-CZ necessitates alternative standards, regulations, specifications, details, designs, and criteria (the "Sustainability Standards") to meet the spirit and intent of this Ordinance. These Sustainability Standards, which shall be set forth in the SD Plan and may be established pursuant to paragraph 3) hereafter, may:

a) specify the nature, density, maximums on development, minimums on development, development thresholds, and design characteristics proposed for the Sustainable Development Conditional Zoning District SD-CZ;

b) address the relationship between building facades and the public realm, the form and mass of buildings in relation to one another, and the scale and types of streets and blocks;

c) facilitate a full diversity of building types, thoroughfare types, and public space types with appropriate characteristics for their respective locations;

d) facilitate the restoration and enhancement of the environment and natural resources through both accepted practice and innovative practices; and

e) modify and supersede the provisions of this Ordinance or any land development document referenced or incorporated therein, or other land development ordinances or policies of the Town. However, an SD Plan and development pursuant thereto shall conform to all applicable Town ordinances and policies, including the UDO, except to the extent that ordinances or policies, including the UDO, are varied in the approved SD Plan or in Sustainability Standards adopted pursuant to paragraph 3) hereafter. An SD Plan and the Sustainability Standards may not modify the requirements that an SD-CZ District include a minimum of 500 contiguous acres.

3) The Sustainability Standards and other provisions of the SD Plan, as well as Sustainability Standards established pursuant to this paragraph F) 3), shall form the basis for a development of exceptional quality and innovation that is an

enhancement to the welfare of the Town's citizens. At any time, and from time to time:

a) with the consent of the Responsible Person, the Town Council may adopt additional or modified Sustainability Standards for an approved SD-CZ District following review and recommendation by the Planning Board;

b) where an SD Plan requires additional or modified Sustainability Standards for an approved SD-CZ District, site plan approval, subdivision approval, construction or grading shall not commence within such SD-CZ District unless and until the required Sustainability Standards are adopted as provided in the SD Plan; with the consent of the Responsible Person, the Town Council shall review and consider and may adopt such additional and modified Sustainability Standards following review and recommendation by the Planning Board;

c) as an amendment to this Ordinance, the Town Council may adopt elective Sustainability Standards for SD-CZ districts, which may, at the election of a Responsible Person, (i) be incorporated, in whole or in part, into an approved SD Plan for an existing SD-CZ district or (ii) be included within an SD Plan for a proposed SD-CZ district. In the case of an approved SD Plan, the elective Sustainability Standards so incorporated may provide that they serve as a supplement to the provisions of the SD Plan and serve as an alternative to the application of any inconsistent provisions of the Plan;

d) actions by the Town Council under the foregoing subsections 2.3.16 F) 3) a), b) and c) shall be taken in accordance with the provisions of Sec. 2.3.2 applicable to Amendments to the Text of this Ordinance. It is provided, however, that such actions may be proposed only by the Town Council, the Planning Director, or the Responsible Person; and

e) this Subsection 2.3.16 does not reduce any authority that the Town otherwise has to amend its UDO or an approved SD-CZ rezoning and SD Plan; the vested rights applicable to a SD-CZ rezoning and SD Plan shall be determined by other applicable law and by the provisions of a developer agreement if any.

G) ***SD Plan***

To the degree necessary and appropriate, the SD Plan and the Sustainability Standards shall include, but shall not be limited to, requirements related to:

1) standards a) through d) set forth in the foregoing Section 2.3.16 F) 1);

2) design guidelines;

3) parks, open space and greenways;

4) water resources and ecosystem services;

5) comprehensive signage;

6) landscaping conditions;

7) parking requirements; and

8) public infrastructure improvements and public facilities.

The SD Plan shall also include a map depicting the concept for the development of the property. To the extent that provisions of the SD Plan or Sustainability Standards vary the provisions of this Ordinance, or other ordinances or policies of the Town, the provisions of the SD Plan or Sustainability Standards shall be applicable.

H) ***Placement of Sustainable Development Conditional Zoning District SD-CZ Designation on Official Zoning District Map***

After final approval of the adopting ordinance for the Sustainable Development Conditional Zoning District SD-CZ designation and the SD Plan, the Planning Director shall amend the Official Zoning District Map to show a Sustainable Development Conditional Zoning District SD-CZ designation.

I) ***Effect***

Approval of an adopting ordinance for Sustainable Development Conditional Zoning District SD-CZ designation and the SD Plan shall constitute an Official Zoning District Map designation and recognition by the Town that the landowner may proceed, consistent with the SD Plan, to develop the land. The next appropriate development approval for the land is a site plan or subdivision plan.

J) ***Deviation to SD Plan***

When appropriate to further the goals of an approved SD-CZ District and its SD Plan, the Planning Director may approve deviations of up to ten percent (10%) with respect to any standard, design, configuration, disposition, or matter established or quantified in an SD Plan or the Sustainability Standards, except that this authority shall not apply to density, maximums on development minimums on development or thresholds. Any other modification, revision or supplementation of an SD Plan or the Sustainability Standards shall require the approval of the Town Council following review by the Planning Board.

K) ***Amendment to Sustainable Development Conditional Zoning District SD-CZ***

An amendment to the Official Zoning District Map for a Sustainable Development Conditional Zoning District SD-CZ may be made only pursuant to the procedures and standards for its original approval, and specifically Sec. 2.3.16 (D) *Unified Ownership or Control*.

II. Article 3 / Zoning Districts
Sec. 3.2 / ZONING DISTRICTS ESTABLISHED

3.2.8 Conditional Zoning Other Districts

A) *CB-CZ Conservation Buffer District; and*

B) *SD-CZ Sustainable Development Conditional Zoning District.*

III. Article 3 / Zoning Districts
Sec. 3.3 / DISTRICT PURPOSES

3.3.4 Other Districts

B) ***Sustainable Development Conditional Zoning District***
The purpose and intent of the Sustainable Development Conditional Zoning District SD-CZ is to encourage the design of a sustainable community through the application of design approaches that allow and encourage flexibility, an intensity of uses, integration among uses, restoration and enhancement of the environment and natural resources, transit-oriented development, pedestrian-oriented development and the efficient use of resources, energy and materials. This shall be accomplished by allowing design flexibility and innovative approaches to environmental stewardship incorporated in a plan for development that:

1) addresses the relationship between building facades and the public realm, the form and mass of buildings in relation to one another, and the scale and types of streets and blocks;

2) facilitates a full diversity of building types, thoroughfare types, and public space types with appropriate characteristics for their respective locations; and

3) facilitates the restoration and enhancement of the environment and natural resources.

Further, because the aforementioned design standards are best implemented on a large-scale basis, a purpose and intent of the Sustainable Development Conditional Zoning District SD-CZ is to provide sufficient lands for such implementation. To this end, the Sustainable Development Conditional Zoning District SD-CZ must include a minimum of 500 contiguous acres. An SD-CZ

District may include other parcels of any size within 2000 feet of such parcel of at least 500 contiguous acres.

The unique purpose and intent, and the scale and standards to which the development plan must adhere, distinguish the Sustainable Development Conditional Zoning District SD-CZ from the other districts established in Sec. 3.2. Therefore, the specific procedures and standards for the review of the Sustainable Development Conditional Zoning District SD-CZ are found in Sec. 2.3.16, *Sustainable Development Conditional Zoning District SD-CZ.*

IV. Article 4 / Use Regulations
Sec.4.2 / USE TABLE
Sec.4.2.2 / Use Table

The Use Table in Section 4.2.2 shall be amended to include among the Zoning Districts shown at the top of the table "SD" to denote the **Sustainable Development Conditional Zoning District** as a Zoning District in the "Other" category and to place a double asterisk (**) in the block under SD for each use listed within all of the Use Types, with the exception of the following uses: Adult Establishment; Airplane Landing Strip; Airport; Sanitary Landfill; Land Clearing and Inert Debris Landfill; Mobile Homes; and Asphalt or Concrete Plant. Further, the following shall be inserted below the table:

"**Uses allowed as a matter-of-right in a Sustainable Development Conditional Zoning District shall be those uses authorized in the Sustainable Development Plan approved for such district. Standards applicable to each such use shall be as provided in this Use Table unless modified by the respective Sustainable Development Plan."

V. Article 4 / Use Regulations
Sec.4.3 / Use Classifications
Sec.4.3.1 / Residential Uses

A) ***Accessory Apartment***

A secondary dwelling unit either (1) inside of or added to an existing single-family dwelling, (2) in an accessory structure on the same lot as the principal single-family dwelling, (3) on any floor except for the ground floor of a commercial use in the B1 Neighborhood Business District, B2 Downtown Business District, MEC-CZ Major Employment Center District, TND-CZ Traditional Neighborhood District, PUD-CZ Planned Unit Development District, or (4) on any floor of a commercial use in the SD-CZ Sustainable Development Conditional Zoning District. An accessory apartment is a complete, independent living facility equipped with a kitchen and with provisions for sanitation and sleeping. An accessory structure may include a loft.

VI. Article 5 / Measurements

Sec.5.1 / TABLE OF INTENSITY AND DIMENSIONAL STANDARDS
Sec.5.1.4 / Other Development Districts

The table for "Other Development Districts" in Section 5.1.4 shall be amended to include "SD" to denote the **Sustainable Development Conditional Zoning District** under "Use" and below "*See Sec. 6.1, Watershed Protection Overlay Districts." "All uses" shall be inserted below "SD" and to the right thereof shall be inserted "All Intensity and Dimensional Standards shall be as set forth in the Sustainable Development Plan approved for the respective Sustainable Development Conditional Zoning District."

VII. TECHNICAL AMENDMENTS

A) Each of the following Sections shall be amended to insert "SD-CZ" immediately after "PUD-CZ" at each place in the respective Section at which "PUD-CZ" appears:

2.1.1 A) 2) b)
2.1.2 A) 2) b)
2.1.7 A) 2)
2.2.11 E)
2.3.15 B)
4.1.2 A)
4.5.6
4.5.6 A)
4.5.6 D)
4.5.6 F)
4.6.1 C) 1) a)
5.2.2 A) 2)
8.2.6
8.3.6 B) 5)
8.4.2
9.1.2

B) Section 2.3.1 shall be amended to insert within the Table under "Development Permit" and following "Traditional Neighborhood District (TND-CZ) (Sec. 2.3.4)" the words "Sustainable Development Conditional Zoning District (SD-CZ) (Sec. 2.3.16)"; to place the letter "R" under each of "Planning Director/Technical Review Committee" and "Planning Board"; and to place the letter "D" under "Town Council."

C) Section 2.3.3 J) 2) shall be amended to insert "or Section 2.3.16 J) *Minor Deviation to a SD Plan* or Section 2.3.16 K) *Modification of SD Plan*" following "2.3.4(M) *Minor Deviations*".

D) Section 2.3.16, **Site Work Prior to Development Approvals**, shall be re-numbered to "Section 2.3.17".

E) Section 2.3.17, **Utility Service**, shall be re-numbered to "Section 2.3.18".

F) Sections 4.3.1 A), 4.4.5 F), and 4.6.1 C) 3) shall each be amended to insert ", SD-CZ Sustainable Development Conditional Zoning District," immediately following "TND-CZ Traditional Neighborhood District" at each place where "TND-CZ Traditional Neighborhood District" appears.

G) Section 5.2.2 F) shall be amended to insert at the beginning of the paragraph "Except in Sustainable Development Conditional Zoning District (SD-CZ)," and to replace "I" with "i" in "internal."

H) Section 8.3.6 B) 5) shall be amended to substitute "Section 8.4.4" for "Section 8.5.3."

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AN ORDINANCE TO ADOPT ADDITIONAL SUSTAINABILITY STANDARDS FOR VERIDEA

BE IT ORDAINED by the Town Council of the Town of Apex as follows:

Section 1. The Environmental Enhancement Plan for Veridea is hereby adopted in accordance with Section 2.3.16.F.3.b of the Unified Development Ordinance and Section 3.1.2 of the Sustainable Development Plan adopted for Veridea by Rezoning #09CZ07 ("Veridea SD Plan").

Section 2. 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.

Section 3. Pursuant to Section 3.3.4 of the Veridea SD Plan, the Environmental Enhancement Plan in Attachment "B" is hereby incorporated into the Veridea SD Plan and is applicable to the land described in Attachment "A" and to any lands subsequently rezoned to be included in the Veridea SD Plan.

Section 4. The ordinance shall be effective upon enactment on the 28th day of February 2023.

Introduced by Council Member Gantt

Seconded by Council Member Gray

Attest:

Allen Coleman, CMC, NCCCC
Town Clerk

TOWN OF APEX

Jacques K. Gilbert
Mayor

Approved As To Form:

Laurie L. Hohe
Town Attorney

APEX 1873 NORTH CAROLINA

Attachment A

Property Description

Tract 1 (Poe):

BEGINNING at a point which is the northeast corner of the 54.650 acre tract shown on Boundary Survey Prepared for Apex Land Assemblage, LLC by Riley Surveying, PA dated February 23, 2006 and recorded in Book of Maps 2006, Page 416, Wake County Registry; thence along the line of said 54.650 acre tract N 89° 54' 34" W 1794.53 feet to a point in the centerline of Big Branch; thence along the centerline of Big Branch, the following courses and distances denoted L87 through L156 on the following table:

CENTERLINE BIG BRANCH

LINE TABLE		
LINE	*BEARING*	*LENGTH*
L87	*N20° 48' 14" E*	*52.19*
L88	*N27° 36' 15" E*	*25.74*
L89	*N62° 55' 07" E*	*26.76*
L90	*N28° 59' 45" W*	*21.84*
L91	*N05° 57' 55" W*	*34.25*
L92	*N49° 54' 20" E*	*15.65*
L93	*N35° 51' 41" E*	*26.00*
L94	*N57° 55' 36" W*	*27.74*
L95	*S77° 58' 08" W*	*70.86*
L96	*N69° 24' 20" W*	*55.42*
L97	*N16° 11' 53" W*	*54.07*
L98	*N47° 25' 48" E*	*30.81*
L99	*S76° 51' 18" E*	*46.52*
L100	*N23° 56' 06" E*	*15.13*
L101	*N10° 54' 23" E*	*79.33*
L102	*N70° 46' 49" W*	*21.80*
L103	*N13° 56' 38" W*	*44.13*
L104	*N54° 44' 36" W*	*48.38*
L105	*S57° 22' 33" W*	*58.59*
L106	*S44° 34' 58" W*	*46.68*
L107	*N46° 23' 02" W*	*39.79*
L108	*N72° 28' 16" W*	*36.60*
L109	*S47° 16' 54" W*	*18.92*
L110	*N74° 34' 40" W*	*21.22*
L111	*N28° 53' 03" W*	*20.74*
L112	*N42° 52' 48" W*	*46.75*
L113	*N06° 56' 21" E*	*26.65*
L114	*N88° 28' 36" E*	*43.87*
L115	*N27° 02' 14" E*	*18.93*
L116	*N01° 17' 25" E*	*31.60*
L117	*N45° 56' 56" E*	*50.02*
L124	*N39° 28' 55" E*	*39.13*
L125	*N15° 03' 15" W*	*20.63*
L126	*N51° 44' 06" W*	*25.88*
L127	*N30° 05' 45" E*	*27.95*
L128	*S60° 15' 59" E*	*30.79*
L129	*S36° 33' 19" E*	*34.28*
L130	*S78° 44' 24" E*	*52.43*
L131	*N41° 37' 38" E*	*15.36*
L132	*N04° 45' 02" E*	*44.44*
L133	*N30° 38' 49" E*	*51.77*
L134	*N05° 02' 00" W*	*35.48*
L135	*S62° 06' 04" W*	*33.82*
L136	*N44° 56' 44" W*	*39.84*
L137	*N44° 38' 21" E*	*21.58*
L138	*N53° 06' 38 E*	*60.88*
L139	*N61° 14' 38" W*	*39.17*
L140	*N50° 48' 06" W*	*23.78*
L141	*N10° 02' 40" W*	*28.54*
L142	*N38° 49' 48" E*	*55.95*
L143	*N43° 06' 48" W*	*60.59*
L144	*N42° 29' 30" E*	*31.74*
L145	*N70° 52' 59" W*	*69.18*
L146	*N86° 33' 59" W*	*111.94*
L147	*N47° 57' 35" W*	*68.58*
L148	*N30° 54' 08" E*	*32.56*
L149	*N21° 23' 37" W*	*54.07*
L150	*N55° 27' 06" E*	*39.27*
L151	*N03° 24' 04" W*	*46.46*
L152	*N31° 43' 23" E*	*54.96*
L153	*N18° 31' 57" E*	*44.10*
L154	*N01° 09' 10" W*	*65.77*
L155	*N22° 16' 37" W*	*29.93*
L156	*N19° 16' 28" E*	*2.52*

L118	*N01° 25' 13" E*	*14.01*
L119	*N65° 15' 45" W*	*42.02*
L120	*N01° 22' 31" E*	*32.19*
L121	*N46° 17' 51" W*	*51.21*
L122	*N06° 49' 21" E*	*35.97*
L123	*N69° 35' 22" E*	*41.13*

Thence leaving the course of Big Branch, N 87° 20' 59" E 1317.72 feet to a point; thence N 00° 20' 59" E 1411.74 feet to a point; thence N 87° 17' 47" E 1396.96 feet to a point; thence S 02° 19' 40" W 527.05 feet to a point; thence S 90° 00' 00" W 750.13 feet to a point; thence S 00° 00' 00" W 967.73 feet to a point; thence N 77° 55' 24" E 389.22 feet to a point; thence N 01° 29' 14" E 148.65 feet to a point; thence N 65° 20' 41" E 538.98 feet to a point; thence S 02° 20' 59" W 179.73 feet to a point; thence S 02° 28' 41" W 1915.88 feet to a point; thence N 89° 11' 33" W 648.01 feet to the point and place of beginning and being all of Tract 3 containing 128.439 acres shown on a survey entitled "Exempt Division Survey – Property of Bobby and Elizabeth Poe" prepared by Riley Surveying, PA dated November 9, 2006.

Tract 2 (Poe):

BEING all of the 1.710 acre tract and the 0.042 acre tract shown as area in the right of way of Old Holly Springs – Apex Road shown on a map entitled "Property of Bobby W. and Elizabeth A. Poe, F.D. Prince, Sr, Trustee" recorded in Book of Maps 2002, Page 109, Wake County Registry, reference to which is hereby made for greater certainty of description and also being more particularly described as follows: Beginning at an existing nail in the northwest corner of the property of E.K. Huang, et. al. as described in Deed Book 6650, Page 866, Wake County Registry, and the southwest corner of the property of F.D. Prince, Sr. as described in Deed Book 8291, page 540, Wake County Registry, runs thence North 05 degrees 23 minutes 24 seconds East 64.21 feet to an iron pipe; thence North 74 degrees 31 minutes 24 seconds East 381.93 feet to an iron pipe; thence South 86 degrees 04 minutes 18 seconds East 863.27 feet to an iron pipe in the west right of way of SR 1153 (Old Holly Springs – Apex Road). Thence South 86 degrees 04 minutes 18 seconds East 30.32 feet to the centerline of SR 1153; thence along the centerline of SR 1153, South 12 degrees, 45 minutes 03 seconds West 60.72 feet to a point; thence with the north line of Huang, et. al., North 86 degrees 04 minutes 18 seconds West 30.32 feet to an existing iron pipe; thence North 86 degrees 04 minutes 18 seconds West 843.70 feet to an existing iron pipe; thence South 74 degrees 31 minutes 24 seconds West 394.54 feet to an existing iron pipe, the point and place of Beginning, and also being Tract 1 containing 1.754 acres shown on a survey entitled "Exempt Division Survey – Property of Bobby and Elizabeth Poe" prepared by Riley Surveying, PA dated November 9, 2006.

Tract 3 (Lyna):

BEGINNING at a point in the centerline of Old Holly Springs Apex Road, said point being calculated as follows: Beginning at a point in the line of Tract A shown on a map entitled "Proposed Subdivision and Recombination of Properties of Wake County" which is recorded in Book of Maps 1998, Page 782, Wake County Registry, said point also being North 45° 03' 47" East 1591.01 feet from the centerline of the intersection of Old Holly Springs Apex Road and

Woods Creek Road; thence North 09° 24' 42" East 362.56 feet to a point; thence North 85° 47' 44" West 162.21 feet to an iron pin in the centerline of Old Holly Springs Apex Road; thence along the centerline of Old Holly Springs Apex Road in an northerly direction along a left hand curve having a radius of 1963.49 feet an arc distance of 423.08 feet and chord bearing and distance of North 12° 12' 26" East 422.26 feet to the POINT AND PLACE OF BEGINNING: thence continuing along the centerline of said Old Holly Springs Apex Road in a northerly direction along a left hand curve having a radius of 1963.49 feet, an arc distance of 259.39 feet and a chord bearing and distance of North 02° 14' 59" East 259.20 feet; thence North 00° 00' 56" East 187.39 feet to a point; thence South 67° 20' 57" East 925.18 feet to a point; thence South 61° 30' 00" East 301.10 feet to a point; thence South 73° 33' 19" East 346.87 feet to a point; thence South 74° 36' 50" East 217.48 feet to a point; thence South 70° 39" 03" East 219.39 feet to a point; thence South 66° 06' 14" East 183.83 feet to a point; thence South 51° 10' 55" East 327.09 feet to a point in the centerline of White Oak Creek a/k/a Falls Branch Creek; thence along the centerline of said creek as follows: South 03° 23' 35" East 31.18 feet to a point; thence South 19° 58' 50" East 138.13 feet to a point; thence South 09° 01' 05" West 63.94 feet to a point; thence South 22° 49' 37" West 94.25 feet to a point; thence South 05° 19' 49" West 65.12 feet to a point; thence leaving the center line of said creek N 67° 48' 05" W 2481.26 feet to the point and place of BEGINNING and being all of Tract 1 containing 23.62 acres as shown on a survey entitled "Exempt Subdivision prepared for Apex Land Assemblage, LLC" by Riley Surveying, P.A. dated May 13, 2005.

Tract 4 (Reeves):

BEGINNING at a point in the line of Tract A shown on a map entitled "Proposed Subdivision and Recombination of Properties of Wake County" which is recorded in Book of Maps 1998, Page 782, Wake County Registry, said point also being North 45° 03' 47" East 1591.01 feet from the centerline of the intersection of Old Holly Springs Apex Road and Woods Creek Road, being the point and place of BEGINNING, thence North 09° 24' 42" East 362.56 feet to a point; thence North 85° 47' 44" West 162.21 feet to a point; thence North 85° 47' 44" West 30.48 feet to an iron pin in the centerline of Old Holly Springs Apex Road; thence along the centerline of Old Holly Springs Apex Road in an northerly direction along a left hand curve having a radius of 1963.49 feet, an arc distance of 423.08 feet and chord bearing and distance of North 12° 12' 26" East 422.26 feet to a point; thence leaving the centerline of said road South 67° 48' 05" East 2481.26 feet to a point in the centerline of White Oak Creek a/k/a Falls Branch Creek; thence along the centerline of said creek as follows South 05° 19' 49" West 39.71 feet to a point; thence South 17° 13' 42" West 52.16 feet to a point; thence South 63° 16' 26" West 25.88 feet to a point; thence South 17° 55' 39" West 68.74 feet to a point; thence leaving the line of said creek North 78° 00' 00" West 876.99 feet to a point; thence North 84° 10' 00" West 1370.01 feet to the point and place of BEGINNING, and being all of Tract 2 containing 23.62 acres as shown on a survey entitled "Exempt Subdivision prepared for Apex Land Assemblage, LLC" by Riley Surveying, P.A. dated May 13, 2005.

Tract 5 (Goodwin/ALAN):

BEING all that certain tract or parcel of land containing 54.650 acres, more or less, as shown on plat of survey entitled "Boundary Survey Prepared for Apex Land Assemblage, LLC" dated February 16, 2006 and revised February 23, 2006, prepared by Phillip W. Riley, professional Land Surveyor, of Riley Surveying, P.A. and recorded in Book of Maps 2006, Page 416, Wake County Registry, which plat is referenced for a more particular description.

Tract 6 (Adams):

BEING all that certain tract or parcel of land containing 86.334 acres as shown on plat of survey entitled "Boundary Survey, Prepared for HH Trinity Apex Investments, LLC, Holly Springs Township, Wake County, NC" dated September 17, 2007, prepared by Phillip W. Riley, Professional Land Surveyor, of Riley Survey, P.A. and recorded in Book of Maps 2007, Page 2469, Wake County Registry, which plat is referenced for a more particular description.

Tract 7 (Cox):

BEING all that certain tract or parcel of land containing 65.210 acres as shown on plat of survey entitled "Boundary Survey, Prepared for HH Trinity Apex Investments, LLC, Holly Springs Township, Wake County, NC" dated September 19, 2007, prepared by Phillip W. Riley, Professional Land Surveyor, of Riley Survey, P.A. and recorded in Book of Maps 2007, Page 2467, Wake County Registry, which plat is referenced for a more particular description.

Tracts 8 - 11 (Raymer):

BEING all those certain tracts or parcels of land designated as Tract I-A, containing 278.521 acres; Tract II, containing 2.134 acres; Tract III, containing 4.333 acres; and Tract 840' x 40', containing 0.626 acres, as shown on plat of survey entitled "Boundary Survey, Prepared for HH Trinity Apex Investments, LLC, Holly Springs Township, Wake County, NC" dated September 20, 2007, prepared by Phillip W. Riley, Professional Land Surveyor, of Riley Surveying, P.A. and recorded in Book of Maps 2007, Page 2468, Wake County Registry, which plat is referenced for a more particular description.

Tract 12 (Apex Town Square):

Being all of that certain tract of land lying in the Town of Apex, Holly Springs Township, Wake County, North Carolina, and being more particularly described as follows:

BEGINNING at an existing iron pipe at the northeastern corner of the now or formerly EMC Corporation property described in Deed recorded Book 2791, Page 428, Wake County Registry, said pipe also being located in the western line of the now or formerly Cash and Maynard Tract 1-A as shown on plat of survey recorded in Book of Maps 2003, Page 398, Wake County Registry (the "Plat"), said pipe being located North 02° 14' 00" East 271.08 feet from a common corner with said Cash and Maynard Tract 1-A and the now or formerly Cor Bregman property in said EMC Corporation's eastern property line as shown on the Plat; thence with said EMC Corporation's northern property line, South 89° 33' 33" West 1,910.66 feet to an existing iron pipe; thence with EMC Corporation's interior eastern property line, North 02° 07' 56" East

543.28 feet to an existing iron pipe, the southeastern corner of the now or formerly Colon Hobby property; thence with the eastern property line of said Colon Hobby property, North 00° 59' 41" East 734.53 feet to a set iron pipe marking the southwest corner of the said Cash and Maynard Tract 1-A; thence with said Cash and Maynard's Tract 1-A's southern property line and passing over an existing iron pipe at a distance of 15.08 feet, South 87° 48' 34" East 1,905.24 feet (total) to an existing iron pipe; thence continuing with said Cash and Maynard's Tract 1-A's interior western property line, South 01° 15' 42" West 1,190.09 feet to the point or place of BEGINNING, containing 53.939 acres, more or less, including any deed/survey gaps that may exist along the western line of the property herein described, as shown on the Plat, which Plat is referenced for a more particular description and being all of the property conveyed to Apex Town Square, LLC, by deed dated January 6, 2006, and recorded in Book 11766, Page 242, Wake County Registry.

Tract 13 (Bregman):

Lying and being in Town of Apex, Holly Springs Township, Wake County, North Carolina, and being more particularly described as follows:

BEGINNING at an existing iron pipe at a corner of the property now or formerly owned by Heartland Raleigh Apex U.S. 1 Limited Partnership (Book 4454, Page 666, Wake County Registry ["WCR"]), said pipe being located at NC Grid Coordinates: N=707,936.09; E2,048,195.68, and also being located South 31° 57' 19" West a distance of 2,292.37 feet (Grid) from NCGS Monument "TANK" (N=709,881.08; E2,049,408.93); from said POINT OF BEGINNING, running thence along and with the western line of the aforesaid Heartland Raleigh property the following courses and distances:

- South 02° 41' 34" West a distance of 537.74 feet to an existing iron pipe;
- South 02° 41' 34" West a distance of 100.28 feet to an existing iron pipe;
- South 02° 41' 34" West a distance of 2.08 feet to an existing iron pipe;
- South 02° 39' 56" West a distance of 37.18 feet to an existing iron pipe in the northern right-of-way of Technology Drive;

running thence along and with the northern right-of-way of Technology Drive the following courses and distances:

- along and with the arc of a curve to the left having a radius of 411.97 feet (Chord Bearing: South 60° 59' 56" West; Chord Distance: 224.57 feet) a distance of 227.45 feet to an existing iron pipe;
- South 45° 37' 55" West a distance of 288.89 feet to an existing iron pipe;
- South 44° 59' 17" West a distance of 549.68 feet to an existing iron pipe;
- South 44° 59' 17" West a distance of 70.66 feet to an existing iron pipe;
- along and with the arc of a curve to the right having a radius of 351.97 feet (Chord Bearing: South 57° 36' 33" West; Chord Distance: 151.96 feet) a distance of 153.17 feet to an existing iron pipe;
- along and with the arc of a curve to the right having a radius of 351.97 feet (Chord Bearing: South 79° 30' 30" West; Chord Distance: 115.27 feet) a distance of 115.79 feet to an existing iron pipe;
- South 88° 51' 29" West a distance of 164.77 feet to a point in the eastern line of property

now or formerly owned by Data General (Book 2791, Page 428, WCR);

leaving the northern right-of-way of Technology Drive and running thence along and with the eastern line of the aforesaid Data General property, North 02° 16' 29" East a distance of 1,200.00 feet to an existing iron pipe; continuing with the eastern line of the Data General property and running thence North 02° 17' 20" East a distance of 416.31 feet to an existing iron pipe in the southern line of the aforesaid Heartland Raleigh property; running thence along and with the southern line of the Heartland Raleigh property, South 86° 16' 48" East a distance of 1,218.14 feet to the POINT AND PLACE OF BEGINNING, containing 34.0763 acres, more or less, and being all of Tract 4 north of the right-of-way of Technology Drive, as shown on that certain survey entitled "Recombination And Minor Subdivision of Technology Drive Property For Thomas H. Byrd, III", dated December 11, 1996, and prepared by Niall W. Gillespie, R.L.S. (No. L-2629) (File Name: BYRDTOPO), to which survey reference is hereby made for a more particular description, and being the same property conveyed to Cor S. Bregman by deed recorded in Book 7409, Page 255, Wake County Registry, and being the same property conveyed to Cornelius S. Bregman and Kandes K. Bregman, as Trustees of the Cornelius and Kandes Bregman Trust, under Agreement dated September 20, 1999 by deed recorded in Book 10856, Page 2786, Wake County Registry, LESS AND EXCEPT (i) the property conveyed to Thomas H. Byrd, IV, and wife Lisa W. Byrd, by deed recorded in Book 10129, Page 491, Wake County Registry, and (ii) the property conveyed to the Department of Transportation by deed recorded in Book 8128, Page 153, Wake County Registry.

Tracts 14 - 15 (EMC):

Being all those certain tracts or parcels of land containing approximately 47.419 acres and identified as portions of parcel identification numbers 0740672147 (containing approximately 46.61 acres) and 0740570471 (containing approximately 77.66 acres), and as generally shown as Tract 2 on the map attached hereto as Schedule 1.

Tract 16 (Whitehouse):

Being all that certain tract or parcel of land containing approximately 27.47 acres and identified as parcel identification number 0740287376 and being the same property conveyed to Brenda P. Whitehouse, individually, a 55% undivided interest, and Brenda P. Whitehouse as Trustee of the Irene F. Prince Family Trust dated February 19, 2004, a 45% undivided interest, by deed recorded in Book 10680, Page 477, Wake County Registry.

Tract 17 (F. Prince):

Being all that certain tract or parcel of land containing approximately 75.63 acres and identified as parcel identification number 0740191376 and being the same property conveyed to F.D. Prince, Sr., sole Trustee, or his successors in trust, under the Frank Dixon Prince, Sr. Living Trust, dated October 20, 1988, and any amendments thereto, by deed recorded in Book 8291, Page 540, Wake County Registry.

Tract 18 (F. Prince):

Being all that certain tract or parcel of land containing approximately 21.36 acres and identified as parcel identification number 0730996270 and being the same property conveyed to F.D. Prince, Sr., sole Trustee, or his successors in trust, under the Frank Dixon Prince, Sr. Living Trust, dated October 20, 1988, and any amendments thereto, by deed recorded in Book 8291, Page 540, Wake County Registry.

Tract 19 (B. Prince):

Being all that certain tract or parcel of land containing approximately 32.06 acres and identified as parcel identification number 0741207566 and being the same property conveyed to William Ira Prince, III, by deed recorded in Book 2673, Page 652, Wake County Registry.

Tract 20 (J. Prince):

Being all that certain tract or parcel of land containing approximately 1.80 acres and identified as parcel identification number 0740293940 and being the same property conveyed to William I. Prince and Jean P. Prince, by deed recorded in Book 6217, Page 146, Wake County Registry.

Tracts 21-38 (Stephens):

Being all of those certain tracts or parcels of land identified as parcel identification numbers 0740886966, 0740991702, 0740992565, 0740991337, 0740991237, 0740990140, 0740980647, 0740982309, 0740982534, 0740982635, 0740982769, 0740982866, 0740982964, 0740982929, 0740992024, 0740992069, 0740992169 and 0740982764.

Tract 39 (Tew):

Being all that certain tract or parcel of land containing approximately 1.84 acres and identified as parcel identification number 0741203157 and being the same property conveyed to Kim Prince Tew, and husband, David Wayne Tew, by deed recorded in Book 10633, Page 1741, Wake County Registry.

Tract 40 (Huang):

Being all that certain tract or parcel of land containing approximately 13.33 acres and identified as parcel identification number 0740180091 and being the same property conveyed to Ruey Shiue Huang, Co-Trustee, and Edward K. Huang, Co-Trustee, of The Huang Family Trust, dated September 30, 2005, by deed recorded in Book 10656, Page 33, Wake County Registry.

Attachment B

Environmental Enhancement Plan
Veridea
Apex, NC

November 1, 2022

Revised: December 1, 2022

2nd Revision: January 31, 2023

3rd Revision: February 3, 2023

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INTRODUCTION

On May 10, 2011, the Town of Apex adopted the Veridea Sustainable Development Plan ("SD Plan"). As set forth in the SD Plan, Veridea will be planned and developed as a safe, healthy, resource efficient, pedestrian and transit-oriented mixed-use community in accordance with these Guiding Principles:

- Create economic value;
- Eliminate the concept of waste;
- Insist on a renewable future;
- Create delightful urban places; and
- Integrate nature throughout the community.

The SD Plan is intended to encourage a pattern of high density, pedestrian-friendly development in some areas of Veridea and the conservation or enhancement of natural space in other areas. This Environmental Enhancement Plan ("EEP"), required by SD Plan Article 3.1.2, sets forth specific environmental Sustainability Standards applicable to Veridea to guide the development of Veridea in accordance with the SD Plan pursuant to Article 2.3.16 F) 3) b) of the Apex Unified Development Ordinance ("UDO"). The Sustainability Standards set forth in this EEP are intended to protect natural resources and the environment in light of this development pattern and to address secondary and cumulative impacts associated with the infrastructure required for Veridea. Unless otherwise defined herein, capitalized terms used in this EEP have the same meaning assigned to them in the UDO and in the SD Plan.

A. Purpose of the Environmental Enhancement Plan (EPP)

Taken as a whole, the Sustainability Standards set forth in the SD Plan and the EEP will provide a level of environmental protection that equals or exceeds the traditional metrics set forth in the Apex UDO, State and federal laws. A development project of Veridea's scale affords a rare opportunity to meaningfully plan for a more resilient future, by implement best practices in diversifying land use, building design, waste avoidance, energy optimization, water conservation and protection, transportation and open space. The EEP provides a framework for sustainable development principles over the lifespan of this multi-phase project.

B. Balancing Growth and Environmental Protection

In an effort to provide a holistic review of the Town's growth projections and infrastructure planned to support that growth, the Town of Apex has prepared a Secondary and Cumulative Impact Master Mitigation Plan (the "SCIMMP"), which examines the potential secondary and cumulative impacts throughout the Town's Planning Area associated with planned infrastructure. The SCIMMP acknowledges that sprawling development—the secondary and cumulative impacts associated with water, sewer and transportation infrastructure—will result in adverse environmental impacts and points out that Apex has taken progressive steps to balance the competing goals of growth and environmental protection. As noted in the SCIMPP, Apex has implemented mitigation measures that limit sprawl by encouraging areas of higher density development, such as is represented by Veridea.

While the SCIMMP served as a point of reference, this EEP sets forth alternative standards as an enhancement and mitigation strategy to address the potential secondary and cumulative impacts noted in the SCIMMP that may occur within Veridea. Specifically, the EEP, like the measures noted in the SCIMPP, is intended to balance the goals of growth and environmental protection, by facilitating

compact, dense, development that, in certain respects, is inherently less impactful than automobile-oriented low density residential development and that also lends itself to innovative environmental protection measures. The compact urban spaces in Veridea will allow for the use of both structural and non-structural SCMs, including innovative techniques for urban areas, for water quality protection that meets or exceeds that required by the measures noted in the SCIMPP. Similarly, the compact urban spaces in Veridea will be pedestrian- bicycle- and transit-oriented and, for this reason, will result in decreased automobile use and vehicle miles traveled. The decreased dependence on automobiles within Veridea will, in turn, improve air quality through the reduction of vehicular traffic and mobile energy consumption. In combination, the SD Plan and the EEP will result in the creation of compact, walkable, vibrant, and interconnected community that balances the goals of development and environmental protection and offers residents and visitors a high quality of life.

C. Organization of the Environmental Enhancement Plan

The EEP is organized into the following sections:

1. Building Standards
2. Environmental and Natural Resource Protection
3. Stormwater & Surface Water Management
4. Land Management
5. Air Quality Protections

I. BUILDING STANDARDS

A. Energy

1. Non-Residential and Mixed-Use Buildings Energy Efficiency

a. In furtherance of the goals set forth in SD Plan 3.7.2, all non-residential and mixed-use buildings in Veridea shall provide plan analysis demonstrating improvement of energy performance by 20% compared to baseline building performance ratings per ASHRAE/ IESNA Standard 90.1-2010 Appendix G. (Note: 2010 ASHREA is being referenced here, consistent with current LEED Rating System benchmark standard)

b. At build-out of Veridea, a minimum of 50% of non-residential buildings within Veridea shall be certified under one of these 3rd Party Certification Program options:
   i. LEED Rating System
   ii. Green Globes
   iii. Fitwel
   iv. Similar alternative standard as determined by the Responsible Party

   Responsible Party will ensure the ability to meet this 50% commitment at the time of each non-residential building permit application to the Town of Apex.

c. Solar facilities may be installed on the roofs of building occupied by industrial uses. Installation of solar facilities will be subject to a Return of Investment Analysis consistent with industry practices.

d. Solar facilities will be installed in the open space required to be dedicated per the SD Plan.

e. Documentation
   i. For all buildings, a letter of compliance shall be provided to the Town with the submittal of building permits for that building by a Professional Engineer (PE) licensed to practice in North Carolina, an architect licensed in North Carolina, OR a qualified third-party certifier stating that, in his or her opinion, the building design demonstrates improvement of energy performance by 20% compared to baseline building performance ratings per ASHRAE/ IESNA Standard 90.1-2010 Appendix G.

   ii. For each building that is developed to meet the standards for certification under one of the 3rd Party Certification Options, a letter of building certification from the selected program shall be provided to the Town at building completion.

2. Residential Buildings Energy Efficiency

a. All single-family, townhomes, multi-family, and condominium residential dwelling units to be constructed in Veridea must meet at least one of the following options (or similar alternative standard as determined by the Responsible Party).
   i. Energy Star Program Certification
   ii. ecoSelect Program Certification
   iii. Clear Program Certification
   iv. Passive House Institute US Certification
   v. DOE Zero Energy Ready Home (ZERH) Program

vi. National Green Building Standards (NGBS Program) Certification
vii. LEED for Homes Program Certification
viii. Similar alternative standard as determined by the Responsible Party

b. Certification Program Approval – Prior to the recordation of any final plat for single-family, townhome, or condo lots Town of Apex staff shall review and approve the selected residential energy efficiency program for compliance with this Plan.

3. Renewable Energy

a. Veridea will create a receptive environment for solar energy technologies. Panels will be allowed on any roof orientation while also maintaining compliance with architectural design guidelines
b. Conduit for wiring of solar panels shall be provided in all single-family and townhome residential units.

B. Water Efficiency

All water fixtures and appliances shall be rated, and design of buildings shall incorporate water-saving measures. Proof of compliance with the provisions below will be per I.A.1.c hereof.

1. Bathroom Fixtures
   a. 100% of showerheads, lavatory faucets and toilets/urinals shall be WaterSense rated fixtures.

2. Water Using Appliances
   a. Dishwashers and clothes washers installed by builder must be Energy Star qualified.

3. Water Efficient Design for Residential Plumbing Systems
   a. To reduce water wasted while waiting for hot water to be delivered to a fixture, the hot water pipe length shall be no more than 50 feet when measured from the water heater to the furthest fixture for all residential units, where practicable. For units with recirculation systems installed, demand-initiated controls should be encouraged.

4. Landscape Practices
   a. Landscape plantings shall be drought tolerant, native, and locally adaptive species (including turf); at minimum 80% of plantings. Such plantings shall be presented on plans submitted to the Town of Apex for review.

   b. When installed, irrigation systems shall be equipped with weather-based or soil moisture sensor-based controllers. Spray heads shall be limited to turf areas only. Reclaimed water should be used if available.

C. Indoor Air Quality

Residential (single-family, townhome, multi-family, and condominium) designs and construction within Veridea shall include practices that enhance indoor air quality. Proof of compliance with provisions below will be provided per I.A.1.c and I.A.2.b hereof.

1. Building Envelope
    a. Smoking restrictions implemented AND ETS transfer pathways minimized for commercial and multi-unit residential buildings.

2. Mechanicals
    a. Equipment designed and selected to keep relative humidity < 60% for conditioned space.
    b. Minimum MERV 8 filter on forced air HVAC systems
    c. All fireplaces within conditioned space are direct vented with gasketed doors. NO UNVENTED/VENT FREE FIREPLACES allowed within conditioned space.

3. Materials
    a. Interior paints and finishes certified low emission (Zero or less than 50g/l VOC content).
    b. Carpet, carpet adhesives, and carpet cushion certified low emission per the Carpet and Rug Institute (CRI) Indoor Air Quality Program (CRI Green Label Plus).

D. Material Management

Proof of compliance with provisions below will be provided per I.A.1.c and I.A.2.b hereof.

1. Storage and Collection of Recyclables
    a. Within every mixed-use or nonresidential project, recycling containers adjacent to other waste receptacles or recycling containers integrated into the design of the receptacle shall be provided.

2. Recycled Content
    a. To increase demand for building products that incorporate recycled content materials, special consideration must be given to contractors proposing to use materials with recycled content.

3. Regional Materials
    a. To increase demand for building materials and products that are extracted and manufactured locally, and in doing so supporting the use of indigenous resources and reducing the environmental impacts resulting from transportation, special consideration must be given to contractors proposing to use building materials or products which have been extracted, harvested or recovered, as well as manufactured, within 500 miles of Veridea.

II. ENVIRONMENTAL AND NATURAL RESOURCE PROTECTION

A. Resource Conservation Area – SD Plan Article 3.4.3.1.

From its inception, Veridea has been conceived of and planned as a place in harmony with its natural surroundings. The standards contained herein and in the SD Zoning Plan encourage and require site design techniques that preserve the natural and cultural environment, thereby enhancing the developed environment.

1. Standards

a. Resource Conservation Area (RCA) - Apex has recognized that compliance with the Town's existing RCA requirements set forth in the UDO would prevent certain highly desirable development characteristics, such as density and connectivity, and has exempted areas intended for dense activity centers from the requirement of RCA. In keeping with this precedent, and to achieve the vision of Veridea, as set forth in SD Plan Article 3.1.3, notwithstanding UDO Article 8.1.2.C), 100-acres of land within Veridea shall be established as RCA.

b. Establishment of RCA - Notwithstanding UDO Article 8.1.2.A), RCA shall be established in Veridea according to the criteria set forth in III.A.2 hereof. RCA shall be shown on Master Subdivision Plans and Site Plans where applicable.

2. Criteria for Establishing Resource Conservation Area in Veridea

A. Categories of RCA

1. UDO 8.1.2.B.1 shall apply within Veridea.

2. Restoration Areas – restored, repaired and/or stabilized degraded stream channels, restored or re-vegetated stream buffers, constructed wetlands areas that are restored using innovative techniques authorized in accordance with IV.A.1 hereof, and SCMs that are amenities in accordance with IV.A.2.d hereof may be established as RCA.

3. In addition, any land within the Veridea SD zoned area placed in a conservation easement and deeded to the Master Property Owners' Association, or sub-associations within Veridea, or a qualified land management agency, such as but not limited to the Triangle Land Conservancy, may qualify as RCA.

4. In addition, as set forth in SD Plan 3.4.3.1.e, both:
   a. Open Space, excluding Civic Buildings and all associated parking, municipal parking lots, and parking associated with Open Space that exceeds the direct needs of such Open Space; and
   b. Recreation area provided in Public Space or Civic Space within the Development including, but not limited to, open space, pools, tennis courts, tot lots, ball fields, and village greens shall be allowed to be counted as partial credit toward the RCA requirement. The credit for such area shall be 50% of the area provided. (For example, 1 acre of area shall count as 0.5 acres of RCA.) In order to qualify as RCA, the area must be located on a lot 0.5 acre or larger in size.

5. Land utilized for renewable energy generating facilities qualifies as RCA.

6. Existing or proposed private easements that are also utilized for a trail, for a pedestrian walkway, as a passive recreational amenity, through environmentally sensitive areas, or as community gardens for public educational, recreational, or shared community use shall qualify as RCA.

B. Site and Tree Survey Required
   1. UDO 8.1.2.B.2 shall apply within Veridea.

   2. Notwithstanding the foregoing, consistent with IV.C.1 hereof and Section 3.4.3.1 of the Veridea SD Plan, UDO 8.1.2.B.2.f shall not apply within Veridea.

C. Ownership of RCA in Subdivisions
   The RCA within a subdivision shall be designated so that the RCA may not be removed, modified, or damaged. The RCA shall be a separate Lot(s) and be owned in common by the Lot owners or owned by a separate entity or entities (e.g. property owner's association, development corporation, building lot owner or owners, land management agency or non-profit such as a land trust or conservancy, etc.) In no case shall the RCA for one subdivision be owned by more than 3 entities.

D. Designation of RCA
   Though RCA shall be calculated for Veridea cumulatively, approved RCA shall be shown on the Site Plan or Subdivision Plan for each development site. The RCA shall be shown on the final plat with metes and bounds, to be preserved in perpetuity.

F. Standards for Protection During Construction
   The standards set forth in UDO 8.1.2.G shall apply within Veridea except to the extent that such standard is inconsistent with the provisions of this EEP or SD Plan.

G. Development Restrictions on Steep Slopes
   UDO 8.1.4 shall apply within Veridea.

III. STORMWATER & SURFACE WATER MANAGEMENT

A. Stormwater Management – SD Plan 3.4.3.2.a.

As set forth in SD Plan 3.4.3.2.a, the objectives for stormwater management within Veridea are:

i. Reducing pollutants to protect surface water bodies;
ii. Promoting recharge of ground water resources;
iii. Reduce / minimize flooding within the Development and downstream;
iv. Enhancing safety and aesthetics for the public; and
v. Creating wildlife habitats and educational opportunities.

All SCMs implemented within Veridea shall comply with the NC Department of Environmental Quality (NC DEQ) Stormwater Design Manual Considerations for selecting and using SCMs within Veridea will include, but are not limited to: site applicability, public safety, spatial requirements, soil characteristics, hydrologic benefits, slope, existing land use conditions, and maintenance requirements. In addition to the items listed above, it is the goal to make stormwater features amenities within Veridea and assets to the overall aesthetics of Veridea and the Town.

1. Approved SCMs

The following SCMs are approved for implementation in Veridea.

a. Detention systems that capture a volume of runoff and temporarily detain that volume for release over several days.

b. Constructed wetland systems that are similar to retention and detention systems, except that a major portion of the SCM water surface area (in pond systems) or bottom (in meadow-type systems) contains wetland vegetation.

c. Filtration systems that use some combination of a granular filtration media such as sand, soil, organic material, carbon or a membrane to remove typical pollutants found in runoff.

d. Vegetated systems (biofilters) such as green roofs, green walls, swales, filter strips that are designed to convey and treat either shallow flow or sheet flow runoff.

e. Innovative systems, as defined by 15A NCAC 02H.1003(6), or proprietary systems, may be approved by the Town on a case-by-case basis.

f. Regional stormwater management facilities, to augment, and/or in lieu of, on-site treatment and detention for stormwater management that is implemented on a Lot by Lot or Project by Project basis, to the extent allowed by applicable Federal and North Carolina law and regulation.

2. SCM Standards

a. SCM's will be designed to provide a minimum of 85% TSS removal from stormwater runoff from their contributory drainage area.

b. Downstream of Veridea: post-development peak flows shall not exceed pre-development peak flows for the 25-, 10-, and 1-year storms. Roadway projects shown on the Thoroughfare and Collector Street Plan of the Town of Apex and undertaken in public rights-of-way within Veridea shall be deemed exempt from these requirements.

c. Storage volumes shall be provided such that the runoff from the required water quality storm event (1.0-inch of rainfall) does not draw down in less than two days and that the volume is drawn down completely within five days.

d. To enhance the overall aesthetics of Veridea and the Town, SCMs that are amenities within Veridea may receive credit toward the Open Space requirement per SD Plan 3.1.3 or Resource Conservation Area per SD Plan 3.4.3. For a SCM to receive credit toward the Open Space requirement, it shall be designed to provide at least five (5) of the following features:
   i. Pedestrian access by way of an installed soft or hard surface path from the nearest pedestrian pathway;
   ii. Use of similar plant materials as those used in adjacent and surrounding planting beds;
   iii. Limit rip rap to 15% of the total surface area of the stormwater facility used for stabilization;
   iv. Plant pallet comprised of native and adaptive plant material that provides for visual interest and diversity, while attracting wildlife;
   v. Curvilinear forms that define the limits of the facility to avoid simple shapes that are incongruent with the natural topography of the site;
   vi. Active water feature;
   vii. Elements that provide opportunities for passive recreation including site furnishings, overhead shelter, and pleasant views;
   viii. Educational opportunities in the form of educational signage;
   ix. Fitness opportunities added along a pathway; and

e. SCM's meeting the standards of III.A.2.a.2 hereof, exclusive of riprap areas, may receive credit as Resource Conservation Area.

f. Structural SCMs shall be designed in accordance with UDO 6.1.12 and other applicable Town standards.

g. Described area containing each structural SCM shall be depicted on the site plan or Subdivision Plan and on the final plat in accordance with UDO 6.1.12.C.

h. For all structural SCMs approved, the owner of such SCM shall have an operation and maintenance agreement in accordance with UDO 6.1.12.D. An operation and maintenance agreement shall not be required for non-structural SCMs. For the purposes of this EEP, non-structural SCMs shall be defined as practices implemented in single family residential or commercial applications that are less than one-acre of disturbed area and generally include but are not limited to: disconnecting downspouts and other runoff features, limiting impervious surface and land disturbance, and other non-structural practices as approved by the Town.

i. Performance guarantees, maintenance and maintenance guarantees and inspection requirements for SCMs shall comply with UDO 6.1.12.G), H), and I).

j. SCMs located in a public right-of-way or easement require an encroachment and maintenance agreement with the Town before such encroachment is made, in accordance with SD Plan 3.3.5.

k. Storm drainage easements shall be recorded to identify the locations of SCMs on a Lot(s). The owner of the Lot shall not remove or structurally alter such SCM without prior written approval from the Town.

3. Floodplain

a. FEMA regulated floodplain is located in the southwestern portion of the parcel. Local floodplain will be determined through the definition of a base flood elevation by means of a detailed hydraulic report for streams with a drainage area greater than 100-acres. Per allowances in the UDO 6.2.16.B, non-residential buildings shall be allowed in the floodplain, and there shall be no over-riding requirement to preserve floodplain as RCA.

b. Notwithstanding UDO 6.2.3, stormwater management, detention and retention facilities may encroach within potential on-site flood hazard areas where a base flood elevation has been established pursuant to UDO 6.2.17.B. Where proposed, the detailed hydraulic analysis revising the base flood elevation will be provided at the time of site plan or subdivision submittal.

c. Revisions / modifications to the base flood elevation, including but not limited to fill and grading, may be submitted at the time of site plan or subdivision plan submittal in the event that the flow within a stream is changed and will impact the base flood elevation. Any modifications to FEMA regulated floodplain will be permitted in accordance with local and federal regulations.

B. Water Conservation – SD Plan 3.4.3.2.b.

The careful stewardship of the use of water within Veridea is set forth in the SD Plan goals for water conservation are:

- Reducing per capita water use while retaining attractive landscapes;
- Protection of ground and surface water supplies from unsustainable depletion;
- Eliminating unnecessary waste in water use practices;
- Reducing wastewater treatment volume and associated municipal expenditures;
- Promoting the increased use of re-use water for irrigation.

To achieve these goals water conservation standards in Veridea will include:

1. Water Efficient Landscape Practices

a. Planting
   i. The planting of landscape materials shall be in accordance with the Town of Apex, NCDEQ, or North Carolina Cooperative Extension standards for drought tolerant, native, and locally adaptive species.
   ii. Plant materials shall be chosen to thrive based on their exposure to sun, wind, and soil conditions.
   iii. Landscape beds shall provide a 3" layer of mulching material.
   iv. Plants shall be grouped according to water needs, or "hydrozones," to limit overwatering.

b. Irrigation
   i. Irrigation systems shall be equipped with weather-based or soil moisture sensor-based controllers.
   ii. Installation of spray heads shall be limited to turf areas only.

2. Storm Water Re-use

a. Re-use of stormwater for non-potable applications such as irrigation, vehicle washing, cooling tower make-up water, etc. will be encouraged, for both commercial and residential applications. Stormwater reuse will be utilized in the portions of Veridea approved for multi-family uses. Installation of stormwater reuse facilities will be subject to the design teams review of the viability on each building. Landscaped areas within the multifamily residential development will be irrigated with stormwater reuse where practicable. Where re-use water is not available, potable water may be used for irrigation in accordance with the Town of Apex Water Conservation Ordinance.

b. Re-use water may be used for irrigation in areas of public or private lawns, landscaping or recreation area.

c. Where a centralized chiller plant is utilized, and where practical, re-use water may provide cooling tower make-up water.

C. Surface Water Enhancement – SD Plan 3.4.3.2.c.

As set forth in SD Plan 3.4.3.2.c, the objectives for surface water enhancement within Veridea are:

- Maintaining water quality by capturing or controlling sediment, nutrients, and other pollutants per the minimum requirements of the Town of Apex;
- Ensure that post-development peak flows do not exceed pre-development flows for the 25-year storm event;
- Augmenting low flow from SCM's to improve downstream aquatic habitat;
- Enhancing public use and enjoyment of the natural system; and
- Install signage prohibiting pet waste and use of fertilizers near environmentally sensitive areas.

1. Stream Protection Buffers -

Veridea is located in the Secondary Watershed Protection District per the Town of Apex Watershed Protection Overlay District dated May 2022 and will utilize the High-Density Development Option. All perennial and intermittent streams have been field verified by the Town of Apex; verification is included as Appendix A to this Plan. Stream buffers will be maintained pursuant to 6.1.7.B of the Town of Apex UDO.

As provided in 6.1.7.b.2 of the Town of Apex UDO, a vegetative buffer an average width of not less than 100' shall be maintained along each side of a perennial stream and at no point shall the buffer width be less than 50'. While buffer widths may vary from the map included as Appendix B of this Plan, final buffer area provided within Veridea shall not be less than 166.87 acres.

The Town of Apex verification of the perennial and intermittent streams shall be valid for the period of the validity of any Army Corps of Engineers Individual / Nationwide Permit.

a. Future buffer authorizations within Veridea shall be in accordance with process in Section 6.1.11 of the Town of Apex UDO.

b. Impacts to the established stream protection areas established herein shall be mitigated per Section 6.1.13 of the Town of Apex UDO.

c. For the purposes of this EEP, "stream protection areas" shall refer to protected areas including floodways and floodplains Buffer widths shall be as described in Appendix B.

2. Mitigation

With a project the size and density of Veridea some unavoidable impacts are necessary to accommodate the required vehicular and pedestrian transportation improvements and utility infrastructure. The EEP proposes specific mitigation options to address these impacts. These impacts will be limited, yet necessary to address:

- Vehicular and pedestrian transportation improvements and interconnectivity

- Utility infrastructure that will serve Veridea as well as adjacent lands which are yet to be developed.

- Non-erosive outlets for stormwater management facilities

- Intermittent streams and isolated wetland pockets as needed to create developable land areas to support the proposed densities.

a. Mitigation for impacts to wetlands will be accomplished per the regulations of the United States Army Corps of Engineers and North Carolina Division of Environmental Quality.

b. Mitigation for impacts to streams will be performed, as required by any applicable federal or state law or regulation. The appropriate parameter to use in establishing the required mitigation, length or area, will be selected based on the type of stream area impacted and the proposed mitigation measure selected.

c. In all cases where mitigation is required for impacts to the buffer, a Plan shall be submitted with each site plan or subdivision plan depicting the proposed mitigation for those impacts. The mitigation requirement may be met through one of the following options, which are consistent with mitigation alternatives set forth in UDO 6.1.14.C:
   i. Construction of an alternative measure or combination of measures that reduce nutrient loading equal to or better than the setback that is lost and that is approved by the Town. Such measures may include stormwater SCMs, including LID applications, and other means of capturing and controlling nutrients and other pollutants and shall be located on the site of the riparian buffer that is lost, if practicable, or as close to that location as is practicable;
   ii. Payment of compensatory mitigation fee to a private mitigation bank that complies with banking requirements of the US Army Corps of Engineers, currently set out at http://www.saw.usace.army.mil/WETLANDS/Mitigation/mitbanks.html or from the US Army Corps of Engineers, P.O. Box 1890, Wilmington, NC, 28402-1890;
   iii. Donation of real property or of an interest in real property pursuant to Sec. 6.1.14.F; or
   iv. Restoration or enhancement of a non-forested riparian buffer pursuant to the requirements of Sec. 6.1.14.G.

d. Any and all mitigation performed pursuant to this EEP shall be available for use as mitigation credit against a federal or North Carolina mitigation requirement.

e. The following two documents, along with the Veridea Guiding Principles, will be used as guidance in the preparation of the mitigation measures:
   i. "Stream Mitigation Guidelines, April 2003", published by the US Army Corps of Engineers, as may be amended or updated from time to time, attached as Appendix 8, in particular Section 10.A Flexible Stream Mitigation, Urban Watershed Management; and
   ii. "EEP Mitigation Plan Template, Version 2.0 03-27-08", prepared by the North Carolina Ecosystem Enhancement Program, as may be amended from time to

time.

f. The TRC or Town Council, as applicable, in the event of an exception granted in as contemplated by SD Plan 3.4.1, shall approve the mitigation measures upon finding that the plan provides for:
   i. The option chosen for meeting the mitigation requirement and the required area of mitigation;
   ii. Consistency with the standards set forth in IV.C.2.c hereof;
   iii. Engineering feasibility;
   iv. Operation and maintenance, if any is required hereunder; and
   v. The offset payment amount, as applicable.

IV. LAND MANAGEMENT

A. Sedimentation & Erosion Control Standards

The goals for sedimentation and erosion control set forth in the SD Plan 3.4.3.3.a are:

i. Minimize disturbance to vegetation and soils
ii. Minimize runoff and diversion;
iii. Minimize the need for additional storm drainage facilities;
iv. Reduce sedimentation; and
v. Prompt stabilization after land clearing and grading

The most effective sedimentation and erosion control prevention is born from careful planning of grading activities, continuous inspection of the installed erosion control devices and ongoing maintenance of the devices to insure optimal performance.

a. Design - The Town's standards for design for the 25-year storm event and 3,600 cubic feet of volume per disturbed acres shall be implemented in Veridea.

b. Shared facilities – To minimize grading, where stormwater management devices are proposed those devices may first serve as erosion control sediment basins or traps and be converted to permanent stormwater management devices as soon as the contributing drainage area is sufficiently stabilized.

c. Stabilization – All land disturbing activity is to be planned and coordinated, to the extent practical, to minimize the disturbed areas exposed at any one time. Disturbed areas must be seeded after 7-working days of completion of grading. All remaining areas must be seeded and mulched, or otherwise stabilized within 14 calendar days after completion of grading of any phase of the project.

d. Outlet structures shall be designed to only draw down the cleanest water from the surface of the erosion control device.

e. Along with the required inspections after each storm event, weekly inspections will be performed to ensure that the installed devices have not been altered by construction activities. A log will be maintained by the contractor on each project demonstrating the vigilant monitoring and maintenance of the erosion control facilities.

f. Due to the mixed-use nature of the Veridea, residential development of single-family lots, townhomes, and condominiums within Veridea, net of public rights-of-way, RCA, and public and private easements, shall be exempt from the requirements of Section 7.2.5 of the Town of Apex UDO. Site Plans for single-family only developments in Veridea shall not be exempt from the requirements of 7.2.5.

B. Waste Minimization – SD Plan 3.4.3.3.b.

The waste minimization standards shall support the solid waste goals identified in the Wake County Environmental Stewardship Agenda, adopted by the Wake County Board of Commissioners February 21, 2005 and as may be amended from time to time.

a. Land-clearing Debris - Excavated soil and rock and land-clearing debris shall be re-used, to the extent allowed by applicable federal, state and local law, within Veridea to the maximum extent practicable. To this end, land-clearing debris may be mulched and used for landscaping and/or site stabilization purposes within Veridea.

b. Soil Stockpiles – Soil stockpiles 30' or less in height shall be permitted within the boundaries of Veridea. Stockpiles over 30' in height, but not exceeding 50', shall be permitted provided they are setback from property lines and thoroughfares a minimum of 100'. The maximum slope permitted for soil stockpiles is 3:1.

c. Mulch Stockpiles – Mulch stockpiles shall not exceed 15 feet in height and shall be stored no longer than 45 days.

C. Perimeter Buffers

a. A 10' Type B buffer is required where the SD zoning abuts property zoned or used primarily for residential purposes. This buffer is intended to remain undisturbed. If disturbance is necessary due to site constraints or other limiting factors, the areas disturbed will be replanted per the Type A Buffer standards in the Town of Apex UDO.

b. A 10' Type B Buffer is required when the SD zoning abuts property zoned or used primarily for retail, industrial, or other similar uses. This buffer is intended to remain undisturbed. If disturbance is necessary due to site constraints or other limiting factors, the areas disturbed will be replanted per the Type A Buffer standards in the Town of Apex UDO.

c. A 50' Type B Buffer is required where the residential uses in the SD zoning abut the rights-of-way of US-1 and NC-540. This buffer is intended to remain undisturbed. If disturbance is necessary due to site constraints or other limiting factors, the areas disturbed will be replanted per the Type A Buffer standards in the Town of Apex UDO.

d. A 20' Type B Buffer is required where non-residential and vertical mixed uses abut the rights-of-way of US-1 and NC-540. This buffer is intended to remain undisturbed. If disturbance is necessary due to site constraints or other limiting factors, the areas disturbed will be replanted per the Type A Buffer standards in the Town of Apex UDO.

e. When a building is constructed within 25' of the right-of-way of NC HWY 55, a planted 10' Type D buffer is required adjacent to NC HWY 55. No building shall be closer than 10' to the required buffer. This buffer is intended to remain undisturbed. If disturbance is necessary due to site constraints or other limiting factors, the areas disturbed will be replanted per the Type A Buffer standards in the Town of Apex UDO.

f. When a building is constructed more than 25' from the right-of-way of NC HWY 55, a planted 15' Type A buffer is required adjacent to NC HWY 55. This buffer is intended to remain undisturbed. If disturbance is necessary due to site constraints or other limiting factors, the areas disturbed will be replanted per the Type A Buffer standards in the Town of Apex UDO.

g. If additional property is added to the SD zoning, buffers on existing and newly added property shall meet the preceding buffer requirements or be removed, as applicable.

h. Greenways and side paths are permitted to traverse perimeter buffers.

D. Landscaping

a. Where feasible, deciduous shade trees shall be planted on the south sides of buildings; evergreens shall be planted on the north side.

b. Pollinator friendly landscaping will be planted in landscaped areas where feasible.

c. All landscaping planted within Veridea shall be listed in the Town of Apex's Design and Development Manual.

V. AIR QUALITY PROTECTION

In recognition of the impacts of greenhouse gas emissions that a development the size of Veridea could have the SD Plan 3.4.3.4. establishes air quality goals. The following standards aim to achieve these goals.

a. Multiple land uses that will provide the services and facilities to increase the internal trip capture of the community and reduce vehicular trip generation and vehicle miles traveled both within and outside Veridea.

b. Interconnected development that will provide sidewalks, greenways and walking paths to link land uses through-out the development to be accessible by means other than motorized vehicles.

c. Linear parks will be constructed along Jessie Drive to encourage walking and biking, preserve and highlight environmental features, and provide active greens spaces for future residents and employees.

d. Coordination with and, where appropriate, provide accommodations for alternative modes of travel including rail, bus, ride sharing, charging stations for moving both within Veridea and to connect to the rest of the region. In coordination with Town staff around Apex's Comprehensive Transportation plan, mobility hubs and curb areas planned for quick and safe pick -up and drop offs in high-density, nixed use areas of the Project.

e. Significant open space, conservation area, landscape areas and street trees in high density areas to maintain a significant carbon absorbing medium.

f. Where practicable, buildings will be oriented toward pedestrian facilities or transit routes to promote modes of travel other than the single automobile.

g. To promote walkability, two grade-separated pedestrian crossings will be constructed. The crossings will be constructed as required per the Town of Apex's Comprehensive Transportation Plan, as amended.

h. Parking for electric vehicles and bicycles will be provided as required per the Town of Apex UDO.

i. Single-family homes will include a 240A/50V electrical outlet in garages for electric vehicle charging.

APPENDIX A

WATER RESOURCES DEPARTMENT

December 09, 2022

Steven Ball, RF, PWS
Soil & Environmental Consultants, PA
8412 Falls of Neuse Road, Suite 104
Raleigh, NC 27615

Subject: Stream Buffer Determination
Veridea
Apex, NC
Cape Fear River Basin

Apex 22-010

Dear Mr. Ball,

On December 07th, 2022, I met with you at the subject site to evaluate twenty-three (23) drainage features and determine if they are subject to the Town of Apex (Town) riparian buffer rules. Based on the information obtained during the evaluation and per the requirements set forth in Section 6.1.11 of the Town Unified Development Ordinance (UDO), I concur with the stream classifications as shown on the attached sketch dated 12-7-2022 and 11-22-2022 for SEV1.

Drainage Feature	Shown as on USGS	Shown as on Soil Survey	Determination made in the field	Determined Buffer Width
SEV1	Present	Perennial	Intermittent	50 feet
Feature 1 Upstream	Not Present	Intermittent	Ephemeral	0 feet
Feature 1 Downstream	Not Present	Intermittent	Intermittent	50 feet
Feature 2 Upstream	Not Present	Intermittent	Ephemeral	0 feet
Feature 2 Downstream	Not Present	Intermittent	Intermittent	50 feet
Feature 3 SFA	Not Present	Intermittent	Ephemeral	0 feet
Feature 3 SFB	Not Present	Intermittent	Intermittent	50 feet
Feature 4 Upstream	Not Present	Intermittent	Ephemeral	0 feet
Feature 4 Downstream	Not Present	Intermittent	Intermittent	50 feet

Feature 5 Upstream	Not Present	Intermittent	Ephemeral	0 feet
Feature 5 Downstream	Not Present	Intermittent	Intermittent	50 feet
Feature 6 Upstream	Not Present	Intermittent	Ephemeral	0 feet
Feature 6 Downstream	Not Present	Intermittent	Intermittent	50 feet
Feature 8 W	Not Present	Intermittent	Intermittent	50 feet
Feature 8 X	Not Present	Intermittent	Ephemeral	0 feet
Feature 9 Z	Not Present	Intermittent	Ephemeral	0 feet
Feature 10 Y	Not Present	Intermittent	Ephemeral	0 feet
Feature 11- I	Present	Perennial	Intermittent	50 feet
Feature 11-P	Present	Perennial	Perennial	100 feet
Feature 12	Present	Intermittent	Ephemeral	0 feet
Feature 13-E	Present	Intermittent	Ephemeral	0 feet
Feature 13-I	Present	Intermittent	Intermittent	50 feet
Stream 14	Not Present	Intermittent	Ephemeral	0 feet

This on-site determination shall expire five (5) years from the date of this letter. Landowners or affected parties that dispute a determination made by the Division of Water Resources (DWR) or Delegated Local Authority in the Jordan Lake watershed may request a determination by the DWR Director.

An appeal request must be made within sixty (60) days of date of this letter or from the date the affected party (including downstream and/or adjacent owners) is notified of this letter. A request for a determination by the Director shall be referred to in writing c/o Paul Wojoski, DWR – 401 & Buffer Permitting Branch; 1617 Mail Service Center, Raleigh, NC 27699-1617. Otherwise the appeal procedure will be in accordance with UDO Section 6.1.11.

If you dispute the Director's determination, you may file a petition for an administrative hearing. You must file the petition with the Office of Administrative Hearings within sixty (60) days of receipt of this notice of decision. A petition is considered filed when it is received in the Office of Administrative Hearings

during normal office hours. The Office of Administrative Hearings accepts filings Monday through Friday between the hours of 8:00am and 5:00pm, except for official State holidays.

To request a hearing, send the original and one (1) copy of the petition to the Office of Administrative Hearings, 6714 Mail Service Center, Raleigh, NC 27699-6714. A copy of the petition must also be served to the Department of Natural Resources, c/o Bill Lane, General Counsel, 1601 Mail Service Center, Raleigh, NC 27699-1601.

This determination is final and binding unless, as detailed above, you ask for a hearing or appeal within sixty (60) days. This project may require a Section 404/401 Permit for the proposed activity. Any inquiries should be directed to the US Army Corp of Engineers (Raleigh Regulator Field Office) at (919) 554-4884. If you have any questions, please do not hesitate to contact me at (919) 372-7470.

Sincerely,

James Misciagno, CES, CPESC
Environmental Field Services Supervisor

NORTH CAROLINA
WAKE COUNTY

RIGHT OF ENTRY

This Right of Entry is executed this 13 day of October, 2022 by HH Trinity Apex Investments LLC and Veridea Holdings LLC (the "Owners").

WHEREAS, the Town of Apex ("Town") is seeking to make a stream buffer determination across the property known as Veridea - South Village East in the Town of Apex, North Carolina and designated as PIN # 0740240514, 0740261491, 0740241020 by the Wake County Revenue Department (the "**Subject Property**");

WHEREAS, the Owners are agreeable to provide the Town with this Right of Entry under the terms and conditions stated herein so that the above referenced determination may proceed.

NOW THEREFORE in light of the above premises, the Owners do hereby grant and give freely and without coercion, the right of access and entry to the Subject Property on the terms and conditions as stated below:

1. The Town of Apex and its contractors may enter the Subject Property for the purpose of conducting on-site environmental investigations and issuing a determination based on those investigations as it relates to stream buffer determination.
2. This Right of Entry does not convey to the Town any title or ownership interest in the Subject Property.
3. The Town and its employees, contractors, agents and representatives enter upon the Subject Property at their own risk and assume all risks related to the property.
4. The undersigned agrees and warrants to hold harmless the Town of Apex, its agencies, departments, contractors, and subcontractors, and discharges and waives any action, either equitable or legal that arise from the activities described above on the property except in the case of negligence by the Town.

Witness Cynthia Kedzuf By: _____

By: _____

Riparian Buffer Call
Application

This application is required to be fully completed and submitted to Town staff prior to conducting a buffer call. Please submit the application package electronically to james.miscione@apexnc.org.

PROPERTY INFORMATION

Owner(s): HH Trinity Apex Investments LLC / Veridea Holdings LLC

Site Address: Veridea Parkway - South of North Carolina Highway 540

CONSULTANT INFORMATION (If applicable)

Name: McAdams (William H. Derks)

Address: 621 Hillsborough Street, Raleigh, North Carolina 27603

Email: Derks@mcadamsco.com

Phone: 919- 361- 5000

CHECKLIST

Please place a checkmark in the spaces provided below to indicate that the required information has been provided with this submittal.

Right of Entry Form	X
NCDEQ Stream Identification Forms (v. 4.11)	X
Sketch Map*	X

Topo Map (most recent version)	X
1970 Wake County Soil Survey Map	X

*Sketch map should show all drainage features on the property with all applicable riparian buffers shown. Please clearly indicate or list which features are being called with this application.

NOTES

SIGNATURE (Consultant or Responsible Party)

By my signature below, I certify that the information provided with this application is accurate and truthful.

Date: October 21, 2022

East & South Village Delineation & Buffer Review.

The Preliminary Jurisdictional Determination (PJD) of streams and wetlands for the entirety of Veridea was reapproved by the USACOE and NCDENR on May 26, 2017. In discussions with the reviewers in preparation for the submittal of the Individual Permit (IP) application for Veridea it was agreed that that delineation would be utilized and would be extended by virtue of the IP approval for the duration of the IP.. There is precedent for a large IP to be approved for 25-years. The requested duration for the Veridea IP is 30-years.

It is understood that field conditions may change over time as development occurs in the watershed areas outside of the Veridea boundary. But the establishment of the buffers initially for East Village, and in the near future for the rest of Veridea, also need to have a longer commitment as well in order to have a reliable map for planning development that may occur 10-, 15, or 20-years from now.

To begin that confirmation field review of the streams in the East Village section of Veridea was completed by S&EC on September 29, 2022 and for South Village East on October 6, 2022. The scoring sheets are attached. The feature numbers below, from the recent review in the field, also have a reference to the Stream designation from the approved PJD. Discussion below references the inconsistencies of the PJD, Town's Watershed Protection Overlay Map, USGS, Wake County Soils Survey and field scoring sheets.

It is worth noting that all of the intermittent stream features shown on the East Village portion of Veridea are from designations on the Wake Co. Soils Survey. The Soils Survey was completed in 1970 and depicts the streams with intermittent buffers on the Town's map as either "Not crossable with tillage" or "Unclassified". None of the streams are shown on the online USGS Apex or New Hill Quad maps dated 2022.

Feature 1 (Stream LL) —This feature appears to extend upstream approx. 40-50' higher than the PJD. A new flag was hung (TOA 1) at the start point. Shown as a perennial stream on the PJD, intermittent on the Town's map, not identified on USGS and intermittent on the Soils Survey. Stream forms upstream and downstream were taken

Feature 2 (Stream II) – The start point stayed the same. A new flag was hung (TOA 2) start point. Stream forms were taken upstream and downstream

Feature 3 (Stream BB) - The pond is shown on USGS but not on the Soils Survey. Just the reverse for the stream. Not shown on USGS but indicated on the Soils Survey. Delineated as Intermittent Unimportant on the PJD. It appears that the buffer should start at the confluence of two minor draws from below the pond and the second running from the southeast. The feature begins at flag TOA 3, the buffer should not start until it reaches the drainage that runs north south from the pond as shown. There is also enough of a gap between the pond and this feature that the pond should not be buffered.

SEV1

NC Division of Water Quality –Methodology for Identification of Intermittent and Perennial Streams and Their Origins v. 4.1

NC DWQ Stream Identification Form Version 4.1 South Village East 1

Date: 10/06/2022	Project/Site: VERIDEA/11065	Latitude: 35.684766
Evaluator: SWEC - JOSHUA HARVEY	County: WAKE	Longitude: -78.855885
Total Points: *Stream is at least intermittent if ≥ 19 or perennial if ≥ 30** 25.5	Stream Determination (circle one) Ephemeral (Intermittent) Perennial	Other *e.g. Quad Name:*

A. Geomorphology (Subtotal = 13.5)	Absent	Weak	Moderate	Strong
1* Continuity of channel bed and bank	0	1	2	(3)
2. Sinuosity of channel along thalweg	0	1	(2)	3
3. In-channel structure: ex. riffle-pool, step-pool, ripple-pool sequence	0	(1)	2	3
4. Particle size of stream substrate	0	1	(2)	3
5. Active/relict floodplain	0	(1)	2	3
6. Depositional bars or benches	0	(1)	2	3
7. Recent alluvial deposits	0	1	(2)	3
8. Headcuts	(0)	1	2	3
9. Grade control	0	(0.5)	1	1.5
10. Natural valley	0	0.5	(1)	1.5
11. Second or greater order channel	No = 0		Yes = 3	

*artificial ditches are not rated; see discussions in manual

B. Hydrology (0)				
12. Presence of Baseflow	0	(1)	2	3
13. Iron oxidizing bacteria	(0)	1	2	3
14. Leaf litter	1.5	(1)	0.5	0
15. Sediment on plants or debris	0	(0.5)	1	1.5
16. Organic debris lines or piles	0	(0.5)	1	1.5
17. Soil-based evidence of high water table?	No = 0		Yes = 3	

C. Biology (Subtotal = 0)				
18. Fibrous roots in streambed	3	(2)	1	0
19. Rooted upland plants in streambed	(3)	2	1	0
20. Macrobenthos (note diversity and abundance)	(0)	1	2	3
21. Aquatic Mollusks	(0)	1	2	3
22. Fish	(0)	0.5	1	1.5
23. Crayfish	(0)	0.5	(1)	1.5
24. Amphibians	0	0.5	(1)	1.5
25. Algae	(0)	0.5	1	1.5
26. Wetland plants in streambed	FACW = 0.75; OBL = 1.5 Other = 0			

*perennial streams may also be identified using other methods. See p. 35 of manual.

Notes:

Sketch:

Soils = Per
USGS = Present

10/25/2022 JM

NC Division of Water Quality – Methodology for Identification of Intermittent and Perennial Streams and Their Origins v. 4.1

NC DWQ Stream Identification Form Version 4.1 TOA 1 – UPStream

Date: 9/29/22	Project/Site: Vereden - EU	Latitude: 35.695892
Evaluator: K. Murph.	County: Wake	Longitude: -78.63536
Total Points: *Stream is at least intermittent if ≥ 19 or perennial if ≥ 30** 13	Stream Determination (circle one) (Ephemeral) Intermittent Perennial	Other: Apex *e.g. Quad Name*

A. Geomorphology (Subtotal = 6.5)	Absent	Weak	Moderate	Strong
1* Continuity of channel bed and bank	0	1	(2)	3
2. Sinuosity of channel along thalweg	0	(1)	2	3
3. In-channel structure: ex. riffle-pool, step-pool, ripple-pool sequence	0	(1)	2	3
4. Particle size of stream substrate	0	(1)	2	3
5. Active/relict floodplain	(0)	1	2	3
6. Depositional bars or benches	(0)	1	2	3
7. Recent alluvial deposits	(0)	1	2	3
8. Headcuts	0	(1)	2	3
9. Grade control	(0)	0.5	1	1.5
10. Natural valley	0	(0.5)	1	1.5
11. Second or greater order channel (artificial ditches are not rated; see discussions in manual)	No = (0)		Yes = 3	

B. Hydrology (Subtotal = 4.5)				
12. Presence of Baseflow	(3)	1	2	3
13. Iron oxidizing bacteria	(0)	1	2	3
14. Leaf litter	1.5	(1)	0.5	0
15. Sediment on plants or debris	(0)	0.5	1	1.5
16. Organic debris lines or piles	0	(0.5)	1	1.5
17. Soil-based evidence of high water table?	No = 0		Yes = (3)	

C. Biology (Subtotal = 2)				
18. Fibrous roots in streambed	3	2	(1)	0
19. Rooted upland plants in streambed	3	2	(1)	0
20. Macrobenthos (note diversity and abundance)	(0)	1	2	3
21. Aquatic Mollusks	(0)	1	2	3
22. Fish	0	0.5	1	1.5
23. Crayfish	0	0.5	1	1.5
24. Amphibians	0	0.5	1	1.5
25. Algae	0	0.5	1	1.5
26. Wetland plants in streambed	FACW = 0.75; OBL = 1.5 Other = (0)			

*perennial streams may also be identified using other methods. See p. 35 of manual.

Notes:

Sketch:

Soils = Int
USGS = NP

JM 10/31/2022

Down TOA-1 TOA1- Down stream

NC Division of Water Quality –Methodology for Identification of Intermittent and Perennial Streams and Their Origins v. 4.1

NC DWQ Stream Identification Form Version 4.1

Date: 9/24	Project/Site: Upside - EV	Latitude: 35.69571
Evaluator: BB/KM	County: Wake	Longitude: -78.83541
Total Points: *Stream is at least intermittent if ≥ 19 or perennial if ≥ 30** 22.75	Stream Determination (circle one) Ephemeral (Intermittent) Perennial	Other 1 pge *e.g. Quad Name:*

A. Geomorphology (Subtotal = 13)	Absent	Weak	Moderate	Strong
1* Continuity of channel bed and bank	0	1	2	(3)
2. Sinuosity of channel along thalweg	0	1	(2)	3
3. In-channel structure: ex. riffle-pool, step-pool, ripple-pool sequence	0	(1)	2	3
4. Particle size of stream substrate	0	(1)	2	3
5. Active/relict floodplain	0	(1)	2	3
6. Depositional bars or benches	0	(1)	2	3
7. Recent alluvial deposits	0	(1)	(2)	3
8. Headcuts	0	(0.5)	1	1.5
9. Grade control	0	0.5	(1)	1.5
10. Natural valley	No = 0		Yes = 3	
11. Second or greater order channel *artificial ditches are not rated; see discussions in manual*				

B. Hydrology (4.5)				
12. Presence of Baseflow	(0)	1	2	3
13. Iron oxidizing bacteria	(0)	1	2	3
14. Leaf litter	1.5	1	(0.5)	0
15. Sediment on plants or debris	0	(0.5)	1	1.5
16. Organic debris lines or piles	0	(0.5)	1	1.5
17. Soil-based evidence of high water table?	No = 0		Yes = (1)	

C. Biology (Subtotal = 5.25)				
18. Fibrous roots in streambed	3	(2)	1	0
19. Rooted upland plants in streambed	3	(2)	1	0
20. Macrobenthos (note diversity and abundance)	(1)	1	2	3
21. Aquatic Mollusks	(1)	1	2	3
22. Fish	(0)	0.5	1	1.5
23. Crayfish	(0)	0.5	1	1.5
24. Amphibians	(0)	(0.5)	1	1.5
25. Algae	(0)	0.5	(1)	1.5
26. Wetland plants in streambed	FACW = (0.75) OBL = 1.5 Other = 0			

*perennial streams may also be identified using other methods. See p. 35 of manual.

Notes:

Sketch:

Soils = Int

USGS = NP

JM 10/31/2022

NC Division of Water Quality –Methodology for Identification of Intermittent and Perennial Streams and Their Origins v. 4.1

NC DWQ Stream Identification Form Version 4.1 TOA2 - UPStream

Date: 9/29/22	Project/Site: Veridea - EU	Latitude: 35.697061
Evaluator: BB/KM	County: Wake	Longitude: -78.836777
Total Points: *Stream is at least intermittent if ≥ 19 or perennial if ≥ 30** 11.5	Stream Determination (circle one) (Ephemeral) Intermittent Perennial	Other e.g. Quad Name:

A. Geomorphology (Subtotal = 7)	Absent	Weak	Moderate	Strong
1* Continuity of channel bed and bank	0	1	(2)	3
2. Sinuosity of channel along thalweg	0	(1)	2	3
3. In-channel structure: ex. riffle-pool, step-pool, ripple-pool sequence	0	(1)	2	3
4. Particle size of stream substrate	0	(1)	2	3
5. Active/relict floodplain	(0)	1	2	3
6. Depositional bars or benches	(0)	1	2	3
7. Recent alluvial deposits	(0)	1	2	3
8. Headcuts	0	(1)	2	3
9. Grade control	(0)	0.5	1	1.5
10. Natural valley	0	0.5	(1)	1.5
11. Second or greater order channel (artificial ditches are not rated; see discussions in manual)	No = (0)		Yes = 3	

B. Hydrology (0.5)				
12. Presence of Baseflow	(0)	1	2	3
13. Iron oxidizing bacteria	(0)	1	2	3
14. Leaf litter	1.5	1	0.5	(0)
15. Sediment on plants or debris	(0)	0.5	1	1.5
16. Organic debris lines or piles	0	(0.5)	1	1.5
17. Soil-based evidence of high water table?	No = (0)		Yes = 3	

C. Biology (Subtotal = 4)				
18. Fibrous roots in streambed	3	2	(1)	0
19. Rooted upland plants in streambed	(3)	2	1	0
20. Macrobenthos (note diversity and abundance)	(0)	1	2	3
21. Aquatic Mollusks	(0)	1	2	3
22. Fish	(0)	0.5	1	1.5
23. Crayfish	(0)	0.5	1	1.5
24. Amphibians	(0)	0.5	1	1.5
25. Algae	(0)	0.5	1	1.5
26. Wetland plants in streambed	FACW = 0.75; OBL = 1.5 Other = (0)			

*perennial streams may also be identified using other methods. See p. 35 of manual.

Notes:

Sketch:

Soils = Int
USGS = NP

JM 10/31/2022

To A2

Below

NC Division of Water Quality – Methodology for Identification of Intermittent and Perennial Streams and Their Origins v. 4.1

NC DWQ Stream Identification Form Version 4.1

Date: 9/29/22	Project/Site: Verdea - LU	Latitude: 35.696705
Evaluator: SB/KBM	County: Wake	Longitude: -78.83831
Total Points: Stream is at least intermittent if ≥ 19 or perennial if ≥ 30* (19) (13.5)	Stream Determination (circle one) Ephemeral Intermittent Perennial	Other Apex e.g. Quad Name:

A. Geomorphology (Subtotal =)	Absent	Weak	Moderate	Strong
1ª Continuity of channel bed and bank	0	1	2	3
2. Sinuosity of channel along thalweg	0	1	2	3
3. In-channel structure: ex. riffle-pool, step-pool, ripple-pool sequence	0	1	2	3
4. Particle size of stream substrate	0	1	2	3
5. Active/relict floodplain	0	1	2	3
6. Depositional bars or benches	0	1	2	3
7. Recent alluvial deposits	0	1	2	3
8. Headcuts	0	1	2	3
9. Grade control	0	0.5	1	1.5
10. Natural valley	0	0.5	1	1.5
11. Second or greater order channel	No = 0		Yes = 3	

*artificial ditches are not rated; see discussions in manual

B. Hydrology (1.5)				
12. Presence of Baseflow	0	1	2	3
13. Iron oxidizing bacteria	0	1	2	3
14. Leaf litter	1.5	1	0.5	0
15. Sediment on plants or debris	0	0.5	1	1.5
16. Organic debris lines or piles	0	0.5	1	1.5
17. Soil-based evidence of high water table?	No = 0		Yes = 3	

C. Biology (Subtotal = 4)				
18. Fibrous roots in streambed	3	2	1	0
19. Rooted upland plants in streambed	3	2	1	0
20. Macrobenthos (note diversity and abundance)	0	1	2	3
21. Aquatic Mollusks	0	1	2	3
22. Fish	0	0.5	1	1.5
23. Crayfish	0	0.5	1	1.5
24. Amphibians	0	0.5	1	1.5
25. Algae	0	0.5	1	1.5
26. Wetland plants in streambed	FACW = 0.75; OBL = 1.5 Other = 0			

*perennial streams may also be identified using other methods. See p. 35 of manual.

Notes:

Sketch:

Soils = Int

USGS = NP

JM 10/31/2022

Feature 3 - SFA

NC Division of Water Quality – Methodology for Identification of Intermittent and Perennial Streams and Their Origins v. 4.11

NC DWQ Stream Identification Form Version 4.11

Date: 9/29/22	Project/Site: Verdera LV	Latitude: 35.701467
Evaluator: SB KM	County: Wake	Longitude: -78.852491
Total Points: *Stream is at least intermittent if ≥ 19 or perennial if ≥ 30** (7)	Stream Determination (circle one) Ephemeral Intermittent Perennial	Other e.g. Quad Name: Apex

A. Geomorphology (Subtotal = 3.5)	Absent	Weak	Moderate	Strong
1* Continuity of channel bed and bank	0	(1)	2	3
2. Sinuosity of channel along thalweg	0	(1)	2	3
3. In-channel structure: ex. riffle-pool, step-pool, ripple-pool sequence	(0)	1	2	3
4. Particle size of stream substrate	(0)	1	2	3
5. Active/relict floodplain	(0)	1	2	3
6. Depositional bars or benches	(0)	1	2	3
7. Recent alluvial deposits	(0)	1	2	3
8. Headcuts	(0)	1	2	3
9. Grade control	0	(0.5)	1	1.5
10. Natural valley	0	0.5	(1)	1.5
11. Second or greater order channel	No = (0)		Yes = 3	

*artificial ditches are not rated; see discussions in manual

B. Hydrology (Subtotal = 1.5)				
12. Presence of Baseflow	(0)	1	2	3
13. Iron oxidizing bacteria	(0)	1	2	3
14. Leaf litter	1.5	1	(0.5)	0
15. Sediment on plants or debris	0	(0.5)	1	1.5
16. Organic debris lines or piles	0	(0.5)	1	1.5
17. Soil-based evidence of high water table?	No = (0)		Yes = 3	

C. Biology (Subtotal = 2)				
18. Fibrous roots in streambed	3	2	(1)	0
19. Rooted upland plants in streambed	3	2	(1)	0
20. Macrobenthos (note diversity and abundance)	(0)	1	2	3
21. Aquatic Mollusks	(0)	1	2	3
22. Fish	(0)	0.5	1	1.5
23. Crayfish	(0)	0.5	1	1.5
24. Amphibians	(0)	0.5	1	1.5
25. Algae	(0)	0.5	1	1.5
26. Wetland plants in streambed	FACW = 0.75 OBL = 1.5 Other = 0			

*perennial streams may also be identified using other methods. See p. 35 of manual.

Notes:

Sketch:

Soils = Int

USGS = NP

JM 11/16/2022

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Feature 3 - SF B

NC Division of Water Quality –Methodology for Identification of Intermittent and Perennial Streams and Their Origins v. 4.11

NC DWQ Stream Identification Form Version 4.11

Date: 9/29/22	Project/Site: Vesicle EU	Latitude: 35.700 84C
Evaluator: SB KM	County: Wake	Longitude: -78.836 265
Total Points: Stream is at least intermittent if ≥ 19 or perennial if ≥ 30* 19	Stream Determination (circle one) Ephemeral Intermittent Perennial	Other e.g. Quad Name: Apex

A. Geomorphology (Subtotal = 9.5)	Absent	Weak	Moderate	Strong
1[a] Continuity of channel bed and bank	0	1	2	3
2. Sinuosity of channel along thalweg	0	1	2	3
3. In-channel structure: ex. riffle-pool, step-pool, ripple-pool sequence	0	1	2	3
4. Particle size of stream substrate	0	1	2	3
5. Active/relict floodplain	0	1	2	3
6. Depositional bars or benches	0	1	2	3
7. Recent alluvial deposits	0	1	2	3
8. Headcuts	0	1	2	3
9. Grade control	0	0.5	1	1.5
10. Natural valley	0	0.5	1	1.5
11. Second or greater order channel	No = 0		Yes = 3	

[a] artificial ditches are not rated; see discussions in manual

B. Hydrology (Subtotal = 5)				
12. Presence of Baseflow	0	1	2	3
13. Iron oxidizing bacteria	0	1	2	3
14. Leaf litter	1.5	1	0.5	0
15. Sediment on plants or debris	0	0.5	1	1.5
16. Organic debris lines or piles	0	0.5	1	1.5
17. Soil-based evidence of high water table?	No = 0		Yes = 3	

C. Biology (Subtotal = 4.5)				
18. Fibrous roots in streambed	3	2	1	0
19. Rooted upland plants in streambed	3	2	1	0
20. Macrobenthos (note diversity and abundance)	0	1	2	3
21. Aquatic Mollusks	0	1	2	3
22. Fish	0	0.5	1	1.5
23. Crayfish	0	0.5	1	1.5
24. Amphibians	0	0.5	1	1.5
25. Algae	0	0.5	1	1.5
26. Wetland plants in streambed	FACW = 0.75; OBL = 1.5; Other = 0			

*perennial streams may also be identified using other methods. See p. 35 of manual.

Notes:

Sketch:

Soils = Int
USGS = NP JM 11/21/2022

NC Division of Water Quality –Methodology for Identification of Intermittent and Perennial Streams and Their Origins v. 4.1

NC DWQ Stream Identification Form Version 4.1

TOA 4_ upstream

Date: 9/29/22	Project/Site: Uwharrie - EU	Latitude: 35.701476
Evaluator: SM/KM	County: Uwharrie	Longitude: -79.83539
Total Points: *Stream is at least intermittent if ≥ 19 or perennial if ≥ 30** 4.5	Stream Determination (circle one) (Ephemeral) Intermittent Perennial	Other Apex *e.g. Quad Name:*

A. Geomorphology (Subtotal = 4.5)	Absent	Weak	Moderate	Strong
1* Continuity of channel bed and bank	0	(1)	2	3
2. Sinuosity of channel along thalweg	0	(1)	2	3
3. In-channel structure: ex. riffle-pool, step-pool, ripple-pool sequence	0	(1)	2	3
4. Particle size of stream substrate	(0)	1	2	3
5. Active/relict floodplain	(0)	1	2	3
6. Depositional bars or benches	(0)	1	2	3
7. Recent alluvial deposits	(0)	1	2	3
8. Headcuts	0	(1)	2	3
9. Grade control	(0)	0.5	1	1.5
10. Natural valley	0	(0.5)	1	1.5
11. Second or greater order channel	No = (0)		Yes = 3	

artificial ditches are not rated; see discussions in manual

B. Hydrology				
12. Presence of Baseflow	(0)	1	2	3
13. Iron oxidizing bacteria	(0)	1	2	3
14. Leaf litter	1.5	1	(0.5)	0
15. Sediment on plants or debris	(0)	0.5	1	1.5
16. Organic debris lines or piles	0	(0.5)	1	1.5
17. Soil-based evidence of high water table?	No = (0)		Yes = 3	

C. Biology (Subtotal = 4)				
18. Fibrous roots in streambed	3	2	(1)	0
19. Rooted upland plants in streambed	(3)	2	1	0
20. Macrobenthos (note diversity and abundance)	(0)	1	2	3
21. Aquatic Mollusks	(0)	1	2	3
22. Fish	(0)	0.5	1	1.5
23. Crayfish	(0)	0.5	1	1.5
24. Amphibians	(0)	0.5	1	1.5
25. Algae	(0)	0.5	1	1.5
26. Wetland plants in streambed	FACW = 0.75; OBL = 1.5 Other = (0)			

*perennial streams may also be identified using other methods. See p. 35 of manual.

Notes:

Sketch:

Soils = Int
USGS = NP

SM 10/31/2022

TOA 4 Downstream below

NC Division of Water Quality –Methodology for Identification of Intermittent and Perennial Streams and Their Origins v. 4.1

NC DWQ Stream Identification Form Version 4.1

Date: 9/29/22	Project/Site: Vericlea - LV	Latitude: 39.701532
Evaluator: SB3/KM	County: Wake	Longitude: 78.83550
Total Points: *Stream is at least intermittent if ≥ 19 or perennial if ≥ 30** 19.5	Stream Determination (circle one) Ephemeral (Intermittent) Perennial	Other Apex e.g. Quad Name:

A. Geomorphology (Subtotal = 10.5)	Absent	Weak	Moderate	Strong
1* Continuity of channel bed and bank	0	1	2	3
2. Sinuosity of channel along thalweg	0	1	2	3
3. In-channel structure: ex. riffle-pool, step-pool, ripple-pool sequence	0	1	2	3
4. Particle size of stream substrate	0	1	2	3
5. Active/relict floodplain	0	1	2	3
6. Depositional bars or benches	0	1	2	3
7. Recent alluvial deposits	0	1	2	3
8. Headcuts	0	1	2	3
9. Grade control	0	0.5	1	1.5
10. Natural valley	0	0.5	1	1.5
11. Second or greater order channel	No = 0		Yes = 3	

*artificial ditches are not rated; see discussions in manual

B. Hydrology (Subtotal = 6)				
12. Presence of Baseflow	0	1	2	3
13. Iron oxidizing bacteria	0	1	2	3
14. Leaf litter	1.5	1	0.5	0
15. Sediment on plants or debris	0	0.5	1	1.5
16. Organic debris lines or piles	0	0.5	1	1.5
17. Soil-based evidence of high water table?	No = 0		Yes = 3	

C. Biology (Subtotal =)				
18. Fibrous roots in streambed	3	2	1	0
19. Rooted upland plants in streambed	3	2	1	0
20. Macrobenthos (note diversity and abundance)	0	1	2	3
21. Aquatic Mollusks	0	1	2	3
22. Fish	0	0.5	1	1.5
23. Crayfish	0	0.5	1	1.5
24. Amphibians	0	0.5	1	1.5
25. Algae	0	0.5	1	1.5
26. Wetland plants in streambed	FACW = 0.75; OBL = 1.5 Other = 0			

*perennial streams may also be identified using other methods. See p. 35 of manual.

Notes:

Sketch:

Soils = Int

USGS = NP

JM 10/31/2022

NC Division of Water Quality – Methodology for Identification of Intermittent and Perennial Streams and Their Origins v. 4.1

NC DWQ Stream Identification Form Version 4.1 TOA 5- upstream

Date: 9/29/22	Project/Site: Vereden - LV	Latitude: 35.69974
Evaluator: SB/KM	County: Wake	Longitude: -78.839869
Total Points: *Stream is at least intermittent if ≥ 19 or perennial if ≥ 30** 17	Stream Determination (circle one) (Ephemeral) Intermittent Perennial	Other Apex *e.g. Quad Name:*

A. Geomorphology (Subtotal = 8)	Absent	Weak	Moderate	Strong
1a. Continuity of channel bed and bank	0	1	(2)	3
2. Sinuosity of channel along thalweg	0	1	(2)	3
3. In-channel structure: ex. riffle-pool, step-pool, ripple-pool sequence	0	(1)	2	3
4. Particle size of stream substrate	0	(1)	2	3
5. Active/relict floodplain	(0)	1	2	3
6. Depositional bars or benches	(0)	1	2	3
7. Recent alluvial deposits	(0)	1	2	3
8. Headcuts	0	(1)	2	3
9. Grade control	(0)	0.5	1	1.5
10. Natural valley	0	0.5	(1)	1.5
11. Second or greater order channel (artificial ditches are not rated; see discussions in manual)	No = 0		Yes = 3	

B. Hydrology (Subtotal = 4)				
12. Presence of Baseflow	(0)	1	2	3
13. Iron oxidizing bacteria	(0)	1	2	3
14. Leaf litter	1.5	1	(0.5)	0
15. Sediment on plants or debris	(0)	0.5	1	1.5
16. Organic debris lines or piles	0	(0.5)	1	1.5
17. Soil-based evidence of high water table?	No = 0		Yes = 3	

C. Biology (Subtotal = 5)				
18. Fibrous roots in streambed	(3)	(2)	1	0
19. Rooted upland plants in streambed	(3)	2	1	0
20. Macrobenthos (note diversity and abundance)	(0)	1	2	3
21. Aquatic Mollusks	(0)	1	2	3
22. Fish	(0)	0.5	1	1.5
23. Crayfish	(0)	0.5	1	1.5
24. Amphibians	(0)	0.5	1	1.5
25. Algae	(0)	0.5	1	1.5
26. Wetland plants in streambed	FACW = 0.75; OBL = 1.5 Other = 0			

*perennial streams may also be identified using other methods. See p. 35 of manual.

Notes:

Sketch:

Soils = Int

USGS = NP

JM 10/31/2022

Below TOT & Downstream

NC Division of Water Quality – Methodology for Identification of Intermittent and Perennial Streams and Their Origins v. 4.1

NC DWQ Stream Identification Form Version 4.1

Date: 9/29/22	Project/Site: Vendue - EV	Latitude: 35.694426
Evaluator: SB/KM	County: Wake	Longitude: -78.83[illegible]23
Total Points: *Stream is at least intermittent if ≥ 19 or perennial if ≥ 30** 21.75	Stream Determination (circle one) Ephemeral (Intermittent) Perennial	Other Apex *e.g. Quad Name:*

A. Geomorphology (Subtotal = 12)	Absent	Weak	Moderate	Strong
1st Continuity of channel bed and bank	0	1	2	(3)
2. Sinuosity of channel along thalweg	0	1	(2)	3
3. In-channel structure: ex. riffle-pool, step-pool, ripple-pool sequence	0	(1)	2	3
4. Particle size of stream substrate	0	(1)	2	3
5. Active/relict floodplain	(0)	1	2	3
6. Depositional bars or benches	(0)	1	2	3
7. Recent alluvial deposits	0	(1)	2	3
8. Headcuts	0	(1)	(2)	3
9. Grade control	0	0.5	1	1.5
10. Natural valley	0	0.5	1	(1.5)
11. Second or greater order channel *artificial ditches are not rated; see discussions in manual*	No = (0)		Yes = 3	

B. Hydrology (5)				
12. Presence of Baseflow	(0)	1	2	3
13. Iron oxidizing bacteria	(0)	1	2	3
14. Leaf litter	1.5	(0)	0.5	0
15. Sediment on plants or debris	0	(0.5)	1	1.5
16. Organic debris lines or piles	0	(0.5)	1	1.5
17. Soil-based evidence of high water table?	No = 0		Yes = (3)	

C. Biology (Subtotal = 4.5)				
18. Fibrous roots in streambed	3	(2)	1	0
19. Rooted upland plants in streambed	3	(2)	1	0
20. Macrobenthos (note diversity and abundance)	(0)	1	2	3
21. Aquatic Mollusks	(0)	1	2	3
22. Fish	(0)	0.5	1	1.5
23. Crayfish	(0)	0.5	1	1.5
24. Amphibians	(0)	0.5	1	1.5
25. Algae	0	0.5	1	(1.5)
26. Wetland plants in streambed	FACW = (0.75) OBL = 1.5 Other = 0			

*perennial streams may also be identified using other methods. See p. 35 of manual.

Notes:

Sketch:

Soils = Int
USGS = NP

JM 10/31/2022

NC Division of Water Quality –Methodology for Identification of Intermittent and Perennial Streams and Their Origins v. 4.1

NC DWQ Stream Identification Form Version 4.1

TOA 6 - upstream

Date: 9/29/22	Project/Site: Vanden - EV	Latitude: 35.648558
Evaluator: SB/KM	County: Wake	Longitude: -78.841210
Total Points: 14 *Stream is at least intermittent if ≥ 19 or perennial if ≥ 30**	Stream Determination (circle one) (Ephemeral) Intermittent Perennial	Other Apex e.g. Quad Name:

A. Geomorphology (Subtotal = 5.5)	Absent	Weak	Moderate	Strong
1* Continuity of channel bed and bank	0	(1)	2	3
2. Sinuosity of channel along thalweg	0	(1)	2	3
3. In-channel structure: ex. riffle-pool, step-pool, ripple-pool sequence	0	(1)	2	3
4. Particle size of stream substrate	0	(1)	2	3
5. Active/relict floodplain	(0)	1	2	3
6. Depositional bars or benches	(0)	1	2	3
7. Recent alluvial deposits	(0)	1	2	3
8. Headcuts	(0)	1	2	3
9. Grade control	(0)	0.5	1	1.5
10. Natural valley	0	0.5	1	(1.5)
11. Second or greater order channel	No = (0)		Yes = 3	

*artificial ditches are not rated; see discussions in manual

B. Hydrology (3.5)				
12. Presence of Baseflow	(0)	1	2	3
13. Iron oxidizing bacteria	(0)	1	2	3
14. Leaf litter	1.5	1	(0.5)	0
15. Sediment on plants or debris	(0)	0.5	1	1.5
16. Organic debris lines or piles	(0)	0.5	1	1.5
17. Soil-based evidence of high water table?	No = 0		Yes = (3)	

C. Biology (Subtotal = 5)				
18. Fibrous roots in streambed	3	(2)	1	0
19. Rooted upland plants in streambed	(3)	2	1	0
20. Macrobenthos (note diversity and abundance)	(0)	1	2	3
21. Aquatic Mollusks	(0)	1	2	3
22. Fish	(0)	0.5	1	1.5
23. Crayfish	(0)	0.5	1	1.5
24. Amphibians	(0)	0.5	1	1.5
25. Algae	(0)	0.5	1	1.5
26. Wetland plants in streambed	FACW = 0.75; OBL = 1.5 Other = (0)			

*perennial streams may also be identified using other methods. See p. 35 of manual.

Notes:

Sketch:

Soils = Int

USGS = NP

JM 10/31/2022

FoA 6* Below / Downstream

NC Division of Water Quality –Methodology for Identification of Intermittent and Perennial Streams and Their Origins v. 4.1

NC DWQ Stream Identification Form Version 4.1

Date: 9/29/22	Project/Site: Veridea-LV	Latitude: 35.648274
Evaluator: SB/KM	County: Iredell	Longitude: -80.842114
Total Points: 20 *Stream is at least intermittent if ≥ 19 or perennial if ≥ 30*	Stream Determination (circle one) Ephemeral Intermittent Perennial	Other Apex e.g. Quad Name:

A. Geomorphology (Subtotal = 12)	Absent	Weak	Moderate	Strong
1st Continuity of channel bed and bank	0	1	2	3
2. Sinuosity of channel along thalweg	0	1	2	3
3. In-channel structure: ex. riffle-pool, step-pool, ripple-pool sequence	0	1	2	3
4. Particle size of stream substrate	0	1	2	3
5. Active/relict floodplain	0	1	2	3
6. Depositional bars or benches	0	1	2	3
7. Recent alluvial deposits	0	1	2	3
8. Headcuts	0	1	2	3
9. Grade control	0	0.5	1	1.5
10. Natural valley	0	0.5	1	1.5
11. Second or greater order channel	No = 0		Yes = 3	

*artificial ditches are not rated; see discussions in manual

B. Hydrology (Subtotal = 5.0)				
12. Presence of Baseflow	0	1	2	3
13. Iron oxidizing bacteria	0	1	2	3
14. Leaf litter	1.5	1	0.5	0
15. Sediment on plants or debris	0	0.5	1	1.5
16. Organic debris lines or piles	0	0.5	1	1.5
17. Soil-based evidence of high water table?	No = 0		Yes = 3	

C. Biology (Subtotal = 4.5)				
18. Fibrous roots in streambed	3	2	1	0
19. Rooted upland plants in streambed	3	2	1	0
20. Macrobenthos (note diversity and abundance)	0	1	2	3
21. Aquatic Mollusks	0	0.5	1	1.5
22. Fish	0	0.5	1	1.5
23. Crayfish	0	0.5	1	1.5
24. Amphibians	0	0.5	1	1.5
25. Algae	0	0.5	1	1.5
26. Wetland plants in streambed	FACW = 0.75; OBL = 1.5 Other = 0			

*perennial streams may also be identified using other methods. See p. 35 of manual.

Notes:

Sketch:

Soils = Int
USGS = NP

SM 10/31/2022

Stream Form. W
Feature - B ?

NC Division of Water Quality –Methodology for Identification of Intermittent and Perennial Streams and Their Origins v. 4.11

NC DWQ Stream Identification Form Version 4.11

Date: 9/29/22	Project/Site: Meridian EV	Latitude: 35.701029
Evaluator: SB KM	County: Wake	Longitude: -78.843825
Total Points: *Stream is at least intermittent if ≥ 19 or perennial if ≥ 30** 19	Stream Determination (circle one) Ephemeral (Intermittent) Perennial	Other Apex *e.g. Quad Name:*

A. Geomorphology (Subtotal = 10.5)	Absent	Weak	Moderate	Strong
1* Continuity of channel bed and bank	0	1	(2)	3
2. Sinuosity of channel along thalweg	0	1	(2)	3
3. In-channel structure: ex. riffle-pool, step-pool, ripple-pool sequence	0	(1)	2	3
4. Particle size of stream substrate	0	(1)	2	3
5. Active/relict floodplain	0	(1)	2	3
6. Depositional bars or benches	0	(1)	2	3
7. Recent alluvial deposits	0	(1)	2	3
8. Headcuts	(0)	1	2	3
9. Grade control	0	(0.5)	1	1.5
10. Natural valley	0	0.5	(1)	1.5
11. Second or greater order channel	No = (0)		Yes = 3	

*artificial ditches are not rated; see discussions in manual

B. Hydrology (Subtotal = 4.5)				
12. Presence of Baseflow	(0)	1	2	3
13. Iron oxidizing bacteria	(0)	1	2	3
14. Leaf litter	1.5	1	(0.5)	0
15. Sediment on plants or debris	0	(0.5)	1	1.5
16. Organic debris lines or piles	0	(0.5)	1	1.5
17. Soil-based evidence of high water table?	No = 0		Yes = (3)	

C. Biology (Subtotal = 4)				
18. Fibrous roots in streambed	3	(2)	1	0
19. Rooted upland plants in streambed	3	(2)	1	0
20. Macrobenthos (note diversity and abundance)	(0)	1	2	3
21. Aquatic Mollusks	(0)	1	2	3
22. Fish	(0)	0.5	1	1.5
23. Crayfish	(0)	0.5	1	1.5
24. Amphibians	(0)	0.5	1	1.5
25. Algae	(0)	0.5	1	1.5
26. Wetland plants in streambed	FACW = 0.75; OBL = 1.5 Other = 0			

*perennial streams may also be identified using other methods. See p. 35 of manual.

Notes:

Sketch:

Soils = InT
USGS = NP

JM 11/21/2022

8

NC Division of Water Quality –Methodology for Identification of Intermittent and Perennial Streams and Their Origins v. 4.1

Stream Form X-Feature 8

NC DWQ Stream Identification Form Version 4.1

Date: 9/30/22	Project/Site: Veridea - EV	Latitude: 35.70089
Evaluator: SB/KM	County: Wake	Longitude: -78.48436
Total Points: *Stream is at least intermittent if ≥ 19 or perennial if ≥ 30** 13	Stream Determination (circle one) (Ephemeral) Intermittent Perennial	Other Apex *e.g. Quad Name:*

A. Geomorphology (Subtotal = 4)	Absent	Weak	Moderate	Strong
1* Continuity of channel bed and bank	0	(1)	2	3
2. Sinuosity of channel along thalweg	0	(1)	2	3
3. In-channel structure: ex. riffle-pool, step-pool, ripple-pool sequence	(0)	1	2	3
4. Particle size of stream substrate	0	(1)	2	3
5. Active/relict floodplain	(0)	1	2	3
6. Depositional bars or benches	(0)	1	2	3
7. Recent alluvial deposits	(0)	1	2	3
8. Headcuts	(0)	1	2	3
9. Grade control	(0)	0.5	(1)	1.5
10. Natural valley	0	0.5	(1)	1.5
11. Second or greater order channel	No = 0		Yes = 3	

*artificial ditches are not rated; see discussions in manual

B. Hydrology (5)				
12. Presence of Baseflow	(0)	1	2	3
13. Iron oxidizing bacteria	(0)	1	2	3
14. Leaf litter	1.5	(1)	0.5	0
15. Sediment on plants or debris	(0)	0.5	(1)	1.5
16. Organic debris lines or piles	0	0.5	(1)	1.5
17. Soil-based evidence of high water table?	No = 0		Yes = (3)	

C. Biology (Subtotal = 4)				
18. Fibrous roots in streambed	3	2	(1)	0
19. Rooted upland plants in streambed	(3)	2	1	0
20. Macrobenthos (note diversity and abundance)	(0)	1	2	3
21. Aquatic Mollusks	(0)	1	2	3
22. Fish	(0)	0.5	1	1.5
23. Crayfish	(0)	0.5	1	1.5
24. Amphibians	(0)	0.5	1	1.5
25. Algae	(0)	0.5	1	1.5
26. Wetland plants in streambed	FACW = 0.75; OBL = 1.5 Other = (0)			

*perennial streams may also be identified using other methods. See p. 35 of manual.

Notes:

Sketch:

Soils = INT
USGS = NP

10/31/2022

~~Do not need to see~~
~~fill~~ OM

9

NC Division of Water Quality –Methodology for Identification of Intermittent and Perennial Streams and Their Origins v. 4.1

Stream form Z-Feature 9

NC DWQ Stream Identification Form Version 4.1

Date: 9/29/22	Project/Site: Vanderlea -LEV	Latitude: 35.648238
Evaluator: SB/KM	County: Wake	Longitude: -78.84806
Total Points: *Stream is at least intermittent if ≥ 19 or perennial if ≥ 30** 18	Stream Determination (circle one) Ephemeral Intermittent Perennial	Other e.g. Quad Name: Apex

A. Geomorphology (Subtotal = 8)	Absent	Weak	Moderate	Strong
1ª Continuity of channel bed and bank	0	1	(2)	3
2. Sinuosity of channel along thalweg	0	(1)	2	3
3. In-channel structure; ex. riffle-pool, step-pool, ripple-pool sequence	0	(1)	2	3
4. Particle size of stream substrate	0	(1)	2	3
5. Active/relict floodplain	(0)	1	2	3
6. Depositional bars or benches	(0)	1	2	3
7. Recent alluvial deposits	0	(1)	2	3
8. Headcuts	0	(1)	2	3
9. Grade control	(0)	0.5	1	1.5
10. Natural valley	0	0.5	(1)	1.5
11. Second or greater order channel (artificial ditches are not rated; see discussions in manual)	No = (0)		Yes = 3	

B. Hydrology (5)				
12. Presence of Baseflow	(0)	1	2	3
13. Iron oxidizing bacteria	(0)	1	2	3
14. Leaf litter	1.5	(1)	0.5	0
15. Sediment on plants or debris	(0)	0.5	1	1.5
16. Organic debris lines or piles	0	0.5	(1)	1.5
17. Soil-based evidence of high water table?	No = 0		Yes = (3)	

C. Biology (Subtotal = 5)				
18. Fibrous roots in streambed	3	(2)	1	0
19. Rooted upland plants in streambed	(3)	2	1	0*
20. Macrobenthos (note diversity and abundance)	(0)	1	2	3
21. Aquatic Mollusks	(0)	1	2	3
22. Fish	(0)	0.5	1	1.5
23. Crayfish	(0)	0.5	1	1.5
24. Amphibians	(0)	0.5	1	1.5
25. Algae	(0)	0.5	1	1.5
26. Wetland plants in streambed	FACW = 0.75; OBL = 1.5 Other = (0)			

*perennial streams may also be identified using other methods. See p. 35 of manual.

Notes:

Sketch:

Soils = Int
USGS = NP

JM 10/31/2022

10

NC Division of Water Quality –Methodology for Identification of Intermittent and Perennial Streams and Their Origins v. 4.1

Stream form Y-Feature 10

NC DWQ Stream Identification Form Version 4.1

Date: 9/29/22	Project/Site: Vulcan LEV	Latitude: 35.6953
Evaluator: SB/VM	County: Wake	Longitude: -78.84584
Total Points: *Stream is at least intermittent if ≥ 19 or perennial if ≥ 30** 15	Stream Determination (circle one) (Ephemeral) Intermittent Perennial	Other *e.g. Quad Name:*

A. Geomorphology (Subtotal = 5)	Absent	Weak	Moderate	Strong
1* Continuity of channel bed and bank	0	1	(2)	3
2. Sinuosity of channel along thalweg	0	(1)	2	3
3. In-channel structure: ex. riffle-pool, step-pool, ripple-pool sequence	(0)	1	2	3
4. Particle size of stream substrate	0	(1)	2	3
5. Active/relict floodplain	(0)	1	2	3
6. Depositional bars or benches	(0)	1	2	3
7. Recent alluvial deposits	(0)	1	2	3
8. Headcuts	(0)	1	2	3
9. Grade control	(0)	0.5	1	1.5
10. Natural valley	0	0.5	(1)	1.5
11. Second or greater order channel	No = (0)		Yes = 3	

artificial ditches are not rated; see discussions in manual

B. Hydrology (5)				
12. Presence of Baseflow	(0)	1	2	3
13. Iron oxidizing bacteria	(0)	1	2	3
14. Leaf litter	1.5	(1)	0.5	0
15. Sediment on plants or debris	(0)	0.5	1	1.5
16. Organic debris lines or piles	0	0.5	(1)	1.5
17. Soil-based evidence of high water table?	No = 0		Yes = (3)	

C. Biology (Subtotal = 5)				
18. Fibrous roots in streambed	3	(2)	1	0
19. Rooted upland plants in streambed	(3)	2	1	0
20. Macrobenthos (note diversity and abundance)	(0)	1	2	3
21. Aquatic Mollusks	(0)	1	2	3
22. Fish	(0)	0.5	1	1.5
23. Crayfish	(0)	0.5	1	1.5
24. Amphibians	(0)	0.5	1	1.5
25. Algae	(0)	0.5	1	1.5
26. Wetland plants in streambed	FACW = 0.75; OBL = 1.5 Other = 0			

*perennial streams may also be identified using other methods. See p. 35 of manual.

Notes:

Sketch:

Soils = Int
USGS = NP

JM 10/31/2022

Stream Form [illegible] - Feature 11

11-I

NC Division of Water Quality –Methodology for Identification of Intermittent and Perennial Streams and Their Origins v. 4.11

NC DWQ Stream Identification Form Version 4.11

Date: 12/7/22	Project/Site: Verida EV	Latitude: 35.70463
Evaluator: SBell	County: Wake	Longitude: -78.843506
Total Points: *Stream is at least intermittent if ≥ 19 or perennial if ≥ 30** 26.5	Stream Determination (circle one) Ephemeral Intermittent Perennial	Other e.g. Quad Name: Apex

A. Geomorphology (Subtotal = 15)	Absent	Weak	Moderate	Strong
1a Continuity of channel bed and bank	0	1	(2)	3
2. Sinuosity of channel along thalweg	0	1	(2)	3
3. In-channel structure: ex. riffle-pool, step-pool, ripple-pool sequence	0	(1)	2	3
4. Particle size of stream substrate	0	(1)	2	3
5. Active/relict floodplain	0	(1)	2	3
6. Depositional bars or benches	0	(1)	2	3
7. Recent alluvial deposits	0	(1)	2	3
8. Headcuts	0	(1)	2	3
9. Grade control	0	0.5	(1)	1.5
10. Natural valley	0	0.5	(1)	1.5
11. Second or greater order channel	No = 0		Yes = (3)	

a artificial ditches are not rated; see discussions in manual

B. Hydrology (Subtotal = 7.5)				
12. Presence of Baseflow	0	1	(2)	3
13. Iron oxidizing bacteria	(0)	1	2	3
14. Leaf litter	1.5	(1)	0.5	0
15. Sediment on plants or debris	0	(0.5)	1	1.5
16. Organic debris lines or piles	0	0.5	(1)	1.5
17. Soil-based evidence of high water table?	No = 0		Yes = (3)	

C. Biology (Subtotal = 4)				
18. Fibrous roots in streambed	3	(2)	1	0
19. Rooted upland plants in streambed	3	(2)	1	0
20. Macrobenthos (note diversity and abundance)	0	1	2	3
21. Aquatic Mollusks	0	1	2	3
22. Fish	0	0.5	1	1.5
23. Crayfish	0	0.5	1	1.5
24. Amphibians	0	0.5	1	1.5
25. Algae	0	0.5	1	1.5
26. Wetland plants in streambed	FACW = 0.75; OBL = 1.5 Other = 0			

*perennial streams may also be identified using other methods. See p. 35 of manual.

Notes:

Sketch:

41

Soils = Perennial

USGS = Present

JM 12/8/2022

Stream Form [illegible]
11-P

NC Division of Water Quality –Methodology for Identification of Intermittent and Perennial Streams and Their Origins v. 4.11

NC DWQ Stream Identification Form Version 4.11

Date: 12/7/22	Project/Site: Veridea LV	Latitude: 35.704339
Evaluator: SDgill	County: Wake	Longitude: -78.84395
Total Points: *Stream is at least intermittent if ≥ 19 or perennial if ≥ 30** (32)	Stream Determination (circle one) Ephemeral Intermittent (Perennial)	Other Apex e.g. Quad Name:

A. Geomorphology (Subtotal = 18)	Absent	Weak	Moderate	Strong
1* Continuity of channel bed and bank	0	1	2	(3)
2. Sinuosity of channel along thalweg	0	1	(2)	3
3. In-channel structure: ex. riffle-pool, step-pool, ripple-pool sequence	0	1	(2)	3
4. Particle size of stream substrate	0	1	(2)	3
5. Active/relict floodplain	0	(1)	2	3
6. Depositional bars or benches	0	1	(2)	3
7. Recent alluvial deposits	0	(1)	2	3
8. Headcuts	0	1	(2)	3
9. Grade control	0	0.5	(1)	1.5
10. Natural valley	0	0.5	(1)	1.5
11. Second or greater order channel	No = 0		Yes = (3)	

*artificial ditches are not rated; see discussions in manual

B. Hydrology (Subtotal = 8.5)				
12. Presence of Baseflow	0	1	(2)	3
13. Iron oxidizing bacteria	(0)	1	2	3
14. Leaf litter	(1.5)	1	0.5	0
15. Sediment on plants or debris	0	0.5	(1)	1.5
16. Organic debris lines or piles	0	0.5	(1)	1.5
17. Soil-based evidence of high water table?	No = 0		Yes (3)	

C. Biology (Subtotal = 6.5)				
18. Fibrous roots in streambed	3	(2)	1	0
19. Rooted upland plants in streambed	(3)	2	1	0
20. Macrobenthos (note diversity and abundance)	(0)	1	2	3
21. Aquatic Mollusks	(0)	1	2	3
22. Fish	(0)	0.5	1	1.5
23. Crayfish	0	(0.5)	1	1.5
24. Amphibians	(0)	0.5	1	1.5
25. Algae	(0)	0.5	1	1.5
26. Wetland plants in streambed	FACW = 0.75; OBL = 1.5 Other = 0			

*perennial streams may also be identified using other methods. See p. 35 of manual.

Notes:

Sketch:

Soils = Perennial
USGS = present

JM 12/8/2022

Veridea EAST FEATURE 12

NC Division of Water Quality –Methodology for Identification of Intermittent and Perennial Streams and Their Origins v. 4.11

NC DWQ Stream Identification Form Version 4.11

Date: 12/5/2022	Project/Site: VERIDEA EAST	Latitude: 35.705299
Evaluator: SHEC - JOSHUA HARVEY	County: WAKE	Longitude: -78.847135
Total Points: *Stream is at least intermittent if ≥ 19 or perennial if ≥ 30** 12.5	Stream Determination (circle one) (Ephemeral) Intermittent Perennial	Other *e.g. Quad Name:*

A. Geomorphology (Subtotal = 7)	Absent	Weak	Moderate	Strong
1ª Continuity of channel bed and bank	0	(1)	2	3
2. Sinuosity of channel along thalweg	0	(1)	2	3
3. In-channel structure: ex. riffle-pool, step-pool, ripple-pool sequence	0	(1)	2	3
4. Particle size of stream substrate	0	(1)	2	3
5. Active/relict floodplain	(0)	1	2	3
6. Depositional bars or benches	0	(1)	2	3
7. Recent alluvial deposits	(0)	1	2	3
8. Headcuts	0	(1)	2	3
9. Grade control	(0)	0.5	1	1.5
10. Natural valley	0	0.5	(1)	1.5
11. Second or greater order channel	No = 0		Yes = 3	

ª artificial ditches are not rated; see discussions in manual

B. Hydrology (Subtotal = 0.5)				
12. Presence of Baseflow	(0)	1	2	3
13. Iron oxidizing bacteria	(0)	1	2	3
14. Leaf litter	1.5	1	(0.5)	0
15. Sediment on plants or debris	(0)	0.5	1	1.5
16. Organic debris lines or piles	(0)	0.5	1	1.5
17. Soil-based evidence of high water table?	No = (0)		Yes = 3	

C. Biology (Subtotal = 5)				
18. Fibrous roots in streambed	3	(2)	1	0
19. Rooted upland plants in streambed	(3)	2	1	0
20. Macrobenthos (note diversity and abundance)	0	1	2	3
21. Aquatic Mollusks	(0)	1	2	3
22. Fish	(0)	0.5	1	1.5
23. Crayfish	(0)	0.5	1	1.5
24. Amphibians	(0)	0.5	1	1.5
25. Algae	(0)	0.5	1	1.5
26. Wetland plants in streambed	FACW = 0.75; OBL = 1.5 Other = 0			

*perennial streams may also be identified using other methods. See p. 35 of manual.

Notes:

Sketch:

Soils = Int

USGS = Present

JM 12/8/2022

Veridea East FEATURE 13 E

NC Division of Water Quality –Methodology for Identification of Intermittent and Perennial Streams and Their Origins v. 4.11

NC DWQ Stream Identification Form Version 4.11

Date: 12/5/2022	Project/Site: VERIDEA EAST	Latitude: 35.702822
Evaluator: SREC - JOSHUA HARVEY	County: WAKE	Longitude: -78.847666
Total Points: *Stream is at least intermittent if ≥ 19 or perennial if ≥ 30** 15.5	Stream Determination (circle one) Ephemeral Intermittent Perennial	Other *e.g. Quad Name:*

A. Geomorphology (Subtotal = 7.5)	Absent	Weak	Moderate	Strong
1* Continuity of channel bed and bank	0	1	(2)	3
2. Sinuosity of channel along thalweg	0	(1)	2	3
3. In-channel structure: ex. riffle-pool, step-pool, ripple-pool sequence	0	(1)	2	3
4. Particle size of stream substrate	0	(1)	2	3
5. Active/relict floodplain	(0)	1	2	3
6. Depositional bars or benches	(0)	1	2	3
7. Recent alluvial deposits	0	(1)	2	3
8. Headcuts	(0)	1	2	3
9. Grade control	0	(0.5)	1	1.5
10. Natural valley	0	0.5	(1)	1.5
11. Second or greater order channel	(No = 0)		Yes = 3	

*artificial ditches are not rated; see discussions in manual

B. Hydrology (Subtotal = 2)				
12. Presence of Baseflow	0	(1)	2	3
13. Iron oxidizing bacteria	(0)	1	2	3
14. Leaf litter	1.5	1	(0.5)	0
15. Sediment on plants or debris	(0)	0.5	1	1.5
16. Organic debris lines or piles	0	(0.5)	1	1.5
17. Soil-based evidence of high water table?	(No = 0)		Yes = 3	

C. Biology (Subtotal = 6)				
18. Fibrous roots in streambed	(3)	2	1	0
19. Rooted upland plants in streambed	(3)	2	1	0
20. Macrobenthos (note diversity and abundance)	0	1	2	3
21. Aquatic Mollusks	0	1	2	3
22. Fish	0	0.5	1	1.5
23. Crayfish	0	0.5	1	1.5
24. Amphibians	0	0.5	1	1.5
25. Algae	0	0.5	1	1.5
26. Wetland plants in streambed	FACW = 0.75; OBL = 1.5 Other = 0			

*perennial streams may also be identified using other methods. See p. 35 of manual.

Notes:

Sketch:

Soils = Int

USGS = Present

12/8/2022

Veridea East FEATURE 13 I

NC Division of Water Quality –Methodology for Identification of Intermittent and Perennial Streams and Their Origins v. 4.11

NC DWQ Stream Identification Form Version 4.11

Date: 12/5/2022	Project/Site: VERIDEA EAST	Latitude: 35.702124
Evaluator: SEE - JOSHUA HARVEY	County: WAKE	Longitude: -78.846123
Total Points: *Stream is at least intermittent if ≥ 19 or perennial if ≥ 30** 21	Stream Determination (circle one) Ephemeral (Intermittent) Perennial	Other *e.g. Quad Name:*

A. Geomorphology (Subtotal = 9.5)	Absent	Weak	Moderate	Strong
1a. Continuity of channel bed and bank	0	1	(2)	3
2. Sinuosity of channel along thalweg	0	(1)	2	3
3. In-channel structure: ex. riffle-pool, step-pool, ripple-pool sequence	0	(1)	2	3
4. Particle size of stream substrate	0	1	(2)	3
5. Active/relict floodplain	(0)	1	2	3
6. Depositional bars or benches	0	(1)	2	3
7. Recent alluvial deposits	0	(1)	2	3
8. Headcuts	0	(1)	2	3
9. Grade control	(0)	0.5	1	1.5
10. Natural valley	0	(0.5)	1	1.5
11. Second or greater order channel	(No = 0)		Yes = 3	

a artificial ditches are not rated; see discussions in manual

B. Hydrology (Subtotal = 5.5)				
12. Presence of Baseflow	0	(1)	2	3
13. Iron oxidizing bacteria	(0)	1	2	3
14. Leaf litter	1.5	1	(0.5)	0
15. Sediment on plants or debris	0	(0.5)	1	1.5
16. Organic debris lines or piles	0	(0.5)	1	1.5
17. Soil-based evidence of high water table?	No = 0		(Yes = 3)	

C. Biology (Subtotal = 0)				
18. Fibrous roots in streambed	(3)	2	1	0
19. Rooted upland plants in streambed	(3)	2	1	0
20. Macrobenthos (note diversity and abundance)	0	1	2	3
21. Aquatic Mollusks	0	1	2	3
22. Fish	0	0.5	1	1.5
23. Crayfish	0	0.5	1	1.5
24. Amphibians	0	0.5	1	1.5
25. Algae	0	0.5	1	1.5
26. Wetland plants in streambed	FACW = 0.75; OBL = 1.5 Other = 0			

*perennial streams may also be identified using other methods. See p. 35 of manual.

Notes:

Sketch:

Soils = Int

USGS = Present JM 12/6/2022

Verdea EAST FEATURE 14

NC Division of Water Quality –Methodology for Identification of Intermittent and Perennial Streams and Their Origins v. 4.11

NC DWQ Stream Identification Form Version 4.11

Date: 12/5/2022	Project/Site: VERIDEA EAST	Latitude: 35.700972
Evaluator: SCC. JOSHUA HARVEY	County: WAKE	Longitude: -78.748283
Total Points: *Stream is at least intermittent if ≥ 19 or perennial if ≥ 30** No Scoreable Feature	Stream Determination (circle one) Ephemeral Intermittent Perennial	Other *e.g. Quad Name:*

A. Geomorphology (Subtotal =)	Absent	Weak	Moderate	Strong
1[a]. Continuity of channel bed and bank	0	1	2	3
2. Sinuosity of channel along thalweg	0	1	2	3
3. In-channel structure: ex. riffle-pool, step-pool, ripple-pool sequence	0	1	2	3
4. Particle size of stream substrate	0	1	2	3
5. Active/relict floodplain	0	1	2	3
6. Depositional bars or benches	0	1	2	3
7. Recent alluvial deposits	0	1	2	3
8. Headcuts	0	1	2	3
9. Grade control	0	0.5	1	1.5
10. Natural valley	0	0.5	1	1.5
11. Second or greater order channel	No = 0		Yes = 3	

[a] artificial ditches are not rated; see discussions in manual

B. Hydrology (Subtotal =)				
12. Presence of Baseflow	0	1	2	3
13. Iron oxidizing bacteria	0	1	2	3
14. Leaf litter	1.5	1	0.5	0
15. Sediment on plants or debris	0	0.5	1	1.5
16. Organic debris lines or piles	0	0.5	1	1.5
17. Soil-based evidence of high water table?	No = 0		Yes = 3	

C. Biology (Subtotal =)				
18. Fibrous roots in streambed	3	2	1	0
19. Rooted upland plants in streambed	3	2	1	0
20. Macrobenthos (note diversity and abundance)	0	1	2	3
21. Aquatic Mollusks	0	1	2	3
22. Fish	0	0.5	1	1.5
23. Crayfish	0	0.5	1	1.5
24. Amphibians	0	0.5	1	1.5
25. Algae	0	0.5	1	1.5
26. Wetland plants in streambed	FACW = 0.75; OBL = 1.5 Other = 0			

*perennial streams may also be identified using other methods. See p. 35 of manual.

Notes:

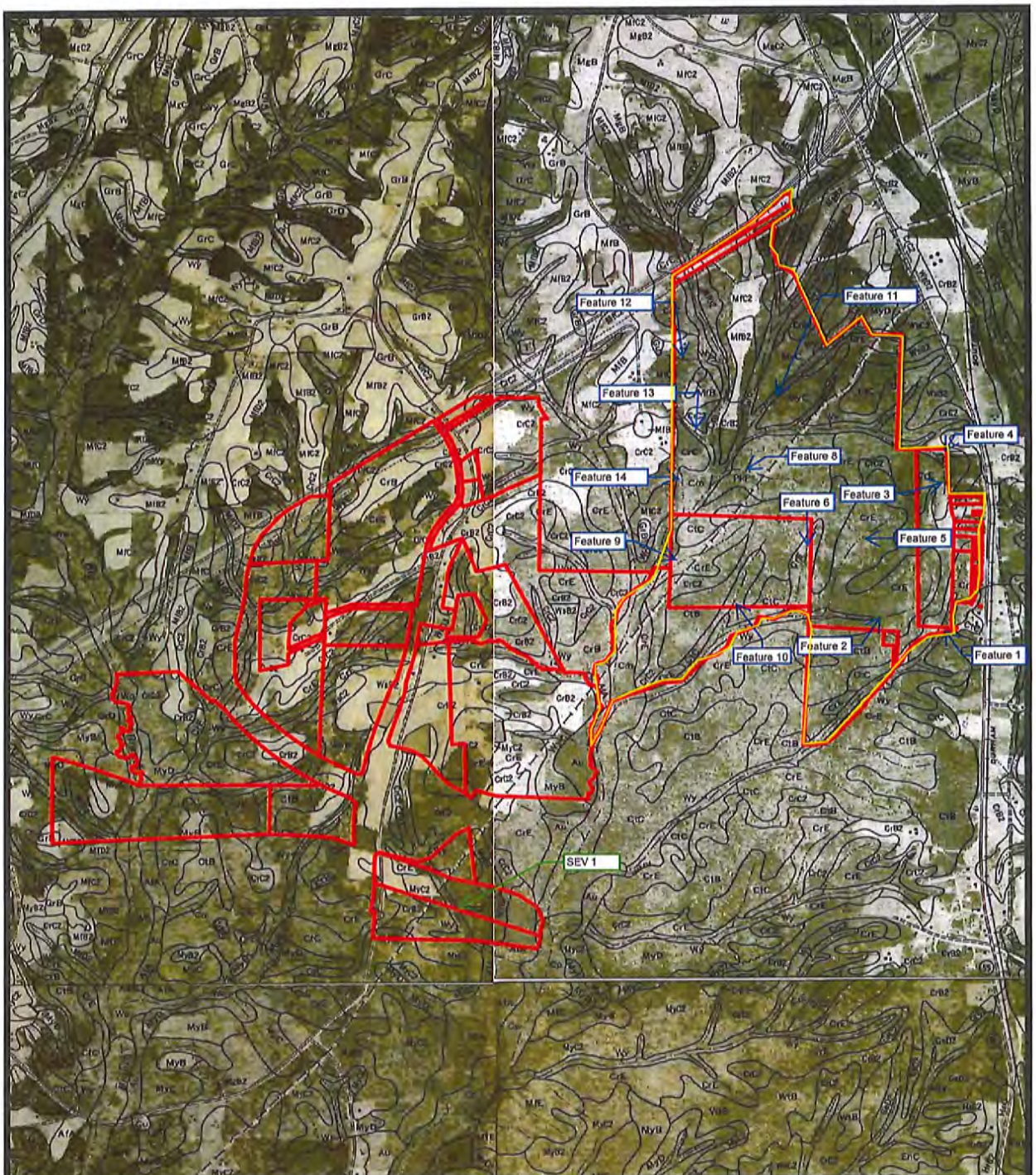
Sketch:

No Scoreable Feature JM

SOILS = Int

US62 = NP

12/8/2022

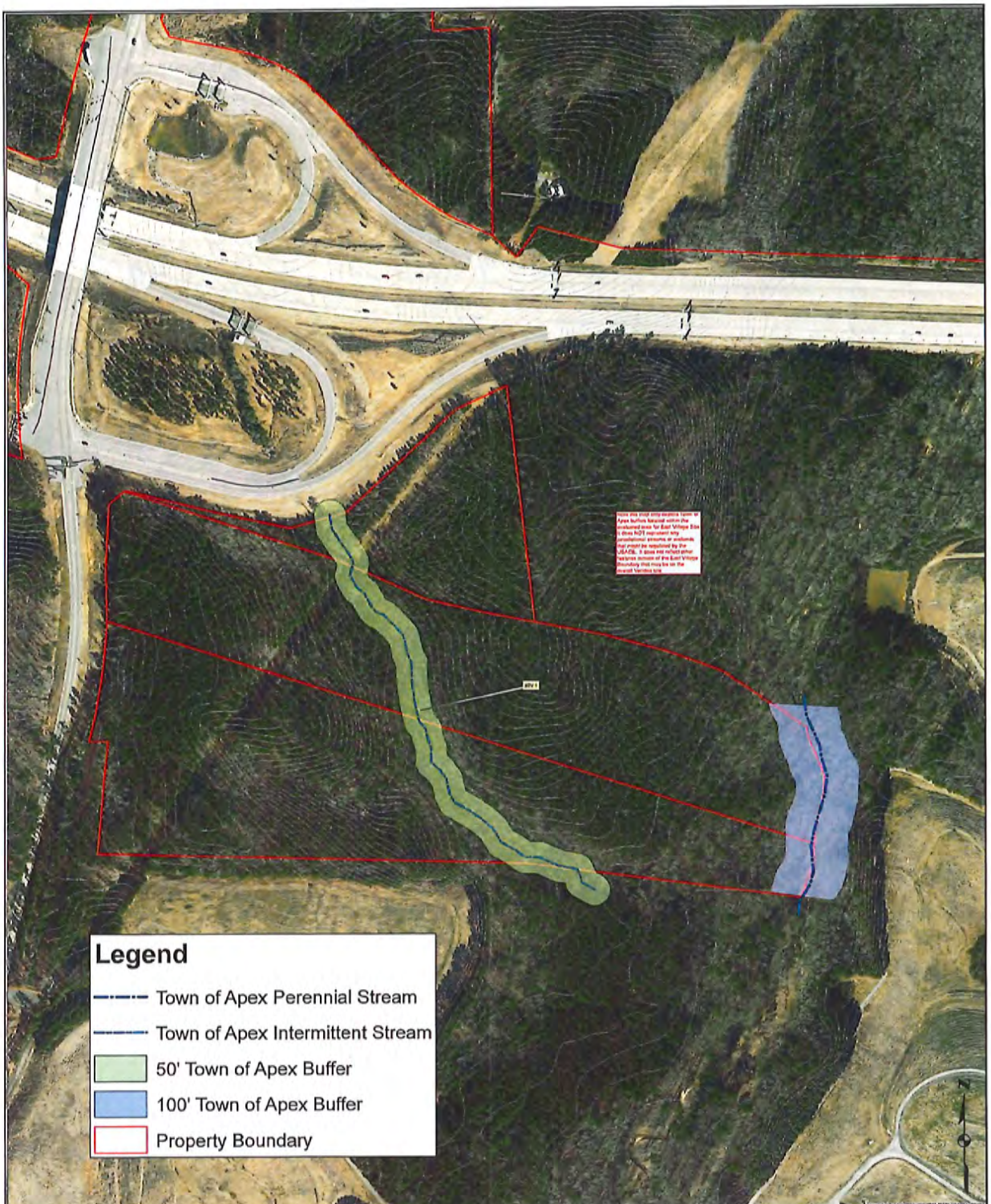


Project Number: 11065.W4	Map Title: SS Map Veridea Wake County, NC	0 1,750 3,500 Feet N
Project Manager: DS		
Scale: 1" = 1750'		
Date: 09/10/2021	Source: Wake County Soil Survey Sheets 74, 75, 82 & 83	S&EC Soil & Environmental Consultants, PA 8412 Falls of Neuse Road, Suite 104, Raleigh, NC 27615 • Phone: (919) 846-5900 • Fax: (919) 846-9467 sandec.com

JM 12/8/2022

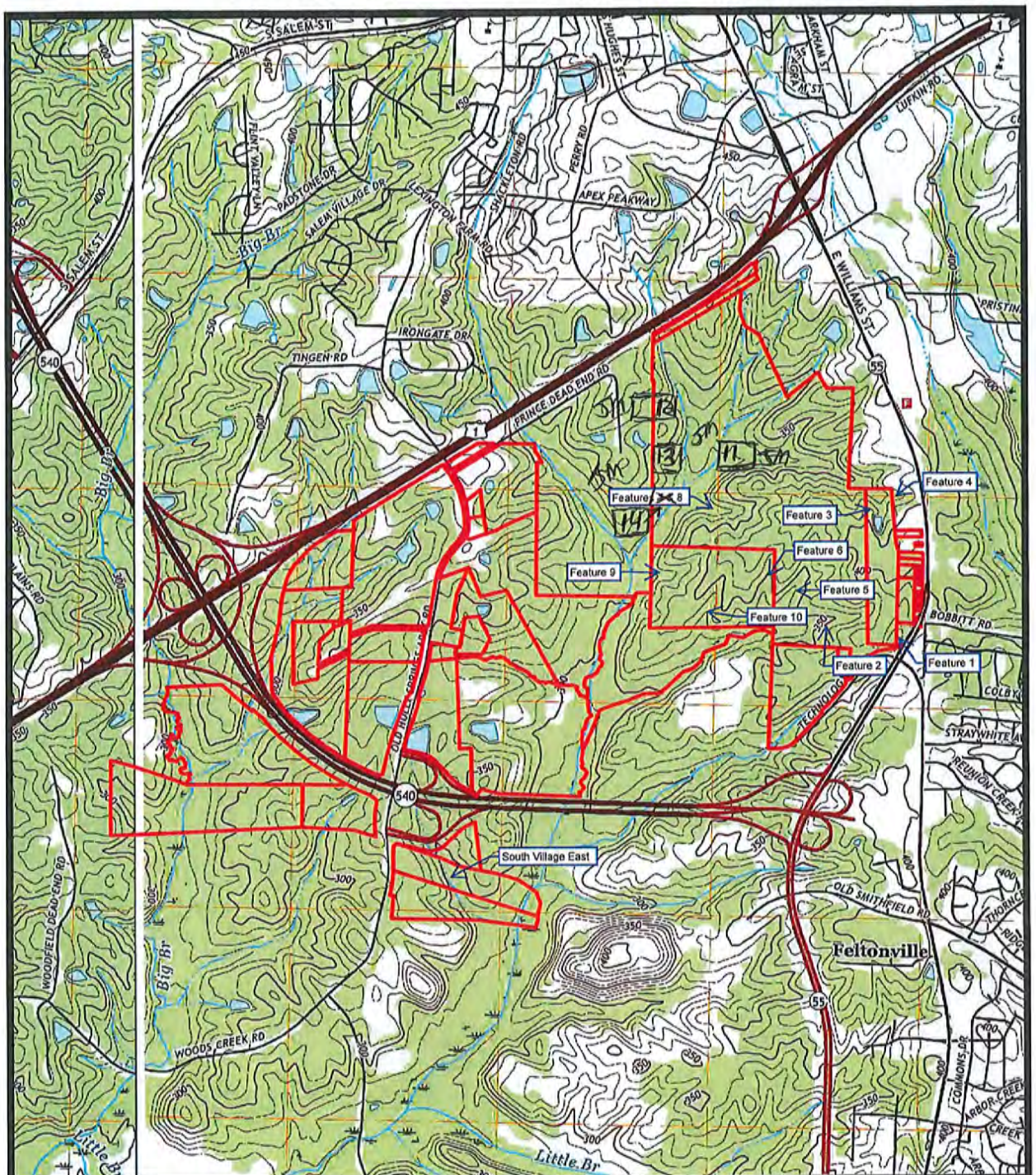
CM 12/8/2022

East Village Buffer Map
Verlidea
Project No.
11065.JV6
Scale:
1" = 200'
12/7/22
Project Mgr:
SB
Prepared by: JH
NO Overlap
Wake County GIS
Soil & Environmental Consultants, PA
0
205
410
820
Feet
Legend
Verlidea East Village Buffer Review Boundary
Verlidea Property Boundary
Perennial Stream
Intermittent Stream
50' Town of Apex Buffer
100' Town of Apex Buffer



Project No. 11065.W5	Scale: 1" = 150'	NC OneMap Wake County GIS	Southeast Village Buffer Map Veridea	S&EC Soil & Environmental Consultants, PA	0 100 200 400 Feet
Project Mgr.: SB	11/22/22	Prepared by: JH			

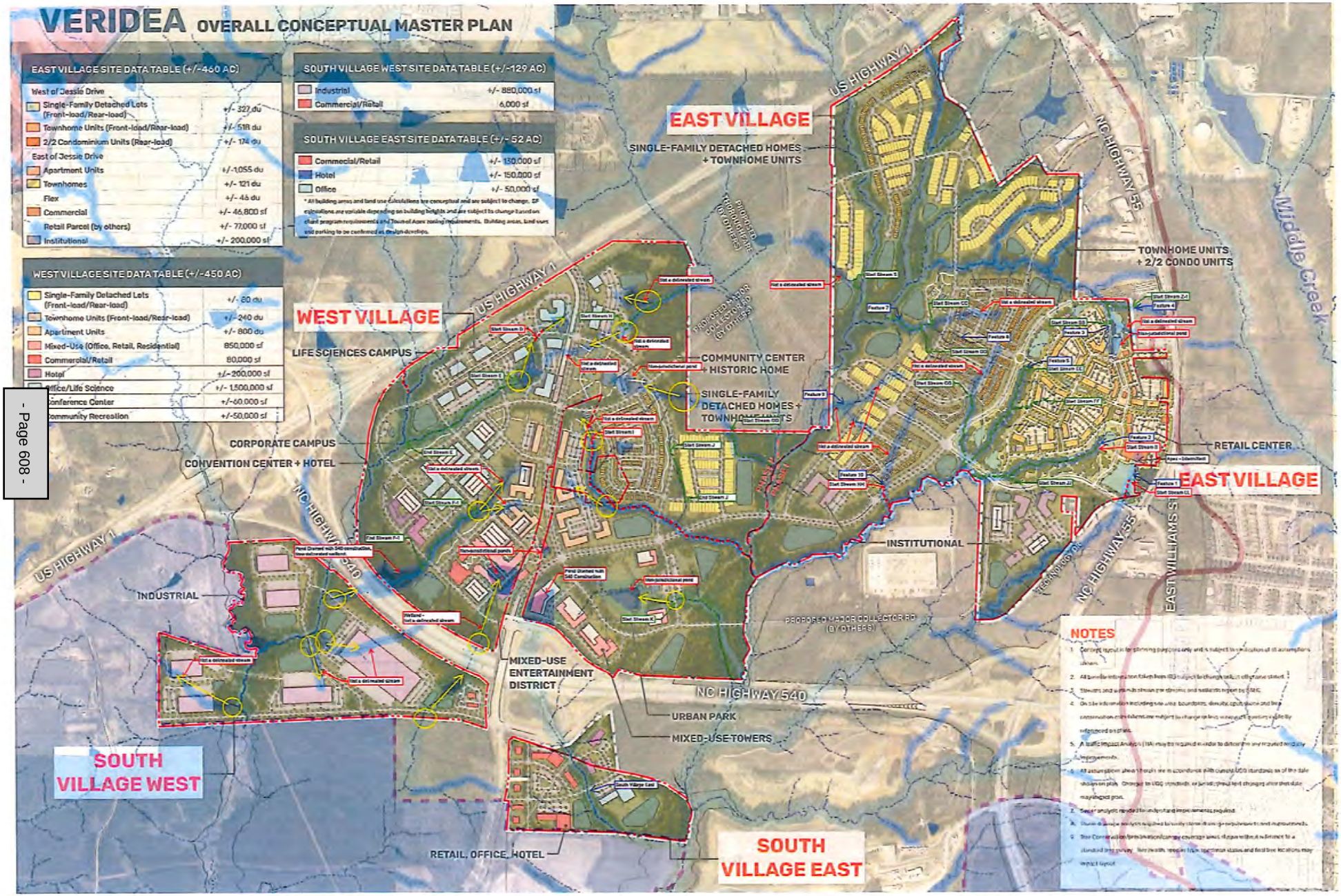
JM 11/22/2022

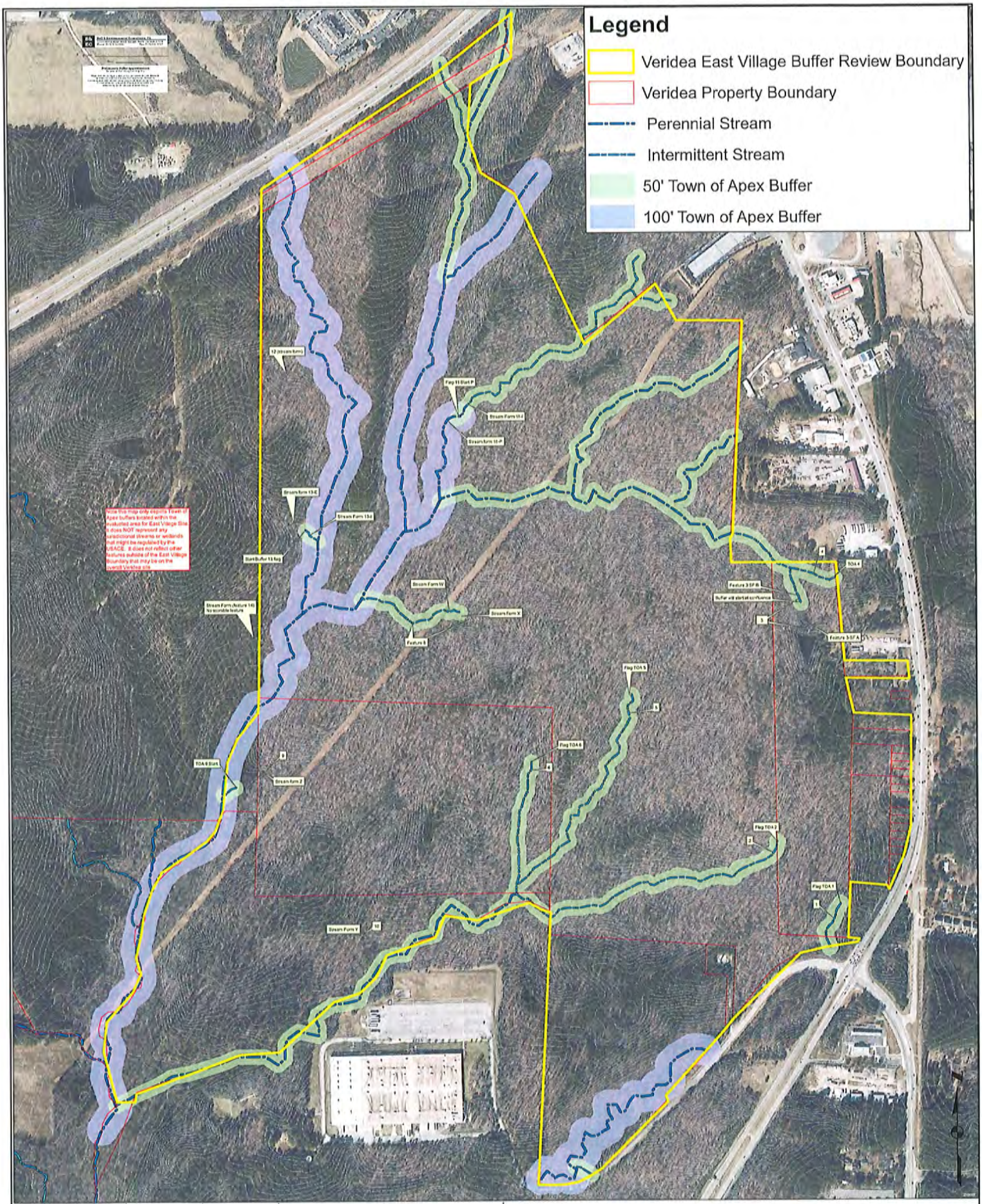


Project Number: 11065.W4	Map Title: USGS Map Veridea Wake County, NC	0 2,000 4,000 Feet N
Project Manager: DS		
Scale: 1" = 2000'		S&EC Soil & Environmental Consultants, PA
Date: 09/10/2021	Source: USGS Wake County Apex & New Hill Quad	8412 Falls of Neuse Road, Suite 104, Raleigh, NC 27615 • Phone: (919) 846-5900 • Fax: (919) 846-0467

JM 12/8/2022

JM 11/16/2022


VERIDEA OVERALL CONCEPTUAL MASTER PLAN
EAST VILLAGE SITE DATA TABLE (+/-460 AC)
West of Jessie Drive
Single-Family Detached Lots (Front-load/Rear-load) +/- 327 du
Townhome Units (Front-load/Rear-load) +/- 518 du
2/2 Condominium Units (Rear-load) +/- 174 du
East of Jessie Drive
Apartment Units +/-1,055 du
Townhomes +/- 121 du
Flex +/- 46 du
Commercial +/- 46,800 sf
Retail Parcel (by others) +/- 77,000 sf
Institutional +/- 200,000 sf
SOUTH VILLAGE WEST SITE DATA TABLE (+/-129 AC)
Industrial +/- 880,000 sf
Commercial/Retail 6,000 sf
SOUTH VILLAGE EAST SITE DATA TABLE (+/- 52 AC)
Commercial/Retail +/- 130,000 sf
Hotel +/- 150,000 sf
Office +/- 50,000 sf
* All building areas and land use calculations are conceptual and are subject to change. SF calculations are variable depending on building heights and are subject to change based on client program requirements and Town of Apex zoning requirements. Building areas, land uses and parking to be confirmed as design develops.
WEST VILLAGE SITE DATA TABLE (+/-450 AC)
Single-Family Detached Lots (Front-load/Rear-load) +/- 60 du
Townhome Units (Front-load/Rear-load) +/- 240 du
Apartment Units +/- 800 du
Mixed-Use (Office, Retail, Residential) 850,000 sf
Commercial/Retail 80,000 sf
Hotel +/- 200,000 sf
Office/Life Science +/- 1,500,000 sf
Conference Center +/-60,000 sf
Community Recreation +/-50,000 sf
EAST VILLAGE
SINGLE-FAMILY DETACHED HOMES + TOWNHOME UNITS
TOWNHOME UNITS + 2/2 CONDO UNITS
RETAIL CENTER
EAST VILLAGE
INSTITUTIONAL
WEST VILLAGE
LIFE SCIENCES CAMPUS
COMMUNITY CENTER + HISTORIC HOME
SINGLE-FAMILY DETACHED HOMES + TOWNHOMES
CORPORATE CAMPUS
CONVENTION CENTER + HOTEL
INDUSTRIAL
MIXED-USE ENTERTAINMENT DISTRICT
URBAN PARK
MIXED-USE TOWERS
RETAIL, OFFICE, HOTEL
SOUTH VILLAGE WEST
SOUTH VILLAGE EAST
US HIGHWAY 1
NC HIGHWAY 55
NC HIGHWAY 540
EAST WILLIAMS ST
Middle Creek
PROPOSED MAJOR COLLECTOR RD (BY OTHERS)
NOTES



Project No. 11065.W5	Scale: 1" = 200'	NC OneMap Wake County GIS	East Village Buffer Map Veridea	Soil & Environmental Consultants, PA	0 205 410 820 Feet
Project Mgr.: SB	12/7/22	Prepared by: JH			

January 27, 2023

Steven Ball, RF, PWS
Soil & Environmental Consultants, PA
8412 Falls of Neuse Road, Suite 104
Raleigh, NC 27615

Subject: Stream Buffer Determination
Veridea West Village Ph II
Apex, NC
Cape Fear River Basin

Apex 22-017

Dear Mr. Ball,

On January 20th and 27th, 2023, we met with your staff AJ and Kevin Murphrey at the subject sites to evaluate forty (40) drainage features and determine if they are subject to the Town of Apex (Town) riparian buffer rules. Based on the information obtained during the evaluations and per the requirements set forth in Section 6.1.11 of the Town Unified Development Ordinance (UDO), I concur with the stream classifications as shown on the attached sketch dated 12-02-2022.

Drainage Feature	Shown as on USGS	Shown as on Soil Survey	Determination made in the field	Determined Buffer Width
Feature B – West SF14	Not Present	Intermittent	Ephemeral	0 feet
Feature C – West SF1	Present	Perennial	Intermittent	50 feet
Feature C – West SF16	Not Present	Intermittent	Ephemeral	0 feet
Feature C – West SF5	Not Present	Perennial	Ephemeral	0 feet
Feature E – West SF4	Not Present	Intermittent	Ephemeral	0 feet
Feature G – West SF40	Not Present	Intermittent	Ephemeral	0 feet
Feature H – West SF3	Not Present	Intermittent	Ephemeral	0 feet
Feature J – West SF2	Not Present	Intermittent	Ephemeral	0 feet
Feature K – West SF28	Not Present	Intermittent	Ephemeral	0 feet

Feature K – West SF29	Not Present	Intermittent	Intermittent	50 feet
Feature K – West SF30	Not Present	Intermittent	Ephemeral	0 feet
Feature K – West SF31	Not Present	Intermittent	Ephemeral	0 feet
Feature K – West SF32	Not Present	Intermittent	Intermittent	50 feet
Feature L – West SF15	Not Present	Intermittent	Ephemeral	0 feet
Feature AA – West SF6	Present	Perennial	Ephemeral	0 feet
Feature O – West SF13	Present	Perennial	Intermittent	50 feet
Pond 6	Present	Present	Intermittent	50 feet
Feature O – West SF12	Present	Perennial	Ephemeral	0 feet
Feature O – West SF10	Present	Perennial	Ephemeral	0 feet
Feature O – West SF11	Present	Perennial	Intermittent	50 feet
Feature O – West SF9	Present	Perennial	Ephemeral	0 feet
Feature O – West SF8	Present	Perennial	Intermittent	50 feet
Feature P – West SF37	Not Present	Intermittent	Ephemeral	0 feet
Feature Q – West SF7	Not Present	Intermittent	Ephemeral	0 feet
Feature R – West SF27	Not Present	Intermittent	Ephemeral	0 feet
Feature R – West SF25	Not Present	Intermittent	Intermittent	50 feet
Feature S – West SF26	Not Present	Intermittent	Ephemeral	0 feet
Feature T – West SF24	Not Present	Perennial	Ephemeral	0 feet
Feature T – West SF20	Not Present	Perennial	Intermittent	50 feet
Feature U – West SF23	Not Present	Intermittent	Ephemeral	0 feet

Feature V – West SF35	Not Present	Intermittent	Ephemeral	0 feet
Feature V – West SF36	Not Present	Intermittent	Intermittent	50 feet
Feature V – West SF34	Not Present	Intermittent	Perennial *Intermittent on Soils	50 feet
Feature W – West SF17	Not Present	Intermittent	Ephemeral	0 feet
Feature X – West SF22	Not Present	Intermittent	Ephemeral	0 feet
Feature X – West SF21	Not Present	Intermittent	Intermittent	50 feet
Feature X – West SF41	Not Present	Intermittent	Ephemeral	0 feet
Feature Y – West SF18	Not Present	Perennial	Ephemeral	0 feet
Feature Y – West SF19	Not Present	Perennial	Intermittent	50 feet
Feature BB – West SF38	Not Present	Intermittent	Ephemeral	0 feet
Feature CC – West SF39	Not Present	Intermittent	Ephemeral	0 feet

This on-site determination shall expire five (5) years from the date of this letter. Landowners or affected parties that dispute a determination made by the Division of Water Resources (DWR) or Delegated Local Authority in the Jordan Lake watershed may request a determination by the DWR Director.

An appeal request must be made within sixty (60) days of date of this letter or from the date the affected party (including downstream and/or adjacent owners) is notified of this letter. A request for a determination by the Director shall be referred to in writing c/o Paul Wojoski, DWR – 401 & Buffer Permitting Branch; 1617 Mail Service Center, Raleigh, NC 27699-1617. Otherwise the appeal procedure will be in accordance with UDO Section 6.1.11.

If you dispute the Director's determination, you may file a petition for an administrative hearing. You must file the petition with the Office of Administrative Hearings within sixty (60) days of receipt of this notice of decision. A petition is considered filed when it is received in the Office of Administrative Hearings during normal office hours. The Office of Administrative Hearings accepts filings Monday through Friday between the hours of 8:00am and 5:00pm, except for official State holidays.

To request a hearing, send the original and one (1) copy of the petition to the Office of Administrative Hearings, 6714 Mail Service Center, Raleigh, NC 27699-6714. A copy of the petition must also be served

to the Department of Natural Resources, c/o Bill Lane, General Counsel, 1601 Mail Service Center, Raleigh, NC 27699-1601.

This determination is final and binding unless, as detailed above, you ask for a hearing or appeal within sixty (60) days. This project may require a Section 404/401 Permit for the proposed activity. Any inquiries should be directed to the US Army Corp of Engineers (Raleigh Regulator Field Office) at (919) 554-4884. If you have any questions, please do not hesitate to contact me at (919) 372-7470.

Sincerely,

James Misciagno, CES, CPESC
Stormwater Field Services Supervisor

Riparian Buffer Call
Application

This application is required to be fully completed and submitted to Town staff prior to conducting a buffer call. Please submit the application package electronically to james.misciagno@apexnc.org .

PROPERTY INFORMATION

Owner(s): *See attached table

Site Address: 3012 Veridea Parkway, Apex, North Carolina 27539

CONSULTANT INFORMATION (If applicable)

Name: Joshua Harvey

Address: 8412 Falls of Neuse Road, Suite 104, Raleigh, NC 27615

Email: jharvey@sandec.com

Phone: 919.760.9622

CHECKLIST

Please place a checkmark in the spaces provided below to indicate that the required information has been provided with this submittal.

Right of Entry Form	X
NCDEQ Stream Identification Forms (v. 4.11)	X
Sketch Map*	X

Topo Map (most recent version)	X
1970 Wake County Soil Survey Map	X

*Sketch map should show all drainage features on the property with all applicable riparian buffers shown. Please clearly indicate or list which features are being called with this application.

NOTES

SIGNATURE (Consultant or Responsible Party)

By my signature below, I certify that the information provided with this application is accurate and truthful.

Joshua Harvey Digitally signed by Joshua Harvey Date: 2023.01.23 08:55:39 -05'00'

Date: 01/04/2023

NORTH CAROLINA
WAKE COUNTY

RIGHT OF ENTRY

This Right of Entry is executed this _____ day of _____, 20____ by Town of Apex and PRINCE, FRANK D SR TRUSTEE (the "owner").

WHEREAS, the Town of Apex ("Town") is seeking to make a stream buffer determination across the property known as Veridea - Phase 2 in the Town of Apex, North Carolina and designated as PIN # 0740191376, 0730996270 by the Wake County Revenue Department (the "**Subject Property**");

WHEREAS, the owner are agreeable to provide the Town with this Right of Entry under the terms and conditions stated herein so that the above referenced determination may proceed.

NOW THEREFORE in light of the above premises, the owner do hereby grant and give freely and without coercion, the right of access and entry to the Subject Property on the terms and conditions as stated below:

1. The Town of Apex and its contractors may enter the Subject Property for the purpose of conducting on-site environmental investigations and issuing a determination based on those investigations as it relates to stream buffer determination.
2. This Right of Entry does not convey to the Town any title or ownership interest in the Subject Property.
3. The Town and its employees, contractors, agents and representatives enter upon the Subject Property at their own risk and assume all risks related to the property.
4. The undersigned agrees and warrants to hold harmless the Town of Apex, its agencies, departments, contractors, and subcontractors, and discharges and waives any action, either equitable or legal that arise from the activities described above on the property except in the case of negligence by the Town.

Witness: _____ By: _____ POA
Joseph Spagnoy

By: N/A

NORTH CAROLINA
WAKE COUNTY

RIGHT OF ENTRY

This Right of Entry is executed this _____ day of _____, 20____ by Town of Apex and WHITEHOUSE, BRENDA P (the "owner").

WHEREAS, the Town of Apex ("Town") is seeking to make a stream buffer determination across the property known as Veridea - Phase 2 in the Town of Apex, North Carolina and designated as PIN # 0740287376 by the Wake County Revenue Department (the "**Subject Property**");

WHEREAS, the owner are agreeable to provide the Town with this Right of Entry under the terms and conditions stated herein so that the above referenced determination may proceed.

NOW THEREFORE in light of the above premises, the owner do hereby grant and give freely and without coercion, the right of access and entry to the Subject Property on the terms and conditions as stated below:

1. The Town of Apex and its contractors may enter the Subject Property for the purpose of conducting on-site environmental investigations and issuing a determination based on those investigations as it relates to stream buffer determination.
2. This Right of Entry does not convey to the Town any title or ownership interest in the Subject Property.
3. The Town and its employees, contractors, agents and representatives enter upon the Subject Property at their own risk and assume all risks related to the property.
4. The undersigned agrees and warrants to hold harmless the Town of Apex, its agencies, departments, contractors, and subcontractors, and discharges and waives any action, either equitable or legal that arise from the activities described above on the property except in the case of negligence by the Town.

Witness: _____ By: Brenda P Whitehouse

By: Brenda P Whitehouse Trustee

NORTH CAROLINA
WAKE COUNTY

RIGHT OF ENTRY

This Right of Entry is executed this _____ day of _____, 20____ by Town of Apex and HH TRINITY APEX INVESTMENTS LLC (the "owner").

WHEREAS, the Town of Apex ("Town") is seeking to make a stream buffer determination across the property known as South Village East in the Town of Apex, North Carolina and designated as PIN # 0730971141,0730852539,0740052449 by the Wake County Revenue Department (the "**Subject Property**");

WHEREAS, the owner are agreeable to provide the Town with this Right of Entry under the terms and conditions stated herein so that the above referenced determination may proceed.

NOW THEREFORE in light of the above premises, the owner do hereby grant and give freely and without coercion, the right of access and entry to the Subject Property on the terms and conditions as stated below:

1. The Town of Apex and its contractors may enter the Subject Property for the purpose of conducting on-site environmental investigations and issuing a determination based on those investigations as it relates to stream buffer determination.
2. This Right of Entry does not convey to the Town any title or ownership interest in the Subject Property.
3. The Town and its employees, contractors, agents and representatives enter upon the Subject Property at their own risk and assume all risks related to the property.
4. The undersigned agrees and warrants to hold harmless the Town of Apex, its agencies, departments, contractors, and subcontractors, and discharges and waives any action, either equitable or legal that arise from the activities described above on the property except in the case of negligence by the Town.

Witness: _____

HH Trinity Apex Investments LLC
HRCF IV - Trinity Apex Investments LLC

By: _____

By: _____
Richard A. Ortiz
Authorized Signatory

NORTH CAROLINA
WAKE COUNTY

RIGHT OF ENTRY

This Right of Entry is executed this _____ day of _____, 20____ by Town of Apex and HH TRINITY APEX INVESTMENTS LLC (the "owner").

WHEREAS, the Town of Apex ("Town") is seeking to make a stream buffer determination across the property known as Veridea - Phase 2 in the Town of Apex, North Carolina and designated as PIN # See Attached by the Wake County Revenue Department (the "**Subject Property**");

WHEREAS, the owner are agreeable to provide the Town with this Right of Entry under the terms and conditions stated herein so that the above referenced determination may proceed.

NOW THEREFORE in light of the above premises, the owner do hereby grant and give freely and without coercion, the right of access and entry to the Subject Property on the terms and conditions as stated below:

1. The Town of Apex and its contractors may enter the Subject Property for the purpose of conducting on-site environmental investigations and issuing a determination based on those investigations as it relates to stream buffer determination.
2. This Right of Entry does not convey to the Town any title or ownership interest in the Subject Property.
3. The Town and its employees, contractors, agents and representatives enter upon the Subject Property at their own risk and assume all risks related to the property.
4. The undersigned agrees and warrants to hold harmless the Town of Apex, its agencies, departments, contractors, and subcontractors, and discharges and waives any action, either equitable or legal that arise from the activities described above on the property except in the case of negligence by the Town.

Witness: _____

HH Trinity Apex Investments LLC
By: HRCF IV - Trinity Apex Investments LLC

By: _____
Richard A. Ortiz
Authorized Signatory

Phase 2	Owner
0740180331	HH TRINITY APEX INVESTMENTS LLC
0740360895	HH TRINITY APEX INVESTMENTS LLC
0740386384	HH TRINITY APEX INVESTMENTS LLC
0740078021	HH TRINITY APEX INVESTMENTS LLC
0740167653	HH TRINITY APEX INVESTMENTS LLC

NORTH CAROLINA
WAKE COUNTY

RIGHT OF ENTRY

This Right of Entry is executed this _____ day of _____, 20____ by Town of Apex and VERIDEA HOLDINGS LLC (the "owner").

WHEREAS, the Town of Apex ("Town") is seeking to make a stream buffer determination across the property known as Veridea - Phase 2 in the Town of Apex, North Carolina and designated as PIN # 0740180091, 0741203157 by the Wake County Revenue Department (the "**Subject Property**");

WHEREAS, the owner are agreeable to provide the Town with this Right of Entry under the terms and conditions stated herein so that the above referenced determination may proceed.

NOW THEREFORE in light of the above premises, the owner do hereby grant and give freely and without coercion, the right of access and entry to the Subject Property on the terms and conditions as stated below:

1. The Town of Apex and its contractors may enter the Subject Property for the purpose of conducting on-site environmental investigations and issuing a determination based on those investigations as it relates to stream buffer determination.
2. This Right of Entry does not convey to the Town any title or ownership interest in the Subject Property.
3. The Town and its employees, contractors, agents and representatives enter upon the Subject Property at their own risk and assume all risks related to the property.
4. The undersigned agrees and warrants to hold harmless the Town of Apex, its agencies, departments, contractors, and subcontractors, and discharges and waives any action, either equitable or legal that arise from the activities described above on the property except in the case of negligence by the Town.

Witness: _____

Veridea Holdings LLC
HRCF IV - Trinity Apex Investments LLC

By: _____

By: _____

Richard A. Ortiz
Authorized Signatory

PIN_NUM	DEED_ACRES	OWNER	ADDR1	ADDR2	ADDR3	SITE_ADDRESS	FULL_STREET_NAME
740188440	1.38	FIELDS, W J FIELDS, CATHERINE A	3125 VERIDEA PKWY	APEX NC 27539-9202		3125 VERIDEA PKWY	VERIDEA PKWY
730852539	54.65	HH TRINITY APEX INVESTMENTS LLC	VERIDEA HOLDINGS LLC	570 LEXINGTON AVE STE 2200	NEW YORK NY 10022-6837	0 OLD HOLLY SPRINGS APEX RD	OLD HOLLY SPRINGS APEX RD
730971141	98.72	HH TRINITY APEX INVESTMENTS LLC	VERIDEA HOLDINGS LLC	570 LEXINGTON AVE STE 2200	NEW YORK NY 10022-6837	0 VERIDEA PKWY	VERIDEA PKWY
740287376	27.26	WHITEHOUSE, BRENDA P WHITEHOUSE, BRENDA P	3109 VERIDEA PKWY	APEX NC 27539-9202		0 VERIDEA PKWY	VERIDEA PKWY
740191376	75.63	PRINCE, FRANK D SR TRUSTEE	8405 AMANDA CASSIE LN	FUQUAY VARINA NC 27526-9635		3012 VERIDEA PKWY	VERIDEA PKWY
740180331	1.66	HH TRINITY APEX INVESTMENTS LLC	VERIDEA HOLDINGS LLC	570 LEXINGTON AVE STE 2200	NEW YORK NY 10022-6837	0 VERIDEA PKWY	VERIDEA PKWY
740386384	64.67	HH TRINITY APEX INVESTMENTS LLC	VERIDEA HOLDINGS LLC	570 LEXINGTON AVE STE 2200	NEW YORK NY 10022-6837	3009 VERIDEA PKWY	VERIDEA PKWY
741207566	32.06	WVPRINCE PROPERTIES LLC	444 AUGUSTA DR	ROCKPORT TX 78382-6945		2901 VERIDEA PKWY	VERIDEA PKWY
740167653	27.29	HH TRINITY APEX INVESTMENTS LLC	VERIDEA HOLDINGS LLC	570 LEXINGTON AVE STE 2200	NEW YORK NY 10022-6837	0 VERIDEA PKWY	VERIDEA PKWY
740052449	17.36	HH TRINITY APEX INVESTMENTS LLC	VERIDEA HOLDINGS LLC	570 LEXINGTON AVE STE 2200	NEW YORK NY 10022-6837	0 VERIDEA PKWY	VERIDEA PKWY
740078021	32.28	HH TRINITY APEX INVESTMENTS LLC	VERIDEA HOLDINGS LLC	570 LEXINGTON AVE STE 2200	NEW YORK NY 10022-6837	0 VERIDEA PKWY	VERIDEA PKWY
730996270	16.42	PRINCE, F D SR TRUSTEE	FRANK PRINCE JR	8405 AMANDA CASSIE LN	FUQUAY VARINA NC 27526-9635	0 US 1 HWY	US 1 HWY
740360895	82.24	HH TRINITY APEX INVESTMENTS LLC	570 LEXINGTON AVE STE 2200	NEW YORK NY 10022-6837		3229 VERIDEA PKWY	VERIDEA PKWY
740180091	12.57	VERIDEA HOLDINGS LLC	570 LEXINGTON AVE STE 2200	NEW YORK NY 10022-6837		3200 VERIDEA PKWY	VERIDEA PKWY
740188176	3	BUSHEE, ROGER W BUSHEE, GLENDA K	3137 VERIDEA PKWY	APEX NC 27539-9202		3137 VERIDEA PKWY	VERIDEA PKWY
740189737	1.03	WHITEHOUSE, GREGORY HENRY	3109 VERIDEA PKWY	APEX NC 27539-9202		3109 VERIDEA PKWY	VERIDEA PKWY
741203157	1.84	VERIDEA HOLDINGS LLC	570 LEXINGTON AVE STE 2200	NEW YORK NY 10022-6837		2937 VERIDEA PKWY	VERIDEA PKWY
740283126	5	LANGLEY, DAVID K LANGLEY, RENEE M	6300 KING DAVID CT	APEX NC 27539-6897		6300 KING DAVID CT	KING DAVID CT
740188680	1.3	WHITEHOUSE ASSETS MANAGEMENT LLC	3109 VERIDEA PKWY	APEX NC 27539-9202		3117 VERIDEA PKWY	VERIDEA PKWY
740189999	2.49	WHITEHOUSE ASSETS MANAGEMENT LLC	3109 VERIDEA PKWY	APEX NC 27539-9202		3105 VERIDEA PKWY	VERIDEA PKWY
740070950	0.52	HUDSON, KARL GRIER IV	824 BRYAN ST	RALEIGH NC 27605-1104		3134 VERIDEA PKWY	VERIDEA PKWY
740293940	1.8	WVPRINCE PROPERTIES LLC	444 AUGUSTA DR	ROCKPORT TX 78382-6945		2945 VERIDEA PKWY	VERIDEA PKWY
740081019	2.16	APA VERIDEA INVESTMENTS LLC	2000 BEAR CAT WAY STE 102	MORRISVILLE NC 27560-6620		3138 VERIDEA PKWY	VERIDEA PKWY
730977967	10.27	APA VERIDEA INVESTMENTS LLC	2000 BEAR CAT WAY STE 102	MORRISVILLE NC 27560-6620		3142 VERIDEA PKWY	VERIDEA PKWY
740082199	2.09	WANG, YIFEI MEI, HUA	111 BRIDGEGATE DR	CARY NC 27519-7184		3130 VERIDEA PKWY	VERIDEA PKWY

West CP4 West SF 14

NC Division of Water Quality –Methodology for Identification of Intermittent and Perennial Streams and Their Origins v. 4.1

NC DWQ Stream Identification Form Version 4.1

Date: 11/2/22	Project/Site: Veridea	Latitude: 35.704010
Evaluator: SREC – JH	County: Wake	Longitude: -78.886215
Total Points: *Stream is at least intermittent if ≥ 19 or perennial if ≥ 30** 4	Stream Determination (circle one) Ephemeral Intermittent Perennial	Other e.g. Quad Name: B

A. Geomorphology (Subtotal = 1)	Absent	Weak	Moderate	Strong
1a. Continuity of channel bed and bank	0	1	2	3
2. Sinuosity of channel along thalweg	0	1	2	3
3. In-channel structure: ex. riffle-pool, step-pool, ripple-pool sequence	0	1	2	3
4. Particle size of stream substrate	0	1	2	3
5. Active/relict floodplain	0	1	2	3
6. Depositional bars or benches	0	1	2	3
7. Recent alluvial deposits	0	1	2	3
8. Headcuts	0	1	2	3
9. Grade control	0	0.5	1	1.5
10. Natural valley	0	0.5	1	1.5
11. Second or greater order channel	No = 0		Yes = 3	

a artificial ditches are not rated; see discussions in manual

B. Hydrology (3)				
12. Presence of Baseflow	0	1	2	3
13. Iron oxidizing bacteria	0	1	2	3
14. Leaf litter	1.5	1	0.5	0
15. Sediment on plants or debris	0	0.5	1	1.5
16. Organic debris lines or piles	0	0.5	1	1.5
17. Soil-based evidence of high water table?	No = 0		Yes = 3	

C. Biology (Subtotal = 0)				
18. Fibrous roots in streambed	3	2	1	0.5
19. Rooted upland plants in streambed	3	2	1	0
20. Macrobenthos (note diversity and abundance)	0	1	2	3
21. Aquatic Mollusks	0	1	2	3
22. Fish	0	0.5	1	1.5
23. Crayfish	0	0.5	1	1.5
24. Amphibians	0	0.5	1	1.5
25. Algae	0	0.5	1	1.5
26. Wetland plants in streambed	FACW = 0.75; OBL = 1.5 Other = 0			

*perennial streams may also be identified using other methods. See p. 35 of manual.

Notes:

Sketch:

Soils = Intermittent
USGS = Not Present

JM 12/15/2022

West SF 1

NC Division of Water Quality –Methodology for Identification of Intermittent and Perennial Streams and Their Origins v. 4.1

NC DWQ Stream Identification Form Version 4.1

Date: 11/2/22	Project/Site: Veridea	Latitude: 35.688108
Evaluator: S+EC – Ash + JA + KM	County: Wake	Longitude: -78.864747
Total Points: *Stream is at least intermittent if ≥ 19 or perennial if ≥ 30** 22 23 JM	Stream Determination (circle one) Ephemeral (Intermittent) Perennial	Other C *e.g. Quad Name:*

A. Geomorphology (Subtotal = 11)	Absent	Weak	Moderate	Strong
1a. Continuity of channel bed and bank	0	1	(2)	3
2. Sinuosity of channel along thalweg	0	1	(2)	3
3. In-channel structure: ex. riffle-pool, step-pool, ripple-pool sequence	0	(1)	2	3
4. Particle size of stream substrate	0	1	(2)	3
5. Active/relict floodplain	0	1	(2)	3
6. Depositional bars or benches	(0)	1	2	3
7. Recent alluvial deposits	0	(1)	2	3
8. Headcuts	(0)	1	2	3
9. Grade control	(0)	0.5	1	1.5
10. Natural valley	0	0.5	(1)	1.5
11. Second or greater order channel (artificial ditches are not rated; see discussions in manual)	No = 0		Yes = 3	

B. Hydrology (6.5)				
12. Presence of Baseflow	0	1	(2)	3
13. Iron oxidizing bacteria	(0)	1	2	3
14. Leaf litter	1.5	(1)	0.5	0
15. Sediment on plants or debris	(0)	0.5	1	1.5
16. Organic debris lines or piles	0	(0.5)	1	1.5
17. Soil-based evidence of high water table?	No = 0		Yes = 3	

C. Biology (Subtotal = 5.5)				
18. Fibrous roots in streambed	3	(2)	1	0
19. Rooted upland plants in streambed	(3)	2	1	0
20. Macrobenthos (note diversity and abundance)	(0)	1	2	3
21. Aquatic Mollusks	(0)	1	2	3
22. Fish	(0)	0.5	1	1.5
23. Crayfish	(0)	0.5	1	1.5
24. Amphibians	0	(0.5)	1	1.5
25. Algae	(0)	0.5	1	1.5
26. Wetland plants in streambed	FACW = 0.75; OBL = 1.5 Other = 0			

*perennial streams may also be identified using other methods. See p. 35 of manual.

Notes:

Sketch:

Soils = Perennial

USGS = Present

JM

022

West SF16

NC Division of Water Quality –Methodology for Identification of Intermittent and Perennial Streams and Their Origins v. 4.1

NC DWQ Stream Identification Form Version 4.1

Date: 11/2/22	Project/Site: Veridea	Latitude: 35.694123
Evaluator: SFEC - AJK + JH + KM	County: Wake	Longitude: -78.859020
Total Points: Non-Scoreable Feature *Stream is at least intermittent if ≥ 19 or perennial if ≥ 30**	Stream Determination (circle one) Ephemeral Intermittent Perennial	Other C e.g. Quad Name:

A. Geomorphology (Subtotal =)	Absent	Weak	Moderate	Strong
1[a]. Continuity of channel bed and bank	0	1	2	3
2. Sinuosity of channel along thalweg	0	1	2	3
3. In-channel structure: ex. riffle-pool, step-pool, ripple-pool sequence	0	1	2	3
4. Particle size of stream substrate	0	1	2	3
5. Active/relict floodplain	0	1	2	3
6. Depositional bars or benches	0	1	2	3
7. Recent alluvial deposits	0	1	2	3
8. Headcuts	0	1	2	3
9. Grade control	0	0.5	1	1.5
10. Natural valley	0	0.5	1	1.5
11. Second or greater order channel	No = 0		Yes = 3	

[a] artificial ditches are not rated; see discussions in manual

B. Hydrology ( )				
12. Presence of Baseflow	0	1	2	3
13. Iron oxidizing bacteria	0	1	2	3
14. Leaf litter	1.5	1	0.5	0
15. Sediment on plants or debris	0	0.5	1	1.5
16. Organic debris lines or piles	0	0.5	1	1.5
17. Soil-based evidence of high water table?	No = 0		Yes = 3	

C. Biology (Subtotal =)				
18. Fibrous roots in streambed	3	2	1	0
19. Rooted upland plants in streambed	3	2	1	0
20. Macrobenthos (note diversity and abundance)	0	1	2	3
21. Aquatic Mollusks	0	1	2	3
22. Fish	0	0.5	1	1.5
23. Crayfish	0	0.5	1	1.5
24. Amphibians	0	0.5	1	1.5
25. Algae	0	0.5	1	1.5
26. Wetland plants in streambed	FACW = 0.75; OBL = 1.5 Other = 0			

*perennial streams may also be identified using other methods, See p. 35 of manual.

Notes:

Sketch: Non-Scoreable Feature

Soils = Intermittent

USGS = Not Present

JM 12/15/2022

West SF5

NC Division of Water Quality –Methodology for Identification of Intermittent and Perennial Streams and Their Origins v. 4.1

NC DWQ Stream Identification Form Version 4.1

Date: 11/2/22	Project/Site: Veridea	Latitude: 35691656
Evaluator: S+EC – AJK+ KW	County: Wake	Longitude: -78.862456
Total Points: *Stream is at least intermittent if ≥ 19 or perennial if ≥ 30** 12.25	Stream Determination (circle one) (Ephemeral) Intermittent Perennial	Other C *e.g. Quad Name:*

A. Geomorphology (Subtotal = 5)	Absent	Weak	Moderate	Strong
1[a]. Continuity of channel bed and bank	0	(1)	2	3
2. Sinuosity of channel along thalweg	0	(1)	2	3
3. In-channel structure: ex. riffle-pool, step-pool, ripple-pool sequence	0	(1)	2	3
4. Particle size of stream substrate	(0)	1	2	3
5. Active/relict floodplain	0	(1)	2	3
6. Depositional bars or benches	(0)	1	2	3
7. Recent alluvial deposits	(0)	1	2	3
8. Headcuts	(0)	1	2	3
9. Grade control	(0)	0.5	1	1.5
10. Natural valley	0	0.5	(1)	1.5
11. Second or greater order channel	No = (0)		Yes = 3	

[a] artificial ditches are not rated; see discussions in manual

B. Hydrology (3.5)				
12. Presence of Baseflow	(0)	1	2	3
13. Iron oxidizing bacteria	(0)	1	2	3
14. Leaf litter	1.5	1	0.5	(0)
15. Sediment on plants or debris	0	(0.5)	1	1.5
16. Organic debris lines or piles	(0)	0.5	1	1.5
17. Soil-based evidence of high water table?	No = 0		Yes = (3)	

C. Biology (Subtotal = 3.75)				
18. Fibrous roots in streambed	3	2	(1)	0
19. Rooted upland plants in streambed	3	(2)	1	0
20. Macrobenthos (note diversity and abundance)	(0)	1	2	3
21. Aquatic Mollusks	(0)	1	2	3
22. Fish	(0)	0.5	1	1.5
23. Crayfish	(0)	0.5	1	1.5
24. Amphibians	(0)	0.5	1	1.5
25. Algae	(0)	0.5	1	1.5
26. Wetland plants in streambed	FACW = (0.75) OBL = 1.5 Other = 0			

*perennial streams may also be identified using other methods. See p. 35 of manual.

Notes:

Sketch:

Soils = Perennial
USGS = Not Present

11/15/2022

West SF4

NC Division of Water Quality –Methodology for Identification of Intermittent and Perennial Streams and Their Origins v. 4.1

NC DWQ Stream Identification Form Version 4.1

Date: 11/2/22	Project/Site: Veridea	Latitude: 35.688188
Evaluator: SEC - AJK, JH, KM	County: Wake	Longitude: -78.874638
Total Points: *Stream is at least intermittent if ≥ 19 or perennial if ≥ 30** 11.5	Stream Determination (circle one) (Ephemeral) Intermittent Perennial	Other E *e.g. Quad Name:*

A. Geomorphology (Subtotal = 8)	Absent	Weak	Moderate	Strong
1a. Continuity of channel bed and bank	0	1	(2)	3
2. Sinuosity of channel along thalweg	0	1	(2)	3
3. In-channel structure: ex. riffle-pool, step-pool, ripple-pool sequence	0	(1)	2	3
4. Particle size of stream substrate	0	(1)	2	3
5. Active/relict floodplain	0	(1)	2	3
6. Depositional bars or benches	(0)	1	2	3
7. Recent alluvial deposits	(0)	1	2	3
8. Headcuts	(0)	1	2	3
9. Grade control	(0)	0.5	1	1.5
10. Natural valley	0	0.5	(1)	1.5
11. Second or greater order channel	No = (0)		Yes = 3	

a artificial ditches are not rated; see discussions in manual

B. Hydrology (Subtotal = 5)				
12. Presence of Baseflow	(0)	1	2	3
13. Iron oxidizing bacteria	(0)	1	2	3
14. Leaf litter	1.5	1	0.5	(0)
15. Sediment on plants or debris	(0)	0.5	1	1.5
16. Organic debris lines or piles	0	(0.5)	1	1.5
17. Soil-based evidence of high water table?	No = (0)		Yes = 3	

C. Biology (Subtotal = 3)				
18. Fibrous roots in streambed	3	2	(1)	0
19. Rooted upland plants in streambed	3	(2)	1	0
20. Macrobenthos (note diversity and abundance)	(0)	1	2	3
21. Aquatic Mollusks	(0)	1	2	3
22. Fish	(0)	0.5	1	1.5
23. Crayfish	(0)	0.5	1	1.5
24. Amphibians	(0)	0.5	1	1.5
25. Algae	(0)	0.5	1	1.5
26. Wetland plants in streambed	FACW = 0.75; OBL = 1.5 Other = (0)			

*perennial streams may also be identified using other methods. See p. 35 of manual.

Notes:

Sketch:

Soils = Intermittent

VSCS = Not Present

JM 12/15/2022

WEST SFHD (FEATURE G)

NC Division of Water Quality –Methodology for Identification of Intermittent and Perennial Streams and Their Origins v. 4.1

NC DWQ Stream Identification Form Version 4.1

Date: 11/02/2022	Project/Site: Heridan	Latitude: 35.602574
Evaluator: SBEC - JOSHUA HARVEY	County: WAKE	Longitude: -78.789561
Total Points: *Stream is at least intermittent if ≥ 19 or perennial if ≥ 30** No SIGNIFICANT FEATURE	Stream Determination (circle one) Ephemeral Intermittent Perennial	Other G *e.g. Quad Name:*

A. Geomorphology (Subtotal = ✓)	Absent	Weak	Moderate	Strong
1a. Continuity of channel bed and bank	0	1	2	3
2. Sinuosity of channel along thalweg	0	1	2	3
3. In-channel structure: ex. riffle-pool, step-pool, ripple-pool sequence	0	1	2	3
4. Particle size of stream substrate	0	1	2	3
5. Active/relict floodplain	0	1	2	3
6. Depositional bars or benches	0	1	2	3
7. Recent alluvial deposits	0	1	2	3
8. Headcuts	0	1	2	3
9. Grade control	0	0.5	1	1.5
10. Natural valley	0	0.5	1	1.5
11. Second or greater order channel artificial ditches are not rated; see discussions in manual	No = 0		Yes = 3	

B. Hydrology (Subtotal = ✓)				
12. Presence of Baseflow	0	1	2	3
13. Iron oxidizing bacteria	0	1	2	3
14. Leaf litter	1.5	1	0.5	0
15. Sediment on plants or debris	0	0.5	1	1.5
16. Organic debris lines or piles	0	0.5	1	1.5
17. Soil-based evidence of high water table?	No = 0		Yes = 3	

C. Biology (Subtotal = ✓)				
18. Fibrous roots in streambed	3	2	1	0
19. Rooted upland plants in streambed	3	2	1	0
20. Macrobenthos (note diversity and abundance)	0	1	2	3
21. Aquatic Mollusks	0	1	2	3
22. Fish	0	0.5	1	1.5
23. Crayfish	0	0.5	1	1.5
24. Amphibians	0	0.5	1	1.5
25. Algae	0	0.5	1	1.5
26. Wetland plants in streambed	FACW = 0.75; OBL = 1.5 Other = 0			

*perennial streams may also be identified using other methods. See p. 35 of manual.

Notes:

Sketch:

Soil = Intermittent

USGS = Not Present

JM 11/10/2022

West SF3

JM 1/20/2023

NC Division of Water Quality –Methodology for Identification of Intermittent and Perennial Streams and Their Origins v. 4.1

NC DWQ Stream Identification Form Version 4.1

Date: 11/2/22	Project/Site: Veridea	Latitude: 35.689827
Evaluator: SHEC-AJK + KM+JH	County: Wake	Longitude: -78.869936
Total Points: *Stream is at least intermittent if ≥ 19 or perennial if ≥ 30** 9.5	Stream Determination (circle one) (Ephemeral) Intermittent Perennial	Other H *e.g. Quad Name:*

A. Geomorphology (Subtotal = 3.5)	Absent	Weak	Moderate	Strong
1[a]. Continuity of channel bed and bank	0	(1)	(2)	3
2. Sinuosity of channel along thalweg	0	(1)	(2) JM	3
3. In-channel structure: ex. riffle-pool, step-pool, ripple-pool sequence	(0)	1	2	3
4. Particle size of stream substrate	(0)	1	2	3
5. Active/relict floodplain	0	(1) JM	2	3
6. Depositional bars or benches	(0)	1	2	3
7. Recent alluvial deposits	(0)	1	2	3
8. Headcuts	(0)	1	2	3
9. Grade control	(0)	0.5	1	1.5
10. Natural valley	0	(0.5)	1	1.5
11. Second or greater order channel	No = (0)		Yes = 3	

[a] artificial ditches are not rated; see discussions in manual

B. Hydrology (3)				
12. Presence of Baseflow	(0)	(1) JM	2	3
13. Iron oxidizing bacteria	(0)	1 JM	2	3
14. Leaf litter	1.5	(1) JM	0.5	(0)
15. Sediment on plants or debris	(0)	(0.5)	1	1.5
16. Organic debris lines or piles	(0)	0.5	1	1.5
17. Soil-based evidence of high water table?	No = 0		Yes = (3)	

C. Biology (Subtotal = 3)				
18. Fibrous roots in streambed	3	2	(1)	0
19. Rooted upland plants in streambed	3	(2)	1	0
20. Macrobenthos (note diversity and abundance)	(0)	1	2	3
21. Aquatic Mollusks	(0)	1	2	3
22. Fish	(0)	0.5	1	1.5
23. Crayfish	(0)	0.5	1	1.5
24. Amphibians	(0)	0.5	1	1.5
25. Algae	(0)	0.5	1	1.5
26. Wetland plants in streambed	FACW = 0.75; OBL = 1.5 Other = (0)			

*perennial streams may also be identified using other methods. See p. 35 of manual.

Notes:

Sketch:

Soils = Intermittent
VSCS = Not Present

12/15/2022

West SF2

NC Division of Water Quality –Methodology for Identification of Intermittent and Perennial Streams and Their Origins v. 4.1

NC DWQ Stream Identification Form Version 4.1

Date: 11/2/22	Project/Site: Veridea	Latitude: 35.689824
Evaluator: S+EC - AJK + JH + KM	County: Wake	Longitude: -78.868594
Total Points: *Stream is at least intermittent if ≥ 19 or perennial if ≥ 30** 14	Stream Determination (circle one) (Ephemeral) Intermittent Perennial	Other J *e.g. Quad Name:*

A. Geomorphology (Subtotal = 6)	Absent	Weak	Moderate	Strong
1[a]. Continuity of channel bed and bank	0	(1)	2	3
2. Sinuosity of channel along thalweg	0	(1)	2	3
3. In-channel structure: ex. riffle-pool, step-pool, ripple-pool sequence	0	(1)	2	3
4. Particle size of stream substrate	0	(1)	2	3
5. Active/relict floodplain	0	(1)	2	3
6. Depositional bars or benches	(0)	1	2	3
7. Recent alluvial deposits	(0)	1	2	3
8. Headcuts	(0)	1	2	3
9. Grade control	(0)	0.5	1	1.5
10. Natural valley	0	0.5	(1)	1.5
11. Second or greater order channel	No = (0)		Yes = 3	

[a] artificial ditches are not rated; see discussions in manual

B. Hydrology (5)				
12. Presence of Baseflow	(0)	1	2	3
13. Iron oxidizing bacteria	(0)	1	2	3
14. Leaf litter	1.5	(1)	0.5	0
15. Sediment on plants or debris	0	(0.5)	1	1.5
16. Organic debris lines or piles	0	(0.5)	1	1.5
17. Soil-based evidence of high water table?	No = 0		Yes = (3)	

C. Biology (Subtotal = 3)				
18. Fibrous roots in streambed	3	2	(1)	0
19. Rooted upland plants in streambed	3	(2)	1	0
20. Macrobenthos (note diversity and abundance)	(0)	1	2	3
21. Aquatic Mollusks	(0)	1	2	3
22. Fish	(0)	0.5	1	1.5
23. Crayfish	(0)	0.5	1	1.5
24. Amphibians	(0)	0.5	1	1.5
25. Algae	(0)	0.5	1	1.5
26. Wetland plants in streambed	FACW = 0.75; OBL = 1.5 Other = (0)			

*perennial streams may also be identified using other methods. See p. 35 of manual.

Notes:

Sketch:

Soils = Intermittent

USGS = Not Present

12/15/2022

West
SF28 JM 11/30/2022

NC Division of Water Quality --Methodology for Identification of Intermittent and Perennial Streams and Their Origins v. 4.1

NC DWQ Stream Identification Form Version 4.1

Date: 11/3/22	Project/Site: Veridea	Latitude: 35.695273
Evaluator: S+EC-AJK	County: Wake	Longitude: -78.862219
Total Points: *Stream is at least intermittent if ≥ 19 or perennial if ≥ 30** 15	Stream Determination (circle one) (Ephemeral) Intermittent Perennial	Other *e.g. Quad Name:* K

A. Geomorphology (Subtotal = 8)	Absent	Weak	Moderate	Strong
1[a] Continuity of channel bed and bank	0	(1)	2	3
2. Sinuosity of channel along thalweg	0	(1)	2	3
3. In-channel structure: ex. riffle-pool, step-pool, ripple-pool sequence	0	(1)	2	3
4. Particle size of stream substrate	0	1	(2)	3
5. Active/relict floodplain	(0)	1	2	3
6. Depositional bars or benches	(0)	1	2	3
7. Recent alluvial deposits	0	(1)	2	3
8. Headcuts	(0)	1	2	3
9. Grade control	0	0.5	(1)	1.5
10. Natural valley	0	0.5	(1)	1.5
11. Second or greater order channel	No = (0)		Yes = 3	

[a] artificial ditches are not rated; see discussions in manual

B. Hydrology (4)				
12. Presence of Baseflow	(0)	(1) JM	2	3
13. Iron oxidizing bacteria	(0)	1	2	3
14. Leaf litter	1.5	1	(0.5)	0
15. Sediment on plants or debris	(0)	0.5	(1) JM	1.5
16. Organic debris lines or piles	0	(0.5)	1	1.5
17. Soil-based evidence of high water table?	No = 0		Yes = (3)	

C. Biology (Subtotal = 3)				
18. Fibrous roots in streambed	3	(2)	1	0
19. Rooted upland plants in streambed	3	2	(1)	0
20. Macrobenthos (note diversity and abundance)	(0)	1	2	3
21. Aquatic Mollusks	(0)	1	2	3
22. Fish	(0)	0.5	1	1.5
23. Crayfish	(0)	0.5	1	1.5
24. Amphibians	(0)	0.5	1	1.5
25. Algae	(0)	0.5	1	1.5
26. Wetland plants in streambed	FACW = 0.75; OBL = 1.5 Other = 0			

*perennial streams may also be identified using other methods. See p. 35 of manual.

Notes:

Sketch:

Soils = Intermittent
USGS = Not Present

JM 12/15/2022

West

SF29 NC Division of Water Quality – Methodology for Identification of Intermittent and Perennial Streams and Their Origins v. 4.1

NC DWQ Stream Identification Form Version 4.1

Date: 11/3/22	Project/Site: Veridea	Latitude: 35.694757
Evaluator: SEC - AJK	County: Wake	Longitude: -78.862695
Total Points: 22.5 *Stream is at least intermittent if ≥ 19 or perennial if ≥ 30**	Stream Determination (circle one) Ephemeral (Intermittent) Perennial	Other K e.g. Quad Name:

A. Geomorphology (Subtotal = 14)	Absent	Weak	Moderate	Strong
1[a] Continuity of channel bed and bank	0	1	2	(3)
2. Sinuosity of channel along thalweg	0	1	2	(3)
3. In-channel structure: ex. riffle-pool, step-pool, ripple-pool sequence	0	1	(2)	3
4. Particle size of stream substrate	0	(1)	2	3
5. Active/relict floodplain	(0)	1	2	3
6. Depositional bars or benches	0	(1)	2	3
7. Recent alluvial deposits	0	(1)	2	3
8. Headcuts	0	(1)	2	3
9. Grade control	0	0.5	(1)	1.5
10. Natural valley	0	0.5	(1)	1.5
11. Second or greater order channel	No = (0)		Yes = 3	

[a] artificial ditches are not rated; see discussions in manual

B. Hydrology (4.5)				
12. Presence of Baseflow	(0)	1	2	3
13. Iron oxidizing bacteria	(0)	1	2	3
14. Leaf litter	1.5	1	(0.5)	0
15. Sediment on plants or debris	0	(0.5)	1	1.5
16. Organic debris lines or piles	0	(0.5)	1	1.5
17. Soil-based evidence of high water table?	No = 0		Yes = (3)	

C. Biology (Subtotal = 4)				
18. Fibrous roots in streambed	3	(2)	1	0
19. Rooted upland plants in streambed	3	(2)	1	0
20. Macrobenthos (note diversity and abundance)	(0)	1	2	3
21. Aquatic Mollusks	(0)	1	2	3
22. Fish	(0)	0.5	1	1.5
23. Crayfish	(0)	0.5	1	1.5
24. Amphibians	(0)	0.5	1	1.5
25. Algae	(0)	0.5	1	1.5
26. Wetland plants in streambed	FACW = 0.75; OBL = 1.5 Other = (0)			

*perennial streams may also be identified using other methods. See p. 35 of manual.

Notes:

Sketch:

Soils = Intermittent,
USGS = Not Present

JM 10/13/2022

West

SF30

NC Division of Water Quality –Methodology for Identification of Intermittent and Perennial Streams and Their Origins v. 4.1

NC DWQ Stream Identification Form Version 4.1

Date: 11/3/22	Project/Site: Veridea	Latitude: 35.694807
Evaluator: S+EC - AJK	County: Wake	Longitude: -78.863007
Total Points: *Stream is at least intermittent if ≥ 19 or perennial if ≥ 30** 10	Stream Determination (circle one) (Ephemeral) Intermittent Perennial	Other R *e.g. Quad Name:*

A. Geomorphology (Subtotal = 7)	Absent	Weak	Moderate	Strong
1[a] Continuity of channel bed and bank	0	1	(2)	3
2. Sinuosity of channel along thalweg	0	(1)	2	3
3. In-channel structure: ex. riffle-pool, step-pool, ripple-pool sequence	0	1	(2)	3
4. Particle size of stream substrate	0	(1)	2	3
5. Active/relict floodplain	(0)	1	2	3
6. Depositional bars or benches	(0)	1	2	3
7. Recent alluvial deposits	(0)	1	2	3
8. Headcuts	(0)	1	2	3
9. Grade control	0	(0.5)	1	1.5
10. Natural valley	0	(0.5)	1	1.5
11. Second or greater order channel	No = (0)		Yes = 3	

[a] artificial ditches are not rated; see discussions in manual

B. Hydrology (0)				
12. Presence of Baseflow	(0)	1	2	3
13. Iron oxidizing bacteria	(0)	1	2	3
14. Leaf litter	1.5	1	0.5	(0)
15. Sediment on plants or debris	(0)	0.5	1	1.5
16. Organic debris lines or piles	(0)	0.5	1	1.5
17. Soil-based evidence of high water table?	No = (0)		Yes = 3	

C. Biology (Subtotal = 3)				
18. Fibrous roots in streambed	3	(2)	1	0
19. Rooted upland plants in streambed	3	2	(1)	0
20. Macrobenthos (note diversity and abundance)	(0)	1	2	3
21. Aquatic Mollusks	(0)	1	2	3
22. Fish	(0)	0.5	1	1.5
23. Crayfish	(0)	0.5	1	1.5
24. Amphibians	(0)	0.5	1	1.5
25. Algae	(0)	0.5	1	1.5
26. Wetland plants in streambed	FACW = 0.75; OBL = 1.5 Other = (0)			

*perennial streams may also be identified using other methods. See p. 35 of manual.

Notes:

Sketch:

Soils = Intermittent

USGS = Not Present

JM 12/15/2022

JM 1/20/2023

West

SF31 NC Division of Water Quality –Methodology for Identification of Intermittent and Perennial Streams and Their Origins v. 4.1

NC DWQ Stream Identification Form Version 4.1

Date: 11/3/2022	Project/Site: Veridea	Latitude: 35.694541
Evaluator: S+EC-AJK	County: Wake	Longitude: -78.863163
Total Points: *Stream is at least intermittent if ≥ 19 or perennial if ≥ 30** 12	Stream Determination (circle one) (Ephemeral) Intermittent Perennial	Other *e g Quad Name:* K

A. Geomorphology (Subtotal = 5)	Absent	Weak	Moderate	Strong
1[a] Continuity of channel bed and bank	0	(1)	2	3
2. Sinuosity of channel along thalweg	0	(1)	2	3
3. In-channel structure: ex. riffle-pool, step-pool, ripple-pool sequence	0	(1)	2	3
4. Particle size of stream substrate	0	(1)	2	3
5. Active/relict floodplain	(0)	1	2	3
6. Depositional bars or benches	(0)	1	2	3
7 Recent alluvial deposits	(0)	1	2	3
8. Headcuts	(0)	1	2	3
9. Grade control	(0)	0 5	1	1.5
10. Natural valley	0	0.5	(1)	1.5
11. Second or greater order channel	No = (0)		Yes = 3	

[a] artificial ditches are not rated; see discussions in manual

B. Hydrology (3)				
12 Presence of Baseflow	(0)	(1) JM	2	3
13 Iron oxidizing bacteria	(0)	1	2	3
14 Leaf litter	1.5	1	0.5	(0)
15 Sediment on plants or debris	(0)	0.5	(1) JM	1.5
16. Organic debris lines or piles	(0)	0.5	1	1.5
17 Soil-based evidence of high water table?	No = 0		Yes = (3)	

C. Biology (Subtotal = 4)				
18. Fibrous roots in streambed	3	(2)	1	0
19. Rooted upland plants in streambed	3	(2)	1	0
20. Macrobenthos (note diversity and abundance)	(0)	1	2	3
21. Aquatic Mollusks	(0)	1	2	3
22. Fish	(0)	0.5	1	1.5
23. Crayfish	(0)	0.5	1	1.5
24. Amphibians	(0)	0.5	1	1.5
25. Algae	(0)	0.5	1	1.5
26. Wetland plants in streambed	FACW = 0 75; OBL = 1,5 Other = (0)			

*perennial streams may also be identified using other methods. See p 35 of manual

Notes:

Sketch:

Soils = Intermittent

USGS = Not Present

JM 12/15/2022

West

SF32 NC Division of Water Quality – Methodology for Identification of Intermittent and Perennial Streams and Their Origins v. 4.1

NC DWQ Stream Identification Form Version 4.1

Date: 11/3/22	Project/Site: Veridea	Latitude: 35.694109
Evaluator: SFEC – AJK	County: Wake	Longitude: -78.863801
Total Points: 24 *Stream is at least intermittent if ≥ 19 or perennial if ≥ 30**	Stream Determination (circle one) Ephemeral (Intermittent) Perennial	Other e g Quad Name: R

A. Geomorphology (Subtotal = 14)	Absent	Weak	Moderate	Strong
1[a] Continuity of channel bed and bank	0	1	2	(3)
2. Sinuosity of channel along thalweg	0	1	2	(3)
3. In-channel structure: ex. riffle-pool, step-pool, ripple-pool sequence	0	1	(2)	3
4. Particle size of stream substrate	0	1	(2)	3
5. Active/relict floodplain	(0)	1	2	3
6. Depositional bars or benches	0	(1)	2	3
7. Recent alluvial deposits	0	(1)	2	3
8. Headcuts	(0)	1	2	3
9. Grade control	0	0.5	(1)	1.5
10. Natural valley	0	0.5	(1)	1.5
11. Second or greater order channel	No = (0)		Yes = 3	

[a] artificial ditches are not rated; see discussions in manual

B. Hydrology (5)				
12. Presence of Baseflow	(0)	1	2	3
13. Iron oxidizing bacteria	(0)	1	2	3
14. Leaf litter	1.5	1	(0.5)	0
15. Sediment on plants or debris	0	(0.5)	1	1.5
16. Organic debris lines or piles	0	0.5	(1)	1.5
17. Soil-based evidence of high water table?	No = 0		Yes = (3)	

C. Biology (Subtotal = 5)				
18. Fibrous roots in streambed	3	(2)	1	0
19. Rooted upland plants in streambed	(3)	2	1	0
20. Macrobenthos (note diversity and abundance)	(0)	1	2	3
21. Aquatic Mollusks	(0)	1	2	3
22. Fish	(0)	0.5	1	1.5
23. Crayfish	(0)	0.5	1	1.5
24. Amphibians	(0)	0.5	1	1.5
25. Algae	(0)	0.5	1	1.5
26. Wetland plants in streambed	FACW = 0.75; OBL = 1.5 Other = (0)			

*perennial streams may also be identified using other methods. See p. 35 of manual

Notes:

Sketch:

Soils = Intermittent

VSBS = Not Present

JH 10/20/2022

West SF 15

NC Division of Water Quality –Methodology for Identification of Intermittent and Perennial Streams and Their Origins v. 4.1

NC DWQ Stream Identification Form Version 4.1

Date: 11/2/22	Project/Site: Veridea	Latitude: 35.694785
Evaluator: SHEC - AJK + KM	County: Wake	Longitude: -78.861676
Total Points: *Stream is at least intermittent if ≥ 19 or perennial if ≥ 30** 12	Stream Determination (circle one) (Ephemeral) Intermittent Perennial	Other L *e.g. Quad Name:*

A. Geomorphology (Subtotal = 5)	Absent	Weak	Moderate	Strong
1[a]. Continuity of channel bed and bank	0	(1)	2	3
2. Sinuosity of channel along thalweg	0	(1)	2	3
3. In-channel structure: ex. riffle-pool, step-pool, ripple-pool sequence	(0)	1	2	3
4. Particle size of stream substrate	0	(1)	2	3
5. Active/relict floodplain	0	(1)	2	3
6. Depositional bars or benches	(0)	1	2	3
7. Recent alluvial deposits	(0)	1	2	3
8. Headcuts	(0)	1	2	3
9. Grade control	(0)	0.5	1	1.5
10. Natural valley	0	0.5	(1)	1.5
11. Second or greater order channel	No = (0)		Yes = 3	

[a] artificial ditches are not rated; see discussions in manual

B. Hydrology (4)				
12. Presence of Baseflow	(0)	1	2	3
13. Iron oxidizing bacteria	(0)	1	2	3
14. Leaf litter	1.5	1	0.5	(0)
15. Sediment on plants or debris	0	(0.5)	1	1.5
16. Organic debris lines or piles	0	(0.5)	1	1.5
17. Soil-based evidence of high water table?	No = 0		Yes (= 3)	

C. Biology (Subtotal = 3)				
18. Fibrous roots in streambed	3	2	(1)	0
19. Rooted upland plants in streambed	3	(2)	1	0
20. Macrobenthos (note diversity and abundance)	(0)	1	2	3
21. Aquatic Mollusks	(0)	1	2	3
22. Fish	(0)	0.5	1	1.5
23. Crayfish	(0)	0.5	1	1.5
24. Amphibians	(0)	0.5	1	1.5
25. Algae	(0)	0.5	1	1.5
26. Wetland plants in streambed	FACW = 0.75; OBL = 1.5 Other (= 0)			

*perennial streams may also be identified using other methods. See p. 35 of manual.

Notes:

Sketch:

Soils = Intermittent

USGS = Not Present

11/15/2022

West SFB

NC DWQ Stream Identification Form Version 4.11

Date: 11/2/22	Project/Site: Veridea	Latitude: 35.700631
Evaluator: StEC – JH	County: Wake	Longitude: -78.860357
Total Points: *Stream is at least intermittent if ≥ 19 or perennial if ≥ 30** 13.5	Stream Determination (circle one) (Ephemeral) Intermittent Perennial	Other AA *e.g. Quad Name:*

A. Geomorphology (Subtotal = 7.5)	Absent	Weak	Moderate	Strong
1[a]. Continuity of channel bed and bank	0	1	(2)	3
2. Sinuosity of channel along thalweg	0	1	(2)	3
3. In-channel structure: ex. riffle-pool, step-pool, ripple-pool sequence	0	(1)	2	3
4. Particle size of stream substrate	0	(1)	2	3
5. Active/relict floodplain	(0)	1	2	3
6. Depositional bars or benches	0	(1)	2	3
7. Recent alluvial deposits	(0)	1	2	3
8. Headcuts	(0)	1	2	3
9. Grade control	(0)	0.5	1	1.5
10. Natural valley	0	(0.5)	1	1.5
11. Second or greater order channel	No = 0		Yes = 3	

[a] artificial ditches are not rated; see discussions in manual

B. Hydrology (Subtotal = 0)				
12. Presence of Baseflow	(0)	1	2	3
13. Iron oxidizing bacteria	(0)	1	2	3
14. Leaf litter	1.5	1	0.5	(0)
15. Sediment on plants or debris	(0)	0.5	1	1.5
16. Organic debris lines or piles	(0)	0.5	1	1.5
17. Soil-based evidence of high water table?	No = 0		Yes = 3	

C. Biology (Subtotal = 6)				
18. Fibrous roots in streambed	(3)	2	1	0
19. Rooted upland plants in streambed	(3)	2	1	0
20. Macrobenthos (note diversity and abundance)	(0)	1	2	3
21. Aquatic Mollusks	(0)	1	2	3
22. Fish	(0)	0.5	1	1.5
23. Crayfish	(0)	0.5	1	1.5
24. Amphibians	(0)	0.5	1	1.5
25. Algae	(0)	0.5	1	1.5
26. Wetland plants in streambed	FACW = 0.75; OBL = 1.5 Other = (0)			

*perennial streams may also be identified using other methods. See p. 35 of manual.

Notes:

Sketch:

Soils = Perennial

USGS = Present

JM 11/2/22

West SF 13

NC Division of Water Quality –Methodology for Identification of Intermittent and Perennial Streams and Their Origins v. 4.1

NC DWQ Stream Identification Form Version 4.1

Date: 11/02/2022	Project/Site: Vendeu	Latitude: 35.648832
Evaluator: JH	County: Wake	Longitude: -78.861887
Total Points: *Stream is at least intermittent if ≥ 19 or perennial if ≥ 30** 19	Stream Determination (circle one) Ephemeral Intermittent Perennial	Other O *e.g. Quad Name:*

A. Geomorphology (Subtotal = 7.5)	Absent	Weak	Moderate	Strong
1[a]. Continuity of channel bed and bank	0	1	2	(3)
2. Sinuosity of channel along thalweg	0	1	(2)	3
3. In-channel structure: ex. riffle-pool, step-pool, ripple-pool sequence	(0)	1	2	3
4. Particle size of stream substrate	0	(1)	2	3
5. Active/relict floodplain	(0)	1	2	3
6. Depositional bars or benches	0	(1)	2	3
7. Recent alluvial deposits	(0)	1	2	3
8. Headcuts	(0)	1	2	3
9. Grade control	(0)	0.5	1	1.5
10. Natural valley	0	(0.5)	1	1.5
11. Second or greater order channel	No = 0		Yes = 3	

[a] artificial ditches are not rated; see discussions in manual

B. Hydrology (5)				
12. Presence of Baseflow	0	(1)	2	3
13. Iron oxidizing bacteria	(0)	1	2	3
14. Leaf litter	1.5	1	(0.5)	0
15. Sediment on plants or debris	(0)	0.5	1	1.5
16. Organic debris lines or piles	0	(0.5)	1	1.5
17. Soil-based evidence of high water table?	No = 0		Yes = 3	

C. Biology (Subtotal = 10.5)				
18. Fibrous roots in streambed	(3)	2	1	0
19. Rooted upland plants in streambed	(3)	2	1	0
20. Macrobenthos (note diversity and abundance)	0	1	2	3
21. Aquatic Mollusks	0	1	2	3
22. Fish	0	0.5	1	1.5
23. Crayfish	0	0.5	1	1.5
24. Amphibians	0	(0.5)	1	1.5
25. Algae	0	0.5	1	1.5
26. Wetland plants in streambed	FACW = 0.75; OBL = 1.5 Other = 0			

*perennial streams may also be identified using other methods. See p. 35 of manual.

Notes:

Sketch:

Soils = Perennial

USGS = Present

JM 12/15/2022

West SF12

NC Division of Water Quality –Methodology for Identification of Intermittent and Perennial Streams and Their Origins v. 4.1

NC DWQ Stream Identification Form Version 4.1

Date: 11/22/2022	Project/Site: Vernon	Latitude: 35.698448
Evaluator: JH	County: Wayne	Longitude: -78.3626260
Total Points: 11.5 *Stream is at least intermittent if ≥ 19 or perennial if ≥ 30**	Stream Determination (circle one) Ephemeral Intermittent Perennial	Other *e.g. Quad Name:*

A. Geomorphology (Subtotal = 4)	Absent	Weak	Moderate	Strong
1[a] Continuity of channel bed and bank	0	1	2	3
2. Sinuosity of channel along thalweg	0	1	2	3
3. In-channel structure: ex. riffle-pool, step-pool, ripple-pool sequence	0	1	2	3
4. Particle size of stream substrate	0	1	2	3
5. Active/relict floodplain	0	1	2	3
6. Depositional bars or benches	0	1	2	3
7. Recent alluvial deposits	0	1	2	3
8. Headcuts	0	1	2	3
9. Grade control	0	0.5	1	1.5
10. Natural valley	0	0.5	1	1.5
11. Second or greater order channel	No = 0		Yes = 3	

[a] artificial ditches are not rated; see discussions in manual

B. Hydrology (3.5)				
12. Presence of Baseflow	0	1	2	3
13. Iron oxidizing bacteria	0	1	2	3
14. Leaf litter	1.5	1	0.5	0
15. Sediment on plants or debris	0	0.5	1	1.5
16. Organic debris lines or piles	0	0.5	1	1.5
17. Soil-based evidence of high water table?	No = 0		Yes = 3	

C. Biology (Subtotal = 4)				
18. Fibrous roots in streambed	3	2	1	0
19. Rooted upland plants in streambed	3	2	1	0
20. Macrobenthos (note diversity and abundance)	0	1	2	3
21. Aquatic Mollusks	0	1	2	3
22. Fish	0	0.5	1	1.5
23. Crayfish	0	0.5	1	1.5
24. Amphibians	0	0.5	1	1.5
25. Algae	0	0.5	1	1.5
26. Wetland plants in streambed	FACW = 0.75; OBL = 1.5 Other = 0			

*perennial streams may also be identified using other methods. See p, 35 of manual.

Notes:

Sketch:

Soils = Perennial
USGS = Present

JM 11/22

West 5th 10

NC Division of Water Quality –Methodology for Identification of Intermittent and Perennial Streams and Their Origins v. 4.1

NC DWQ Stream Identification Form Version 4.1

Date: 11/02/2022	Project/Site: Lewellen	Latitude: 35.647567
Evaluator: JH	County: Lenoir	Longitude: -78.864030
Total Points: 16 *Stream is at least intermittent if ≥ 19 or perennial if ≥ 30**	Stream Determination (circle one) Ephemeral Intermittent Perennial	Other 0 *e.g. Quad Name:*

A. Geomorphology (Subtotal = 7)	Absent	Weak	Moderate	Strong
1[a]. Continuity of channel bed and bank	0	1	2	3
2. Sinuosity of channel along thalweg	0	1	2	3
3. In-channel structure: ex. riffle-pool, step-pool, ripple-pool sequence	0	1	2	3
4. Particle size of stream substrate	0	1	2	3
5. Active/relict floodplain	0	1	2	3
6. Depositional bars or benches	0	1	2	3
7. Recent alluvial deposits	0	1	2	3
8. Headcuts	0	1	2	3
9. Grade control	0	0.5	1	1.5
10. Natural valley	0	0.5	1	1.5
11. Second or greater order channel	No = 0		Yes = 3	

[a] artificial ditches are not rated; see discussions in manual

B. Hydrology (Subtotal = 4)				
12. Presence of Baseflow	0	1	2	3
13. Iron oxidizing bacteria	0	1	2	3
14. Leaf litter	1.5	1	0.5	0
15. Sediment on plants or debris	0	0.5	1	1.5
16. Organic debris lines or piles	0	0.5	1	1.5
17. Soil-based evidence of high water table?	No = 0		Yes = 3	

C. Biology (Subtotal = 5)				
18. Fibrous roots in streambed	3	2	1	0
19. Rooted upland plants in streambed	3	2	1	0
20. Macrobenthos (note diversity and abundance)	0	1	2	3
21. Aquatic Mollusks	0	1	2	3
22. Fish	0	0.5	1	1.5
23. Crayfish	0	0.5	1	1.5
24. Amphibians	0	0.5	1	1.5
25. Algae	0	0.5	1	1.5
26. Wetland plants in streambed	FACW = 0.75; OBL = 1.5 Other = 0			

*perennial streams may also be identified using other methods. See p. 35 of manual.

Notes:

Sketch:

Soils = Perennial

USGS = Present

JM 12/

West SF11

NC Division of Water Quality –Methodology for Identification of Intermittent and Perennial Streams and Their Origins v. 4.1

NC DWQ Stream Identification Form Version 4.1

Date: 11/02/2022	Project/Site: Verden	Latitude: 35.697734
Evaluator: JH	County: Warren	Longitude: -78.863691
Total Points: *Stream is at least intermittent if ≥ 19 or perennial if ≥ 30** 21	Stream Determination (circle one) Ephemeral Intermittent Perennial	Other 0 *e.g. Quad Name:* —

A. Geomorphology (Subtotal = 11)	Absent	Weak	Moderate	Strong
1[a] Continuity of channel bed and bank	0	1	2	3
2. Sinuosity of channel along thalweg	0	1	2	3
3. In-channel structure: ex. riffle-pool, step-pool, ripple-pool sequence	0	1	2	3
4. Particle size of stream substrate	0	1	2	3
5. Active/relict floodplain	0	1	2	3
6. Depositional bars or benches	0	1	2	3
7. Recent alluvial deposits	0	1	2	3
8. Headcuts	0	1	2	3
9. Grade control	0	0.5	1	1.5
10. Natural valley	0	0.5	1	1.5
11. Second or greater order channel	No = 0		Yes = 3	

[a] artificial ditches are not rated; see discussions in manual

B. Hydrology (4)				
12. Presence of Baseflow	0	1	2	3
13. Iron oxidizing bacteria	0	1	2	3
14. Leaf litter	1.5	1	0.5	0
15. Sediment on plants or debris	0	0.5	1	1.5
16. Organic debris lines or piles	0	0.5	1	1.5
17. Soil-based evidence of high water table?	No = 0		Yes = 3	

C. Biology (Subtotal = 0)				
18. Fibrous roots in streambed	3	2	1	0
19. Rooted upland plants in streambed	3	2	1	0
20. Macrobenthos (note diversity and abundance)	0	1	2	3
21. Aquatic Mollusks	0	1	2	3
22. Fish	0	0.5	1	1.5
23. Crayfish	0	0.5	1	1.5
24. Amphibians	0	0.5	1	1.5
25. Algae	0	0.5	1	1.5
26. Wetland plants in streambed	FACW = 0.75; OBL = 1.5 Other = 0			

*perennial streams may also be identified using other methods. See p. 35 of manual.

Notes:

Sketch:

Soils = Perennial
USGS = Present

JM 12/13/2022

West SF9

NC Division of Water Quality –Methodology for Identification of Intermittent and Perennial Streams and Their Origins v. 4.1

NC DWQ Stream Identification Form Version 4.1

Date: 11/02/2020	Project/Site: Verdeen	Latitude: 35.6970700
Evaluator: JH - S+EC	County: Colorado	Longitude: -78.865357
Total Points: *Stream is at least intermittent if ≥ 19 or perennial if ≥ 30** 12.5	Stream Determination (circle one) Ephemeral Intermittent Perennial	Other 0 *e.g. Quad Name:* —

A. Geomorphology (Subtotal = 5)	Absent	Weak	Moderate	Strong
1[a] Continuity of channel bed and bank	0	1	2	3
2. Sinuosity of channel along thalweg	0	1	2	3
3. In-channel structure: ex. riffle-pool, step-pool, ripple-pool sequence	0	1	2	3
4. Particle size of stream substrate	0	1 JM	2	3
5. Active/relict floodplain	0	1	2	3
6. Depositional bars or benches	0	1	2	3
7. Recent alluvial deposits	0	1	2	3
8. Headcuts	0	1	2	3
9. Grade control	0	0.5	1	1.5
10. Natural valley	0	0.5	1	1.5
11. Second or greater order channel	No = 0		Yes = 3	

[a] artificial ditches are not rated; see discussions in manual

B. Hydrology 3.5				
12. Presence of Baseflow	0	1	2	3 JM
13. Iron oxidizing bacteria	0	1	2 JM	3
14. Leaf litter	1.5	1 JM	0.5	0
15. Sediment on plants or debris	0	0.5	1	1.5
16. Organic debris lines or piles	0	0.5	1	1.5
17. Soil-based evidence of high water table?	No = 0		Yes = 3	

C. Biology (Subtotal = 4)				
18. Fibrous roots in streambed	3	2	1	0
19. Rooted upland plants in streambed	3	2	1	0
20. Macrobenthos (note diversity and abundance)	0	1	2	3
21. Aquatic Mollusks	0	1	2	3
22. Fish	0	0.5	1	1.5
23. Crayfish	0	0.5	1	1.5
24. Amphibians	0	0.5	1	1.5
25. Algae	0	0.5	1	1.5
26. Wetland plants in streambed	FACW = 0.75; OBL = 1.5 Other = 0			

*perennial streams may also be identified using other methods. See p. 35 of manual.

Notes:

Sketch:

Soils = Perennial

USGS = Present

Evest SF8

NC Division of Water Quality –Methodology for Identification of Intermittent and Perennial Streams and Their Origins v. 4.1

NC DWQ Stream Identification Form Version 4.1

Date: 11/02/2022	Project/Site: Verden	Latitude: 35.697098
Evaluator: JH - S+EC	County: ~~mc~~ Wake	Longitude: -78.865711
Total Points: 21.5 *Stream is at least intermittent if ≥ 19 or perennial if ≥ 30**	Stream Determination (circle one) Ephemeral Intermittent Perennial	Other O *e.g. Quad Name:*

A. Geomorphology (Subtotal = 11)	Absent	Weak	Moderate	Strong
1[a]. Continuity of channel bed and bank	0	1	2	3
2. Sinuosity of channel along thalweg	0	1	2	3
3. In-channel structure: ex. riffle-pool, step-pool, ripple-pool sequence	0	1	2	3
4. Particle size of stream substrate	0	1	2	3
5. Active/relict floodplain	0	1	2	3
6. Depositional bars or benches	0	1	2	3
7. Recent alluvial deposits	0	1	2	3
8. Headcuts	0	1	2	3
9. Grade control	0	0.5	1	1.5
10. Natural valley	0	0.5	1	1.5
11. Second or greater order channel	No = 0		Yes = 3	

[a] artificial ditches are not rated; see discussions in manual

B. Hydrology (4.5)				
12. Presence of Baseflow	0	1	2	3
13. Iron oxidizing bacteria	0	1	2	3
14. Leaf litter	1.5	1	0.5	0
15. Sediment on plants or debris	0	0.5	1	1.5
16. Organic debris lines or piles	0	0.5	1	1.5
17. Soil-based evidence of high water table?	No = 0		Yes = 3	

C. Biology (Subtotal = 10)				
18. Fibrous roots in streambed	3	2	1	0
19. Rooted upland plants in streambed	3	2	1	0
20. Macrobenthos (note diversity and abundance)	0	1	2	3
21. Aquatic Mollusks	0	1	2	3
22. Fish	0	0.5	1	1.5
23. Crayfish	0	0.5	1	1.5
24. Amphibians	0	0.5	1	1.5
25. Algae	0	0.5	1	1.5
26. Wetland plants in streambed	FACW = 0.75; OBL = 1.5 Other = 0			

*perennial streams may also be identified using other methods. See p. 35 of manual.

Notes:

Sketch:

Soils = Perennial
USGS = Present

JM 11/7/2022

WEST SF37

NC Division of Water Quality –Methodology for Identification of Intermittent and Perennial Streams and Their Origins v. 4.1

NC DWQ Stream Identification Form Version 4.1

Date: 11/2/2022	Project/Site: Veridea	Latitude: 35.696[illegible]
Evaluator: SHEC - JOSINA HARVEY	County: WAKE	Longitude: -78.5[illegible]
Total Points: *Stream is at least intermittent if ≥ 19 or perennial if ≥ 30** 8	Stream Determination (circle one) Ephemeral Intermittent Perennial	Other P *e.g. Quad Name:*

A. Geomorphology (Subtotal = 3.5)	Absent	Weak	Moderate	Strong
1[a]. Continuity of channel bed and bank	0	(1)	2	3
2. Sinuosity of channel along thalweg	0	(1)	2	3
3. In-channel structure: ex. riffle-pool, step-pool, ripple-pool sequence	(0)	1	2	3
4. Particle size of stream substrate	0	(1)	2	3
5. Active/relict floodplain	(0)	1	2	3
6. Depositional bars or benches	(0)	1	2	3
7. Recent alluvial deposits	(0)	1	2	3
8. Headcuts	(0)	1	2	3
9. Grade control	(0)	0.5	1	1.5
10. Natural valley	0	(0.5)	1	1.5
11. Second or greater order channel ~~artificial ditches are not rated; see discussions in manual~~	(No = 0)		Yes = 3	

B. Hydrology (Subtotal = 0.5)				
12. Presence of Baseflow	(0)	1	2	3
13. Iron oxidizing bacteria	(0)	1	2	3
14. Leaf litter	1.5	1	(0.5)	0
15. Sediment on plants or debris	(0)	0.5	1	1.5
16. Organic debris lines or piles	(0)	(0.5)	1	1.5
17. Soil-based evidence of high water table?	(No = 0)		Yes = 3	

C. Biology (Subtotal = 4)				
18. Fibrous roots in streambed	3	2	(1)	0
19. Rooted upland plants in streambed	(3)	2	1	0
20. Macrobenthos (note diversity and abundance)	(0)	1	2	3
21. Aquatic Mollusks	(0)	1	2	3
22. Fish	(0)	0.5	1	1.5
23. Crayfish	(0)	0.5	1	1.5
24. Amphibians	(0)	0.5	1	1.5
25. Algae	(0)	0.5	1	1.5
26. Wetland plants in streambed	FACW = 0.75; OBL = 1.5 Other = 0			

*perennial streams may also be identified using other methods. See p. 35 of manual.

Notes:

Sketch:

Soils = Intermittent

USGS = Not Present

11/20/2022

Lower SF 7

NC Division of Water Quality –Methodology for Identification of Intermittent and Perennial Streams and Their Origins v. 4.1

NC DWQ Stream Identification Form Version 4.1

Date: 11/27/2022	Project/Site: Verdue	Latitude: 35.699659
Evaluator: SH	County: Craven	Longitude: -78.864028
Total Points: 16 *Stream is at least intermittent if ≥ 19 or perennial if ≥ 30**	Stream Determination (circle one) Ephemeral Intermittent Perennial	Other Q *e.g. Quad Name:*

A. Geomorphology (Subtotal = 6)	Absent	Weak	Moderate	Strong
1[a] Continuity of channel bed and bank	0	1	2	3
2. Sinuosity of channel along thalweg	0	1	2	3
3. In-channel structure: ex. riffle-pool, step-pool, ripple-pool sequence	0	1	2	3
4. Particle size of stream substrate	0	1	2	3
5. Active/relict floodplain	0	1	2	3
6. Depositional bars or benches	0	1	2	3
7. Recent alluvial deposits	0	1	2	3
8. Headcuts	0	1	2	3
9. Grade control	0	0.5	1	1.5
10. Natural valley	0	0.5	1	1.5
11. Second or greater order channel[a]	No = 0		Yes = 3	

[a] artificial ditches are not rated; see discussions in manual

B. Hydrology (5)				
12. Presence of Baseflow	0	1	2	3
13. Iron oxidizing bacteria	0	1	2	3
14. Leaf litter	1.5	1	0.5	0
15. Sediment on plants or debris	0	0.5	1	1.5
16. Organic debris lines or piles	0	0.5	1	1.5
17. Soil-based evidence of high water table?	No = 0		Yes = 3	

C. Biology (Subtotal = 5)				
18. Fibrous roots in streambed	3	2	1	0
19. Rooted upland plants in streambed	3	2	1	0
20. Macrobenthos (note diversity and abundance)	0	1	2	3
21. Aquatic Mollusks	0	1	2	3
22. Fish	0	0.5	1	1.5
23. Crayfish	0	0.5	1	1.5
24. Amphibians	0	0.5	1	1.5
25. Algae	0	0.5	1	1.5
26. Wetland plants in streambed	FACW = 0.75; OBL = 1.5 Other = 0			

*perennial streams may also be identified using other methods. See p. 35 of manual.

Notes:

Sketch:

Soils = Intermittent
USGS = Not Present

12/15/2022

West SF27

NC DWQ Stream Identification Form Version 4.11

Date: 11/2/22	Project/Site: Verides	Latitude: 35.701121
Evaluator: S+EL-JH	County: Wake	Longitude: -78.856460
Total Points: *Stream is at least intermittent if ≥ 19 or perennial if ≥ 30** 9	Stream Determination (circle one) (Ephemeral) Intermittent Perennial	Other R *e.g. Quad Name:*

A. Geomorphology (Subtotal = 4)	Absent	Weak	Moderate	Strong
1[a]. Continuity of channel bed and bank	0	(1)	2	3
2. Sinuosity of channel along thalweg	0	(1)	2	3
3. In-channel structure: ex. riffle-pool, step-pool, ripple-pool sequence	(0)	1	2	3
4. Particle size of stream substrate	(0)	1	2	3
5. Active/relict floodplain	0	(1)	2	3
6. Depositional bars or benches	(0)	1	2	3
7. Recent alluvial deposits	(0)	1	2	3
8. Headcuts	(0)	1	2	3
9. Grade control	(0)	0.5	1	1.5
10. Natural valley	0	(0.5)	(1)	1.5
11. Second or greater order channel	No = 0		Yes = 3	

[a] artificial ditches are not rated; see discussions in manual

B. Hydrology (Subtotal = 2)				
12. Presence of Baseflow	(0)	1	2	3
13. Iron oxidizing bacteria	(0)	1	2	3
14. Leaf litter	1.5	(1)	0.5	0
15. Sediment on plants or debris	0	(0.5)	1	1.5
16. Organic debris lines or piles	0	(0.5)	1	1.5
17. Soil-based evidence of high water table?	No = 0		Yes = 3	

C. Biology (Subtotal = 3)				
18. Fibrous roots in streambed	3	(2)	1	0
19. Rooted upland plants in streambed	3	2	(1)	0
20. Macrobenthos (note diversity and abundance)	(0)	1	2	3
21. Aquatic Mollusks	(0)	1	2	3
22. Fish	(0)	0.5	1	1.5
23. Crayfish	(0)	0.5	1	1.5
24. Amphibians	(0)	0.5	1	1.5
25. Algae	(0)	0.5	1	1.5
26. Wetland plants in streambed	FACW = 0.75; OBL = 1.5 Other = (0)			

*perennial streams may also be identified using other methods. See p. 35 of manual.

Notes:

Sketch:

Soils = Intermittent
USGS = Not Present

JM 10/__/2022

West SF 25

NC DWQ Stream Identification Form Version 4.11

Date: 11/2/22	Project/Site: Verdea	Latitude: 35.702162
Evaluator: S+EC - JH	County: Wake	Longitude: -78.854496
Total Points: *Stream is at least intermittent if ≥ 19 or perennial if ≥ 30** 21.75	Stream Determination (circle one) Ephemeral (Intermittent) Perennial	Other R *e.g. Quad Name:*

A. Geomorphology (Subtotal = 10)	Absent	Weak	Moderate	Strong
1[a]. Continuity of channel bed and bank	0	1	2	(3)
2. Sinuosity of channel along thalweg	0	1	(2)	3
3. In-channel structure: ex. riffle-pool, step-pool, ripple-pool sequence	0	(1)	2	3
4. Particle size of stream substrate	0	(1)	2	3
5. Active/relict floodplain	(0)	1	2	3
6. Depositional bars or benches	0	(1)	(2)	3
7. Recent alluvial deposits	(0)	1	2	3
8. Headcuts	(0)	1	2	3
9. Grade control	(0)	0.5	1	1.5
10. Natural valley	0	0.5	(1)	1.5
11. Second or greater order channel	No = 0		Yes = 3	

[a] artificial ditches are not rated; see discussions in manual

B. Hydrology (Subtotal = 5)				
12. Presence of Baseflow	(0)	1	2	3
13. Iron oxidizing bacteria	(0)	1	2	3
14. Leaf litter	1.5	(1)	0.5	0
15. Sediment on plants or debris	0	(0.5)	1	1.5
16. Organic debris lines or piles	0	(0.5)	1	1.5
17. Soil-based evidence of high water table?	No = 0		Yes = 3	

C. Biology (Subtotal = 6.75)				
18. Fibrous roots in streambed	(3)	2	1	0
19. Rooted upland plants in streambed	(3)	2	1	0
20. Macrobenthos (note diversity and abundance)	(0)	1	2	3
21. Aquatic Mollusks	(0)	1	2	3
22. Fish	(0)	0.5	1	1.5
23. Crayfish	(0)	0.5	1	1.5
24. Amphibians	(0)	0.5	1	1.5
25. Algae	(0)	0.5	1	1.5
26. Wetland plants in streambed	FACW = 0.75; OBL = 1.5 Other = 0			

*perennial streams may also be identified using other methods. See p. 35 of manual.

Notes:

Sketch:

Soils = Intermittent

USGS = Not Present

JH 11/2/2022

West SF26

NC DWQ Stream Identification Form Version 4.11

Date: 11/2/22	Project/Site: Verdea	Latitude: 35.701807
Evaluator: StEC-JH	County: Wake	Longitude: -78.855554
Total Points: *Stream is at least intermittent if ≥ 19 or perennial if ≥ 30** 10.25	Stream Determination (circle one) Ephemeral Intermittent Perennial	Other 5 *e.g. Quad Name:*

A. Geomorphology (Subtotal = 2.5)	Absent	Weak	Moderate	Strong
1[a]. Continuity of channel bed and bank	0	(1)	2	3
2. Sinuosity of channel along thalweg	(0)	1	2	3
3. In-channel structure: ex. riffle-pool, step-pool, ripple-pool sequence	(0)	1	2	3
4. Particle size of stream substrate	(0)	1	2	3
5. Active/relict floodplain	(0)	1	2	3
6. Depositional bars or benches	(0)	1	2	3
7. Recent alluvial deposits	(0)	1	2	3
8. Headcuts	0	(1)	2	3
9. Grade control	(0)	0.5	1	1.5
10. Natural valley	0	(0.5)	1	1.5
11. Second or greater order channel	No = 0		Yes = 3	

[a] artificial ditches are not rated; see discussions in manual

B. Hydrology (Subtotal = 3)				
12. Presence of Baseflow	(0)	1	2	3
13. Iron oxidizing bacteria	(0)	1	2	3
14. Leaf litter	1.5	1	0.5	(0)
15. Sediment on plants or debris	(0)	0.5	1	1.5
16. Organic debris lines or piles	(0)	0.5	1	1.5
17. Soil-based evidence of high water table?	No = 0		Yes = 3	

C. Biology (Subtotal = 4.75)				
18. Fibrous roots in streambed	3	(2)	1	0
19. Rooted upland plants in streambed	3	(2)	1	0
20. Macrobenthos (note diversity and abundance)	(0)	1	2	3
21. Aquatic Mollusks	(0)	1	2	3
22. Fish	(0)	0.5	1	1.5
23. Crayfish	(0)	0.5	1	1.5
24. Amphibians	(0)	0.5	1	1.5
25. Algae	(0)	0.5	1	1.5
26. Wetland plants in streambed	FACW = 0.75; OBL = 1.5 Other = 0			

*perennial streams may also be identified using other methods. See p. 35 of manual.

Notes:

Sketch:

Soils = Intermittent

USGS = Not Present

JM 11/2022

West
SF 24

NC Division of Water Quality –Methodology for Identification of Intermittent and Perennial Streams and Their Origins v. 4.1

NC DWQ Stream Identification Form Version 4.1

Date: 11/2/22	Project/Site: Veridea	Latitude: 35.698569
Evaluator: SHEC - AJK + JH + KM	County: Wake	Longitude: -78.854833
Total Points: *Stream is at least intermittent if ≥ 19 or perennial if ≥ 30** 18	Stream Determination (circle one) (Ephemeral) Intermittent Perennial	Other T *e.g. Quad Name:*

A. Geomorphology (Subtotal = 10)	Absent	Weak	Moderate	Strong
1[a]. Continuity of channel bed and bank	0	1	(2)	3
2. Sinuosity of channel along thalweg	0	1	2	(3)
3. In-channel structure: ex. riffle-pool, step-pool, ripple-pool sequence	0	(1)	2	3
4. Particle size of stream substrate	0	(1)	2	3
5. Active/relict floodplain	0	1	(2)	3
6. Depositional bars or benches	(0)	1	2	3
7. Recent alluvial deposits	(0)	1	2	3
8. Headcuts	(0)	1	2	3
9. Grade control	0	(0.5)	1	1.5
10. Natural valley	0	(0.5)	1	1.5
11. Second or greater order channel	No = (0)		Yes = 3	

[a] artificial ditches are not rated; see discussions in manual

B. Hydrology (3)				
12. Presence of Baseflow	(0)	1	2	3
13. Iron oxidizing bacteria	(0)	1	2	3
14. Leaf litter	1.5	1	0.5	(0)
15. Sediment on plants or debris	(0)	0.5	1	1.5
16. Organic debris lines or piles	(0)	0.5	1	1.5
17. Soil-based evidence of high water table?	No = 0		Yes = (3)	

C. Biology (Subtotal = 5)				
18. Fibrous roots in streambed	3	(2)	1	0
19. Rooted upland plants in streambed	(3)	2	1	0
20. Macrobenthos (note diversity and abundance)	(0)	1	2	3
21. Aquatic Mollusks	(0)	1	2	3
22. Fish	(0)	0.5	1	1.5
23. Crayfish	(0)	0.5	1	1.5
24. Amphibians	(0)	0.5	1	1.5
25. Algae	(0)	0.5	1	1.5
26. Wetland plants in streambed	FACW = 0.75; OBL = 1.5 Other = (0)			

*perennial streams may also be identified using other methods. See p. 35 of manual.

Notes:

Sketch:

Soils = Perennial
VSCS = Not Present

12/15/2022

West SF20

NC Division of Water Quality –Methodology for Identification of Intermittent and Perennial Streams and Their Origins v. 4.1

NC DWQ Stream Identification Form Version 4.1

Date: 11/2/22	Project/Site: Verides	Latitude: 35.696709
Evaluator: SH-EC - AJK + JH + KM	County: Wake	Longitude: -78.852141
Total Points: *Stream is at least intermittent if ≥ 19 or perennial if ≥ 30** 19.5	Stream Determination (circle one) Ephemeral (Intermittent) Perennial	Other T *e.g. Quad Name:*

A. Geomorphology (Subtotal = 10.5)	Absent	Weak	Moderate	Strong
1[a]. Continuity of channel bed and bank	0	1	(2) →	3
2. Sinuosity of channel along thalweg	0	1	(2)	3
3. In-channel structure: ex. riffle-pool, step-pool, ripple-pool sequence	0	(1)	2	3
4. Particle size of stream substrate	0	1	(2)	3
5. Active/relict floodplain	0	1	(2)	3
6. Depositional bars or benches	(0)	1	2	3
7. Recent alluvial deposits	(0)	1	2	3
8. Headcuts	(0)	1	2	3
9. Grade control	0	(0.5)	1	1.5
10. Natural valley	0	0.5	(1)	1.5
11. Second or greater order channel	No = (0)		Yes = 3	

[a] artificial ditches are not rated; see discussions in manual

B. Hydrology (4)				
12. Presence of Baseflow	(0)	1	2	3
13. Iron oxidizing bacteria	(0)	1	2	3
14. Leaf litter	1.5	1	0.5	(0)
15. Sediment on plants or debris	0	(0.5)	1	1.5
16. Organic debris lines or piles	0	(0.5)	1	1.5
17. Soil-based evidence of high water table?	No = 0		Yes = (3)	

C. Biology (Subtotal = 5)				
18. Fibrous roots in streambed	3	(2)	1	0
19. Rooted upland plants in streambed	(3)	2	1	0
20. Macrobenthos (note diversity and abundance)	(0)	1	2	3
21. Aquatic Mollusks	(0)	1	2	3
22. Fish	(0)	0.5	1	1.5
23. Crayfish	(0)	0.5	1	1.5
24. Amphibians	(0)	0.5	1	1.5
25. Algae	(0)	0.5	1	1.5
26. Wetland plants in streambed	FACW = 0.75; OBL = 1.5 Other = (0)			

*perennial streams may also be identified using other methods. See p. 35 of manual.

Notes:

Sketch:

Soils = Perennial
USGS = Not Present

JH 11/15/2022

West SF23

NC Division of Water Quality –Methodology for Identification of Intermittent and Perennial Streams and Their Origins v. 4.1

NC DWQ Stream Identification Form Version 4.1

Date: 11/2/22	Project/Site: Verideo	Latitude: 35.698339
Evaluator: SFEC – AJK & KM	County: Wake	Longitude: -78.855074
Total Points: Non-Scoreable Feature, *Stream is at least intermittent if ≥ 19 or perennial if ≥ 30**	Stream Determination (circle one) (Ephemeral) Intermittent Perennial	Other U *e.g. Quad Name:*

A. Geomorphology (Subtotal = ____)	Absent	Weak	Moderate	Strong
1[a]. Continuity of channel bed and bank	0	1	2	3
2. Sinuosity of channel along thalweg	0	1	2	3
3. In-channel structure: ex. riffle-pool, step-pool, ripple-pool sequence	0	1	2	3
4. Particle size of stream substrate	0	1	2	3
5. Active/relict floodplain	0	1	2	3
6. Depositional bars or benches	0	1	2	3
7. Recent alluvial deposits	0	1	2	3
8. Headcuts	0	1	2	3
9. Grade control	0	0.5	1	1.5
10. Natural valley	0	0.5	1	1.5
11. Second or greater order channel	No = 0		Yes = 3	

[a] artificial ditches are not rated; see discussions in manual

B. Hydrology (____)				
12. Presence of Baseflow	0	1	2	3
13. Iron oxidizing bacteria	0	1	2	3
14. Leaf litter	1.5	1	0.5	0
15. Sediment on plants or debris	0	0.5	1	1.5
16. Organic debris lines or piles	0	0.5	1	1.5
17. Soil-based evidence of high water table?	No = 0		Yes = 3	

C. Biology (Subtotal = ____)				
18. Fibrous roots in streambed	3	2	1	0
19. Rooted upland plants in streambed	3	2	1	0
20. Macrobenthos (note diversity and abundance)	0	1	2	3
21. Aquatic Mollusks	0	1	2	3
22. Fish	0	0.5	1	1.5
23. Crayfish	0	0.5	1	1.5
24. Amphibians	0	0.5	1	1.5
25. Algae	0	0.5	1	1.5
26. Wetland plants in streambed	FACW = 0.75; OBL = 1.5 Other = 0			

*perennial streams may also be identified using other methods. See p. 35 of manual.

Notes:

Sketch:

Non-Scoreable Feature

Soils = Intermittent
USGS = Not Present

JM 10/19/2022

West SF 35

NC Division of Water Quality –Methodology for Identification of Intermittent and Perennial Streams and Their Origins v. 4.1

NC DWQ Stream Identification Form Version 4.1

Date: 11/3/22	Project/Site: Veridea	Latitude: 35.697154
Evaluator: S+EC - AJK	County: Wake	Longitude: -78.858121
Total Points: 6 *Stream is at least intermittent if ≥ 19 or perennial if ≥ 30**	Stream Determination (circle one) (Ephemeral) Intermittent Perennial	Other e.g. Quad Name: V

A. Geomorphology (Subtotal = 1)	Absent	Weak	Moderate	Strong
1[a] Continuity of channel bed and bank	0	(1)	2	3
2. Sinuosity of channel along thalweg	(0)	1	2	3
3. In-channel structure: ex. riffle-pool, step-pool, ripple-pool sequence	(0)	1	2	3
4. Particle size of stream substrate	(0)	1	2	3
5. Active/relict floodplain	(0)	1	2	3
6. Depositional bars or benches	(0)	1	2	3
7. Recent alluvial deposits	(0)	1	2	3
8. Headcuts	(0)	1	2	3
9. Grade control	(0)	0.5	1	1.5
10. Natural valley	(0)	0.5	1	1.5
11. Second or greater order channel	No = (0)		Yes = 3	

[a] artificial ditches are not rated; see discussions in manual

B. Hydrology (3)				
12. Presence of Baseflow	(0)	1	2	3
13. Iron oxidizing bacteria	(0)	1	2	3
14. Leaf litter	1.5	1	0.5	(0)
15. Sediment on plants or debris	(0)	0.5	1	1.5
16. Organic debris lines or piles	(0)	0.5	1	1.5
17. Soil-based evidence of high water table?	No = 0		Yes = (3)	

C. Biology (Subtotal = 2)				
18. Fibrous roots in streambed	3	2	(1)	0
19. Rooted upland plants in streambed	3	2	(1)	0
20. Macrobenthos (note diversity and abundance)	(0)	1	2	3
21. Aquatic Mollusks	(0)	1	2	3
22. Fish	(0)	0.5	1	1.5
23. Crayfish	(0)	0.5	1	1.5
24. Amphibians	(0)	0.5	1	1.5
25. Algae	(0)	0.5	1	1.5
26. Wetland plants in streambed	FACW = 0.75; OBL = 1.5 Other = (0)			

*perennial streams may also be identified using other methods. See p. 35 of manual.

Notes:

Sketch:

Soils = Intermittent

USGS = Not Present

JM 12/20/2022

West SF36

NC Division of Water Quality –Methodology for Identification of Intermittent and Perennial Streams and Their Origins v. 4.1

NC DWQ Stream Identification Form Version 4.1

Date: 11/3/22	Project/Site: Veridea	Latitude: 35.696363
Evaluator: SFEC-AJK	County: Wake	Longitude: -78.858198
Total Points: *Stream is at least intermittent if ≥ 19 or perennial if ≥ 30** 23	Stream Determination (circle one) Ephemeral (Intermittent) Perennial	Other ✓ *e.g. Quad Name:*

A. Geomorphology (Subtotal = 11.5)	Absent	Weak	Moderate	Strong
1[a] Continuity of channel bed and bank	0	1	2	(3)
2. Sinuosity of channel along thalweg	0	1	(2)	3
3. In-channel structure: ex. riffle-pool, step-pool, ripple-pool sequence	0	(1)	2	3
4. Particle size of stream substrate	0	1	(2)	3
5. Active/relict floodplain	(0)	1	2	3
6. Depositional bars or benches	(0)	1	2	3
7. Recent alluvial deposits	0	(1)	2	3
8. Headcuts	0	(1)	2	3
9. Grade control	0	(0.5)	1	1.5
10. Natural valley	0	0.5	(1)	1.5
11. Second or greater order channel	No = 0		Yes = 3	

[a] artificial ditches are not rated; see discussions in manual

B. Hydrology (6.5)				
12. Presence of Baseflow	0	(1)	2	3
13 Iron oxidizing bacteria	(0)	1	2	3
14 Leaf litter	1.5	(1)	0.5	0
15 Sediment on plants or debris	0	0.5	(1)	1.5
16. Organic debris lines or piles	0	(0.5)	1	1.5
17 Soil-based evidence of high water table?	No = 0		Yes = 3	

C. Biology (Subtotal = 5)				
18. Fibrous roots in streambed	3	(2)	1	0
19. Rooted upland plants in streambed	(3)	2	1	0
20. Macrobenthos (note diversity and abundance)	(0)	1	2	3
21. Aquatic Mollusks	(0)	1	2	3
22 Fish	(0)	0 5	1	1.5
23. Crayfish	(0)	0.5	1	1.5
24. Amphibians	(0)	0.5	1	1.5
25. Algae	(0)	0.5	1	1.5
26. Wetland plants in streambed	FACW = 0 75; OBL = 1,5 Other = 0			

*perennial streams may also be identified using other methods. See p 35 of manual

Notes:

Sketch:

Soils = Intermittent
USGS = Not Present

JM 12/20/2022

West SF 34

NC Division of Water Quality –Methodology for Identification of Intermittent and Perennial Streams and Their Origins v. 4.1

NC DWQ Stream Identification Form Version 4.1

Date: 11/3/2022	Project/Site: Verideа	Latitude: 35.694766
Evaluator: S+EC - AJK	County: Wake	Longitude: -78.856375
Total Points: *Stream is at least intermittent if ≥ 19 or perennial if ≥ 30** 32	Stream Determination (circle one) Ephemeral Intermittent (Perennial)	Other e.g. Quad Name: ✓

A. Geomorphology (Subtotal = 18)	Absent	Weak	Moderate	Strong
1[a] Continuity of channel bed and bank	0	1	2	(3)
2. Sinuosity of channel along thalweg	0	1	2	(3)
3. In-channel structure: ex. riffle-pool, step-pool, ripple-pool sequence	0	1	2	(3)
4. Particle size of stream substrate	0	1	(2)	3
5. Active/relict floodplain	(0)	1	2	3
6. Depositional bars or benches	0	1	(2)	3
7. Recent alluvial deposits	0	1	(2)	3
8. Headcuts	0	(1)	2	3
9. Grade control	0	0.5	(1)	1.5
10. Natural valley	0	0.5	(1)	1.5
11. Second or greater order channel	No = (0)		Yes = 3	

[a] artificial ditches are not rated; see discussions in manual

B. Hydrology (8)				
12. Presence of Baseflow	0	1	(2)	3
13. Iron oxidizing bacteria	(0)	1	2	3
14. Leaf litter	1.5	(1)	0.5	0
15. Sediment on plants or debris	0	0.5	(1)	1.5
16. Organic debris lines or piles	0	0.5	(1)	1.5
17. Soil-based evidence of high water table?	No = 0		Yes = (3)	

C. Biology (Subtotal = (0))				
18. Fibrous roots in streambed	3	(2)	1	0
19. Rooted upland plants in streambed	(3)	2	1	0
20. Macrobenthos (note diversity and abundance)	(0)	1	2	3
21. Aquatic Mollusks	(0)	1	2	3
22. Fish	(0)	0.5	1	1.5
23. Crayfish	(0)	0.5	1	1.5
24. Amphiblans	0	0.5	(1)	1.5
25. Algae	(0)	0.5	1	1.5
26. Wetland plants in streambed	FACW = 0.75; OBL = 1.5 Other = (0)			

*perennial streams may also be identified using other methods. See p 35 of manual.

Notes:

Sketch:

Soils = Intermittent

USGS = Not Present

JM 12/20/2022

West
SF17

NC Division of Water Quality –Methodology for Identification of Intermittent and Perennial Streams and Their Origins v. 4.1

NC DWQ Stream Identification Form Version 4.1

Date: 11/2/22	Project/Site: Veridea	Latitude: 35.694829
Evaluator: StEC - AJK & JH & KM	County: Wake	Longitude: -78.859124
Total Points: *Stream is at least intermittent if ≥ 19 or perennial if ≥ 30** 14	Stream Determination (circle one) (Ephemeral) Intermittent Perennial	Other W *e.g. Quad Name:*

A. Geomorphology (Subtotal = 5.5)	Absent	Weak	Moderate	Strong
1[a]. Continuity of channel bed and bank	0	1	(2)	3
2. Sinuosity of channel along thalweg	0	(1)	2	3
3. In-channel structure: ex. riffle-pool, step-pool, ripple-pool sequence	(0)	1	2	3
4. Particle size of stream substrate	(0)	1	2	3
5. Active/relict floodplain	0	(1)	2	3
6. Depositional bars or benches	(0)	1	2	3
7. Recent alluvial deposits	0	(1)	2	3
8. Headcuts	(0)	1	2	3
9. Grade control	(0)	0.5	1	1.5
10. Natural valley	0	(0.5)	1	1.5
11. Second or greater order channel	No = 0		Yes = 3	

[a] artificial ditches are not rated; see discussions in manual

B. Hydrology (4)				
12. Presence of Baseflow	(0)	1	2	3
13. Iron oxidizing bacteria	(0)	1	2	3
14. Leaf litter	1.5	1	(0.5)	0
15. Sediment on plants or debris	0	(0.5)	1	1.5
16. Organic debris lines or piles	(0)	0.5	1	1.5
17. Soil-based evidence of high water table?	No = 0		Yes = (3)	

C. Biology (Subtotal = 4.5)				
18. Fibrous roots in streambed	3	(2)	1	0
19. Rooted upland plants in streambed	3	2	(1)	0
20. Macrobenthos (note diversity and abundance)	(0)	1	2	3
21. Aquatic Mollusks	(0)	1	2	3
22. Fish	(0)	0.5	1	1.5
23. Crayfish	(0)	0.5	1	1.5
24. Amphibians	(0)	0.5	1	1.5
25. Algae	(0)	0.5	1	1.5
26. Wetland plants in streambed	FACW = 0.75; OBL = (1.5) Other = 0			

*perennial streams may also be identified using other methods. See p. 35 of manual.

Notes:

Sketch:

Soils = Intermittent
USGS = Not Present

JH 12/15/2022

West SF22 NC Division of Water Quality –Methodology for Identification of Intermittent and Perennial Streams and Their Origins v. 4.1

NC DWQ Stream Identification Form Version 4.1

Date: 11/2/22	Project/Site: Veridea	Latitude: 35.696773
Evaluator: S+EC - AJK + JH + km	County: Wake	Longitude: -78.854816
Total Points: *Stream is at least intermittent if ≥ 19 or perennial if ≥ 30** 7	Stream Determination (circle one) (Ephemeral) Intermittent Perennial	Other X *e.g. Quad Name:*

A. Geomorphology (Subtotal = 5)	Absent	Weak	Moderate	Strong
1[a]. Continuity of channel bed and bank	0	1	2	(3)
2. Sinuosity of channel along thalweg	0	(1)	2	3
3. In-channel structure: ex. riffle-pool, step-pool, ripple-pool sequence	(0)	1	2	3
4. Particle size of stream substrate	(0)	1	2	3
5. Active/relict floodplain	(0)	1	2	3
6. Depositional bars or benches	(0)	1	2	3
7. Recent alluvial deposits	(0)	1	2	3
8. Headcuts	(0)	1	2	3
9. Grade control	(0)	0.5	1	1.5
10. Natural valley	0	0.5	(1)	1.5
11. Second or greater order channel	No = (0)		Yes = 3	

[a] artificial ditches are not rated; see discussions in manual

B. Hydrology (Subtotal = 0)				
12. Presence of Baseflow	(0)	1	2	3
13. Iron oxidizing bacteria	(0)	1	2	3
14. Leaf litter	1.5	1	0.5	(0)
15. Sediment on plants or debris	(0)	0.5	1	1.5
16. Organic debris lines or piles	(0)	0.5	1	1.5
17. Soil-based evidence of high water table?	No = (0)		Yes = 3	

C. Biology (Subtotal = 2)				
18. Fibrous roots in streambed	3	2	1	(0)
19. Rooted upland plants in streambed	3	(2)	1	0
20. Macrobenthos (note diversity and abundance)	(0)	1	2	3
21. Aquatic Mollusks	(0)	1	2	3
22. Fish	(0)	0.5	1	1.5
23. Crayfish	(0)	0.5	1	1.5
24. Amphibians	(0)	0.5	1	1.5
25. Algae	(0)	0.5	1	1.5
26. Wetland plants in streambed	FACW = 0.75; OBL = 1.5 Other = (0)			

*perennial streams may also be identified using other methods. See p. 35 of manual.

Notes:

Sketch:

Soils = Intermittent

USGS = Not Present

JM 12/13/2022

West SF21

NC Division of Water Quality –Methodology for Identification of Intermittent and Perennial Streams and Their Origins v. 4.1

NC DWQ Stream Identification Form Version 4.1

Date: 11/2/22	Project/Site: Veridea	Latitude: 35.695789
Evaluator: S+EC - AJK + JH + KM	County: Wake	Longitude: -78.854435
Total Points: *Stream is at least intermittent if ≥ 19 or perennial if ≥ 30** 19.75	Stream Determination (circle one) Ephemeral (Intermittent) Perennial	Other X *e.g. Quad Name:*

A. Geomorphology (Subtotal = 11.5)	Absent	Weak	Moderate	Strong
1[a]. Continuity of channel bed and bank	0	1	2	(3)
2. Sinuosity of channel along thalweg	0	1	2	(3)
3. In-channel structure: ex. riffle-pool, step-pool, ripple-pool sequence	0	(1)	2	3
4. Particle size of stream substrate	0	(1)	2	3
5. Active/relict floodplain	(0)	1	2	3
6. Depositional bars or benches	0	1	(2)	3
7. Recent alluvial deposits	(0)	1	2	3
8. Headcuts	(0)	1	2	3
9. Grade control	0	(0.5)	1	1.5
10. Natural valley	0	0.5	(1)	1.5
11. Second or greater order channel	No = (0)		Yes = 3	

[a] artificial ditches are not rated; see discussions in manual

B. Hydrology (3.5)				
12. Presence of Baseflow	(0)	1	2	3
13. Iron oxidizing bacteria	(0)	1	2	3
14. Leaf litter	1.5	1	0.5	(0)
15. Sediment on plants or debris	0	(0.5)	1	1.5
16. Organic debris lines or piles	(0)	0.5	1	1.5
17. Soil-based evidence of high water table?	No = 0		Yes = (3)	

C. Biology (Subtotal = 4.75)				
18. Fibrous roots in streambed	3	(2)	1	0
19. Rooted upland plants in streambed	3	(2)	1	0
20. Macrobenthos (note diversity and abundance)	(0)	1	2	3
21. Aquatic Mollusks	(0)	1	2	3
22. Fish	(0)	0.5	1	1.5
23. Crayfish	(0)	0.5	1	1.5
24. Amphibians	(0)	0.5	1	1.5
25. Algae	(0)	0.5	1	1.5
26. Wetland plants in streambed	(FACW = 0.75) OBL = 1.5 Other = 0			

*perennial streams may also be identified using other methods. See p. 35 of manual.

Notes:

Sketch:

Soils = Intermittent
USGS = Not Present

JM 12/15/2022

WEST SF41

NC Division of Water Quality –Methodology for Identification of Intermittent and Perennial Streams and Their Origins v. 4.1

NC DWQ Stream Identification Form Version 4.1

Date: 11/02/2022	Project/Site: Verdea	Latitude: 35.694461
Evaluator: SAEC - JOSHUA HARVEY	County: Wake	Longitude: -78.854206
Total Points: *Stream is at least intermittent if ≥ 19 or perennial if ≥ 30** 15	Stream Determination (circle one) (Ephemeral) Intermittent Perennial	Other X *e.g. Quad Name:*

A. Geomorphology (Subtotal = 4.5)	Absent	Weak	Moderate	Strong
1[a] Continuity of channel bed and bank	0	(1)	2	3
2. Sinuosity of channel along thalweg	0	(1)	2	3
3. In-channel structure: ex. riffle-pool, step-pool, ripple-pool sequence	(0)	1	2	3
4. Particle size of stream substrate	0	(1)	2	3
5. Active/relict floodplain	0	(1)	2	3
6. Depositional bars or benches	(0)	1	2	3
7. Recent alluvial deposits	(0)	1	2	3
8. Headcuts	(0)	1	2	3
9. Grade control	(0)	0.5	1	1.5
10. Natural valley	0	(0.5)	1	1.5
11. Second or greater order channel ~~artificial ditches are not rated; see discussions in manual~~	No = 0		Yes = 3	

B. Hydrology (Subtotal = 5.5)				
12. Presence of Baseflow	0	(1)	2	3
13. Iron oxidizing bacteria	(0)	1	2	3
14. Leaf litter	1.5	(1)	0.5	0
15. Sediment on plants or debris	(0)	0.5	1	1.5
16. Organic debris lines or piles	0	(0.5)	1	1.5
17. Soil-based evidence of high water table?	No = 0		(Yes = 3)	

C. Biology (Subtotal = 5)				
18. Fibrous roots in streambed	3	(2)	1	0
19. Rooted upland plants in streambed	(3)	2	1	0
20. Macrobenthos (note diversity and abundance)	0	1	2	3
21. Aquatic Mollusks	0	1	2	3
22. Fish	0	0.5	1	1.5
23. Crayfish	0	0.5	1	1.5
24. Amphibians	0	0.5	1	1.5
25. Algae	0	0.5	1	1.5
26. Wetland plants in streambed	FACW = 0.75; OBL = 1.5 Other = 0			

*perennial streams may also be identified using other methods. See p. 35 of manual.

Notes: Stream originates into wetland drainage

Sketch:

Soils = Intermittent

USGS = Not Present

JH 11/10/2022

West SF1B

NC Division of Water Quality –Methodology for Identification of Intermittent and Perennial Streams and Their Origins v. 4.1

NC DWQ Stream Identification Form Version 4.1

Date: 11/2/22	Project/Site: Veridea	Latitude: 35.691433
Evaluator: SJEC - AJK+JH + km	County: Wake	Longitude: -78.855344
Total Points: *Stream is at least intermittent if ≥ 19 or perennial if ≥ 30** 13.5	Stream Determination (circle one) (Ephemeral) Intermittent Perennial	Other Y *e.g. Quad Name:*

A. Geomorphology (Subtotal = 6)	Absent	Weak	Moderate	Strong
1[a]. Continuity of channel bed and bank	0	(1)	2	3
2. Sinuosity of channel along thalweg	0	(1)	2	3
3. In-channel structure: ex. riffle-pool, step-pool, ripple-pool sequence	0	(1)	2	3
4. Particle size of stream substrate	0	(1)	2	3
5. Active/relict floodplain	0	(1)	2	3
6. Depositional bars or benches	(0)	1	2	3
7. Recent alluvial deposits	(0)	1	2	3
8. Headcuts	(0)	1	2	3
9. Grade control	(0)	0.5	1	1.5
10. Natural valley	0	0.5	(1)	1.5
11. Second or greater order channel	No = (0)		Yes = 3	

[a] artificial ditches are not rated; see discussions in manual

B. Hydrology (4.5)				
12. Presence of Baseflow	(0)	1	2	3
13. Iron oxidizing bacteria	(0)	1	2	3
14. Leaf litter	1.5	1	(0.5)	0
15. Sediment on plants or debris	0	(0.5)	1	1.5
16. Organic debris lines or piles	0	(0.5)	1	1.5
17. Soil-based evidence of high water table?	No = 0		Yes = (3)	

C. Biology (Subtotal = 3)				
18. Fibrous roots in streambed	3	2	(1)	0
19. Rooted upland plants in streambed	3	(2)	1	0
20. Macrobenthos (note diversity and abundance)	(0)	1	2	3
21. Aquatic Mollusks	(0)	1	2	3
22. Fish	(0)	0.5	1	1.5
23. Crayfish	(0)	0.5	1	1.5
24. Amphibians	(0)	0.5	1	1.5
25. Algae	(0)	0.5	1	1.5
26. Wetland plants in streambed	FACW = 0.75; OBL = 1.5 Other = (0)			

*perennial streams may also be identified using other methods. See p. 35 of manual.

Notes:

Sketch:

Soils = Perennial

VSCS = Not Present

JM 12/15/2022

West
SF 19

NC Division of Water Quality – Methodology for Identification of Intermittent and Perennial Streams and Their Origins v. 4.1

NC DWQ Stream Identification Form Version 4.1

Date: 11/2/22	Project/Site: Veridea	Latitude: 35.690966
Evaluator: SHEC – AJK + KM	County: Wake	Longitude: -78.852807
Total Points: 21.5 23.5 JM *Stream is at least intermittent if ≥ 19 or perennial if ≥ 30**	Stream Determination (circle one) Ephemeral (Intermittent) Perennial	Other Y *e.g. Quad Name:*

A. Geomorphology (Subtotal = 12.5)	Absent	Weak	Moderate	Strong
1*. Continuity of channel bed and bank	0	1	(2)	3
2. Sinuosity of channel along thalweg	0	1	2	(3)
3. In-channel structure: ex. riffle-pool, step-pool, ripple-pool sequence	0	1	(2)	3
4. Particle size of stream substrate	0	(1)	2	3
5. Active/relict floodplain	0	1	(2)	3
6. Depositional bars or benches	(0)	1	2	3
7. Recent alluvial deposits	0	(1)	2	3
8. Headcuts	(0)	1	2	3
9. Grade control	0	(0.5)	1	1.5
10. Natural valley	0	0.5	(1)	1.5
11. Second or greater order channel	No = (0)		Yes = 3	

*artificial ditches are not rated; see discussions in manual

B. Hydrology (6)				
12. Presence of Baseflow	(0)	1	2	3
13. Iron oxidizing bacteria	(0)	1	2	3
14. Leaf litter	1.5	(1)	0.5	0
15. Sediment on plants or debris	0	0.5	(1)	1.5
16. Organic debris lines or piles	0	0.5	(1)	1.5
17. Soil-based evidence of high water table?	No = 0		Yes = (3)	

C. Biology (Subtotal = 5)				
18. Fibrous roots in streambed	3	(2)	1	0
19. Rooted upland plants in streambed	(3)	2	1	0
20. Macrobenthos (note diversity and abundance)	(0)	1	2	3
21. Aquatic Mollusks	(0)	1	2	3
22. Fish	(0)	0.5	1	1.5
23. Crayfish	(0)	0.5	1	1.5
24. Amphibians	(0)	0.5	1	1.5
25. Algae	(0)	0.5	1	1.5
26. Wetland plants in streambed	FACW = 0.75; OBL = 1.5 Other = 0			

*perennial streams may also be identified using other methods. See p. 35 of manual.

Notes:

Sketch:

Soils = Perennial
USGS = Not Present

JM 11/15/2022

WFST SF38 (FEATURE BB)

NC Division of Water Quality –Methodology for Identification of Intermittent and Perennial Streams and Their Origins v. 4.1

NC DWQ Stream Identification Form Version 4.1

Date: 11/2/2022	Project/Site: Veridea	Latitude: 35.688922
Evaluator: SEC - Joshua Harvey	County: WAKE	Longitude: -78.751202
Total Points: *Stream is at least intermittent if ≥ 19 or perennial if ≥ 30** No Scoreable Feature	Stream Determination (circle one) (Ephemeral) Intermittent Perennial	Other BB *e.g. Quad Name:*

A. Geomorphology (Subtotal = /)	Absent	Weak	Moderate	Strong
1a. Continuity of channel bed and bank	0	1	2	3
2. Sinuosity of channel along thalweg	0	1	2	3
3. In-channel structure: ex. riffle-pool, step-pool, ripple-pool sequence	0	1	2	3
4. Particle size of stream substrate	0	1	2	3
5. Active/relict floodplain	0	1	2	3
6. Depositional bars or benches	0	1	2	3
7. Recent alluvial deposits	0	1	2	3
8. Headcuts	0	1	2	3
9. Grade control	0	0.5	1	1.5
10. Natural valley	0	0.5	1	1.5
11. Second or greater order channel artificial ditches are not rated; see discussions in manual	No = 0		Yes = 3	

B. Hydrology (Subtotal = /)				
12. Presence of Baseflow	0	1	2	3
13. Iron oxidizing bacteria	0	1	2	3
14. Leaf litter	1.5	1	0.5	0
15. Sediment on plants or debris	0	0.5	1	1.5
16. Organic debris lines or piles	0	0.5	1	1.5
17. Soil-based evidence of high water table?	No = 0		Yes = 3	

C. Biology (Subtotal = /)				
18. Fibrous roots in streambed	3	2	1	0
19. Rooted upland plants in streambed	3	2	1	0
20. Macrobenthos (note diversity and abundance)	0	1	2	3
21. Aquatic Mollusks	0	1	2	3
22. Fish	0	0.5	1	1.5
23. Crayfish	0	0.5	1	1.5
24. Amphibians	0	0.5	1	1.5
25. Algae	0	0.5	1	1.5
26. Wetland plants in streambed	/	FACW = 0.75; OBL = 1.5 Other = 0		

*perennial streams may also be identified using other methods. See p. 35 of manual.

Notes:

Sketch:

Soils = Intermittent
USGS = Not Present

JM 10/2022

WEST SF 39 ([redacted]) [illegible] Ditch

NC Division of Water Quality –Methodology for Identification of Intermittent and Perennial Streams and Their Origins v. 4.1

NC DWQ Stream Identification Form Version 4.1

Date: 11/2/2022	Project/Site: Verdea	Latitude: 35.703025
Evaluator: SEC - JOSHUA HARVEY	County: WAKE	Longitude: -78.859370
Total Points: *Stream is at least intermittent if ≥ 19 or perennial if ≥ 30** No Scorable Feature	Stream Determination (circle one) (Ephemeral) Intermittent Perennial	Other CC *e.g. Quad Name:*

A. Geomorphology (Subtotal =)	Absent	Weak	Moderate	Strong
1[a]. Continuity of channel bed and bank	0	1	2	3
2. Sinuosity of channel along thalweg	0	1	2	3
3. In-channel structure: ex. riffle-pool, step-pool, ripple-pool sequence	0	1	2	3
4. Particle size of stream substrate	0	1	2	3
5. Active/relict floodplain	0	1	2	3
6. Depositional bars or benches	0	1	2	3
7. Recent alluvial deposits	0	1	2	3
8. Headcuts	0	1	2	3
9. Grade control	0	0.5	1	1.5
10. Natural valley	0	0.5	1	1.5
11. Second or greater order channel *artificial ditches are not rated; see discussions in manual	No = 0		Yes = 3	

B. Hydrology (Subtotal =)				
12. Presence of Baseflow	0	1	2	3
13. Iron oxidizing bacteria	0	1	2	3
14. Leaf litter	1.5	1	0.5	0
15. Sediment on plants or debris	0	0.5	1	1.5
16. Organic debris lines or piles	0	0.5	1	1.5
17. Soil-based evidence of high water table?	No = 0		Yes = 3	

C. Biology (Subtotal =)				
18. Fibrous roots in streambed	3	2	1	0
19. Rooted upland plants in streambed	3	2	1	0
20. Macrobenthos (note diversity and abundance)	0	1	2	3
21. Aquatic Mollusks	0	1	2	3
22. Fish	0	0.5	1	1.5
23. Crayfish	0	0.5	1	1.5
24. Amphibians	0	0.5	1	1.5
25. Algae	0	0.5	1	1.5
26. Wetland plants in streambed	FACW = 0.75; OBL = 1.5 Other = 0			

*perennial streams may also be identified using other methods. See p. 35 of manual.

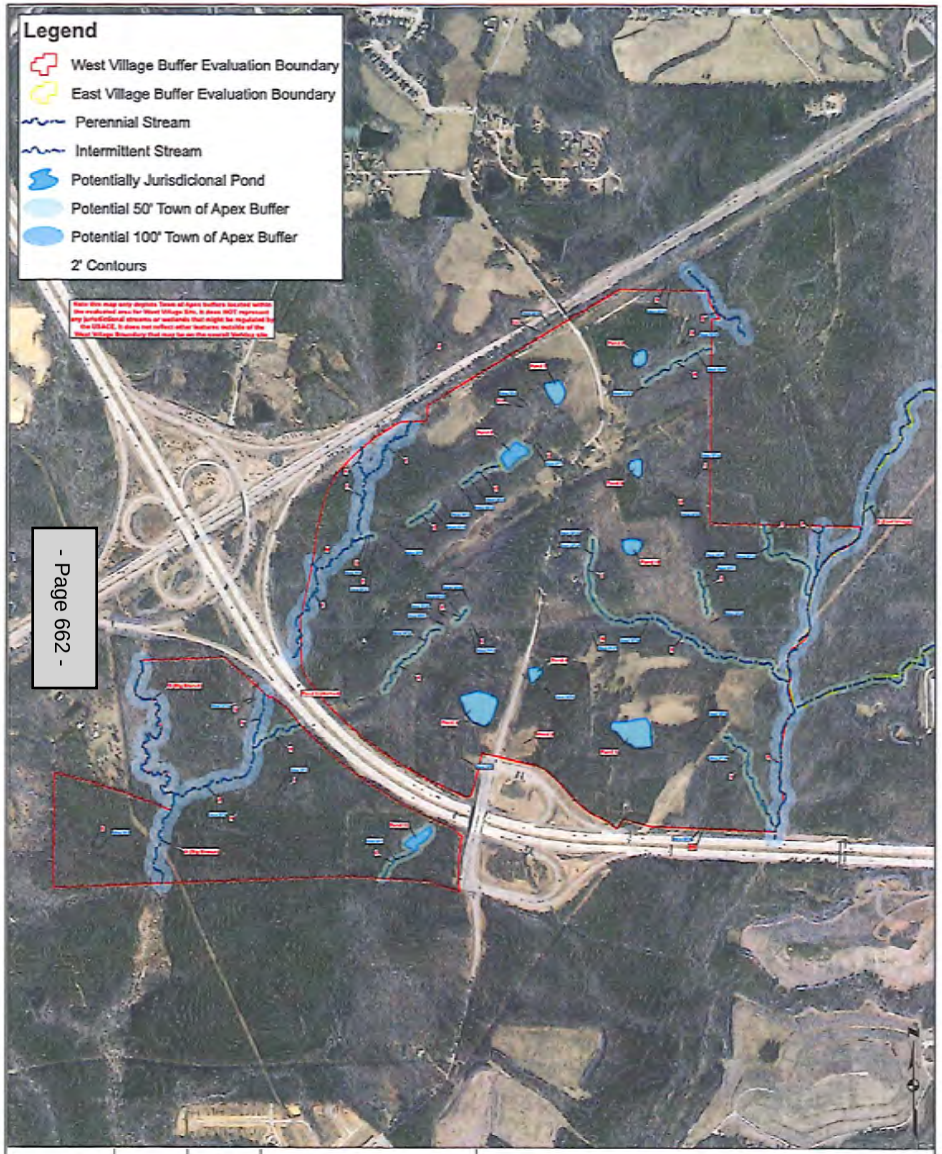
Notes:

Sketch:

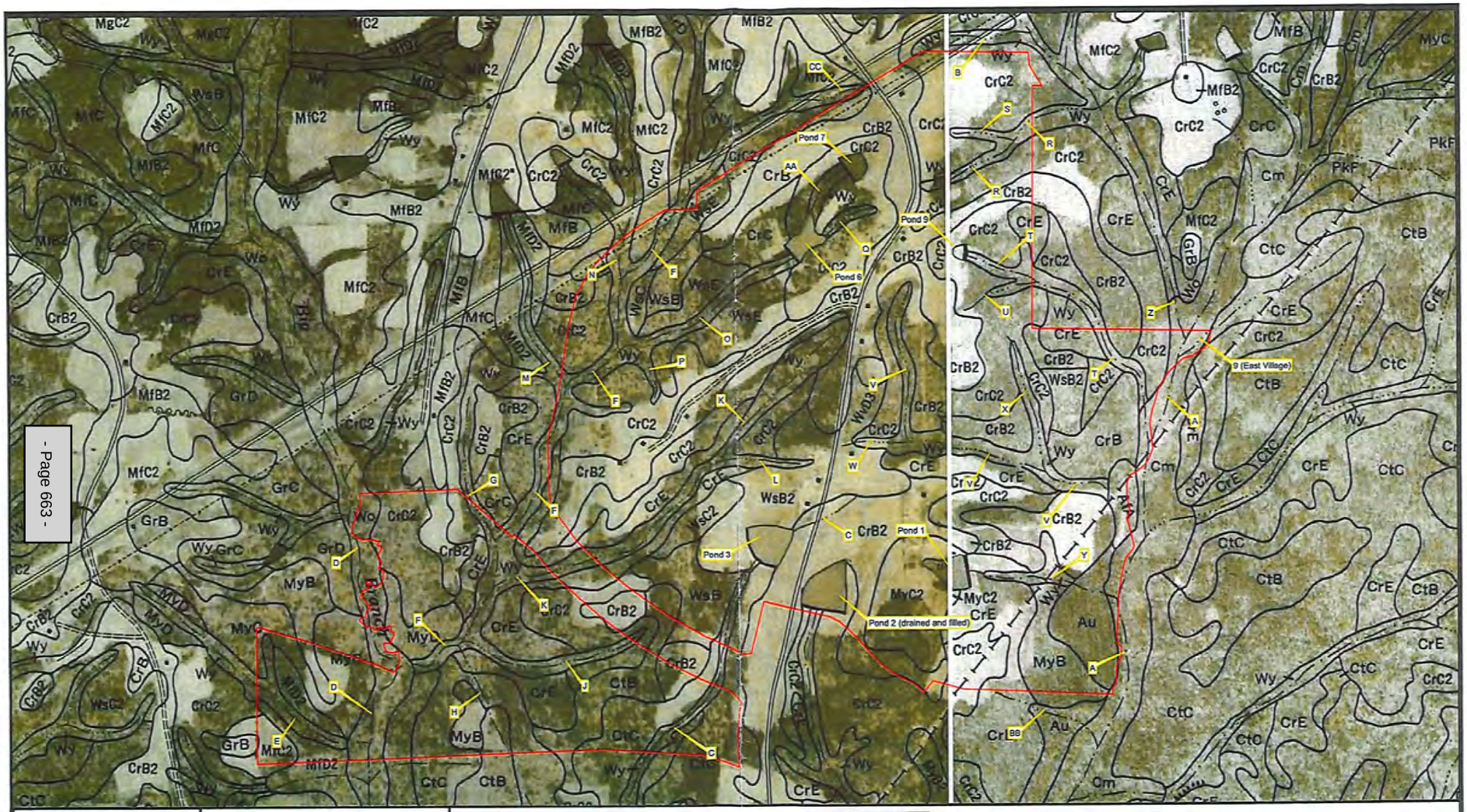
Soils = Intermittent

USGS = Not Present

JM 10/20/2022


Legend
West Village Buffer Evaluation Boundary
East Village Buffer Evaluation Boundary
Perennial Stream
Intermittent Stream
Potentially Jurisdicional Pond
Potential 50' Town of Apex Buffer
Potential 100' Town of Apex Buffer
2' Contours
West Village Buffer Map
Veridea
Soil & Environmental Consultants, PA
0 300 600 1,200
Feet

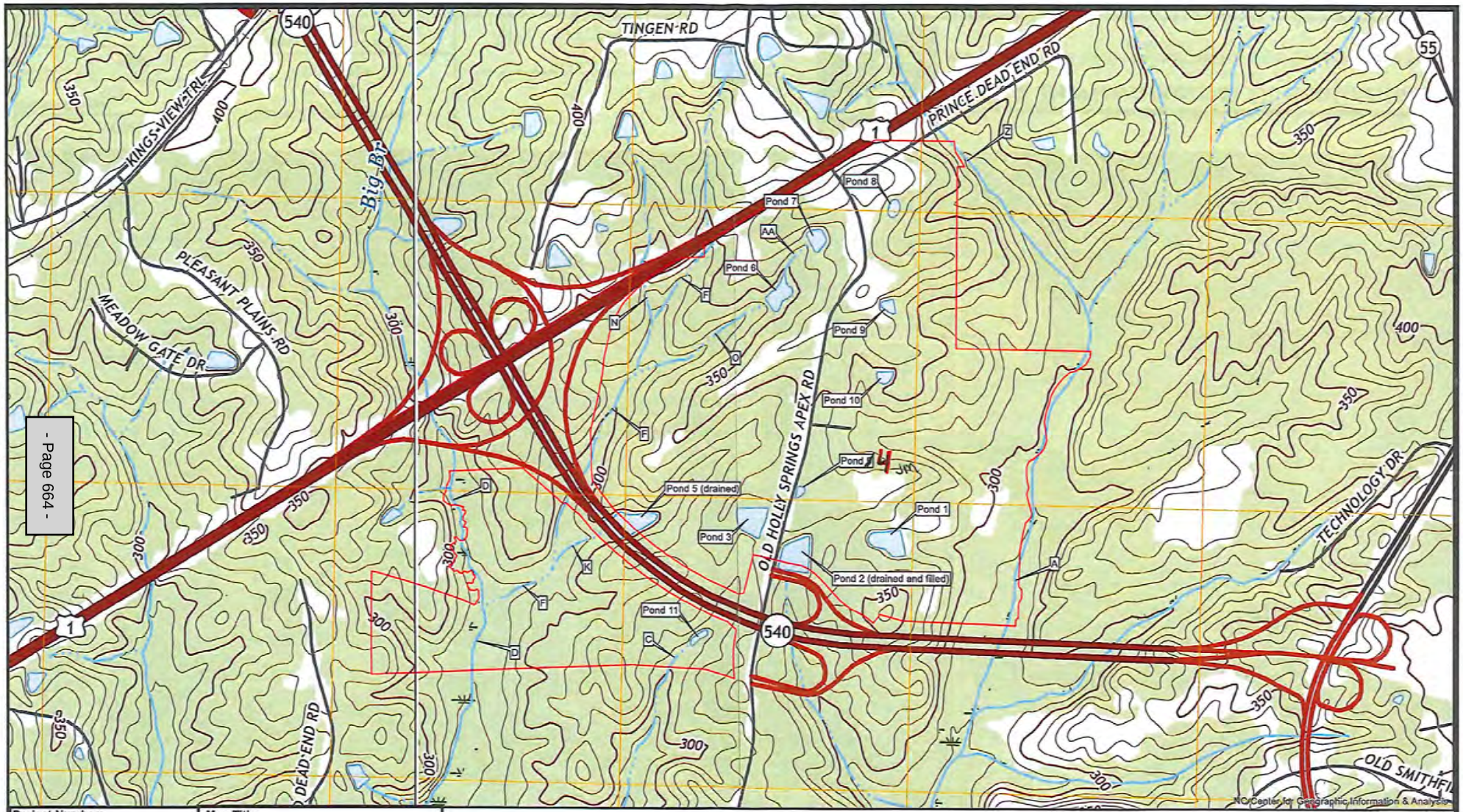
JM 12/15/2022



Project Number: 11065.W28	Map Title: Figure 2 - Soil Survey	
Project Manager: SB	Veridea West Village	
Scale: 1" = 750'	Source: Wake County Soil Survey Sheets 74 & 75	
Date: 12/02/2022		

JM 12/15/2022

S&EC
Soil & Environmental Consultants, PA
8412 Falls of Neuse Road, Suite 104, Raleigh, NC 27615 • Phone: (919) 846-5900 • Fax: (919) 846-9467
sandec.com



- Page 664 -

Project Number:	11065.W28
Project Manager:	SB
Scale:	1" = 1000'
Date:	12/02/2022

Map Title: Figure 1 - USGS Map
Veridea
West Village

Source: 2019 NC New Hill & Apex Quads

0 1,000 2,000
Feet

N

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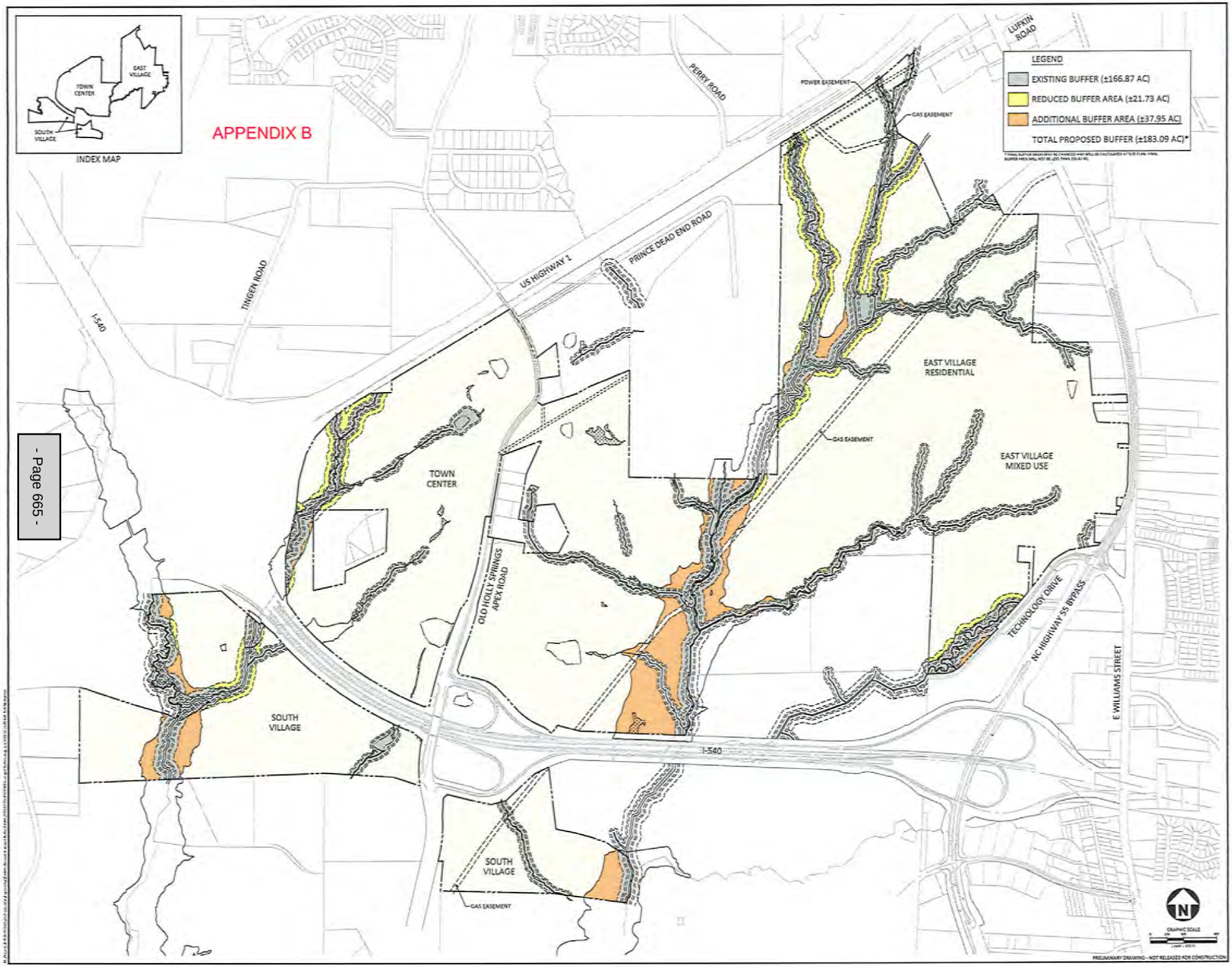
Soil & Environmental Consultants, PA
8412 Falls of Neuse Road, Suite 104, Raleigh, NC 27615 • Phone: (919) 846-5900 • Fax: (919) 846-9467
sandec.com



McAdams
The John R. McAdams Company, Inc.
2905 Meridian Parkway
Durham, NC 27713
phone 919. 361. 5000
fax 919. 361. 2269
license number: C-0293, C-187
www.mcadamsco.com

VERIDEA
AVERAGED STREAM BUFFER EXHIBIT
APEX, NORTH CAROLINA

REVISIONS

PLAN INFORMATION
PROJECT NO. RKR-22001
FILENAME RKR22001-S1
CHECKED BY WHD
DRAWN BY RLH
SCALE 1"=400'
DATE JUL 20, 2023

SHEET
AVERAGED STREAM BUFFER EXHIBIT
E1.00

Attachment D

ORD-2024-068

AN ORDINANCE TO ADOPT ADDITIONAL SUSTAINABILITY STANDARDS FOR VERIDEA

BE IT ORDAINED by the Town Council of the Town of Apex as follows:

Section 1. The Veridea Pattern Book for Veridea is hereby adopted in accordance with Section 2.3.16.F.3 of the Unified Development Ordinance and Section 5.13 of the Sustainable Development Plan adopted for Veridea by Rezoning #09CZ07 ("Veridea SD Plan").

Section 2. 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.

Section 3. Pursuant to Section 3.3.4 of the Veridea SD Plan, the Veridea Pattern Book in Attachment "B" is hereby incorporated into the Veridea SD Plan and is applicable to the land described in Attachment "A" and to any lands subsequently rezoned to be included in the Veridea SD Plan.

Section 4. The ordinance shall be effective upon enactment on the 27th day of August 2024.

Introduced by Council Member Killingsworth

Seconded by Council Member Zegerman

Attest:

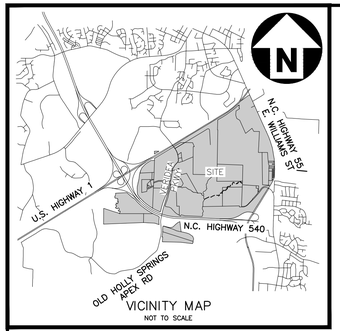
Allen Coleman, CMC, NCCCC
Town Clerk

TOWN OF APEX

Edward Gray
Mayor Pro-Tempore

Approved As To Form:

Laurie L. Hohe
Town Attorney



VICINITY MAP
NOT TO SCALE

GENERAL NOTES

1. THIS IS AN ALTA/NSPS LAND TITLE SURVEY.
2. BEARINGS FOR THIS SURVEY ARE BASED ON THE LOCAL SITE DATUM.
3. ALL DISTANCES ARE HORIZONTAL GROUND DISTANCES.
4. ZONING: VARIES ACCORDING TO TOWN OF APEX ZONING MAP AMENDED 2/22/2022, ZONING FOR EACH PARCEL SHOWN ON MAP. NO ZONING REPORT PROVIDED.
5. AREA BY COORDINATE GEOMETRY.
6. FLOOD NOTE: THIS PROPERTY IS LOCATED IN A SPECIAL FLOOD HAZARD ZONE. IT IS PARTIALLY LOCATED IN ZONES "X" AND "AE" AS DEFINED BY F.E.M.A F.I.R.M COMMUNITY PANELS 3720077410OJ DATED 5/2/2006, 3720074000K DATED 7/19/2022, AND 3720073000K DATED 7/19/2022.
7. REFERENCES: AS SHOWN
8. UTILITY STATEMENT
   THE UNDERGROUND UTILITIES SHOWN HAVE BEEN LOCATED FROM FIELD SURVEY INFORMATION AND EXISTING DRAWINGS. THE SURVEYOR MAKES NO GUARANTEE THAT THE UNDERGROUND UTILITIES SHOWN COMPRISE ALL SUCH UTILITIES IN THE AREA, EITHER IN SERVICE OR ABANDONED. THE SURVEYOR FURTHER DOES NOT WARRANT THAT THE UNDERGROUND UTILITIES SHOWN ARE IN THE EXACT LOCATION INDICATED ALTHOUGH HE DOES CERTIFY THAT THEY ARE LOCATED AS ACCURATELY AS POSSIBLE FROM INFORMATION AVAILABLE. THE SURVEYOR HAS NOT PHYSICALLY LOCATED THE UNDERGROUND UTILITIES.
10. NO EVIDENCE OF RECENT STREET OR SIDEWALK CONSTRUCTION OR REPAIRS, RECENT EARTH MOVING WORK, BUILDING CONSTRUCTION, OR BUILDING ADDITIONS OBSERVED IN THE PROCESS OF CONDUCTING FIELDWORK.
11. NO FIELD DELINEATION OF WETLANDS WAS PERFORMED AS A PART OF THIS SURVEY AND NO MARKERS FOR SUCH WERE OBSERVED
12. NO PARTY WALLS WERE LOCATED AS PART OF THIS SURVEY
13. THE SURVEYED PROPERTY SHOWN AND DESCRIBED IN THE COMMITMENT DESCRIPTION IS THE SAME PROPERTY DESCRIBED IN SCHEDULE A OF THE TITLE COMMITMENT.
14. PROPERTY HAS VEHICULAR ACCESS TO VERIDEA PARKWAY, OLD HOLLY SPRINGS APEX ROAD, AND E WILLIAMS STREET
15. BUFFERS AND STREAM TAKEN FROM B.M. 2008, PG. 436. NOT FIELD LOCATED
16. ARCHAEOLOGICAL EVIDENCE SHOWN PER "ARCHAEOLOGICAL ASSESSMENT OF THE PROPOSED VERIDEA DEVELOPMENT TRACT, BY LUAN CAO, DATED OCTOBER 2021
17. CEMETERIES SHOWN BASED ON PHYSICAL EVIDENCE. SURVEYOR DOES NOT CERTIFY THAT THE EXTENTS OF THE CEMETERY SHOWN ON THE SURVEY ARE THE FULL EXTENT OF BURIAL GROUND OR REPRESENTATIVE OF ALL RIGHTS TO USE OR ACCESS
18. PORTIONS OF EASTERN PROPERTIES SHOWN USING PLANIMETRIC FEATURES PROVIDED BY AVIOIMAGE AERIAL SURVEY.

NOT TO SCALE

TO RXR REALTY VERIDEA HOLDINGS LLC, A DELAWARE LIMITED LIABILITY COMPANY; LENNAR CAROLINAS, LLC; RXR LEN APEX OWNER LLC, A DELAWARE LIMITED LIABILITY COMPANY; PRIME X SETTLEMENT SERVICES LLC; AMTRUST TITLE INSURANCE COMPANY; AND OLD REPUBLIC NATIONAL TITLE INSURANCE COMPANY:

THIS IS TO CERTIFY THAT THIS MAP OR PLAT AND THE SURVEY ON WHICH IT IS BASED WERE MADE IN ACCORDANCE WITH THE 2021 MINIMUM STANDARD DETAIL REQUIREMENTS FOR ALTA/NSPS LAND TITLE SURVEYS, JOINTLY ESTABLISHED AND ADOPTED BY ALTA AND NSPS, AND INCLUDES ITEMS 2, 3, 4, 6(a)(b), 8, 9, 11(a), 13, 15, 16, 17, 18, AND 19 OF TABLE A THEREOF.

THE FIELD WORK WAS COMPLETED ON 3/25/2022
DATE OF PLAT OR MAP: 4/1/2022
LAST REVISED: 1/23/2023

DAVID J. MILLS, P.L.S. L-5477 — DATE 2/14/2023

PRELIMINARY

McADAMS
The John R. McAdams Company, Inc.
2905 Meridian Parkway
Durham, NC 27713

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fax 919. 361. 2269
license number: C-0293, C-187

www.mcadamsco.com

CLIENT

RXR REALTY
75 ROCKEFELLER PLAZA, SUITE 1300
NEW YORK, NY 10019

VERIDEA
ALTA/NSPS LAND TITLE SURVEY
VERIDEA PARKWAY
TOWN OF APEX, WAKE COUNTY, NORTH CAROLINA

NORTH CAROLINA PROFESSIONAL SEAL L-5477 PRELIMINARY SURVEY NOT FOR RECORDATION CONVEYANCE OR SALE DAVID J. MILLS
2/14/2023

REVISIONS

NO.	DATE	
1	1/17/2023	ADDITIONAL SURVEY DESCRIPTIONS
2	1/31/2023	ADDITIONAL SURVEY DESCRIPTIONS
3	2/08/2023	ADDITIONAL SURVEY DESCRIPTIONS

PLAN INFORMATION

PROJECT NO.	RXR22001
FILENAME	RXR22001-AT1
CHECKED BY	JBT
DRAWN BY	DJM/CJS
SCALE	NOT TO SCALE
DATE	01/20/2023

SHEET

1-26

M:\Projects\RXR\RXR22001\02-Geomatics\Survey\ALTA\RXR22001-AT1.dwg, 7/16/2024 12:17:45 PM, Connor Skarins

TRACTS 1, 2, 3, 4, 5, 6, 7 NORTH, 8-1, 8-4, 9-1, 9-2-1, 9-2-2, 9-2-3, 9-3-1, 9-3-2, 9-3-4, 10-1, 10-2, 10-3, 10-7A&C, 10-7B NORTH, 11, 13-1, 13-2, 14

BEGINNING AT A POINT ON THE SOUTHERN RIGHT OF WAY OF U.S. HIGHWAY 1, SAID POINT BEING THE NORTHWEST CORNER OF TRACT I-A, AS SHOWN ON BOOK OF MAPS 2003, PAGE 398 OF THE WAKE COUNTY REGISTRY; THENCE WITH SAID RIGHT OF WAY NORTH 58°51'35" EAST A DISTANCE OF 406.60 FEET TO A CONCRETE MONUMENT; THENCE NORTH 58°00'23" EAST A DISTANCE OF 434.93 FEET TO A POINT; THENCE WITH A CURVE TO THE LEFT A RADIUS OF 5,860.99 FEET, AN ARC LENGTH OF 1,031.97 FEET, A CHORD BEARING OF NORTH 51°39'15" EAST, A CHORD LENGTH OF 1,030.63 FEET TO A POINT; THENCE SOUTH 41°41'54" EAST A DISTANCE OF 29.56 FEET TO A POINT; THENCE NORTH 46°57'49" EAST A DISTANCE OF 79.93 FEET TO A POINT, THE COMMON CORNER OF LOT 2 A SHOWN ON BOOK OF MAPS 1996, PAGE 667; THENCE WITH SAID COMMON LINE SOUTH 08°18'39" WEST A DISTANCE OF 74.71 FEET TO A POINT; THENCE SOUTH 03°57'01" EAST A DISTANCE OF 106.42 FEET TO A POINT ON THE COMMON LINE OF JUSTIN STANLEY; THENCE WITH SAID COMMON LINE SOUTH 58°19'32" WEST A DISTANCE OF 25.09 FEET TO A POINT; THENCE SOUTH 31°28'08" EAST A DISTANCE OF 99.98 FEET TO A POINT IN THE NORTH LINE OF THE TRACT SHOWN ON BOOK OF MAPS 1999, PAGE 1145; THENCE WITH SAID COMMON LINE SOUTH 58°37'43" WEST A DISTANCE OF 311.61 FEET TO A POINT; THENCE SOUTH 05°32'28" WEST A DISTANCE OF 311.05 FEET TO A POINT; THENCE SOUTH 18°18'17" EAST A DISTANCE OF 266.26 FEET TO A POINT; THENCE SOUTH 58°02'56" EAST A DISTANCE OF 253.73 FEET TO AN IRON PIPE; THENCE SOUTH 24°13'34" EAST A DISTANCE OF 1064.47 FEET TO AN IRON PIPE; THENCE NORTH 51°40'44" EAST A DISTANCE OF 610.52 FEET TO A POINT, THE COMMON CORNER OF FTPA STORAGE APEX LLC; THENCE WITH SAID COMMON LINE SOUTH 29°10'43" EAST A DISTANCE OF 276.67 FEET TO A POINT, THE SOUTHWEST CORNER OF THE TRACT SHOWN ON BOOK OF MAPS 2004, PAGE 593; THENCE WITH SAID COMMON LINE NORTH 89°42'08" EAST A DISTANCE OF 414.38 FEET TO AN IRON PIPE, THE NORTHWEST CORNER OF TRACT B, AS SHOWN ON BOOK OF MAPS 1986, PAGE 855; THENCE WITH SAID COMMON LINE SOUTH 02°52'31" WEST A DISTANCE OF 576.07 FEET TO AN IRON PIPE, THE NORTHWEST CORNER OF PPTAPEX LLC; THENCE WITH SAID COMMON LINE SOUTH 03°02'31" WEST A DISTANCE OF 260.47 FEET TO AN IRON PIPE, THE NORTHWEST CORNER OF JAMES IRVIN RIGSBEE; THENCE WITH SAID COMMON LINE SOUTH 03°08'36" WEST A DISTANCE OF 288.05 FEET TO AN IRON PIPE; THENCE SOUTH 02°21'58" WEST A DISTANCE OF 72.79 FEET TO AN AXLE, THE NORTHWEST CORNER OF KENAN TRANSPORT CO; THENCE WITH SAID COMMON LINE SOUTH 02°22'52" WEST A DISTANCE OF 365.20 FEET TO AN IRON PIPE; THENCE SOUTH 89°54'31" EAST A DISTANCE OF 270.03 FEET TO A POINT; THENCE SOUTH 89°55'44" EAST A DISTANCE OF 403.93 FEET TO A POINT, THE NORTHWEST CORNER OF DAVID RAYMER; THENCE WITH SAID COMMON LINE SOUTH 04°23'01" EAST A DISTANCE OF 445.52 FEET TO AN IRON PIPE, THE NORTHWEST CORNER OF THOMPSON GAS-SMOKIES LLC; THENCE WITH SAID COMMON LINE SOUTH 05°37'02" EAST A DISTANCE OF 199.93 FEET TO AN IRON PIPE; THENCE NORTH 89°21'15" EAST A DISTANCE OF 417.22 FEET TO A POINT ON THE WESTERN RIGHT OF WAY OF NORTH CAROLINA HIGHWAY 55; THENCE WITH SAID RIGHT OF WAY, A CURVE TO THE RIGHT, A RADIUS OF 5,633.75 FEET, AN ARC LENGTH OF 101.71 FEET, A CHORD BEARING OF SOUTH 04°07'50" EAST, A CHORD LENGTH OF 101.71 FEET TO AN IRON PIPE, THE COMMON CORNER OF DEXTER RAY; THENCE WITH SAID COMMON LINE AND THE LINE OF DAVID PAGE HEIRS, SOUTH 89°36'58" WEST A DISTANCE OF 414.74 FEET TO A POINT; THENCE SOUTH 05°37'02" EAST A DISTANCE OF 100.00 FEET TO A POINT, THE NORTHWEST CORNER OF CROWN BUILDERS AND DEVELOPERS OF NC, LLC; THENCE WITH SAID COMMON LINE SOUTH 17°12'56" EAST A DISTANCE OF 140.08 FEET TO AN IRON PIPE; THENCE SOUTH 87°06'10" EAST A DISTANCE OF 374.27 FEET TO AN IRON PIPE ON THE WESTERN RIGHT OF WAY OF SAID

HIGHWAY 55; THENCE WITH SAID RIGHT OF WAY, A CURVE TO THE RIGHT A RADIUS OF 5,633.75 FEET, AN ARC LENGTH OF 100.26 FEET, A CHORD BEARING OF SOUTH 00°30'27" EAST, A CHORD LENGTH OF 100.26 FEET TO A POINT; THENCE SOUTH 01°41'54" EAST A DISTANCE OF 100.29 FEET TO A POINT; THENCE SOUTH 01°45'44" WEST A DISTANCE OF 49.94 FEET TO A POINT ON THE NORTH LINE OF LOT 22 AS SHOWN ON BOOK OF MAPS 1948, PAGE 18; THENCE WITH SAID COMMON LINE NORTH 87°04'26" WEST A DISTANCE OF 127.90 FEET TO A POINT; THENCE SOUTH 01°28'23" WEST A DISTANCE OF 50.04 FEET TO A POINT; THENCE SOUTH 87°06'47" EAST A DISTANCE OF 127.65 FEET TO A POINT ON THE WEST RIGHT OF WAY OF SAID HIGHWAY 55; THENCE WITH SAID RIGHT OF WAY SOUTH 01°45'44" WEST A DISTANCE OF 49.94 FEET TO A POINT; THENCE SOUTH 01°45'44" WEST A DISTANCE OF 49.94 FEET TO A POINT; THENCE SOUTH 01°45'44" WEST A DISTANCE OF 49.94 FEET TO A POINT; THENCE SOUTH 01°45'44" WEST A DISTANCE OF 49.94 FEET TO A POINT; THENCE SOUTH 01°45'44" WEST A DISTANCE OF 49.94 FEET TO A POINT; THENCE SOUTH 01°45'44" WEST A DISTANCE OF 49.79 FEET TO A POINT; THENCE SOUTH 01°45'44" WEST A DISTANCE OF 50.00 FEET TO A POINT; THENCE SOUTH 01°45'44" WEST A DISTANCE OF 50.00 FEET TO A POINT; THENCE SOUTH 01°45'44" WEST A DISTANCE OF 50.00 FEET TO A POINT; THENCE SOUTH 12°49'18" WEST A DISTANCE OF 50.78 FEET TO A POINT; THENCE SOUTH 14°56'39" WEST A DISTANCE OF 51.10 FEET TO A CONCRETE MONUMENT; THENCE SOUTH 17°33'36" WEST A DISTANCE OF 51.76 FEET TO A CONCRETE MONUMENT ON THE NORTH LINE OF LOT 9, AS SHOWN ON BOOK OF MAPS 1948, PAGE 18; THENCE WITH SAID COMMON LINE NORTH 86°43'05" WEST A DISTANCE OF 89.07 FEET TO A POINT; THENCE SOUTH 01°28'00" WEST A DISTANCE OF 100.88 FEET TO A POINT; THENCE SOUTH 87°17'00" EAST A DISTANCE OF 51.62 FEET TO A POINT ON THE WESTERN RIGHT OF WAY OF SAID HIGHWAY 55; THENCE WITH SAID RIGHT OF WAY SOUTH 22°15'24" WEST A DISTANCE OF 53.04 FEET TO A POINT ON THE NORTHERN LINE OF LOT 6 AS SHOWN ON BOOK OF MAPS 1948, PAGE 18; THENCE WITH SAID COMMON LINE NORTH 87°17'00" WEST A DISTANCE OF 32.79 FEET TO A POINT; THENCE SOUTH 01°28'00" WEST A DISTANCE OF 48.52 FEET TO A POINT ON THE NORTHERN LINE OF THE NORTH CAROLINA DEPARTMENT OF TRANSPORTATION; THENCE WITH SAID COMMON LINE NORTH 87°21'16" WEST A DISTANCE OF 259.05 FEET TO A POINT; THENCE SOUTH 01°23'44" WEST A DISTANCE OF 347.79 FEET TO AN IRON PIPE; THENCE SOUTH 86°24'46" EAST A DISTANCE OF 74.06 FEET TO A POINT ON THE WESTERN RIGHT OF WAY OF SAID HIGHWAY 55; THENCE WITH SAID RIGHT OF WAY SOUTH 34°48'30" WEST A DISTANCE OF 35.57 FEET TO A CONCRETE MONUMENT ON THE NORTHERN RIGHT OF WAY OF TECHNOLOGY DRIVE, AS SHOWN ON BOOK OF MAPS 2003, PAGE 398; THENCE WITH SAID RIGHT OF WAY SOUTH 81°05'32" WEST A DISTANCE OF 355.21 FEET TO A POINT; THENCE SOUTH 60°43'09" WEST A DISTANCE OF 132.34 FEET TO A POINT; THENCE A CURVE TO THE LEFT, A RADIUS OF 426.43 FEET, AN ARC LENGTH OF 181.19 FEET, A CHORD BEARING OF SOUTH 49°06'58" WEST, A CHORD LENGTH OF 179.83 FEET TO A POINT; THENCE SOUTH 36°56'38" WEST A DISTANCE OF 162.54 FEET TO A POINT; THENCE SOUTH 37°44'51" WEST A DISTANCE OF 163.20 FEET TO A POINT ON THE EASTERN LINE OF THE BREGMAN TRACT SHOWN ON BOOK OF MAPS 2002, PAGE 165; THENCE WITH SAID COMMON LINE NORTH 02°38'53" EAST A DISTANCE OF 477.63 FEET TO AN IRON PIPE; THENCE NORTH 86°17'11" WEST A DISTANCE OF 191.04 FEET TO AN IRON PIPE; THENCE SOUTH 02°37'54" WEST A DISTANCE OF 192.78 FEET TO AN IRON PIPE; THENCE SOUTH 87°21'03" EAST A DISTANCE OF 144.87 FEET TO A POINT; THENCE SOUTH 02°38'53" WEST A DISTANCE OF 351.16 FEET TO A POINT ON THE NORTHER RIGHT OF WAY OF SAID TECHNOLOGY DRIVE; THENCE WITH SAID RIGHT OF WAY, A CURVE TO THE RIGHT, A RADIUS OF 5,840.02 FEET, AN ARC LENGTH OF 578.81 FEET, A CHORD BEARING OF SOUTH 42°11'18" WEST, A CHORD LENGTH OF 578.57 FEET TO A POINT; THENCE SOUTH 45°24'35" EAST A DISTANCE OF 26.85 FEET TO A POINT; THENCE

SOUTH 44°12'36" WEST A DISTANCE OF 620.76 FEET TO A POINT; THENCE A CURVE TO THE RIGHT, A RADIUS OF 351.98 FEET, AN ARC LENGTH OF 268.88 FEET, A CHORD BEARING OF SOUTH 67°02'07" WEST, A CHORD LENGTH OF 262.39 FEET TO A POINT; THENCE SOUTH 88°52'01" WEST A DISTANCE OF 164.86 FEET TO A POINT THE SOUTHEAST CORNER OF THE TRACT SHOWN ON BOOK OF MAPS 2000, PAGE 1920; THENCE WITH SAID COMMON LINE NORTH 02°16'22" EAST A DISTANCE OF 50.18 FEET TO AN IRON PIPE; THENCE NORTH 02°17'00" EAST A DISTANCE OF 1,402.38 FEET TO A POINT; THENCE NORTH 02°17'00" EAST A DISTANCE OF 163.32 FEET TO AN IRON PIPE ON THE EASTERN LINE OF TRACT 1, AS SHOWN ON BOOK OF MAPS 2009, PAGE 884; THENCE WITH SAID COMMON LINE NORTH 02°11'42" EAST A DISTANCE OF 120.99 FEET TO A POINT NEAR THE CREEK AS SHOWN ON THE AFORE SAID MAP; THENCE GENERALLY WITH THE COURSE OF SAID CREEK AS SHOWN ON THE AFORE SAID MAP, NORTH 82°46'29" WEST A DISTANCE OF 59.32 FEET TO A POINT; THENCE NORTH 38°01'48" WEST A DISTANCE OF 154.60 FEET TO A POINT; THENCE NORTH 84°02'09" WEST A DISTANCE OF 86.70 FEET TO A POINT; THENCE SOUTH 20°44'56" WEST A DISTANCE OF 18.43 FEET TO A POINT; THENCE SOUTH 79°18'34" WEST A DISTANCE OF 39.77 FEET TO A POINT; THENCE SOUTH 13°19'46" EAST A DISTANCE OF 38.31 FEET TO A POINT; THENCE SOUTH 76°35'49" WEST A DISTANCE OF 53.23 FEET TO A POINT; THENCE SOUTH 26°54'51" WEST A DISTANCE OF 42.90 FEET TO A POINT; THENCE SOUTH 33°19'02" EAST A DISTANCE OF 29.87 FEET TO A POINT; THENCE SOUTH 51°46'22" WEST A DISTANCE OF 61.75 FEET TO A POINT; THENCE NORTH 64°34'50" WEST A DISTANCE OF 58.31 FEET TO A POINT; THENCE SOUTH 29°34'47" WEST A DISTANCE OF 47.94 FEET TO A POINT; THENCE SOUTH 71°40'28" WEST A DISTANCE OF 23.79 FEET TO A POINT; THENCE NORTH 39°32'53" WEST A DISTANCE OF 102.73 FEET TO A POINT; THENCE NORTH 69°26'41" WEST A DISTANCE OF 124.25 FEET TO A POINT; THENCE SOUTH 57°24'05" WEST A DISTANCE OF 82.87 FEET TO A POINT; THENCE SOUTH 07°43'11" WEST A DISTANCE OF 131.15 FEET TO A POINT; THENCE SOUTH 83°27'25" WEST A DISTANCE OF 147.78 FEET TO A POINT; THENCE SOUTH 00°36'20" EAST A DISTANCE OF 95.70 FEET TO A POINT; THENCE SOUTH 80°37'14" WEST A DISTANCE OF 210.03 FEET TO A POINT; THENCE SOUTH 21°46'20" WEST A DISTANCE OF 110.71 FEET TO A POINT; THENCE SOUTH 78°48'03" EAST A DISTANCE OF 41.76 FEET TO A POINT; THENCE SOUTH 32°29'11" WEST A DISTANCE OF 93.04 FEET TO A POINT; THENCE NORTH 66°26'02" WEST A DISTANCE OF 45.02 FEET TO A POINT; THENCE SOUTH 47°52'32" WEST A DISTANCE OF 34.12 FEET TO A POINT; THENCE SOUTH 00°28'52" WEST A DISTANCE OF 71.12 FEET TO A POINT; THENCE SOUTH 79°33'24" WEST A DISTANCE OF 96.46 FEET TO A POINT; THENCE NORTH 52°02'42" WEST A DISTANCE OF 30.57 FEET TO A POINT; THENCE SOUTH 81°23'08" WEST A DISTANCE OF 60.05 FEET TO A POINT; THENCE SOUTH 41°39'40" WEST A DISTANCE OF 186.48 FEET TO A POINT; THENCE SOUTH 44°48'01" EAST A DISTANCE OF 60.58 FEET TO A POINT; THENCE SOUTH 20°16'03" WEST A DISTANCE OF 35.02 FEET TO A POINT; THENCE NORTH 76°32'52" WEST A DISTANCE OF 126.07 FEET TO A POINT; THENCE SOUTH 34°49'57" WEST A DISTANCE OF 90.84 FEET TO A POINT; THENCE NORTH 41°34'57" WEST A DISTANCE OF 26.79 FEET TO A POINT; THENCE SOUTH 44°48'57" WEST A DISTANCE OF 69.31 FEET TO A POINT; THENCE SOUTH 28°17'36" EAST A DISTANCE OF 74.29 FEET TO A POINT; THENCE SOUTH 47°29'27" WEST A DISTANCE OF 92.11 FEET TO A POINT; THENCE NORTH 49°33'56" WEST A DISTANCE OF 78.37 FEET TO A POINT; THENCE SOUTH 87°17'25" WEST A DISTANCE OF 290.72 FEET TO A POINT; THENCE SOUTH 11°44'33" WEST A DISTANCE OF 20.66 FEET TO A POINT; THENCE SOUTH 64°16'17" WEST A DISTANCE OF 220.45 FEET TO A POINT; THENCE SOUTH 82°21'19" WEST A DISTANCE OF 72.19 FEET TO A POINT; THENCE NORTH 36°16'44" WEST A DISTANCE OF 42.40 FEET TO A POINT; THENCE SOUTH 69°36'51" WEST A DISTANCE OF 126.77 FEET TO A POINT; THENCE SOUTH 62°06'56" WEST A DISTANCE OF 316.17 FEET TO A POINT IN THE CENTERLINE OF WHITE OAK CREEK; THENCE WITH SAID CREEK SOUTH

17°45'27" WEST A DISTANCE OF 29.26 FEET TO A POINT; THENCE SOUTH 26°24'46" WEST A DISTANCE OF 31.72 FEET TO A POINT; THENCE SOUTH 40°05'18" WEST A DISTANCE OF 78.74 FEET TO A POINT; THENCE SOUTH 07°45'39" WEST A DISTANCE OF 35.25 FEET TO A POINT; THENCE SOUTH 42°06'24" WEST A DISTANCE OF 57.16 FEET TO A POINT; THENCE SOUTH 01°06'28" WEST A DISTANCE OF 351.89 FEET TO AN IRON PIE ON THE NORTHERN LINE OF GREENWAY WASTE SOLUTIONS OF APEX LLC; THENCE WITH SAID COMMON LINE SOUTH 88°51'48" WEST A DISTANCE OF 28.47 FEET TO A POINT; THENCE SOUTH 03°52'45" WEST A DISTANCE OF 158.77 FEET TO A POINT; THENCE SOUTH 23°38'07" EAST A DISTANCE OF 210.79 FEET TO A POINT; THENCE SOUTH 30°01'31" WEST A DISTANCE OF 156.29 FEET TO A POINT; THENCE SOUTH 11°48'54" EAST A DISTANCE OF 104.71 FEET TO A POINT; THENCE SOUTH 19°26'04" WEST A DISTANCE OF 147.77 FEET TO A POINT ON THE NORTHERN RIGHT OF WAY OF NORTH CAROLINA HIGHWAY 540; THENCE WITH SAID RIGHT OF WAY NORTH 87°35'38" WEST A DISTANCE OF 1,273.34 FEET TO AN IRON PIPE; THENCE NORTH 75°03'53" WEST A DISTANCE OF 276.59 FEET TO AN IRON PIPE; THENCE SOUTH 36°13'41" WEST A DISTANCE OF 120.37 FEET TO AN IRON PIPE; THENCE NORTH 49°31'49" WEST A DISTANCE OF 105.40 FEET TO AN IRON PIPE; THENCE NORTH 65°24'12" WEST A DISTANCE OF 112.48 FEET TO A CONCRETE MONUMENT; THENCE A CURVE TO THE RIGHT, A RADIUS OF 865.00 FEET, AN ARC LENGTH OF 261.30 FEET, A CHORD BEARING OF NORTH 54°43'51" WEST, A CHORD LENGTH OF 260.31 FEET TO A CONCRETE MONUMENT; THENCE NORTH 42°11'22" WEST A DISTANCE OF 182.87 FEET TO A CONCRETE MONUMENT; THENCE NORTH 40°19'02" WEST A DISTANCE OF 35.61 FEET TO A POINT; THENCE NORTH 44°05'45" WEST A DISTANCE OF 184.73 FEET TO A CONCRETE MONUMENT; THENCE WITH A CURVE TO THE LEFT A RADIUS OF 534.00 FEET, AN ARC LENGTH OF 249.50 FEET, A CHORD BEARING OF NORTH 64°32'31" WEST, A CHORD LENGTH OF 247.24 FEET TO A CONCRETE MONUMENT; THENCE NORTH 77°55'37" WEST A DISTANCE OF 220.93 FEET TO A CONCRETE MONUMENT; THENCE NORTH 25°05'55" WEST A DISTANCE OF 60.93 FEET TO A CONCRETE MONUMENT ON THE RIGHT OF WAY OF VERIDEA PARKWAY; THENCE WITH SAID RIGHT OF WAY, A CURVE TO THE RIGHT, A RADIUS OF 5,930.50 FEET, AN ARC LENGTH OF 363.87 FEET, A CHORD BEARING OF NORTH 18°48'19" EAST, A CHORD LENGTH OF 363.81 FEET TO A POINT; THENCE NORTH 20°49'17" EAST A DISTANCE OF 59.37 FEET TO A POINT; THENCE NORTH 17°36'52" EAST A DISTANCE OF 299.95 FEET TO A POINT; THENCE NORTH 07°20'42" EAST A DISTANCE OF 127.17 FEET TO A POINT; THENCE NORTH 16°56'54" EAST A DISTANCE OF 296.14 FEET TO A POINT; THENCE A CURVE TO THE LEFT, A RADIUS OF 2,067.50 FEET, AN ARC LENGTH OF 227.29 FEET, A CHORD BEARING OF NORTH 13°47'56" EAST, A CHORD LENGTH OF 227.18 FEET TO A POINT; THENCE NORTH 09°16'52" EAST A DISTANCE OF 6.98 FEET TO A POINT; THENCE NORTH 09°16'52" EAST A DISTANCE OF 31.69 FEET TO A POINT; THENCE NORTH 09°28'48" EAST A DISTANCE OF 166.90 FEET TO A POINT; THENCE NORTH 09°28'48" EAST A DISTANCE OF 13.32 FEET TO A POINT; THENCE NORTH 09°28'48" EAST A DISTANCE OF 17.71 FEET TO A POINT; THENCE NORTH 09°28'48" EAST A DISTANCE OF 55.05 FEET TO A POINT ON THE SOUTHERN LINE OF ROGER BUSHEE; THENCE WITH SAID COMMON LINE SOUTH 80°05'31" EAST A DISTANCE OF 386.35 FEET TO AN IRON PIPE, AS SHOWN ON THE WESTERN LINE OF THE 5.00 ACRE TRACT SHOWN ON BOOK OF MAPS 1998, PAGE 1052; THENCE WITH SAID COMMON LINE SOUTH 09°53'16" WEST A DISTANCE OF 120.00 FEET TO AN IRON PIPE; THENCE NORTH 89°42'24" EAST A DISTANCE OF 427.65 FEET TO AN IRON PIPE; THENCE NORTH 28°17'19" EAST A DISTANCE OF 258.03 FEET TO A POINT; THENCE NORTH 25°29'27" WEST A DISTANCE OF 398.53 FEET TO A POINT; THENCE SOUTH 85°22'14" WEST A DISTANCE OF 220.54 FEET TO A POINT; THENCE SOUTH 09°39'36" WEST A DISTANCE OF 200.09 FEET TO A POINT, THE NORTHEAST CORNER OF ROGER BUSHEE; THENCE WITH SAID COMMON LINE NORTH 80°09'19" WEST A DISTANCE OF 185.05 FEET TO A POINT, THE SOUTHWEST CORNER OF WJ FIELDS; THENCE WITH

SAID COMMON LINE OF FIELDS AND OTHERS NORTH 09°58'01" EAST A DISTANCE OF 550.14 FEET TO A POINT, THE SOUTHEAST CORNER OF WHITEHOUSE ASSETS MANAGEMENT, LLC; THENCE WITH SAID COMMON LINE NORTH 24°25'22" EAST A DISTANCE OF 442.30 FEET TO A POINT; THENCE SOUTH 69°45'18" WEST A DISTANCE OF 509.98 FEET TO A REBAR IN THE CENTERLINE OF VERIDEA PARKWAY; THENCE WITH SAID LINE SOUTH 09°52'33" WEST A DISTANCE OF 171.70 FEET TO A POINT; THENCE SOUTH 09°57'23" WEST A DISTANCE OF 550.24 FEET TO A POINT; THENCE SOUTH 09°26'46" WEST A DISTANCE OF 21.55 FEET TO A POINT; THENCE NORTH 89°10'45" WEST A DISTANCE OF 68.12 FEET TO A POINT ON THE WESTERN RIGHT OF WAY OF VERIDEA PARKWAY; THENCE WITH SAID RIGHT OF WAY SOUTH 09°28'47" WEST A DISTANCE OF 60.77 FEET TO A CONCRETE MONUMENT; THENCE SOUTH 09°28'45" WEST A DISTANCE OF 430.91 FEET TO A CONCRETE MONUMENT; THENCE SOUTH 09°46'52" WEST A DISTANCE OF 74.87 FEET TO A CONCRETE MONUMENT; THENCE A CURVE TO THE RIGHT, A RADIUS OF 1,933.03 FEET, AN ARC LENGTH OF 173.41 FEET, A CHORD BEARING OF SOUTH 14°22'33" WEST, A CHORD LENGTH OF 173.35 FEET TO A POINT; THENCE SOUTH 16°56'46" WEST A DISTANCE OF 296.14 FEET TO A POINT; THENCE SOUTH 36°46'38" WEST A DISTANCE OF 128.94 FEET TO A POINT; THENCE SOUTH 21°28'31" WEST A DISTANCE OF 304.38 FEET TO A POINT; THENCE SOUTH 20°42'10" WEST A DISTANCE OF 61.19 FEET TO A POINT; THENCE A CURVE TO THE LEFT, A RADIUS OF 6,150.50 FEET, AN ARC LENGTH OF 428.45 FEET, A CHORD BEARING OF SOUTH 18°25'23" WEST, A CHORD LENGTH OF 428.36 FEET TO A CONCRETE MONUMENT; THENCE A CURVE TO THE LEFT, A RADIUS OF 6,150.50 FEET, AN ARC LENGTH OF 203.98 FEET, A CHORD BEARING OF SOUTH 15°28'40" WEST, A CHORD LENGTH OF 203.97 FEET TO A CONCRETE MONUMENT; THENCE A CURVE TO THE LEFT A RADIUS OF 6,150.50 FEET, AN ARC LENGTH OF 244.84 FEET, A CHORD BEARING OF SOUTH 13°23'14" WEST, A CHORD LENGTH OF 244.82 FEET TO A CONCRETE MONUMENT; THENCE SOUTH 82°34'50" WEST A DISTANCE OF 63.94 FEET TO A CONCRETE MONUMENT ON THE NORTHERN RIGHT OF WAY OF NORTH CAROLINA HIGHWAY 540; THENCE WITH SAID RIGHT OF WAY, A CURVE TO THE RIGHT, A RADIUS OF 4,035.00 FEET, AN ARC LENGTH OF 584.49 FEET, A CHORD BEARING OF NORTH 63°59'55" WEST, A CHORD LENGTH OF 583.98 FEET TO A POINT; THENCE A CURVE TO THE RIGHT, A RADIUS OF 4,035.00 FEET, AN ARC LENGTH OF 857.09 FEET, A CHORD BEARING OF NORTH 53°42'27" WEST, A CHORD LENGTH OF 855.48 FEET TO AN IRON PIPE; THENCE A CURVE TO THE RIGHT, A RADIUS OF 4,054.26 FEET, AN ARC LENGTH OF 326.65 FEET, A CHORD BEARING OF NORTH 45°18'10" WEST, A CHORD LENGTH OF 326.56 FEET TO AN IRON PIPE; THENCE NORTH 36°43'15" WEST A DISTANCE OF 102.76 FEET TO AN IRON PIPE; THENCE NORTH 35°20'20" WEST A DISTANCE OF 237.13 FEET TO AN IRON PIPE; THENCE NORTH 07°47'12" WEST A DISTANCE OF 131.08 FEET TO AN IRON PIPE; THENCE NORTH 00°34'29" WEST A DISTANCE OF 436.11 FEET TO AN IRON PIPE; THENCE NORTH 12°52'53" EAST A DISTANCE OF 565.14 FEET TO AN IRON PIPE; THENCE NORTH 05°57'15" EAST A DISTANCE OF 356.74 FEET TO AN IRON PIPE; THENCE NORTH 15°26'08" EAST A DISTANCE OF 134.33 FEET TO A POINT; THENCE NORTH 15°26'08" EAST A DISTANCE OF 200.01 FEET TO AN IRON PIPE; THENCE NORTH 28°28'53" EAST A DISTANCE OF 237.21 FEET TO AN IRON PIPE; THENCE NORTH 45°14'54" EAST A DISTANCE OF 75.20 FEET TO AN IRON PIPE; THENCE NORTH 42°51'55" EAST A DISTANCE OF 241.20 FEET TO AN IRON PIPE; THENCE NORTH 50°43'55" EAST A DISTANCE OF 160.95 FEET TO AN IRON PIPE ON THE SOUTHERN RIGHT OF WAY US HIGHWAY 1; THENCE WITH SAID RIGHT OF WAY NORTH 58°37'05" EAST A DISTANCE OF 364.36 FEET TO A POINT ON THE SOUTHERN LINE OF YMCA OF THE TRIANGLE; THENCE WITH SAID COMMON LINE NORTH 87°38'44" EAST A DISTANCE OF 265.82 FEET TO A POINT; THENCE NORTH 00°27'33" WEST A DISTANCE OF 149.91 FEET TO A POINT ON THE SOUTHERN RIGHT OF WAY OF SAID US HIGHWAY 1; THENCE WITH SAID RIGHT OF WAY NORTH 58°41'20" EAST A DISTANCE OF 1,668.68 FEET TO A POINT IN

THE CENTERLINE OF VERIDEA PARKWAY, THE COMMON CORNER OF TRACT 2 AS SHOWN ON BOOK OF MAPS 1978, PAGE 731; THENCE WITH SAID CENTERLINE SOUTH 34°51'52" EAST A DISTANCE OF 160.69 FEET TO A POINT; THENCE SOUTH 34°51'52" EAST A DISTANCE OF 29.87 FEET TO A POINT; THENCE WITH A CURVE TO THE RIGHT A RADIUS OF 1,153.78 FEET, AN ARC LENGTH OF 159.25 FEET, A CHORD BEARING OF SOUTH 29°56'17" EAST, A CHORD LENGTH OF 159.12 FEET TO A POINT; THENCE A CURVE TO THE RIGHT, A RADIUS OF 1,410.24 FEET, AN ARC LENGTH OF 237.39 FEET, A CHORD BEARING OF SOUTH 21°35'10" EAST, A CHORD LENGTH OF 237.11 FEET TO A POINT; THENCE A CURVE TO THE RIGHT, A RADIUS OF 1,412.80 FEET, AN ARC LENGTH OF 95.19 FEET, A CHORD BEARING OF SOUTH 15°10'37" EAST, A CHORD LENGTH OF 95.17 FEET TO A POINT, THE COMMON CORNER OF WVPRINCE PROPERTIES LLC; THENCE WITH SAID COMMON LINE NORTH 53°12'16" EAST A DISTANCE OF 324.19 FEET TO A POINT; THENCE SOUTH 05°04'58" EAST A DISTANCE OF 406.22 FEET TO A POINT; THENCE SOUTH 82°04'14" WEST A DISTANCE OF 262.30 FEET TO A POINT IN THE CENTERLINE OF VERIDEA PARKWAY; THENCE WITH SAID LINE SOUTH 04°53'25" EAST A DISTANCE OF 109.42 FEET TO A POINT; THENCE A CURVE TO THE RIGHT, A RADIUS OF 253.36 FEET, AN ARC LENGTH OF 164.05 FEET, A CHORD BEARING OF SOUTH 13°00'27" WEST, A CHORD LENGTH OF 161.20 FEET TO AN IRON PIPE ON THE EASTERN RIGHT OF WAY OF VERIDEA PARKWAY; THENCE SOUTH 53°16'50" EAST A DISTANCE OF 31.10 FEET TO AN IRON PIPE ON THE EASTERN RIGHT OF WAY OF VERIDEA PARKWAY; THENCE SOUTH 53°16'50" EAST A DISTANCE OF 60.76 FEET TO A POINT; THENCE NORTH 71°42'44" EAST A DISTANCE OF 274.98 FEET TO A POINT; THENCE NORTH 71°42'44" EAST A DISTANCE OF 170.75 FEET TO AN IRON PIPE; THENCE NORTH 61°11'36" EAST A DISTANCE OF 171.72 FEET TO AN IRON PIPE; THENCE NORTH 67°24'08" EAST A DISTANCE OF 526.30 FEET TO AN IRON PIPE ON THE WESTERN LINE OF THE TRACT SHOWN ON PLAT BOOK 1985, PAGE 64; THENCE WITH SAID COMMON LINE SOUTH 00°33'48" WEST A DISTANCE OF 1,301.27 FEET TO AN IRON PIPE; THENCE SOUTH 88°56'50" EAST A DISTANCE OF 1,524.31 FEET TO AN IRON PIPE; THENCE NORTH 42°37'27" EAST A DISTANCE OF 84.50 FEET TO A POINT; THENCE SOUTH 87°51'02" EAST A DISTANCE OF 208.48 FEET TO AN IRON PIPE; THENCE NORTH 00°58'38" EAST A DISTANCE OF 3,283.09 FEET TO AN IRON PIPE; THENCE SOUTH 89°46'05" WEST A DISTANCE OF 25.90 FEET TO A POINT, THE SOUTHEAST CORNER OF TRACT C-2, AS SHOWN ON BOOK OF MAPS 1989, PAGE 59; THENCE WITH SAID COMMON LINE NORTH 01°31'12" EAST A DISTANCE OF 572.91 FEET TO A POINT; THENCE NORTH 01°28'31" EAST A DISTANCE OF 119.73 FEET TO A POINT; THENCE NORTH 01°30'44" EAST A DISTANCE OF 41.12 FEET TO THE POINT OF BEGINNING; CONTAINING 37,222,488 SQUARE FEET OR 854.51 ACRES.

THIS INCLUDES THE RECOMBINED PARCELS SHOWN ON B.M. 2024, PG. 630 RECORDED IN THE WAKE COUNTY REGISTER OF DEEDS.

LESS AND EXCEPT THE FOLLOWING

BEING ALL OF THE JENKS, MILBY, AND POE TRACTS SHOWN ON BOOK OF MAPS 2014, PAGE 1223 OF THE WAKE COUNTY REGISTRY. MORE PARTICULARLY DESCRIBED AS:

COMMENCING AT A POINT ON THE SOUTHERN RIGHT OF WAY OF U.S. HIGHWAY 1, SAID POINT BEING THE NORTHWEST CORNER OF TRACT I-A, AS SHOWN ON BOOK OF MAPS 2003, PAGE 398 OF THE WAKE COUNTY REGISTRY, THE POINT OF COMMENCEMENT; THENCE SOUTH 47°02'19" WEST A DISTANCE OF 6,484.14 FEET TO AN IRON PIPE, THE NORTHEAST CORNER OF THE MILBY TRACT, AS SHOWN ON BOOK OF MAPS 2014, PAGE 1223, THE POINT OF BEGINNING; THENCE WITH THE EASTERN LINE OF THE MILBY

TRACT SOUTH 02°19'40" WEST A DISTANCE OF 199.14 FEET TO A POINT, THE NORTHWEST CORNER OF THE 1.710 ACRE TRACT SHOWN ON BOOK OF MAPS 2002, PAGE 109; THENCE WITH SAID COMMON LINE SOUTH 02°19'40" WEST A DISTANCE OF 64.13 FEET TO AN IRON PIPE; THENCE SOUTH 02°13'53" WEST A DISTANCE OF 189.40 FEET TO AN IRON PIPE; THENCE SOUTH 02°17'48" WEST A DISTANCE OF 67.39 FEET TO AN IRON PIPE; THENCE SOUTH 65°19'45" WEST A DISTANCE OF 538.99 FEET TO A POINT; THENCE SOUTH 01°27'55" WEST A DISTANCE OF 148.65 FEET TO A POINT; THENCE SOUTH 77°54'05" WEST A DISTANCE OF 389.22 FEET TO AN IRON PIPE; THENCE NORTH 00°01'19" WEST A DISTANCE OF 967.73 FEET TO A POINT; THENCE NORTH 89°58'41" EAST A DISTANCE OF 616.26 FEET TO AN IRON PIPE; THENCE NORTH 89°58'41" EAST A DISTANCE OF 133.87 FEET TO AN IRON PIPE; THENCE NORTH 87°19'22" EAST A DISTANCE OF 145.34 FEET TO THE POINT OF BEGINNING; CONTAINING 668,038 SQUARE FEET OR 15.34 ACRES.

BEING A PORTION OF THE PROGRESS ENERGY, LYNA, AND REEVES TRACTS SHOWN ON BOOK OF MAPS 2007, PAGE 1132 OF THE WAKE COUNTY REGISTRY. MORE PARTICULARLY DESCRIBED AS:

BEGINNING AT AN EXISTING IRON PIPE ON THE EAST LINE OF TRACT A, AS SHOWN ON BOOK OF MAPS 1998, PAGE 782 OF THE WAKE COUNTY REGISTRY, BEING ALSO THE NORTHWEST CORNER OF TRACT 2, AS SHOWN ON BOOK OF MAPS 2016, PAGE 1428; THENCE WITH SAID TRACT A, NORTH 04°58'10" EAST A DISTANCE OF 362.56 FEET TO A POINT; THENCE SOUTH 89°45'44" WEST A DISTANCE OF 59.47 FEET TO A POINT ON THE EASTERN RIGHT OF WAY OF VERIDEA PARKWAY, AS DESCRIBED IN DEED BOOK 15539, PAGE 1885; THENCE WITH SAID RIGHT OF WAY NORTH 13°15'47" EAST A DISTANCE OF 53.04 FEET TO A CONCRETE MONUMENT; THENCE A CURVE TO THE LEFT, A RADIUS OF 1,700.00 FEET, AN ARC LENGTH OF 338.32 FEET, A CHORD BEARING OF NORTH 07°33'43" EAST, A CHORD LENGTH OF 337.77 FEET TO A CONCRETE MONUMENT; THENCE A CURVE TO THE LEFT, A RADIUS OF 1,900.00 FEET, AN ARC LENGTH OF 76.93 FEET, A CHORD BEARING OF NORTH 01°06'08" WEST, A CHORD LENGTH OF 76.92 FEET TO A CONCRETE MONUMENT; THENCE A CURVE TO THE LEFT, A RADIUS OF 1,900.00 FEET, AN ARC LENGTH OF 63.33 FEET, A CHORD BEARING OF NORTH 01°01'01" WEST, A CHORD LENGTH OF 63.33 FEET TO A CONCRETE MONUMENT; THENCE A CURVE TO THE LEFT, A RADIUS OF 1,900.00 FEET, AN ARC LENGTH OF 31.67 FEET, A CHORD BEARING OF NORTH 02°26'58" WEST, A CHORD LENGTH OF 31.67 FEET TO A CONCRETE MONUMENT; THENCE NORTH 02°54'23" EAST A DISTANCE OF 203.97 FEET TO A CONCRETE MONUMENT ON THE SOUTHERN RIGHT OF WAY OF NORTH CAROLINA HIGHWAY 540; THENCE WITH SAID RIGHT OF WAY NORTH 48°17'55" EAST A DISTANCE OF 64.35 FEET TO A POINT; THENCE NORTH 48°17'55" EAST A DISTANCE OF 3.48 FEET TO A CONCRETE MONUMENT; THENCE SOUTH 76°02'09" EAST A DISTANCE OF 316.69 FEET TO A CONCRETE MONUMENT; THENCE SOUTH 77°42'22" EAST A DISTANCE OF 224.13 FEET TO A CONCRETE MONUMENT; THENCE NORTH 74°21'52" EAST A DISTANCE OF 186.60 FEET TO A CONCRETE MONUMENT; THENCE NORTH 46°45'41" EAST A DISTANCE OF 297.04 FEET TO A CONCRETE MONUMENT; THENCE NORTH 47°49'13" EAST A DISTANCE OF 182.30 FEET TO A CONCRETE MONUMENT; THENCE NORTH 64°40'03" EAST A DISTANCE OF 179.28 FEET TO A POINT, THE NORTHWEST CORNER OF GREENWAY WASTE SOLUTIONS AS DESCRIBED IN DEED BOOK 9099, PAGE 1039; THENCE WITH SAID COMMON LINE SOUTH 06°34'16" EAST A DISTANCE OF 760.63 FEET TO AN IRON PIPE; THENCE SOUTH 79°02'49" EAST A DISTANCE OF 220.90 FEET TO A POINT; THENCE SOUTH 75°06'07" EAST A DISTANCE OF 218.69 FEET TO AN IRON PIPE; THENCE SOUTH 70°32'46" EAST A DISTANCE OF 183.78 FEET TO AN IRON PIPE; THENCE SOUTH 55°38'24" EAST A DISTANCE OF 327.19 FEET TO A POINT IN WHITE OAK CREEK; THENCE WITH SAID CREEK SOUTH 07°50'07" EAST A DISTANCE OF 31.18 FEET TO A POINT; THENCE SOUTH 24°25'22" EAST A DISTANCE OF 138.13 FEET TO A POINT, THE COMMON CORNER OF WAKE COUNTY FELTONVILLE LANDFILL, AS SHOWN ON BOOK OF MAPS 2016, PAGE 1427; THENCE WITH SAID CREEK, THE COMMON LINE, SOUTH 04°34'33" WEST A DISTANCE OF 63.94 FEET TO A POINT; THENCE SOUTH 18°23'05" WEST A DISTANCE OF 94.25 FEET TO A POINT; THENCE SOUTH 00°53'17" WEST A DISTANCE OF 65.12 FEET TO A POINT; THENCE SOUTH 00°53'17" WEST A DISTANCE OF 39.71 FEET TO A POINT; THENCE SOUTH 12°47'10" WEST A DISTANCE OF 52.16 FEET TO A POINT; THENCE SOUTH 58°49'54" WEST A DISTANCE OF 25.88 FEET TO A POINT; THENCE SOUTH 13°29'07" WEST A DISTANCE OF 65.67 FEET TO A POINT, THE NORTHEAST CORNER OF TRACT 2 AS SHOWN ON BOOK OF MAPS 2016, PAGE 1428; THENCE WITH SAID COMMON LINE NORTH 82°38'31"

WEST A DISTANCE OF 877.31 FEET TO AN IRON PIPE; THENCE NORTH 88°36'32" WEST A DISTANCE OF 1370.01 FEET TO THE POINT OF BEGINNING; CONTAINING 2,282,096 SQUARE FEET OR 52.39 ACRES.

TRACTS 8-3, 10-6, 10-7B SOUTH

BEGINNING AT A CONCRETE MONUMENT ON THE WESTERN RIGHT OF WAY OF VERIDEA PARKWAY, SAID MONUMENT BEING ON THE NORTHERN LINE OF THE TRACT SHOWN ON BOOK OF MAPS 1986, PAGE 1865, THE POINT OF BEGINNING; THENCE NORTH 71°59'15" WEST A DISTANCE OF 337.68 FEET TO AN IRON PIPE; THENCE NORTH 86°29'50" WEST A DISTANCE OF 829.07 FEET TO AN IRON PIPE, THE NORTHEAST CORNER OF TRACT 3 AS SHOWN ON BOOK OF MAPS 2022, PAGE 3; THENCE WITH SAID COMMON LINE SOUTH 87°43'51" WEST A DISTANCE OF 2,965.86 FEET TO AN IRON PIPE ON THE EASTERN LINE OF TRACT F, AS SHOWN ON BOOK OF MAPS 1974, PAGE 228; THENCE WITH SAID COMMON LINE NORTH 00°24'36" EAST A DISTANCE OF 1,161.04 FEET TO A POINT ON THE SOUTHERN LINE OF TRACT B, AS SHOWN ON BOOK OF MAPS 1979, PAGE 686; THENCE WITH SAID COMMON LINE SOUTH 78°13'36" EAST A DISTANCE OF 73.65 FEET TO A POINT; THENCE SOUTH 70°13'09" EAST A DISTANCE OF 113.59 FEET TO A POINT; THENCE SOUTH 71°57'54" EAST A DISTANCE OF 121.73 FEET TO A POINT; THENCE SOUTH 70°58'13" EAST A DISTANCE OF 114.09 FEET TO A POINT; THENCE SOUTH 72°14'11" EAST A DISTANCE OF 343.92 FEET TO A POINT; THENCE SOUTH 74°17'38" EAST A DISTANCE OF 315.81 FEET TO A POINT; THENCE SOUTH 65°13'58" EAST A DISTANCE OF 138.23 FEET TO A POINT; THENCE SOUTH 65°10'08" EAST A DISTANCE OF 10.00 FEET TO A POINT IN BIG BRANCH; THENCE WITH SAID BRANCH NORTH 19°49'58" EAST A DISTANCE OF 52.46 FEET TO A POINT; THENCE NORTH 27°34'56" EAST A DISTANCE OF 25.74 FEET TO A POINT; THENCE NORTH 62°53'48" EAST A DISTANCE OF 26.76 FEET TO A POINT; THENCE NORTH 29°01'04" WEST A DISTANCE OF 21.84 FEET TO A POINT; THENCE NORTH 05°59'14" WEST A DISTANCE OF 34.25 FEET TO A POINT; THENCE NORTH 49°53'01" EAST A DISTANCE OF 15.65 FEET TO A POINT; THENCE NORTH 35°50'22" EAST A DISTANCE OF 26.00 FEET TO A POINT; THENCE NORTH 57°56'55" WEST A DISTANCE OF 27.74 FEET TO A POINT; THENCE SOUTH 77°56'49" WEST A DISTANCE OF 70.86 FEET TO A POINT; THENCE NORTH 69°25'39" WEST A DISTANCE OF 55.42 FEET TO A POINT; THENCE NORTH 16°13'12" WEST A DISTANCE OF 54.07 FEET TO A POINT; THENCE NORTH 47°24'29" EAST A DISTANCE OF 30.81 FEET TO A POINT; THENCE SOUTH 76°52'37" EAST A DISTANCE OF 46.52 FEET TO A POINT; THENCE NORTH 23°54'47" EAST A DISTANCE OF 15.13 FEET TO A POINT; THENCE NORTH 10°53'04" EAST A DISTANCE OF 79.33 FEET TO A POINT; THENCE NORTH 70°48'08" WEST A DISTANCE OF 21.80 FEET TO A POINT; THENCE NORTH 13°57'57" WEST A DISTANCE OF 44.13 FEET TO A POINT; THENCE NORTH 54°45'55" WEST A DISTANCE OF 48.38 FEET TO A POINT; THENCE SOUTH 57°21'14" WEST A DISTANCE OF 58.90 FEET TO A POINT; THENCE SOUTH 44°33'39" WEST A DISTANCE OF 46.68 FEET TO A POINT; THENCE NORTH 46°24'21" WEST A DISTANCE OF 39.79 FEET TO A POINT; THENCE NORTH 72°29'35" WEST A DISTANCE OF 36.60 FEET TO A POINT; THENCE SOUTH 47°15'35" WEST A DISTANCE OF 18.92 FEET TO A POINT; THENCE NORTH 74°35'59" WEST A DISTANCE OF 21.22 FEET TO A POINT; THENCE NORTH 28°54'22" WEST A DISTANCE OF 20.74 FEET TO A POINT; THENCE NORTH 42°54'07" WEST A DISTANCE OF 46.75 FEET TO A POINT; THENCE NORTH 06°55'02" EAST A DISTANCE OF 26.65 FEET TO A POINT; THENCE NORTH 88°27'17" EAST A DISTANCE OF 37.67 FEET TO A POINT; THENCE NORTH 27°00'55" EAST A DISTANCE OF 19.39 FEET TO A POINT; THENCE NORTH 01°16'06" EAST A DISTANCE OF 31.60 FEET TO A POINT; THENCE NORTH 45°55'37" EAST A DISTANCE OF 50.02 FEET TO A POINT; THENCE NORTH 01°23'54" EAST A DISTANCE OF 14.01 FEET TO A POINT; THENCE NORTH 65°17'04" WEST A DISTANCE OF 42.02 FEET TO A POINT; THENCE NORTH 01°21'12" EAST A DISTANCE OF 32.19 FEET TO A POINT; THENCE NORTH 46°19'10" WEST A DISTANCE OF 51.21 FEET TO A POINT; THENCE NORTH 06°48'02" EAST A DISTANCE OF 35.97 FEET TO A POINT; THENCE NORTH 69°34'03" EAST A DISTANCE OF 41.13 FEET TO A POINT; THENCE NORTH 39°27'36" EAST A DISTANCE OF 39.13 FEET TO A POINT; THENCE NORTH 15°04'34" WEST A DISTANCE OF 20.63 FEET TO

A POINT; THENCE NORTH 51°45'25" WEST A DISTANCE OF 25.88 FEET TO A POINT; THENCE NORTH 30°03'26" EAST A DISTANCE OF 27.95 FEET TO A POINT; THENCE SOUTH 60°17'18" EAST A DISTANCE OF 30.79 FEET TO A POINT; THENCE SOUTH 36°34'38" EAST A DISTANCE OF 34.28 FEET TO A POINT; THENCE SOUTH 78°45'43" EAST A DISTANCE OF 52.43 FEET TO A POINT; THENCE NORTH 41°36'19" EAST A DISTANCE OF 15.36 FEET TO A POINT; THENCE NORTH 04°43'43" EAST A DISTANCE OF 44.44 FEET TO A POINT; THENCE NORTH 30°37'30" EAST A DISTANCE OF 51.77 FEET TO A POINT; THENCE NORTH 05°00'41" EAST A DISTANCE OF 35.48 FEET TO A POINT; THENCE SOUTH 62°04'45" WEST A DISTANCE OF 33.82 FEET TO A POINT; THENCE NORTH 44°58'03" WEST A DISTANCE OF 39.84 FEET TO A POINT; THENCE NORTH 44°37'02" EAST A DISTANCE OF 21.58 FEET TO A POINT; THENCE NORTH 53°05'19" EAST A DISTANCE OF 60.88 FEET TO A POINT; THENCE NORTH 61°15'57" WEST A DISTANCE OF 39.17 FEET TO A POINT; THENCE NORTH 50°49'25" WEST A DISTANCE OF 23.78 FEET TO A POINT; THENCE NORTH 10°03'59" WEST A DISTANCE OF 28.54 FEET TO A POINT; THENCE NORTH 38°48'29" EAST A DISTANCE OF 55.95 FEET TO A POINT; THENCE NORTH 43°08'07" WEST A DISTANCE OF 60.59 FEET TO A POINT; THENCE NORTH 42°28'11" EAST A DISTANCE OF 31.74 FEET TO A POINT; THENCE NORTH 70°54'18" WEST A DISTANCE OF 69.18 FEET TO A POINT; THENCE NORTH 86°35'18" WEST A DISTANCE OF 111.94 FEET TO A POINT; THENCE NORTH 47°58'54" WEST A DISTANCE OF 68.58 FEET TO A POINT; THENCE NORTH 30°52'49" EAST A DISTANCE OF 32.56 FEET TO A POINT; THENCE NORTH 21°24'56" WEST A DISTANCE OF 54.07 FEET TO A POINT; THENCE NORTH 55°25'47" EAST A DISTANCE OF 39.27 FEET TO A POINT; THENCE NORTH 03°25'23" WEST A DISTANCE OF 46.46 FEET TO A POINT; THENCE NORTH 31°42'04" EAST A DISTANCE OF 54.96 FEET TO A POINT; THENCE NORTH 18°30'38" EAST A DISTANCE OF 44.10 FEET TO A POINT; THENCE NORTH 01°10'29" WEST A DISTANCE OF 65.77 FEET TO A POINT; THENCE NORTH 22°17'56" WEST A DISTANCE OF 29.93 FEET TO A POINT; THENCE NORTH 19°15'09" EAST A DISTANCE OF 2.52 FEET TO A POINT ON THE SOUTH LINE OF ROBERT BEREMAN; THENCE WITH SAID COMMON LINE NORTH 87°19'40" EAST A DISTANCE OF 837.86 FEET TO A POINT ON THE SOUTHERN RIGHT OF WAY OF NORTH CAROLINA HIGHWAY 540; THENCE WITH SAID RIGHT OF WAY SOUTH 48°51'19" EAST A DISTANCE OF 616.60 FEET TO AN IRON PIPE; THENCE NORTH 44°43'56" EAST A DISTANCE OF 25.00 FEET TO AN IRON PIPE; THENCE SOUTH 50°09'33" EAST A DISTANCE OF 205.32 FEET TO AN IRON PIPE; THENCE SOUTH 39°54'37" EAST A DISTANCE OF 212.61 FEET TO AN IRON PIPE; THENCE A CURVE TO THE LEFT A RADIUS OF 4,375.00 FEET, AN ARC LENGTH OF 311.61 FEET, A CHORD BEARING OF SOUTH 45°34'54" EAST, A CHORD LENGTH OF 311.54 FEET TO AN IRON PIPE; THENCE A CURVE TO THE LEFT, A RADIUS OF 4,375.00 FEET, AN ARC LENGTH OF 1,106.45 FEET, A CHORD BEARING OF SOUTH 54°52'03" EAST, A CHORD LENGTH OF 1,103.50 FEET TO A POINT; THENCE A CURVE TO THE LEFT, A RADIUS OF 4,375.00 FEET, AN ARC LENGTH OF 456.34 FEET, A CHORD BEARING OF SOUTH 65°10'37" EAST, A CHORD LENGTH OF 456.13 FEET TO A CONCRETE MONUMENT; THENCE SOUTH 49°00'55" EAST A DISTANCE OF 133.17 FEET TO A POINT ON THE WESTERN RIGHT OF WAY OF VERIDEA PARKWAY; THENCE WITH SAID RIGHT OF WAY, A CURVE TO THE LEFT, A RADIUS OF 1,680.00 FEET, AN ARC LENGTH OF 355.38 FEET, A CHORD BEARING OF SOUTH 05°50'57" WEST, A CHORD LENGTH OF 354.72 FEET TO A POINT; THENCE WITH A CURVE TO THE LEFT A RADIUS OF 1,680.00 FEET, AN ARC LENGTH OF 205.93 FEET, A CHORD BEARING OF SOUTH 03°43'21" EAST, A CHORD LENGTH OF 205.80 FEET TO THE POINT OF BEGINNING; CONTAINING 5,629,803 SQUARE FEET OR 129.24 ACRES.

TRACT 9-3-3

COMMENCING AT A POINT ON THE SOUTHERN RIGHT OF WAY OF U.S. HIGHWAY 1, SAID POINT BEING THE NORTHWEST CORNER OF TRACT I-A, AS SHOWN ON BOOK OF MAPS 2003, PAGE 398 OF THE WAKE COUNTY REGISTRY, THE POINT OF COMMENCEMENT; THENCE SOUTH 51°39'05" EAST A DISTANCE OF 5331.68 FEET TO AN IRON PIPE ON THE WESTERN RIGHT OF WAY OF NORTH CAROLINA HIGHWAY 55, SAID PIPE BEING THE NORTHEAST CORNER OF CROWN BUILDERS AND DEVELOPERS OF NC, LLC, THE POINT OF BEGINNING; THENCE WITH SAID COMMON LINE SOUTH 89°40'44" WEST A DISTANCE OF 123.48 FEET TO AN IRON PIPE; THENCE NORTH 02°18'46" WEST A DISTANCE OF 50.01 FEET TO AN IRON PIPE ON THE SOUTH LINE OF DEXTER MONK; THENCE WITH SAID COMMON LINE NORTH 89°43'19" EAST A DISTANCE OF 123.46 FEET TO AN IRON PIPE ON THE WESTERN RIGHT OF WAY OF SAID HIGHWAY 55; THENCE WITH SAID RIGHT OF WAY, A CURVE TO THE RIGHT A RADIUS OF 5,633.75 FEET, AN ARC LENGTH OF 49.92 FEET, A CHORD BEARING OF SOUTH 02°20'20" EAST, A CHORD LENGTH OF 49.92 FEET TO THE POINT OF BEGINNING; CONTAINING 6,168 SQUARE FEET OR 0.14 ACRES.

TRACT 12

BEING A PORTION OF TRACT 8 AS SHOWN ON BOOK OF MAPS 1978, PAGE 731 OF THE WAKE COUNTY REGISTRY. MORE PARTICULARLY DESCRIBED AS:

BEGINNING AT AN IRON PIPE, THE SOUTHWEST CORNER OF TRACT 1 AS SHOWN ON BOOK OF MAPS 2015, PAGE 14 OF THE WAKE COUNTY REGISTRY; THENCE WITH SAID COMMON LINE NORTH 89°09'31" EAST A DISTANCE OF 343.45 FEET TO AN IRON PIPE ON THE NORTHERN RIGHT OF WAY OF US HIGHWAY 1; THENCE WITH SAID RIGHT OF WAY SOUTH 61°02'59" WEST A DISTANCE OF 67.94 FEET TO AN IRON PIPE; THENCE SOUTH 58°43'55" WEST A DISTANCE OF 105.62 FEET TO AN IRON PIPE; THENCE SOUTH 58°47'35" WEST A DISTANCE OF 224.31 FEET TO AN IRON PIPE, THE SOUTHEAST CORNER OF TRACT 1 AS SHOWN ON BOOK OF MAPS 2016, PAGE 344; THENCE WITH SAID COMMON LINE NORTH 00°31'47" WEST A DISTANCE OF 198.89 FEET TO THE POINT OF BEGINNING; CONTAINING 33,722 SQUARE FEET OR 0.77 ACRES.

Veridea

SITE DESIGN PATTERN BOOK

Apex, North Carolina

"INSIST ON THE RIGHT OF HUMANITY AND NATURE TO COEXIST IN A HEALTHY SUPPORTIVE, DIVERSE, AND SUSTAINABLE CONDITION"

- The Hannover Principles, Principle No. 1

ACKNOWLEDGMENTS

GOVERNING BODY:
Town of Apex, North Carolina
Apex Town Hall
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Apex, NC 27502

DEVELOPER:
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BRANDING:
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Raleigh, NC 27603

ARCHITECTURE/PLANNING:
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New York, NY 10279

Planworx Architecture PA
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Raleigh, NC 27609

Last Updated: August 2024

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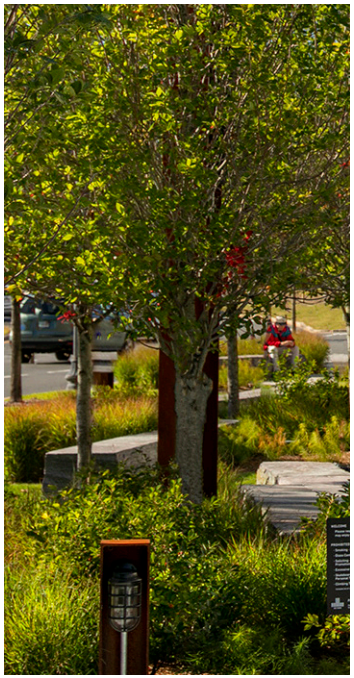

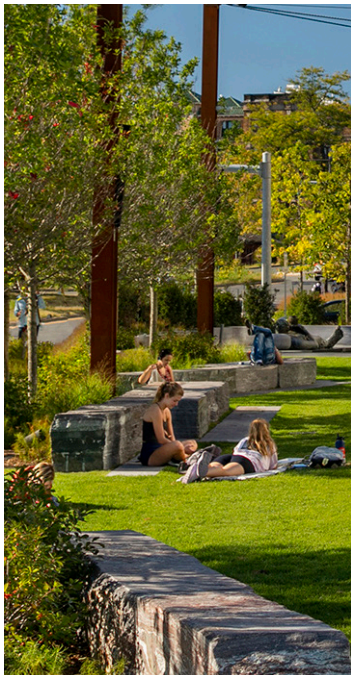

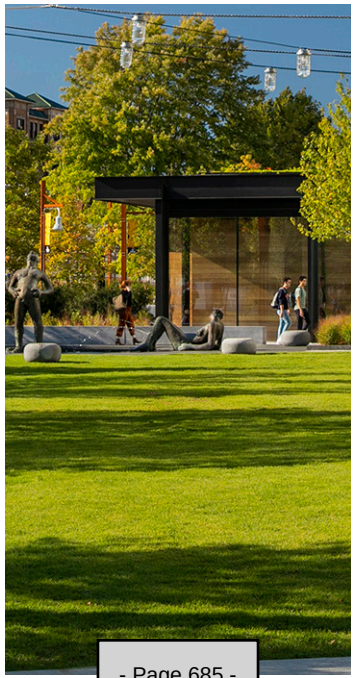

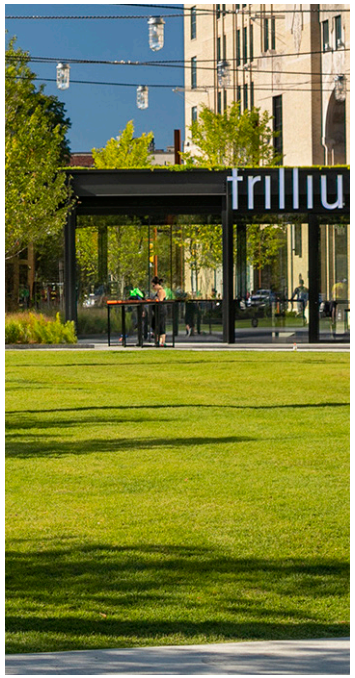

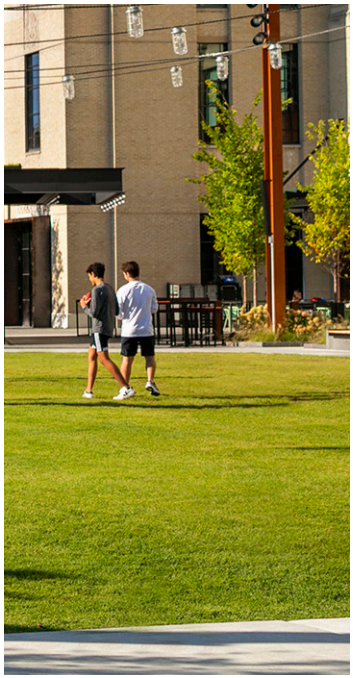

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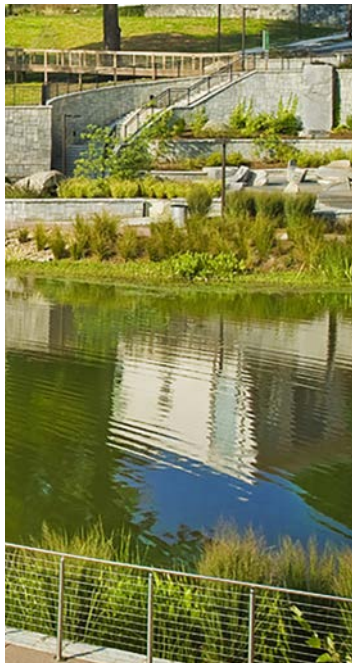


SECTION 1

Purpose + Vision

Purpose + Application

Vision

Owner's Associations + ARC



SECTION 1.1

PURPOSE + APPLICATION

Veridea is a new, sustainable, mixed-use development in Apex, North Carolina. It is envisioned as a dynamic community where users can live, work, and play within a contemporary and ecologically-friendly context. Within the boundaries of the development there will be a variety of housing options, employment opportunities, entertainment, and recreation. This forward-thinking community will be an icon of sustainable design and construction that balances nature and development.

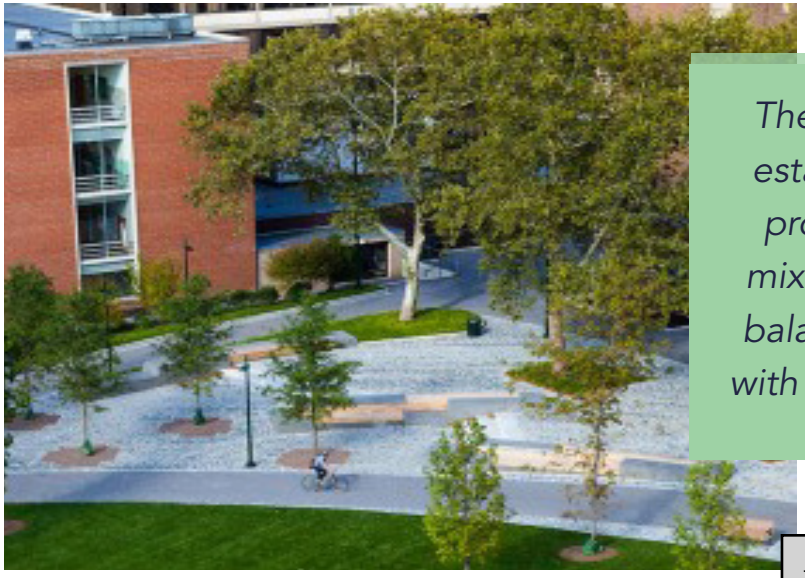




1.1: PURPOSE

This Pattern Book was developed by the project team for the Veridea Development, located at the conjunction of Claude E. Pope Memorial Highway (Route 1), East Williams Street (Highway 55), and Western Wake Freeway (Interstate 540) in Apex, North Carolina. The purpose of this Pattern Book is to ensure that the quality and character of development within the boundaries of Veridea is designed to a high caliber and centered around a cohesive and sustainably-focused design theme. The elements outlined within this document will provide a framework of the design intent, theme, and style of this mixed-use community. This will be used to assist property owners, developers, home builders, architects, engineers, landscape architects, planners, and other consultants in their decision-making as this project is designed and developed over time.



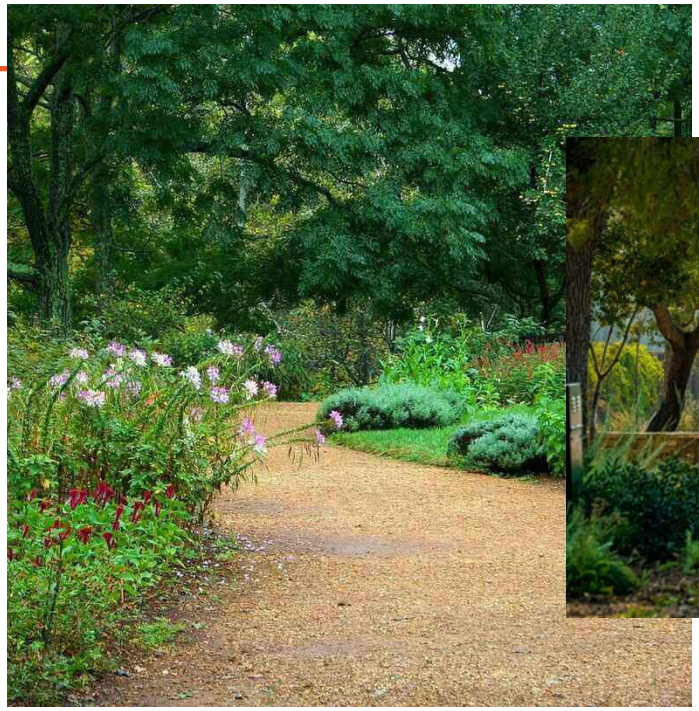


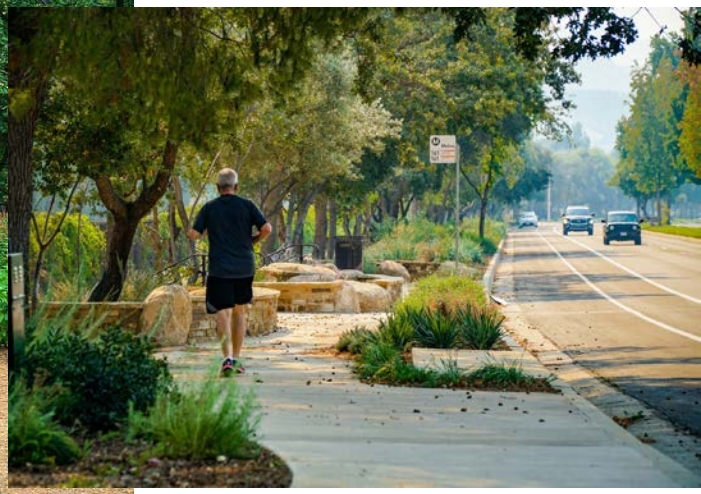
The vision of Veridea is to establish a contemporary, progressive, and healthy mixed-use community that balances innovative design with a conservation mindset.



1.1: APPLICATION

The Pattern Book is intended to be used in conjunction with the Town of Apex's Unified Development Ordinance, the Sustainable Development Plan, and the Environmental Enhancement Plan. The Pattern Book applies to the entirety of Veridea. It identifies design elements that represent a higher quality of design for Veridea than would otherwise be required. A combination of narratives and imagery are utilized to convey caliber of design, overall quality of materials, and the character and relationship of design elements. These design elements may be used and combined to create a unique and special sense of place. As a result of this Pattern Book, the actual design of Veridea will naturally vary from the Town of Apex architectural standards and will look and feel closer to the imagery found within this document.







Imagery is intended to convey high quality materials and design envisioned fo

As a part of fostering creative, unique, and innovative outcomes, the guidelines found within the Pattern Book are intended to provide a flexible framework that can respond to changing conditions as Veridea is developed over time. The pictures, illustrations, and descriptions are contextual examples of the high-quality materials and design standards envisioned for the project. Materials, architectural features, signage, hardscape, and landscape components depicted herein are not intended to be an exclusive or exhaustive list of elements to be included in design or construction. Instead, these elements are intended to convey acceptable design approaches that foster a unique sense of place through variety, high quality, and a focus on sustainably-focused development.

Unless specifically addressed in the Sustainable Development Plan and Environmental Enhancement Plan for Veridea, any materials and design-related aspects that are not addressed in this Pattern Book are subject to the requirements of the Town of Apex UDO, the Town of Apex Design and Development Manual, and other applicable laws, standards, policies, and guidelines.

SECTION 1.2

VISION

The vision of Veridea is to establish a contemporary, progressive, and healthy mixed-use community that balances innovative design with a conservation mindset. By leveraging natural features, crafting high-quality open spaces, and promoting a sustainable ethic, this development will offer community members a place to gather, work, connect, and engage with nature.







V ed to leverage a variety of natural elements to create unique and impactful placemaking.

1.2: GOALS

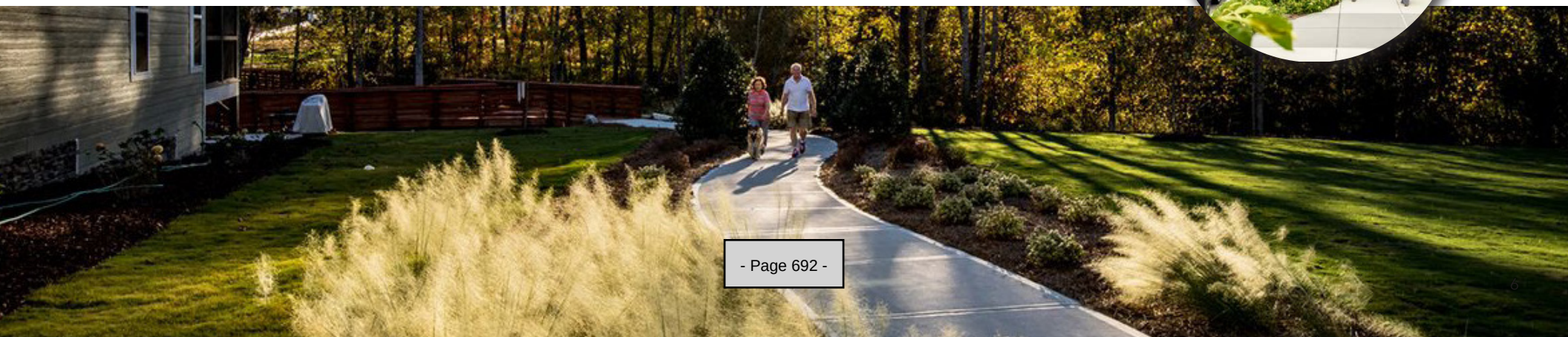
Veridea will accomplish this design vision by:

- Creating a diverse mix of uses within a cohesive framework
- Utilizing a variety of contemporary architectural and landscape styles to create an authentic, high-quality, and vibrant built environment that appears to have evolved over time
- Including a high level of sophistication in style and character in a manner that accentuates individual uses and spaces while weaving an overall fabric that speaks to the natural world, unique amenities, and beautiful architecture
- Leveraging natural amenities such as streams, forested areas, open spaces, trails, and parks to frame and enhance the built environment
- Providing opportunities to engage with the environment in both built and natural conditions
- Setting forth a vision for high-quality pedestrian-oriented streetscapes and trail networks that include a variety of public and civic spaces interspersed throughout the development
- Incorporating attractive and diverse hardscape and landscape materials to construct elements within the development - thoughtfully integrating the ground plane throughout well-designed community gathering areas
- Leveraging infrastructure as amenities, such as stormwater control measures, that complement the built environment while promoting ecological diversity and natural ecosystems
- Promoting a sustainable ethos by practicing techniques and methodologies that take into account issues of climate change, carbon emissions, water availability, renewable energies, and wildlife conservation









SECTION 1.3

OWNER'S ASSOCIATIONS + ARC

In order for Veridea to maintain a high caliber of design and sense of place, the development will establish a Master Association (MA). The MA will then establish the Veridea Homeowner's Association (HOA), the Veridea Commercial Owners Association (COA), the Veridea Residential Architectural Review Committee (RARC), and the Veridea Commercial Architectural Review Committee (CARC) - as required by the approved Sustainable Development Plan.





Owner's A Architectural Review Committees assist in maintaining Veridea's vision over time.

1.3: OWNER'S ASSOCIATIONS

Veridea Master Association

As required by the approved Sustainable Development Plan, there shall be one mandatory Master Association (MA) for all residential and commercial areas within Veridea. The MA shall be responsible for the execution, performance, administration and enforcement of the recorded Declaration of Covenants, Conditions and Restrictions (Declaration), including managing and maintaining the common areas and common improvements within both residential and commercial areas. The MA shall be permitted to oversee the formation and management of sub-associations within Veridea - one for residential areas (HOA) and the other for commercial areas (COA) - as detailed below.







Owner's associations are responsible for maintaining common areas and common

Veridea Homeowner's Association

There shall be one mandatory Homeowner's Association (HOA) for all of the residential areas within Veridea, subject to the MA. The Veridea HOA will be responsible for managing and maintaining the common areas and common improvements within residential areas. The association's responsibility will be outlined in the filed Declaration of Covenants, Conditions, and Restrictions (Declaration) and shall at minimum include maintenance of entrance signs, screening walls, trails, landscaping, landscape buffers, and open spaces.

Veridea Commercial Owner's Association

There shall be one mandatory Commercial Owner's Association (COA) for the commercial and non-residential areas within Veridea. The Veridea COA shall be required to manage and maintain the common areas and common improvements within commercial and non-residential areas, subject to the MA. The association's responsibility will be outlined in the filed Declaration and shall at minimum include maintenance of ground signs, screening walls, landscaping, landscape buffers, trails, and open spaces.

1.3: ARCHITECTURAL REVIEW COMMITTEE

Veridea Architectural Review Committee

There shall be a mandatory Residential Architectural Review Committee (RARC) for all the residential areas within Veridea. The RARC is responsible for the oversight and review of residential development within residential areas. This committee shall be established by the HOA as described in the filed Declaration. The purpose, administration, and responsibilities of this committee will be described in detail in the Declaration.

The RARC is responsible for the following:

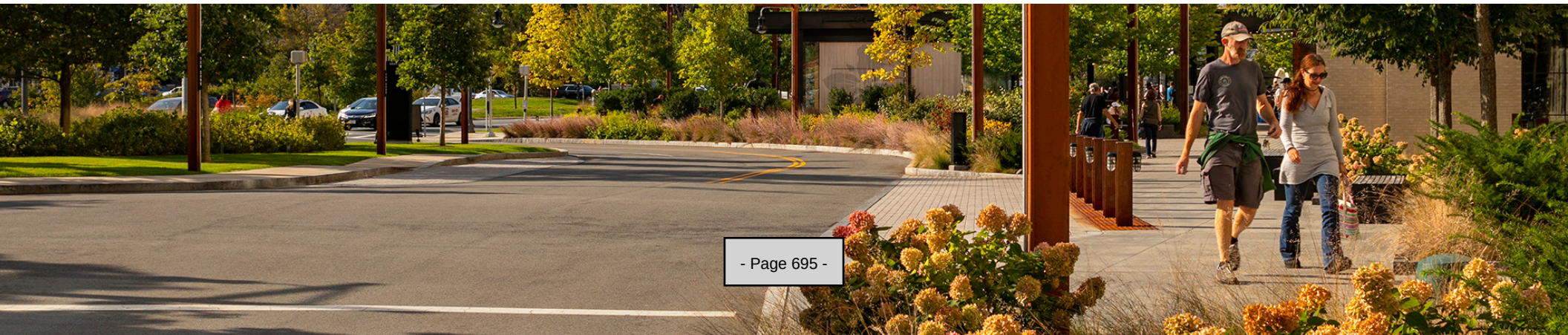
- To ensure the Pattern Book is being followed
- To encourage high-quality construction of residences
- To oversee, review, and approve the exterior elevations and building materials in a manner that is consistent with the Pattern Book
- To preserve the common community areas and features within the Residential Areas

Veridea Commercial Architectural Review Committee

There shall be a mandatory Commercial Architectural Review Committee (CARC) for all of the commercial and non-residential areas within Veridea. The CARC is responsible for the oversight and review of commercial and non-residential development within these areas. This committee shall be established by the COA as described in the filed Declaration, which outlines in detail the committee's purpose, administration, and responsibilities.

The CARC is responsible for the following:

- To ensure the Pattern Book is being followed as each commercial or non-residential development is being proposed
- To encourage the construction of high-quality improvements within commercial and non-commercial areas
- To oversee, review, and approve building elevations, building materials, and site improvements in a manner that is consistent with the Pattern Book
- To preserve the common areas and features within the commercial and non-commercial areas



SECTION 2

Sustainable Development Plan

Sustainable Development Plan

Pillars of Sustainable Thought

Application of Pillars



SECTION 2.1

SUSTAINABLE DEVELOPMENT PLAN

The Sustainable Development Plan ("SD Plan") is a document submitted by the Responsible Party and approved by the Town of Apex Town Council as part of the zoning conditions set forth for the property known as Veridea. The SD Plan establishes a flexible framework of development standards that seeks to anticipate the evolution of future technology, trends, and practices as they apply to the development of Veridea.



The SD Plan was adopted to facilitate Veridea's development in accordance with sustainable principals. The SD Plan identifies four guiding principles that are derived from ***The Hanover Principals: Design for Sustainability,*** authored by William McDonough and Michael Braungart. The guiding principles are as follows:

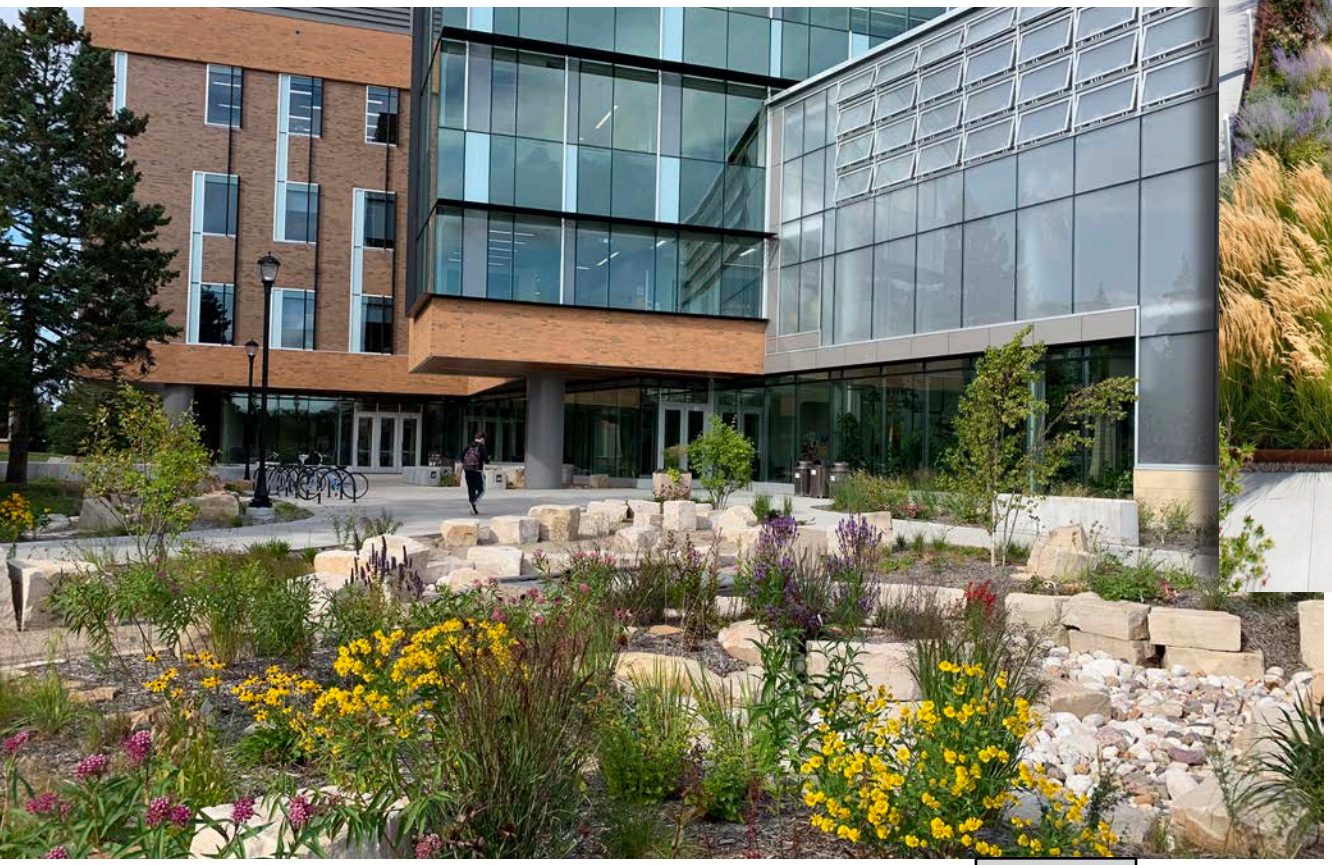
- Eliminate the concept of waste
- Insist on a renewable future
- Create delightful urban places
- Integrate nature throughout the community

This Pattern Book is intended to complement the SD Plan by further defining the principles of design that fulfill sustainability standards and goals. Unless specifically addressed in the Pattern Book for Veridea, any materials and design-related aspects that are not addressed shall be subject to the SD Plan, the Veridea Environmental Enhancement Plan (EEP), the Town of Apex UDO, the Town of Apex Design and Development Manual, and other applicable laws, standards, policies and guidelines. Refer to the approved map of Sustainable Development Zones on file with the Town of Apex Planning Department as needed. Development requirements, intensity, uses, and other design guidelines vary by zone and are defined in the SD Plan.

SECTION 2.2

PILLARS OF SUSTAINABLE THOUGHT

The Pillars of Sustainable Thought offer a flexible framework to define Veridea's site and program design. Unique, thoughtful, and authentic spaces can be fostered by applying a combination of programs and design elements found within each Pillar.





2.2: PILLARS OF SUSTAINABLE THOUGHT

Taking inspiration from The Hanover Principals and the Guiding Principles set forth in the Sustainable Development Plan, this Pattern Book provides guidelines to further define principles of design for Veridea, including characteristic form, massing, composition, style, method, and materials. Identified as the Pillars of Sustainable Thought, this expansion on the SD Plan's Guiding Principles can assist property owners, developers, home builders, architects, engineers, landscape architects, planners, and other consultants in their decision-making as Veridea is designed and developed over time.

There are four Pillars of Sustainable Thought:

- *Eliminate the concept of waste*
- *Insist on a renewable future*
- *Create delightful urban places*
- *Integrate nature throughout the community*

Together, the four pillars uphold Veridea's three values of sustainability: People, Planet, and Economy. Integrated together, these values are the framework of the next generation of sustainable development.



2.2: APPLICATION OF PILLARS

A suggestive list of design principals and applications associated with each Pillar of Sustainable Thought can be found in the chart below. The characteristics, features, or development approaches described are not intended to be an exclusive or exhaustive list to be implemented in every design or construction. Instead, these principals are intended to convey acceptable design approaches that promote sustainability and meet the intent of the Sustainable Development Plan and the Environmental Enhancement Plan of Veridea.

Eliminate the Concept of Waste

- Sustainable or reclaimed materials for site elements
- Site design approaches that compress programming to limit disturbed area and preserve existing open spaces
- Locally sourced materials and partnerships with local non-profits or businesses (mountain biking clubs, small scale nurseries, etc.)
- Mill lumber from trees taken down on-site
- Utilize found materials on site for placemaking through mediums such as art, nature play, or historical monumentation
- Incorporate recycled content into products and furnishings
- Use passive design elements such as natural ventilation, daylighting, and thermal mass
- Optimize efficiency in material use by minimizing offcuts, using standard sizes, and utilizing prefabricated components or modular construction

A Sustainable Future

- Native and adaptive plantings
- Solar energy and solar lighting
- Permaculture or permanent agriculture, community gardens or garden plots (orchards, fruit groves, nut trees, garden spaces for growing food)
- Pervious paving
- Green roof and green wall design
- Encourage micro-transit options (scooters, bicycles, e-bikes) with bicycle storage, repair stations, and charging
- Electrical charging stations for vehicles and bicycles

Integration of Nature

- Pollinator and wildlife gardens
- Community tree canopy goals
- Plant unprogrammed open space, such as landscape medians
- Preserve mature tree growth
- Naturalized, informal planting design in edge conditions
- Artful, organized planting design in urban spaces
- Easy access to natural areas
- Create wildlife corridors and connected natural areas
- Minimize turf and mulched areas with groundcover planting
- Protected Audubon Community
- Educational signage about environmentalism and natural systems being experienced
- Create a reforestation schedule for long-term canopy maturity
- Micro-groves of native ecosystems
- Low-impact trails, such as single track, mountain biking, and gravel with tact

Delightful Urban Places

- Strong visuals – physical and visual connections between spaces
- Create a sense of place with memorable structures and art
- Repetition of materials and planting design to create themes
- Connected open space through walkability
- Variety of scale in structures and visual openness of vistas
- Reflect the site's history through found site elements, preservation of structures, and active cultural programming
- Infrastructure becomes amenities that go beyond basic functions such as streetscapes and stormwater features
- Sense of discovery and creativity for users
- Designate an overall landscape theme
- Attractive play and recreational spaces including natural play areas

SECTION 3

Streetscapes

Streetscape Character

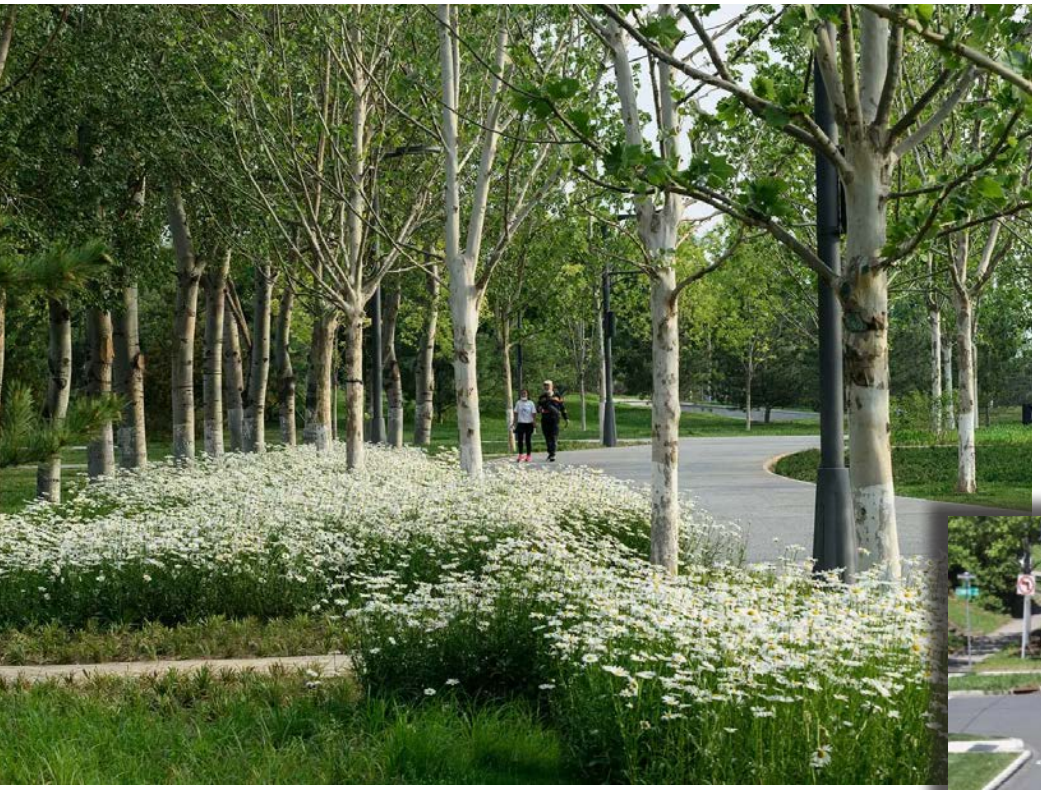
Streetscape Design Standards



SECTION 3.1

STREETSCAPE CHARACTER

Each development pod of Veridea is framed by major roadways. The overall intent of this section is to aid in creating a street network with variety in character through the use of dynamic hardscape materials, plantings, and furnishings. The character of each streetscape section will vary depending on site context and adjacent development programming as the landscape transitions from one development pod to another. The following streetscape character descriptions are to be applied to the major road network to provide dynamic user experience throughout the entirety of Veridea.

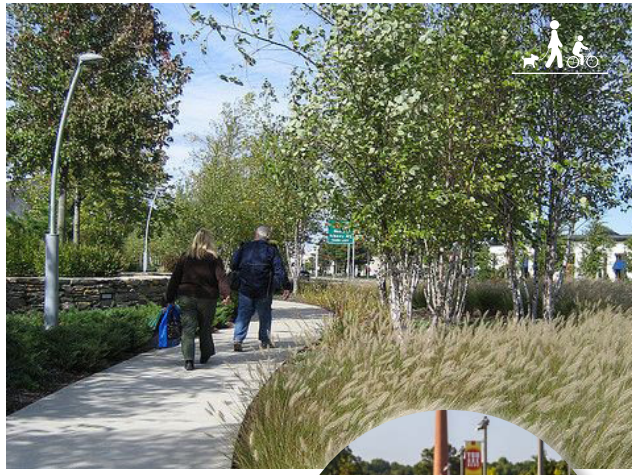


*This Section describes the design intent for hardscape and landscape treatment of major roadway streetscapes within the public right of way only. Refer to Sections 5-8 for specific design guidelines on site amenities, hardscape, and landscape guidelines for privately developed open spaces and streetscapes. Streetscapes internal to development pods do not have a designated streetscape character; however, internal streetscapes shall also follow the guidelines set forth in Sections 5-8. Streetscape character of major roadways may be applied to internal streetscapes as is fitting with adjacent development program and uses.

*All streetscape designs, layouts, dimensioning and landscape standards shall comply with the streetscape requirements set forth in the SD Plan and the Town of Apex UDO. Where enhanced hardscape and landscape is located in the public right of way, a developer's agreement regarding maintenance shall be defined between the Town of Apex and the developer/responsible party.



3.1: STREETSCAPE CHARACTER



The Contoured Streetscape

Applies to major thoroughfares with adjoining naturalized landscapes or designed open spaces

- Informal, large, meandering masses of individual focal species
- Ornamental grasses in mass planting
- Low-creeping or low-massing shrubs
- High percentage of native plants
- Defined open spaces and parks
- Mowed turf areas to define larger planting masses
- Landscape mounds as art form
- Meandering planting design in landscape medians
- Alternating street tree species
- A combination of pedestrian and roadway lighting may be used - refer to Section 8: Lighting









3.1: STREETSCAPE CHARACTER

The Residential Streetscape

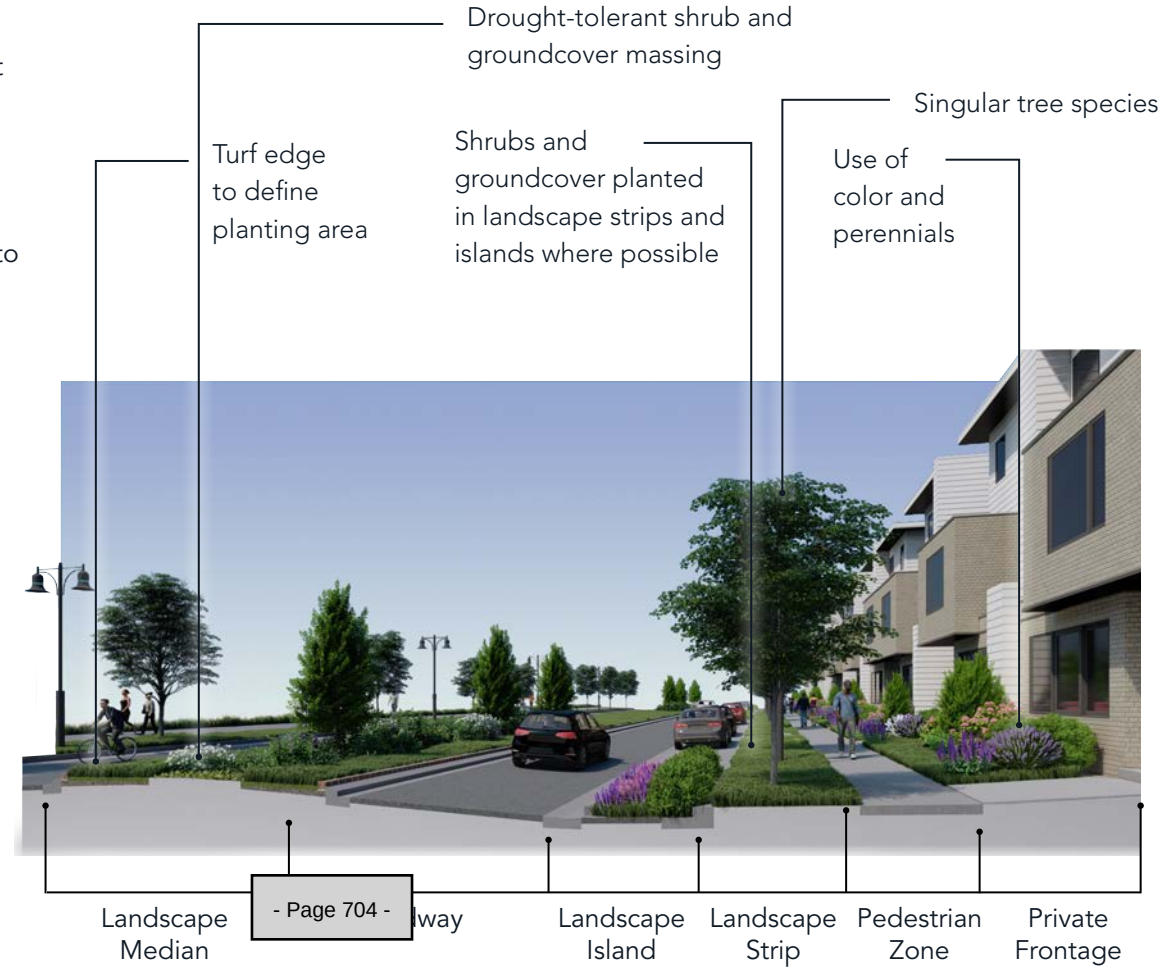
Applies to major collector roads in residential area

- Low-maintenance and drought-tolerant shrub and groundcover massing
- Encourage use of planting and groundcover in lieu of mulch or turf to cover ground
- Intentional use of lawn to provide clear sight lines and define planting areas
- Open viewsheds for vehicles and pedestrians
- Use of color and landscape to define high impact areas and amenities
- Planted landscape strips and medians where possible
- Meandering pedestrian zones where possible
- Pedestrian roadway lighting may be used - refer to Section 8: Lighting
- Singular street tree species with one species spanning no more than 30 trees









3.1: STREETSCAPE CHARACTER

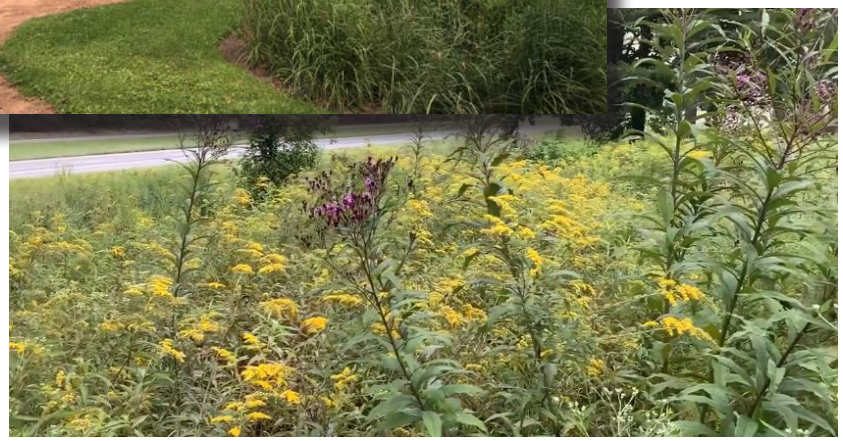


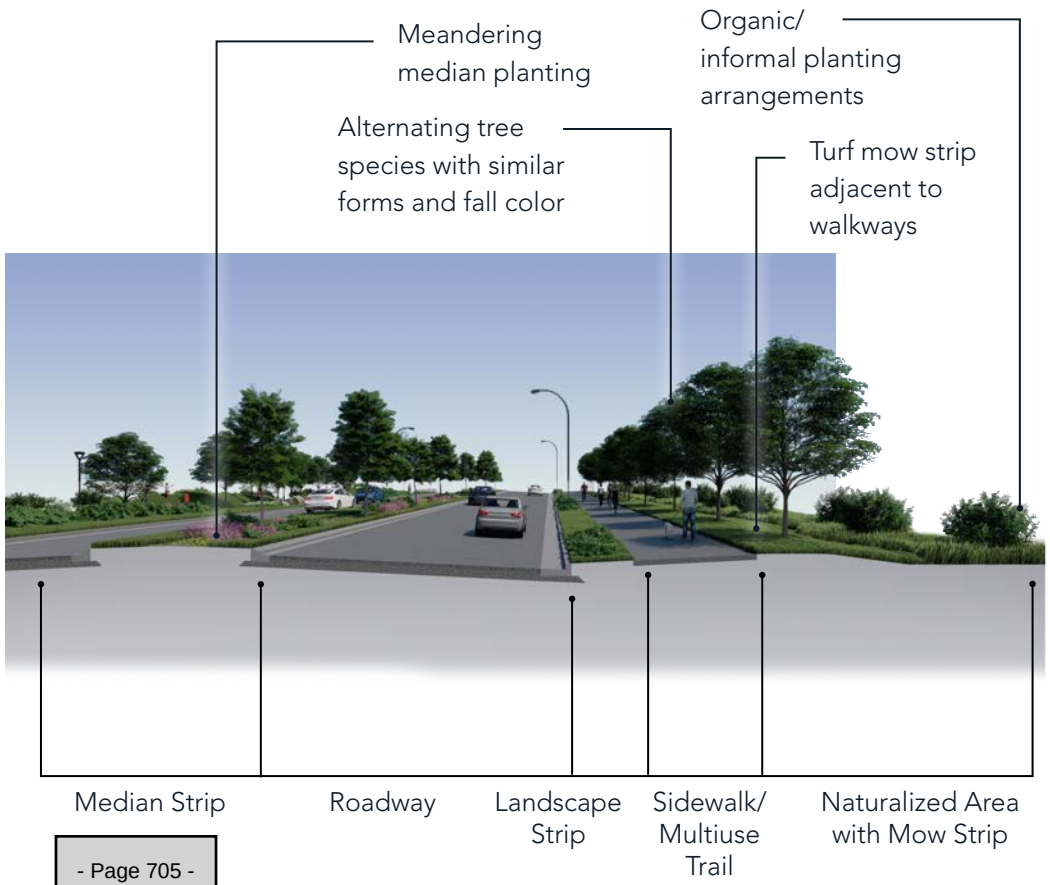
The Naturalized Landscape

Applies to major thoroughfare and collector roads in undeveloped and buffered zones

- Naturalized areas with meadow mixes and no-mow planted areas
- Organic forms
- Large planting masses that are undefined and sporadic
- Informal planting arrangements
- High percentage of native plants
- NCDOT Wildflower Program integration
- Perennial and native grass mixes
- Informal transitions between turf meadows, shrubland, and forest
- Meandering pedestrian zones permitted
- Utilize pedestrian and roadway lighting that minimizes light spillover into naturalized areas
- Alternating street tree species







3.1: STREETSCAPE CHARACTER

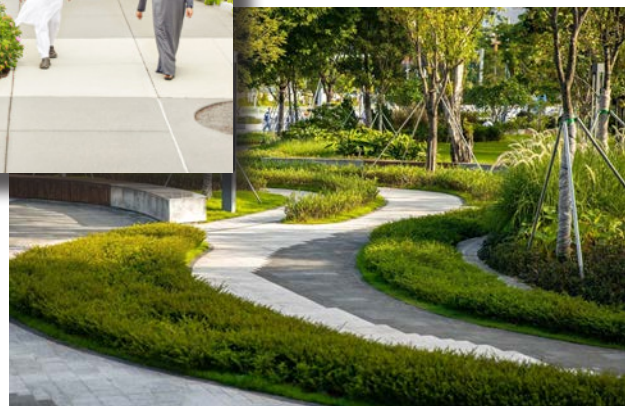


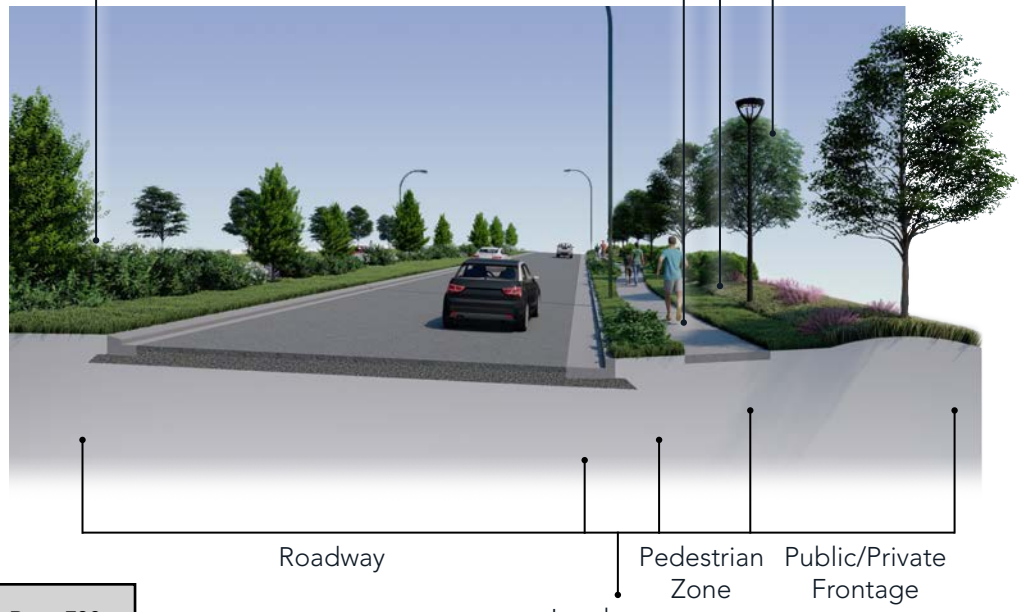
The Innovative Streetscape

Applies to major collector roads at campus- or technology-driven developments

- Large shrub and groundcover massing
- Open viewsheds for vehicles and pedestrians
- Landscape used to separate and define pedestrians from vehicles
- Intentional use of lawn
- Legibility from a wayfinding perspective
- Meandering pedestrian zones where possible
- Utilize a combination of pedestrian and roadway lighting - refer to Section 8: Lighting
- Singular street tree species with one species spanning no more than 30 trees







3.1: STREETSCAPE CHARACTER

The Urban Streetscape

Applies to major collector roads at urban and mixed-use developments

- Manicured and formal landscape arrangements with defined rhythms, colors, and textures
- Use of focal flowering plantings as a defining plant species
- Urban-tolerant species
- Contained landscape within defined planter zones with curbing and/or fencing
- Wayfinding legibility from a pedestrian and vehicular perspective
- Singular street tree species with one species spanning no more than 30 trees









SECTION 3.2

STREETSCAPE DESIGN STANDARDS

The streetscapes within Veridea are meant to be context-sensitive, inviting, and dynamic. Standards of design should be incorporated without losing sight of overall streetscape characters detailed in the previous section. Hardscape, landscape, and site furnishing selections will aid in differentiating each character zone while maintaining a thread of high-end design that runs throughout the entirety of Veridea. These standards should be viewed as a means to create seamless transitions between each streetscape character zone.







*This Section describes the intentions for material compatibility between hardscapes, landscapes, and furnishings found on major roadway streetscapes within the public right of way. Refer to Sections 5-8 for specific design guidelines on site amenities, hardscape, and landscape.

*All streetscape designs, layouts, dimensioning and landscape standards shall comply with the streetscape requirements set forth in the SD Plan and the Town of Apex UDO. Where enhanced hardscape and landscape is located in the public right of way, a developer's agreement regarding maintenance shall be defined between the Town of Apex and the developer/ responsible party.

3.2: STREETSCAPE DESIGN STANDARDS

Hardscape



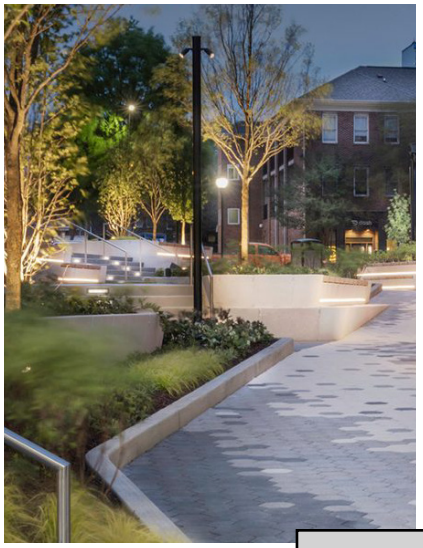
Hardscape materials within and adjacent to major streetscapes should include a variety of materials that create a unique visual character for Veridea. These hardscape materials should include a range of finishes that complement the streetscape character categories described in Section 3.1. Enhanced paving materials should be utilized to strategically complement standard finishes, reinforce the importance of certain pedestrian nodes, and amplify the overall design aesthetic of Veridea streetscapes.

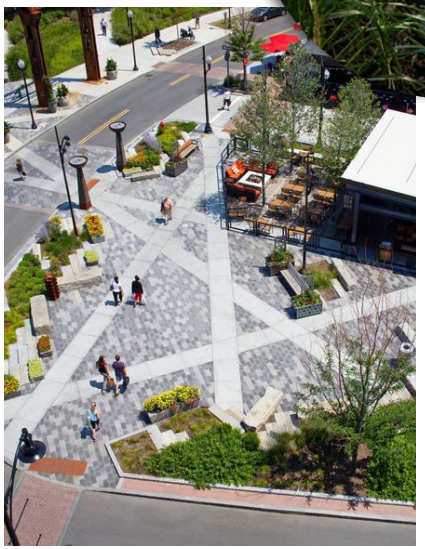
- Applies to hardscapes within the landscape and pedestrian zones of the streetscape section only
- Standard hardscapes may include concrete and asphalt
- Enhanced hardscape may include pavers, decorative concrete, planter curbs, and seat walls
- Enhanced hardscapes within public the right-of-way must be included as part of a maintenance agreement between the Town and the developer/ responsible party

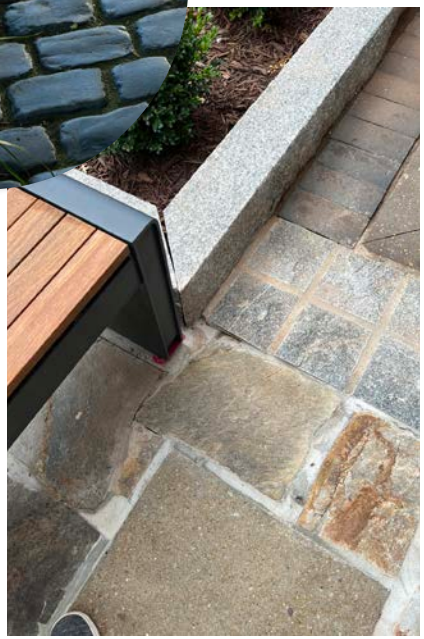




Grade-separated pedestrian crossings and decorative crosswalks may be utilized at major pedestrian intersections for safety. Crosswalks can be enhanced with high visibility thermoplastic applications that meet Town Transportation and NCDOT standards.







3.2: STREETSCAPE DESIGN STANDARDS

Furnishings







A variety of furnishings will be required within the public right-of-way for public use, safety, and comfort. These furnishings are meant to create a sense of place and provide a strong emphasis on the pedestrian experience. Furnishings are aimed at providing comfortable areas of rest, safe storage of alternative transportation modes, proper containment of waste, and visual stimulation for a wide range of users.

- Applies to furnishings within the landscape zones of the streetscape section only
- Furnishings may include trash and recycling receptacles, bicycle racks, seating, bollards, and decorative landscape features such as boulders, seat walls, and potted planters
- Furnishings within the public right-of-way that differ from the Town Standard must be included as part of a maintenance agreement between the Town and the developer/responsible party











3.2: STREETSCAPE DESIGN STANDARDS

Landscapes

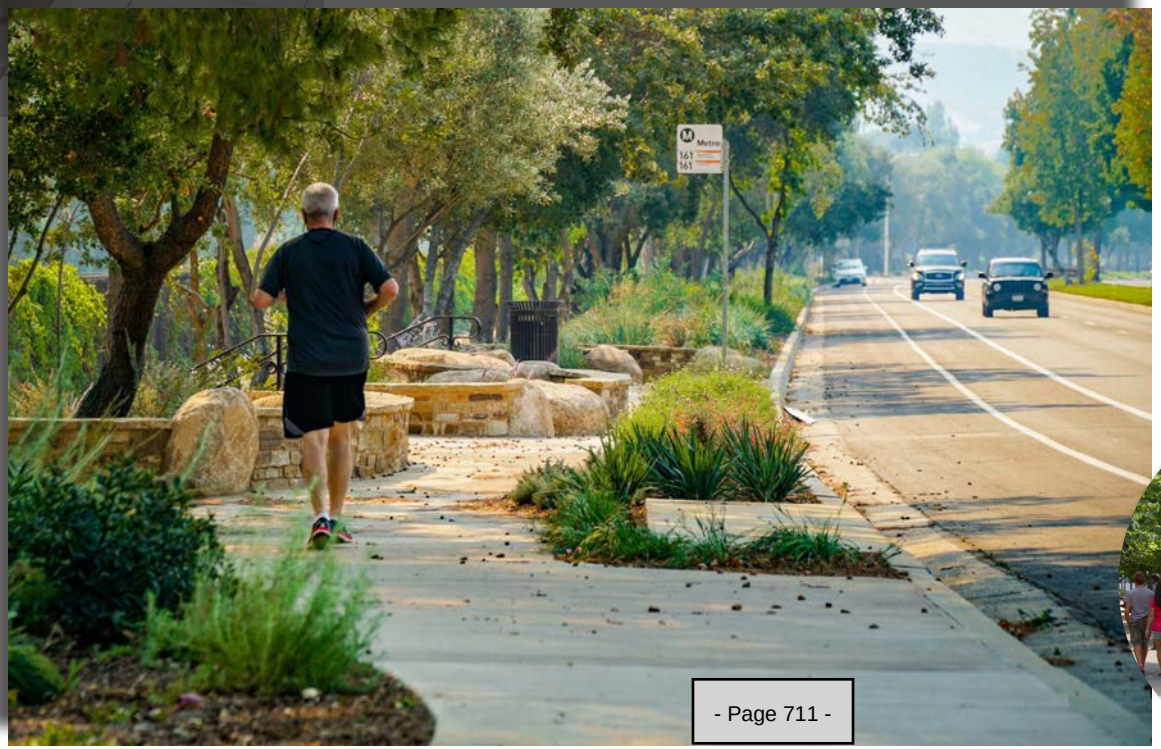
Landscaping of streetscape areas should correspond directly with the streetscape character categories described in Section 3.1. Each streetscape character category emphasizes landscaping as a critical component of successfully establishing a unique user experience while moving throughout Veridea. Dependent upon which streetscape character is being utilized, plant species will vary in form, shape, pattern, and distribution.

- Applies to landscape and planted areas within the landscape zone of the streetscape section only
- Planting within public the right-of-way that is elevated over the Town Standard must be included as part of a maintenance agreement between the Town and the developer/responsible party













SECTION 4

Open Spaces, Parks + Trails

Character + Intent

Passive Open Spaces

Active Open Spaces



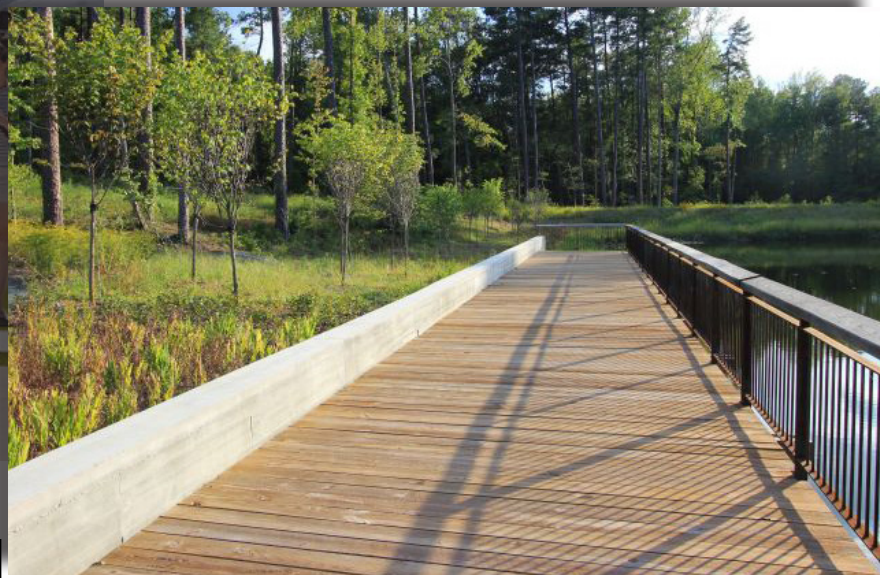
SECTION 4.1

CHARACTER + INTENT

Veridea is committed to providing a variety of high-impact parks and open spaces. Passive landscapes and preserved natural ecosystems intertwined with active, programmed parks will provide a uniquely diverse landscape experience for users to explore and engage with. The nature of park spaces will range from small urban gardens to large recreational playfields to naturally preserved areas - each with individual sustainability goals.



*Each park and open space shall comply with the design standards and requirements listed in the SD Plan and the Environmental Enhancement Plan. Park facilities that are owned and operated by the Town of Apex may follow Town standards but are encouraged to comply with the Pattern Book and Veridea branding.

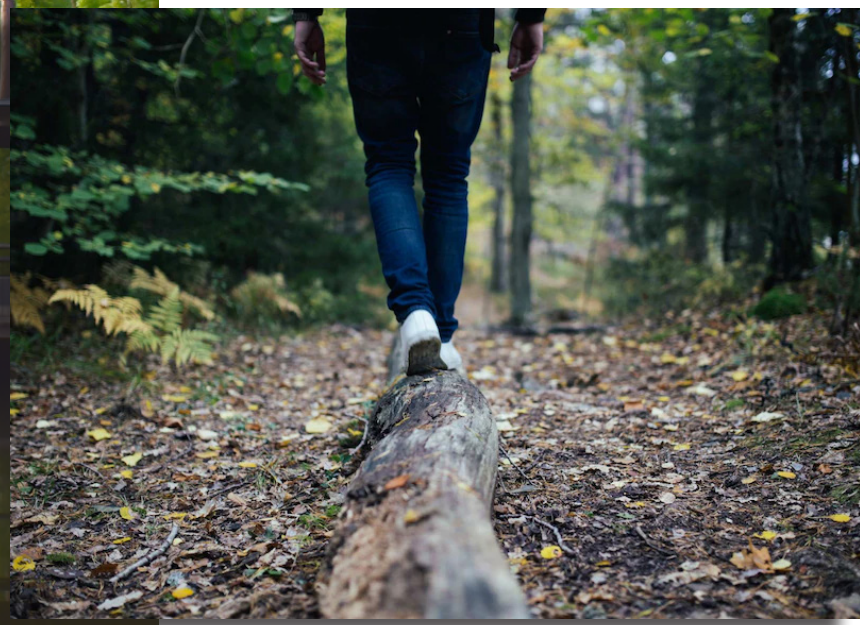


SECTION 4.2

PASSIVE OPEN SPACES

Passive open spaces emphasize a low level of urban development with a focus on preservation, conservation, and natural habitat.





4.2: PASSIVE OPEN SPACES

Perimeter Buffers + Stormwater Infrastructure

Where perimeter buffers are disturbed and required to be re-vegetated, the design approach shall include stabilizing the boundaries of the site, enhancing appearance, and encouraging native plant communities and ecosystems. A high percentage of native plant species with a variety of color, texture, and visual interest is encouraged. Planting arrangement shall be an informal design with rhythm and repetition while still providing biodiversity and legibility. All landscape buffers must meet standards set forth by the Town of Apex, the SD Plan and the Environmental Enhancement Plan.



Informal buffers with a variety of texture, color, and visual interest reinforce naturalistic lands





Infrastructure associated with stromwater, such as outfall structures and trash racks, shall be screened with vegetation and/or enhanced with decorative masonry applications.

Stormwater management is a critical component of responsible development. While stormwater control measures primarily function to collect stormwater runoff and remove sediment and pollutants, they can also become critical wildlife habitats and beautiful landscaped areas. Where possible, stormwater infrastructure should be designed with organic forms to mimic a more naturalistic condition. The use of stormwater control measures that mimic natural ecosystems, such as stormwater wetlands, is encouraged. Associated man-made infrastructure, such as concrete outfall structures, can be located in less visible areas, surrounded with taller plant material, and adorned with decorative masonry finishes. Where planting is required, provide a wide variety of plant species that are complementary in color, texture, and height. A mixture of native grasses, perennials, shrubs, and trees promotes a biodiverse ecosystem and establishes habitat.

SECTION 4.3

ACTIVE OPEN SPACES

Active open spaces encourage users to gather and engage within designed, developed, and landscaped park spaces. The emphasis is on placemaking that promotes health, happiness, and well-being.





4.3: ACTIVE OPEN SPACES

Linear Parks + Trails

Minimum requirements:

- One waste receptacle
- One bench at major trailheads



Linear parks are longer than they are wide - typically following roadways, streams, rivers, and utility corridors. Pocket parks, overlooks, gathering areas, and public art are examples of design opportunities that can be located along trails and within open spaces. Linear parks can also be dedicated to wildlife, such as a continuous pollinator corridors. Linear parks shall be designed to connect nodes of gathering and parks. Winding or meandering alignments of trails are preferred to create visual interest and provide areas of relief from vehicular traffic. Where possible, trails and greenways should follow previously disturbed areas, such as utility easements and roadways, to minimize removal or destruction of conserved landscape. Avoid steep slopes to natural conditions directly adjacent to trail systems. Where trails meander through wooded or natural conditions, adjust trail alignments as necessary to avoid impacting the critical root zones of large, mature vegetation. All greenways and trails shall be constructed to the standards set forth in the SD Plan, EEP, and Town standard.



Large, multi-use trails shall accommodate both pedestrians and bicycles. Provide changes in hardscape, texture and landscape to highlight nodes and trailheads.

Pedestrian-oriented amenities shall be located at intervals along the trail and at major trailheads. Such amenities include but are not limited to entry markers, educational signage, decorative lighting, street furnishings, outdoor fitness stations, bicycle repair stations and fountains. Art, entrance markers, monumentation, signage, waste receptacles and distance markers shall follow Veridea branding and signage standards set forth in Section 7. Pedestrian lighting may be provided and shall follow the Veridea lighting standards set forth in Section 8.



Major trailheads are defined as a main entry to a trail network that intersects with the public right-of-way.



Gathering areas and small plazas that contain a variety of seating and programming may be provided along trails at major nodes, at trailheads, and within linear parks.

4.3: ACTIVE OPEN SPACES

Stormwater Parks

Minimum requirements:

- One waste receptacle
- One seating opportunity

Stormwater and Green Stormwater Infrastructure parks can foster and enhance urban development by harmoniously combining infrastructure and recreation. Stormwater parks can be either natural or urban in nature and may contain both passive and active program elements. Stormwater facilities shall meet the requirements set forth by the North Carolina Stormwater Design Manual, but shall be designed to mimic natural environments with organic forms and a wide variety of plant species. Exploration and engagement can be encouraged with the use of walkways, gathering areas, a variety of seating options, overlooks, docks, and naturalistic planting strategies. Dedicated gathering areas shall be safely lit according to Town of Apex standards and comply with the standards set forth in Section 8. Public art or landform art can be incorporated to established nodes or points of interest and shall comply with the standards set forth in Section 7. Educational signage that highlights stormwater engineering or green stormwater infrastructure is encouraged.







Trails integrated within stormwater infrastructure are encouraged.



4.3: ACTIVE OPEN SPACES

Urban Parks

Minimum requirements:

- One waste receptacle
- One seating opportunity

Parks and open spaces located within urban development offer residents and visitors access to nature and green space. Urban parks can be a variety of sizes and are easily accessible, often nestled around and between urban structures and buildings. Urban parks should contain a variety of greenspaces, including lawn areas, planted areas, and garden spaces. Provide a variety of seating opportunities for large and small gatherings in both fixed and flexible conditions. Amenities such as fire pits, screens, and displays shall be oriented so as not to impact vehicular trafficways or produce light intrusion into buildings. Shade is a critical component and is encouraged to be provided via shelters, shade structures, vegetation or other methods.







Urban [illegible] a combination hardscape areas, open lawn, planted areas, shade and seating opportunities.

4.3: ACTIVE OPEN SPACES

Residential Parks

Minimum requirements:

- One waste receptacle
- One seating opportunity

Residential communities shall have a network of parks and open spaces that provide a variety of amenities to residents. Parks and open spaces should embrace a variety of passive and active components, with each community providing at least one common open space for active programming. Community centers, pools, playgrounds, play fields, dog parks, and community gardens are examples of active community amenities that offer opportunities to gather, play, and engage. All parks and open spaces shall be connected by a pedestrian and multi-modal transit network, such as sidewalks and trails, to allow access to open space areas without needing a vehicle. Furnishings, such as benches and waste receptacles, are required in each residential park.



Open turf lawns provide opportunities for flexible play.











Natural elements, such as boulders and logs, are sustainable elements found on-site that can be reused for play and increased landscape aesthetics.

4.3: ACTIVE OPEN SPACES



Athletic Parks

Athletic parks are open spaces that contain facilities for sports and team-oriented recreation. Community centers, multi-purpose fields, baseball or softball diamonds, sports courts or pitches, and related infrastructure where users can assemble to engage in physical exercise, participate in sports competitions, or witness sports are encouraged. The siting and orientation of sports facilities should thoughtfully consider intended use, environmental conditions such as wind and sun, and the site's topography in order to minimize large scale impacts to natural resources. Site furnishings, such as benches and waste receptacles, are required in large gathering or viewing areas. Providing easy access to water fountains, shade, and restrooms is important for users.

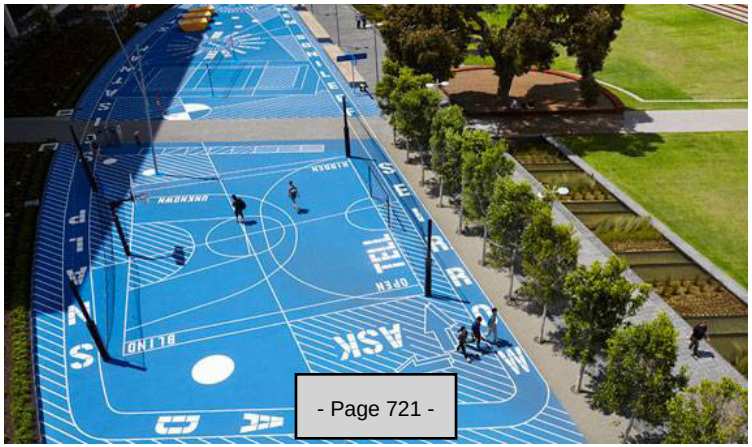
Minimum requirements:

- One waste receptacle
- One seating opportunity
- Access to public restrooms provided within the athletic park or at a public facility within a 0.25 mile distance from the athletic park



Tennis courts shall be in keeping with the standards of the United States Tennis Association (USTA).







Softball fields shall be in keeping with the standards of the American Softball Association (ASA) Men's Slow-Pitch Open Division.

4.3: ACTIVE OPEN SPACES

Dog Parks

Minimum requirements:

- One waste receptacle
- One bench

Dog parks offer dedicated open space areas for dogs to exercise and play in an off-leash, controlled, supervised environment. These park spaces can contain a variety of designed conditions including large unencumbered open spaces, naturalized forested areas, and/or urban spaces with artificial turf. Dog parks should be fully fenced and accessed via a double-gated entry and exit point. Additional controlled maintenance gates are also encouraged. Dog parks may have dedicated large and small dog areas or one large general use area. Avoid creating acute angles or spaces with fencing, landscape or structures. Shade structures and site furnishings, such as benches, agility furniture, pet waste stations, and fountains, are encouraged for the comfort of pets and their owners. At a minimum, dog parks shall have one bench and one pet waste station. Landscaped areas shall contain plant material that is low maintenance, durable, and does not pose health or safety risks to pets. Wherever possible, incorporate dog parks into the site's natural environment, such as gently sloped areas that contain high canopy trees with limited undergrowth.



Artificial turf and shade structures provide comfort for pets and owners.



Wooded areas provide opportunities for shade. Naturally sloped site conditions shall not exceed 5% for dog parks.







Dog parks shall have double entry gates with fencing a minimum of 5' in height Puppy panels provide additional security for smaller dogs.

SECTION 5

Landscape Standards

Introduction + Intent
Public Right-of-Way Landscaping
Private Development Landscaping



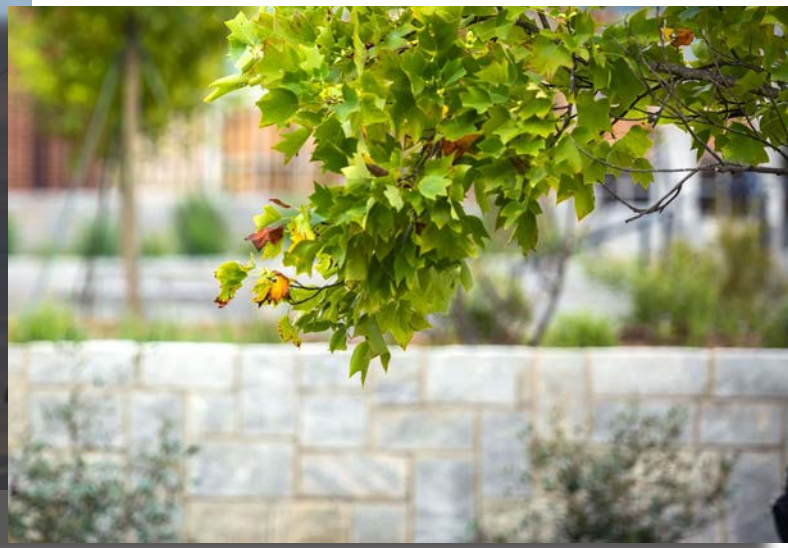
SECTION 5.1

INTRODUCTION +INTENT

Veridea is committed to providing a planting design strategy that provides unity between spaces and enhances its users' experience. Consistency, repetition, scale, and texture are important components that speak to the site's character by influencing how users interpret and navigate a landscape. This section will describe planting design guidelines for landscapes within the public right-of-way and private spaces to establish a cohesive and organic landscape approach.



*This Pattern Book does not overrule landscape standards otherwise required by the SD Plan, the Environmental Enhancement Plan, the UDO, or any other Town of Apex standard. The key elements listed within this Section are intended to complement and provide a framework for the design approach of landscaped areas. Landscape areas within the public right-of-way that are enhanced above Town Standards may be included as part of a maintenance agreement between the Town and the Responsible Party/Developer.



5.1: INTRODUCTION + INTENT

Key Elements



- Provide year-round presence and a variety of textures; seasonal color is encouraged
- For non-residential areas with a high pedestrian presence, or in areas where landscape may need additional protection, plantings to be bordered by a curb, low planter fence, and/or other type of border
- For residential areas, a combination of shrubs, grasses, groundcover, and perennials should be utilized for enhanced aesthetics
- A focal species, or highlight plant, may be utilized to define special areas or nodes
- Planter pots and living walls may be used as accents. For streetside non-residential areas, planters may be utilized as a form of foundation planting
- Native and adaptable plant species are required for assurance of landscape success. Per the Environmental Enhancement Plan and SD Plan, 80% of landscape shall be drought tolerant and consist of native or locally adaptive species. Invasive species are prohibited.
- Species diversity is encouraged, with the intention that a singular species shall account for no more than 20% of the overall plantings provided
- Minimum soil volume for trees to meet Town of Apex standards. Soil in landscape areas to be amended to provide healthy planting soils
- If turf grass is provided, it should be a locally adaptive and drought-tolerant species as defined by the Environmental Enhancement Plan to limit the need for extensive irrigation
- Practice Crime Prevention Through Environmental Design (CPTED) principles.
- Consider horticultural zones, microclimates, temperature, moisture, soils, and other physical contexts to create landscapes complementary to the southeastern United States
- The developer may enter into a maintenance agreement with the Town of Apex where right of way enhan roposed. All enhancements within the public right of way shall be privately maintained by the Veridea Owner's Associations.

5.2: PUBLIC RIGHT-OF-WAY

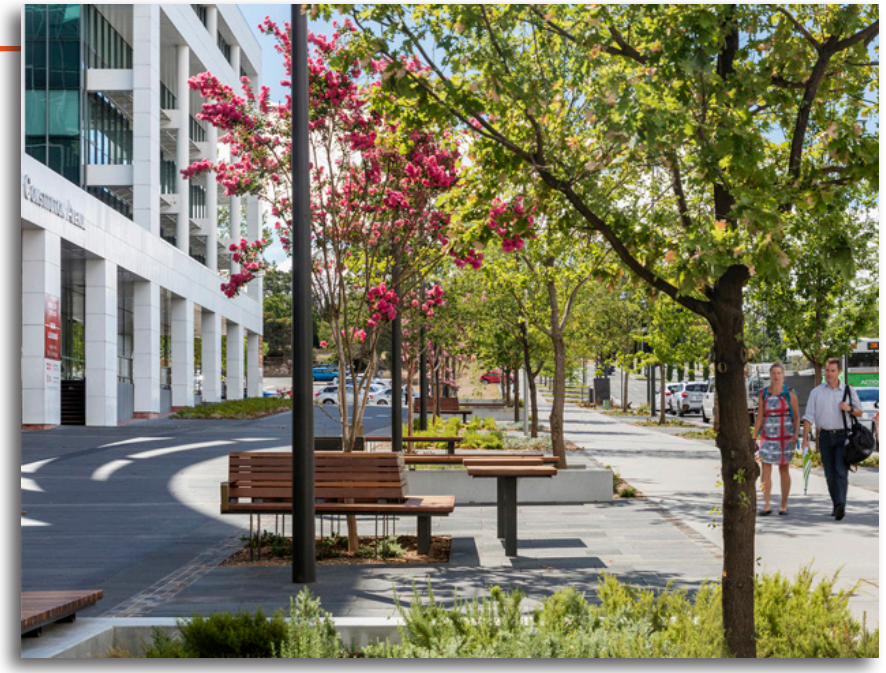
Street Trees

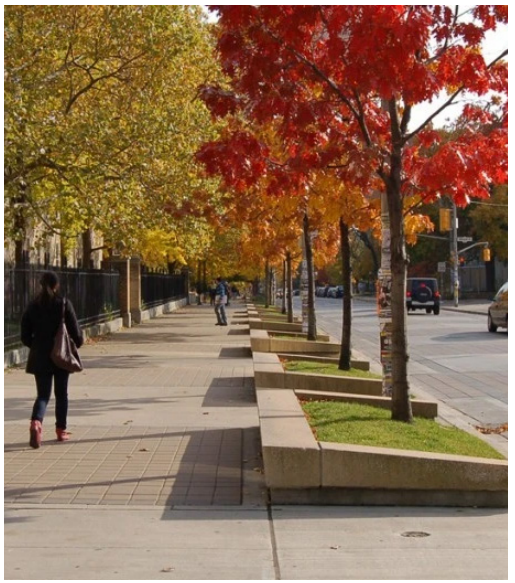
- Trees may be continuous species or alternating species, but should be grouped according to similar or complement street tree shapes as indicated in the public planting section in the SD plan. Refer to streetscape character for determining alternating or singular species and a naturalized or manicured planting arrangement.

- Street trees to be planted in site conditions that allow for healthy, sustainable growth.

- Street trees shall be located outside of the AASHTO sight distance easement. If a conflict exists or there is a desire to maintain landscape uniformity, one single stem street tree with no foliage between 2′ and 6′ in height at the time of planting and remains that way through maturity will be permitted within the AASHTO sight distance easement.

- Street trees shall maintain a minimum of 10′ of separation from utility main lines and 5′ of separation from utility service laterals and storm lines. A root barrier shall be provided where minimum separation cannot be achieved.

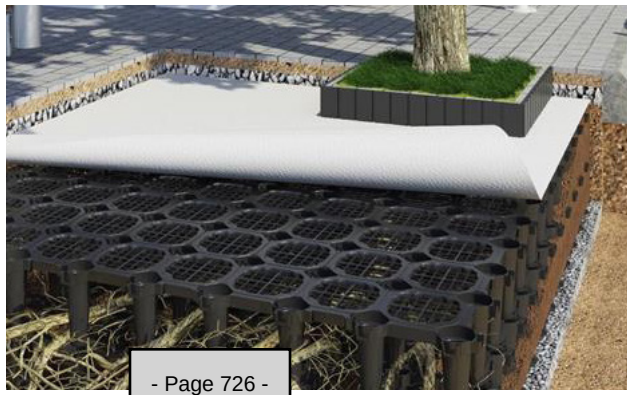




If alternating street tree species is proposed, species selection shall have similar or complementary forms and fall colors.



Ensure street trees can maintain healthy, sustainable growth by providing optimal growing conditions, such as increasing rootable soil volume through structural soil or soil containment systems where softscape area is limited.



Landscape Strip Planting

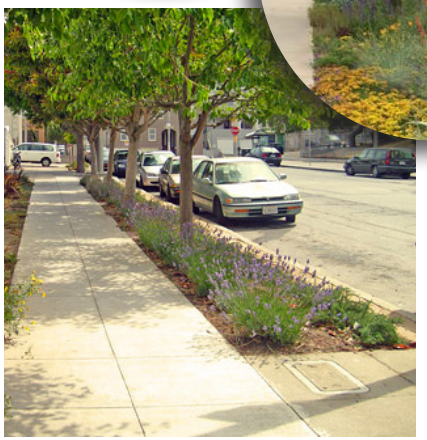
The landscape strip is the planted zone between the sidewalk or walking path and the curb and gutter. The landscape strip can be a combination of turf, shrubs, groundcover, ornamental grasses, perennials, and groundcovers - in addition to trees.

- In a commercial- or retail-oriented streetscapes, provide a variety of shrubs, ornamental grasses, groundcovers, and perennials - in addition to trees. Plantings may be protected with curbs, 18" height planter fencing, and/or other barriers
- Plantings shall mature to heights less than 36" to maintain visibility.
- Stepstones integrated into plantings, such as flagstone or brick pavers, may be provided where pedestrian crossing is anticipated but no pathway is provided
- Groundcover planting is encouraged in place of mulching
- Adding colorful planting to highlight important intersections, such as nodes or pedestrian crossings, is encouraged
- Turf may be utilized in residential, institutional, and campus locations. Groundcover and shrub planting is preferred in commercial and retail locations.



In commercial or retail streetscapes, utilize shrubs, grasses, groundcover, and perennials where possible.





Limit planting heights to 36" at maturity for clear visibility.





Hedgerows may be utilized where there is clear and necessary separation of vehicles and pedestrians.

Landscape Medians

- All planting shall be in compliance with NCDOT and Town of Apex design standards
- Where space allows, planting shall be in a meandering style
- A consistent open viewshed between 24" and 7' in height shall be provided for vehicular and pedestrian safety with the exception of narrow, evergreen understory trees that reach a maximum caliper size of 4"
- Drought-tolerant species capable of withstanding hot, urban conditions shall be provided. A combination of understory trees, shrubs, ornamental grasses, groundcover, perennials, and turf provides visual interest
- Provide locations for annual seasonal color at high impact intersections
- Pavers may be utilized at median endcaps, pedestrian crossings, or other areas that require a hardscape application. Pavers shall be a vehicular-rated brick style in a herringbone pattern and shall be mortared to concrete
- If reinforced turf is required, a below-grade grass reinforcement grid shall be utilized





Planting form shall meander where space allows.



nt massing for legibility.



5.3: PRIVATE DEVELOPMENT

Private Frontages

Private frontages exist where edgeyards and sideyards are provided between building and rights-of-way, such as Common Yard, Porch, Terrace/Lightwell and Forecourts - as described in the SD plan.

- Provide a variety of understory trees, shrubs, ornamental grasses, and perennials for texture and enhanced aesthetics
- Evergreen plant material should be provided - particularly around foundations - for year-round presence and interest



Where buildings occupy the boundaries of the lot, green walls and vertical vegetation provide visual interest.





Provide a variety of trees, shrubs, perennials, and ornamental grasses for enhanced aesthetics.

Where buildings occupy the boundaries of a lot, such as Stoops, Shopfronts, Gallery facades, and Arcade facades (as described in the SD plan):

- A minimum of 25% of hardscape perimeters shall be planted
- Planter pots may be utilized where foundation planting cannot be achieved with in-grade landscape area, such as commercial or storefront retail
- Green walls are a unique vertical application of landscape where distance is limited



5.3: PRIVATE DEVELOPMENT

Parking Lots

- Supplemental planting, in addition to required tree canopy planting, in landscape islands is encouraged. Ornamental grasses, low creeping shrubs, and groundcovers that mature under 36" are preferred. Species selected must be tolerant of drought and urban pollution

- Curb cuts, overflow areas, or other green stormwater infrastructure solutions may be provided to capture and treat stormwater





Capturing and treating stormwater within landscape islands is encouraged.





Capturing and treating stormwater within landscape areas is encouraged.



Coverage of landscape islands with shrubs and groundcover is preferred.

Naturalized Areas + Meadows

Meadows and naturalized areas shall be primarily located adjacent to naturally-occurring landscapes, existing riparian buffers, or along easements. If meadows are located in an urban condition, they shall be designed to facilitate education.

- Where meadows are adjacent to pedestrian zones, provide a minimum 3' wide turf border between the pedestrian area and naturalized planting area
- Shrubs, posts, signs or other identifying features shall be provided at meadow edges to clearly indicate mowed and non-mown areas
- All educational or public-facing meadows shall follow a defined maintenance schedule.
- Non-landscape features, such as boulders, bird houses, and insect houses are encouraged for additional landscape diversity



A mowed edge shall be provided between meadows and pedestrian areas.



Boulders are complementary landscape elements.





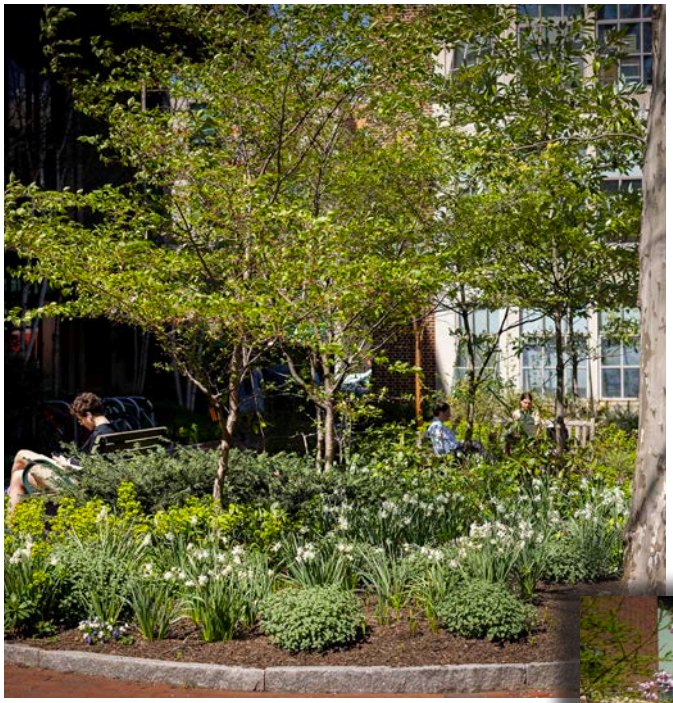
Meadows can be utilized for education and environmental healing in campus, educational, and residential uses. Avoid meadows in commercial and urban uses.

5.3: PRIVATE DEVELOPMENT

Open Space, Parks + Trails

- Employ ecological planting techniques such as companion planting, analysis of microclimates, biodiversity, and native species selection
- Per the Environmental Enhancement Plan and SD Plan, 80% of landscape shall be drought-tolerant and consist of native and locally adaptive species. Invasive species are prohibited. Species diversity is encouraged with one species accounting for no more than 20% of the total number of plants.
- Provide intentional lawn space for recreation and active play. Separate play lawns from vehicular traffic with shrubs and other plantings
- Employ Crime Prevention Through Environmental Design (CPTED) principles, such as sight lines, natural access control, activity support, and maintenance
- Natural resources, such as boulders found on site and logs milled from felled trees, can enhance aesthetics in addition to providing natural play or art opportunities







Provide intentional lawn space for active recreation and play.





Boulders and other natural elements enhance landscape aesthetics and provide art opportunities.



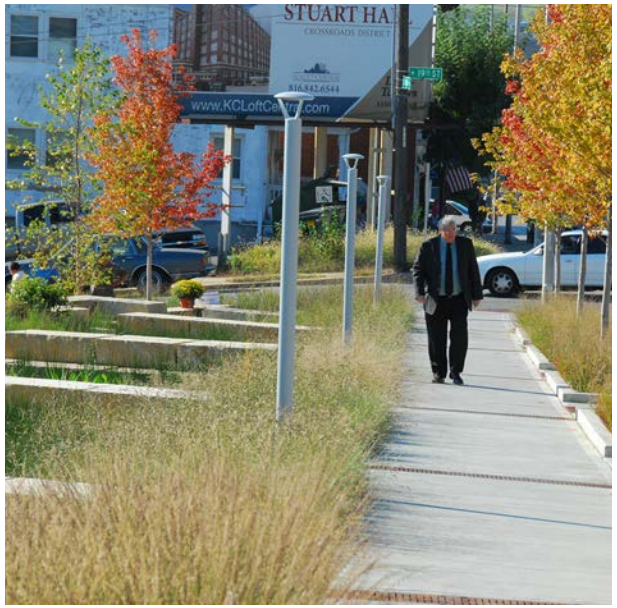
Separate intentional lawn gathering areas from vehicles with shrubs and pedestrian walking zones.

5.3: PRIVATE DEVELOPMENT

Green Stormwater Infrastructure + Pollinator Gardens

GSI is encouraged as an approach to amenitize stormwater infrastructure. Opportunities may include rain gardens, bioretention, vegetated swales or bioswales, infiltration basins, green roofs, and tree wells.

- Utilize planting species appropriate for stormwater conditions. Refer to the NCDEQ stormwater manual for species suggestions
- Where bioretention infrastructure is adjacent to pedestrian walking zones, ensure that the depth of bioretention does not exceed 24" to avoid fall concerns







GSI integrated into streetscapes and parking areas is encouraged.



Certified Pollinator Gardens should follow the National Wildlife Federation standards:

- Pollinator gardens shall meet the minimum requirements set by NWF
- Pollinator gardens can be certified and approved by NWF. Signage for certified gardens may be displayed



Educational signage for pollinator gardens and stormwater infrastructure is encouraged.

SECTION 6

Site Amenities

Introduction
Hardscapes
Site Furnishings
Program Amenities



SECTION 6.1

INTRODUCTION

The implementation of a wide range of site amenities will aid in creating an impactful user experience. Features detailed in this section, such as enhanced paving materials, seating, and shade structures, should be included in a thoughtful and purposeful manner. In order to distinguish the visual and functional aesthetic of Veridea, site furnishing selections can be unique to each designed space depending on program and intended use. However, when contemplating Veridea holistically, furnishing styles and colors should articulate a coherent design language that reverberates throughout the development.



Site amenities can be categorized as hardscapes, furnishings, architectural features, or amenity elements and may include:

- Walking surfaces
- Walls
- Seating
- Bollards
- Planters
- Fencing
- Bike Racks
- Shade structures
- Program amenities

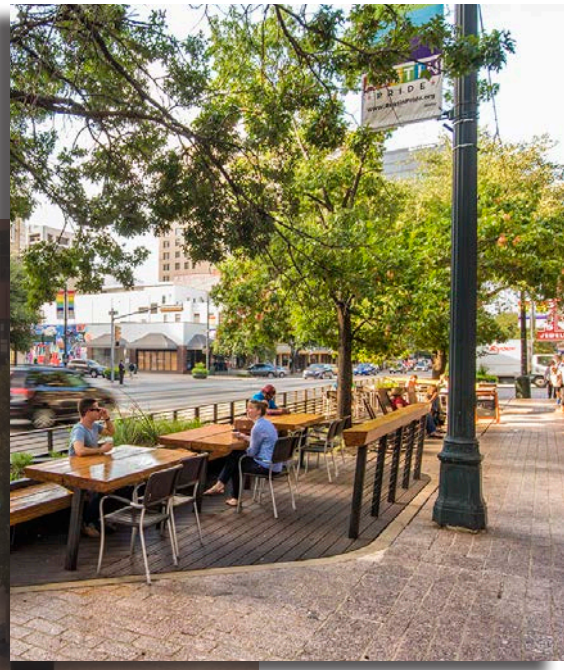
The pictures, illustrations, and descriptions included are contextual examples of the high quality materials and design envisioned for the project. Materials, hardscape, and landscape components depicted herein are not intended to be an exclusive or exhaustive list to be required in every design or construction. Instead, these elements are intended to convey acceptable design approaches that promote variability, high quality, and sustainably-focused development in order to foster a unique sense of place.

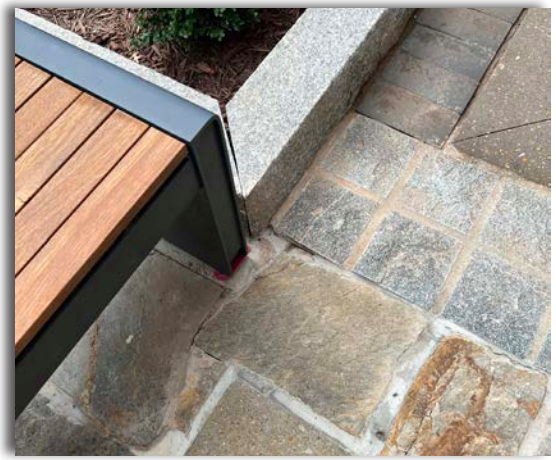
SECTION 6.2

HARDSCAPES

A wide variety of hardscape materials should be utilized to a create an aesthetic entirely unique to Veridea. These hardscape materials should include a range of finishes that are both manufactured and naturally occurring. Enhanced paving materials should be utilized strategically to complement standard finishes, reinforce the importance of certain pedestrian nodes, and amplify the overall design aesthetic Enhanced hardscape materials should be used where necessary to facilitate a safe and legible pedestrian experience.







Key elements include:

- Multiple materials colors, textures, and patterns to create a dynamic visual experience.
- Changes in material and color can be utilized to highlight and define spaces.
- Decorative crosswalks and pedestrian corridors
- Raised curbing around planters.
- A variety of site and retaining wall types.
- Use of locally-sourced materials.
- Use of recycled or sustainably-sourced materials.
- Use of standard sizes to limit construction waste, maximize efficiency and reduce offcuts.

Locally-sourced materials can embed sites with a strong sense of place and support local eco

6.2: HARDSCAPES

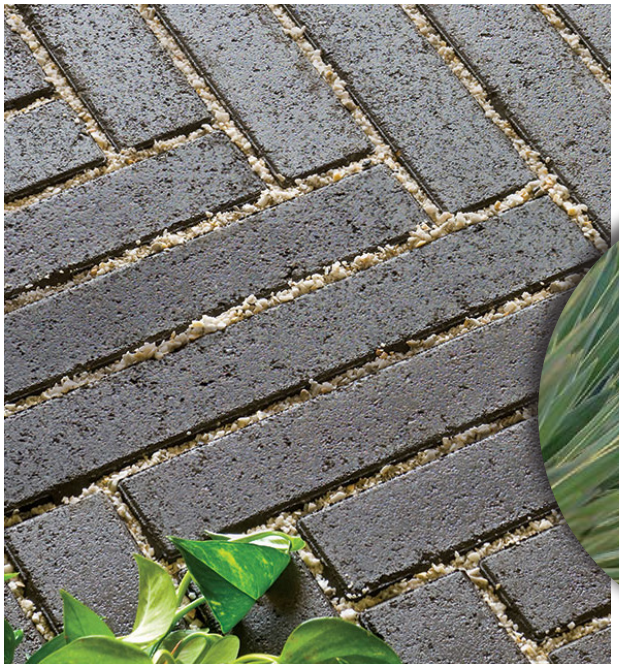
Enhanced Paving + Surfaces

Hardscape enhancements may include, but are not limited to, the following:

- Concrete applications - decorative scoring patterns, broom finish, sandblasted, integral color, exposed aggregate, stamped
- Pavers - brick pavers, permeable pavers, precast pavers
- Natural Stone - flagstone, bluestone, granite cobble, granite screenings, stone mulch
- Tree grates - metal or iron with decorative designs
- Wood decking
- Decorative thermoplastic applications



Natural wood decking allows for additional water infiltration for canopy trees. Wood shall be FSC certified.

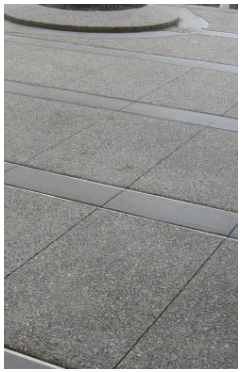




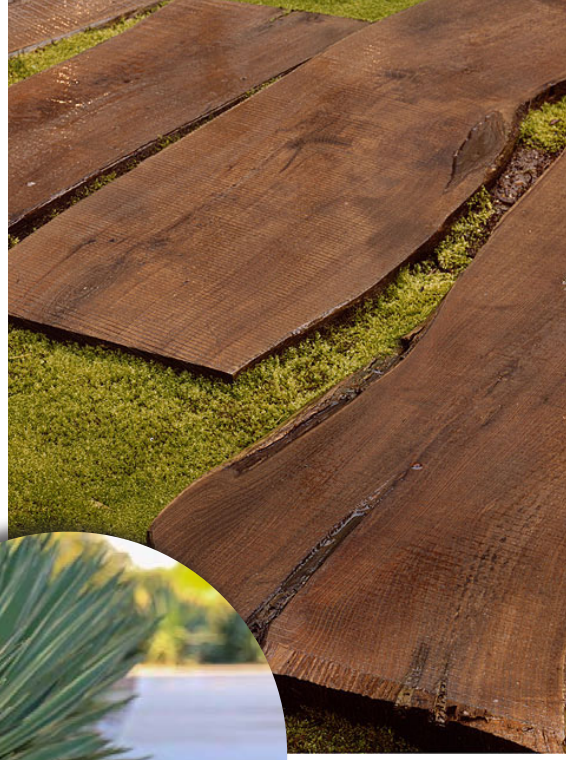
Permeable pavers in decorative herringbone pattern.

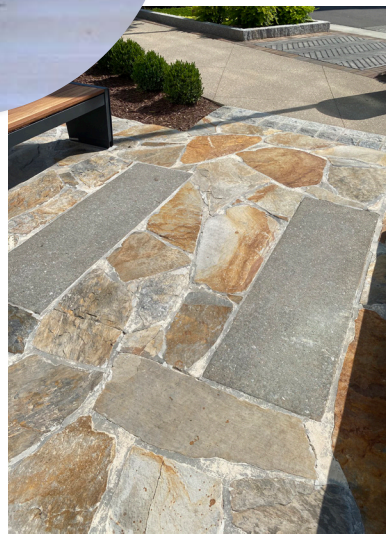






Stamped concrete may contain integral color with a release agent for addition xposed aggregate may contain integral color.





Natural pavers shall be sourced locally when possible.

6.2: HARDSCAPES

Walls + Curbs

Materials may include, but are not limited to, the following:

- Curbs - cast-in-place concrete, precast concrete, granite, upturned brick
- Freestanding site walls - precast concrete, masonry, granite block
- Retaining site walls - decorative segmental block, cast-in-place with precast veneer, masonry, gabion
- Elements that retain soil or are otherwise directly exposed to soil runoff shall contain brown and tan tones to reduce visual staining effect of the natural clay soils



Segmental retaining walls with lower visibility shall contain multiple sizes of block and a provide a natural variation in color.





Site and seat walls with a stone or wood veneer provide a more naturalistic appearance.



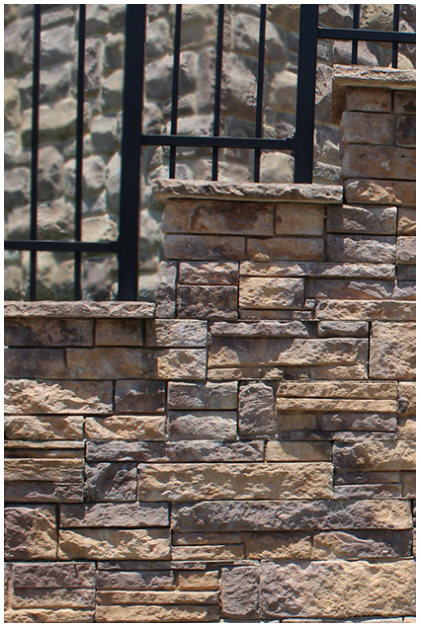
Precast concrete planter curb.



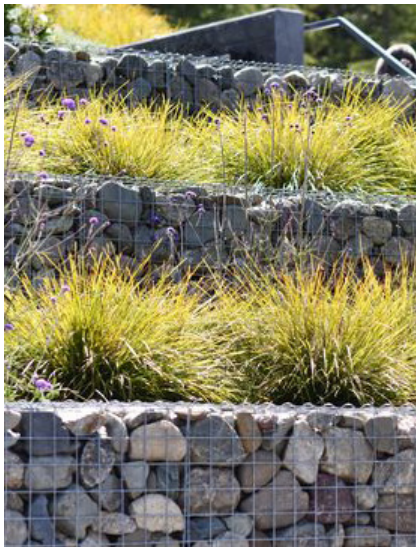
Granite seat block with split face sides and smooth top. May include mounted seating.



Granite planter c… face sides.



Segmental retaining walls with high visibility should have a decorative, natural stone appearance and coloring.



Gabion walls shall use large sized, brown and tan toned, smoothed aggregate. Use of gabion walls subject to the approval of the Town of Apex.

SECTION 6.3

SITE FURNISHINGS

Courtyards, park spaces, retail patios, linear parks, streetscapes and informal seating areas will utilize an array of site furnishings that meet Veridea's branding standard. The furnishings included in the design program will exemplify a modern and refined aesthetic while providing critical detail and functionality to the wide range of programmed spaces throughout the site. Furnishings that are locally-sourced and use recycled materials or sustainable wood products are encouraged to promote a sustainable future.



Furnishings shall have a modern aesthetic with clean lines.



Furnishings may include:

- Seating
- Bollards
- Planters
- Fencing
- Screening elements
- Waste receptacles
- Bicycle racks
- Shade structures

The guidelines provided in this section are intended to encourage aesthetic and functional consistency as Veridea is developed over time. Park facilities that are owned and operated by the Town of Apex are encouraged to follow the guidelines provided in this Section but are permitted to follow standard Town furnishings.



Swings integrated into overhead structures is a furnishing that can be enjoyed by all age groups.

Permitted colors for fixed elements:

Forms + Surfaces Standard Colors	Anova Furnishings Standard Colors
INK BLUE	CHARCOAL
DARK CORTEN	BRONZE
BLACK	BLACK
CUMARU	CEDAR

6.3: SITE FURNISHINGS

Fixed + Flexible Seating

Providing comfortable, convenient, and safe seating areas for pedestrians is crucial to the overall design of Veridea. By providing simple and refined areas of rest, users will naturally feel more comfortable exploring the many elements of the site. Seating fixtures and product selections should complement and work in harmony with the adjacent hardscape and landscape treatments. Seating that is locally-sourced and uses recycled materials or sustainable wood products is encouraged.

Fixed and flexible seating opportunities can include, but are not limited to, the following examples:

- Seat walls
- Benches
- Seating mounted to site walls
- Tree wrap or planter wrap benches
- Non-permanently mounted or movable furniture including tables and chairs, bar stools, and active seating





Seating should have modern aesthetics with clean lines. Veridea's standard bench is the Vector product family by Forms + Surfaces and the Madison Bench by Anova Furnishings. Alternative bench products that have modern aesthetics and clean lines may be approved.



Precast seat walls shall contain lipped edges for comfortable seating. Anti-skateboarding measures may be applied if appropriate.



Benches mounted to seat walls shall be backed.



Providing inclusive seating and ac space for ADA access is encouraged





Flexible seating, such as Adirondack chairs, provide opportunity for pops of color. Colors shall comply th Veridea standard branded colors.



Town owned and operated facilities are encouraged to comply with the Veridea standard but "... are permitted to utilize the Town standard site furnishing such as the Rendezvous Series bench by Anova.

6.3: SITE FURNISHINGS

Bollards, Planters, + Landscape Features

Bollards, structurally set boulders, or stand-alone planters should be utilized to create a visually appealing design aesthetic while providing safe separation between pedestrians, bicyclists, and vehicles. Bollards shall be vehicular-rated with modern aesthetics. Planters may be located strategically to facilitate vehicular and pedestrian movement. Planters should have seasonal plant selections to create year-round interest throughout the site. Boulders may be integrated into the hardscape to buffer, separate spaces, or provide an alternative vehicular barrier.



Bollards may incorporate lighting.





It is recommended that retail and restaurant dining patios are enclosed by a combination of planters and fencing.



Bollards may be wood or have a wood-like appearance. All wood shall be FSC certified.



Seating integrated within planters is encouraged.



Boulders can be used to buffer or separate spaces.

6.3: SITE FURNISHINGS

Fencing + Screening

A variety of unique and modern fencing and screening styles should be utilized to provide visual interest. Powdercoat aluminum, iron, and wood combined with masonry are complementary materials that can be sourced locally.

Planter fencing selections should be a modern style, visually appealing, provide safety for pedestrians, and prevent damage to planted areas where applicable. Planter fencing selections should include a variety of styles/products, but should work harmoniously together from a visual perspective.

Standard site fencing, such as fall protection fencing, should be commercial-grade aluminum picket or a similar design aesthetic. Panel inserts - used to make picket openings more narrow - is encouraged where an additional level of safety is required. Alternative decorative fencing, such as at dog parks, playgrounds or amenity spaces, may be split-rail fencing painted black.





Veridea's standard planter fence is the Proto Fence by Ironage. Alternative products that have modern aesthetics and clean lines may be approved. Metal components shall be black.

Vegetated green walls shall contain integrated irrigation.

Utilitarian site elements, such as trash enclosures and mechanical equipment, should be screened with a combination of decorative screen walls, decorative gates, and landscaping. Per the SD Plan and Town UDO use of multiple materials provides visual interest.

Vegetated screens and walls are an innovative vertical application of landscape that can be used as a screening opportunity.



Planter fencing shall be decorative, black and a maximum of 18" in height.



Screen walls and enclosures shall be a decorative stone or brick masonry. Gates shall be wood or aluminum.

6.3: SITE FURNISHINGS

Waste Receptacles

Waste and recycling receptacles should be of a modern approach that is visually appealing and complementary to other furnishing selections throughout the site. Special care should be given to where and how these are located and how they function given programming and level of user activity. Waste receptacles should be conveniently located but should not present a visual, physical, or odor impediment.

A variety of waste receptacles should be provided throughout Veridea:

- Trash receptacles
- Recycling receptacles
- Pet waste receptacles
- Composting opportunities with applicable maintenance programs

Waste receptacles that include both trash and recycling containment are encouraged. Where appropriate, composting centers provide a unique and sustainable option for disposing of food waste. Large scale waste containers, such as dumpsters, shall be fully screened with masonry walls, gates, and landscape per the Town of Apex UDO and the SD Plan.





Town owned and operated facilities are encouraged to comply with the Veridea standard but are permitted to utilize the Town standard site furnishing such as the Rendezvous Series bench by Anova.

Waste receptacles shall contain both trash and recycling options and include a rain bonnet. Veridea's standard waste receptacle are the Tonyo family by Forms + Surfaces and the Madison series with visor hood by Anova Furnishings. Alternative products that have modern aesthetics and clean lines may be approved.





Pet waste stations shall contain trash receptacle and shall be in the color black.



Compost locations shall be located in communal areas or dedicated community garden spaces. Avoid compost stations near to residential homes.

6.3: SITE FURNISHINGS

Bicycle Racks

Bicycle racks are essential to all pedestrian and multi-modal focused developments. Bicycle rack selections should complement other furnishing selections and should be placed as needed throughout the site. Areas of heavy pedestrian activity, park and open space areas, pedestrian nodes, residential communities, and commercial nodes should be equipped with adequate bicycle parking to facilitate and encourage bicycle use throughout Veridea. Trailheads to large greenways dedicated to both pedestrians and cyclists are prime locations for bicycle stations that include repair stations with both short- and long-term bicycle storage.



Bike racks may be colored to match Veridea branding colors.







Bike racks shall have modern, aesthetic designs. Veridea's standard bicycle racks are the Bay City Bike Rack by Forms + Surfaces and the Tandem Bike Rack by Anova Furnishings Alternative products that have modern aesthetics and clean lines may be approved.





Bicycle storage lockers shall have modern aesthetic.

6.3: SITE FURNISHINGS

Shade Structures

A variety of shade-creating features should be implemented as needed throughout Veridea in order to facilitate a comfortable environment for various programmed spaces. Formal structures can be utilized where practicable, while less formal shade sails and umbrellas can be utilized in tandem with flexible tables and chairs to create more a desirable user experience. The design, shape, and materials of shade structures should be complementary to adjacent structures and may include metal, aluminum, or wood.









Shade structures may be trellises with open slats or fully roofs. Bioclimactic ceilings, ceiling fans, convenience outlets, and comfortable furnishings all contribute to the structure's aesthetic and utility.



Shelters provide a space for large-scale community gathering. Where s opportunity to be used as a stage - upfit with convenience outlets. Speakers, audio/visua d integrated pull-down projector screens provide additional opportunities for use.



SECTION 6.4

PROGRAM AMENITIES

Additional miscellaneous components of site design can be included to enhance the overall aesthetic of Veridea. Products like fire pits and outdoor games will enrich the user experience through both active and passive means of interaction and community-building. Additionally, retail patio spaces with seating, planters, and enhanced hardscape elements will aid in creating both functionality and memorable experiences throughout Veridea. These program amenities shall be limited to private property and not included as part of the public right-of-way.

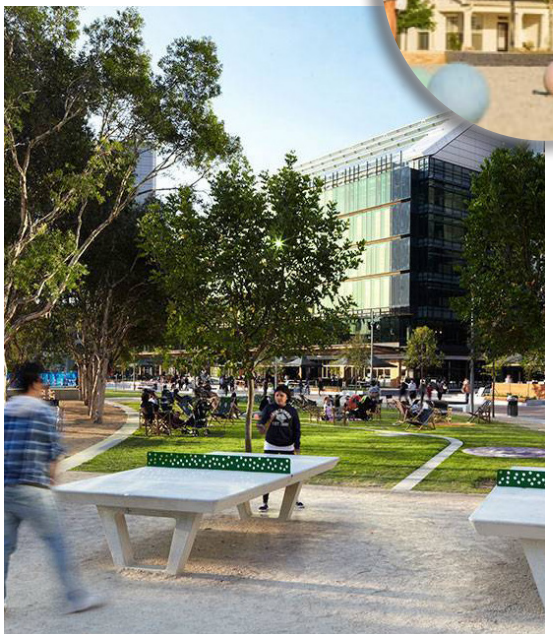


Programmed amenity elements may include:

- Fire pits, fire tables
- Outdoor televisions
- Retail patio spaces with seating, planters, and dedicated hardscapes
- Outdoor games such as chess tables, cornhole, ping pong, and shuffleboard
- Water bottle fillers
- Sculptures and public art



Dedicated outdoor dining spaces shall be enclosed with raised planters and fencing where possible.



Gaming tables shall be surface-mounted. Storage for gaming components is encouraged.



Sculptures, artwork, and murals are opportunities for placemaking. Geocaching, "find the sculpture," or other scavenger hunt games are encouraged throughout communities.



Where connected to natural gas or propane, fire pits shall contain timers and emergency shut-offs.



Outdoor televisions shall be located a minimum of 25' from the public right-of-way and screens shall be oriented away from vehicular traffic

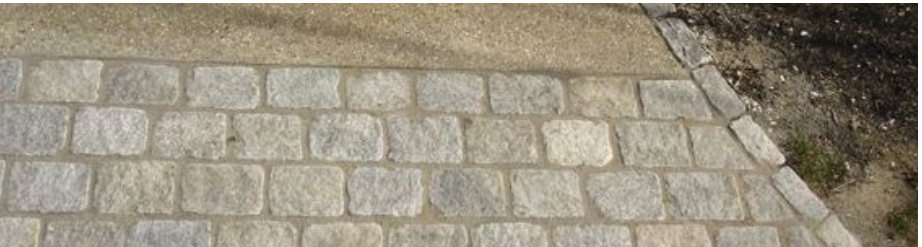
Bus Stops

Bus stops shall be provided throughout Veridea to connect residents and users to various locations within Veridea and also to adjoining communities and destinations. Bus stops and associated furnishings shall be installed by the developer prior to the 2,000th dwelling building permit. In the event the Town has not approved funding for a bus route to serve Veridea by the 2,000th dwelling building permit, the developer may provide a fee-in-leiu to the Town for the Town standard bus stop at that time.

Each bus stop shall include the following:

- A bus stop pad with a minimum size of 10'x30'
- Bus stop pads shall be a standard broom finish concrete bordered with a granite cobble or brick paver band
- One waste receptacle
- One bench or seating opportunity
- 2 bicycle racks
- 1 shade structure with a roof and sheltered on a minimum of 1 side

Seating opportunities may be integrated into the shade structure or installed as surface mounted fixtures. Furnishings provided are required to match the Veridea standard, see pages 54, 57, and 58. Furnishings within the public right of way or public transit easement that differ from the Town Standard must be included as part of a maintenance agreement between the Town and the Responsible Party.





The base shade structure is the 10' Signa Sunset-60 by Tolar Manufacturing. Features include a welded roof structure, rear and end wall panels, and integrated LED solar security lighting

Public art, provided by either the Town or the Responsible Party, may be incorporated into the bus stop or within 15' of the bus stop. Art may include, but is not limited to, three-dimensional art, sidewalk art or decorative shelter wraps.

Supplemental lighting in the form of pedestrian-scale area lights, bollard lights, or path lights may be provided. Lighting must meet standards set forth in Section 8.





COBALT BLUE BLACK

The standard colors are Cobalt Blue for the framework and Black for the roof.





Public art may be provided at bus stops as an opportunity to engage the public. All public art designs must be approved by the Town and the Responsible Party prior to installation.

SECTION 7

Signage

Introduction
Master Signage Plan
Modifications

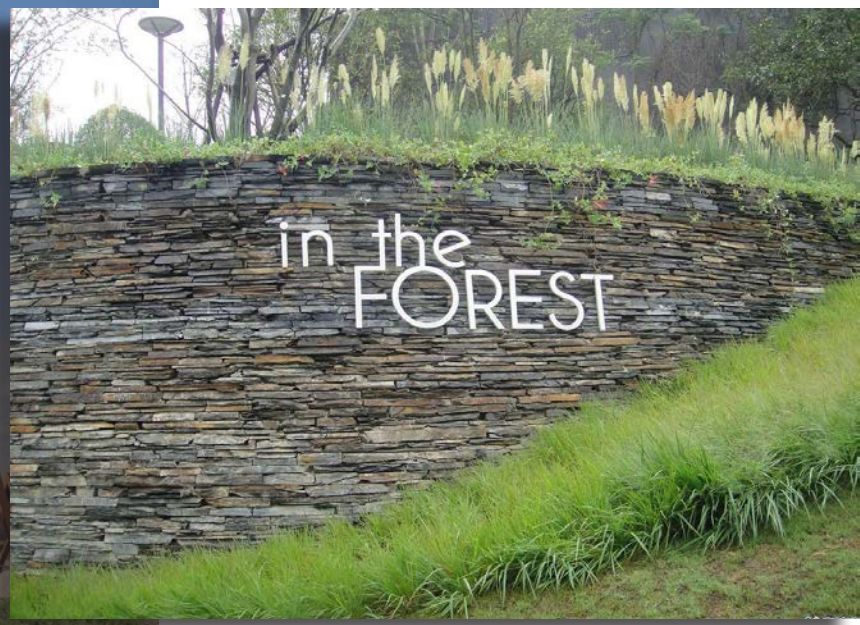


SECTION 7.1

INTRODUCTION

Veridea aims to maintain a unique brand identity while staying compliant with local regulations and jurisdictional guidelines. This section of the Pattern Book identifies modifications to the Town of Apex signage requirements as outlined in Chapter 8 of the Town's UDO, carefully tailored to strike the perfect balance between adherence to Town requirements and commitment to exceptional design.





7.1: INTRODUCTION

Key Goals



Veridea's key goals for site signage include:

- ***Brand Integration:*** We propose incorporating the Veridea brand's unique visual elements into the signage. By infusing the brand colors, typography, and logo, Veridea will have a consistent and memorable brand experience, bolstering recognition and leaving a lasting impression.
- ***Signage Flexibility:*** Recognizing that different sites and locations may have varying requirements, introducing a degree of flexibility into signage design allows for adaptations that complement specific architectural nuances of each site, ensuring a harmonious blend with the surroundings while adhering to the essential guidelines.
- ***Sustainability Initiatives:*** Veridea advocates for sustainability initiatives into signage designs, aligning with commitment to eco-conscious practices. By utilizing environmentally friendly materials and energy-efficiency lighting options, Veridea will contribute positively to the community and bolster the development's reputation as an environmentally responsible entity.
- ***Digital and Interactive Elements:*** Incorporating digital and interactive elements into Veridea's site signage can enhance engagement and elevate the overall user experience. Introducing touch-screen displays or QR codes for more information can offer visitors valuable insights and foster a stronger connection to the site.
- ***Universal Accessibility:*** To ensure inclusivity, incorporating features that enhance accessibility for all individuals is encouraged. This may involve integrating Braille, clear pictograms, and ensuring appropriate font sizes to facilitate readability for those with visual impairments.
- ***Artistic Expression:*** The integration of artistic expression is encouraged. By collaborating with local artists or incorporating unique architecture features, signage can be captivating and culturally significant.
- ***Safety Considerations:*** Signage modifications will prioritize clear visibility, optimal placement for wayfinding and legible instructions to ensure the well-being of all visitors.

SECTION 7.2

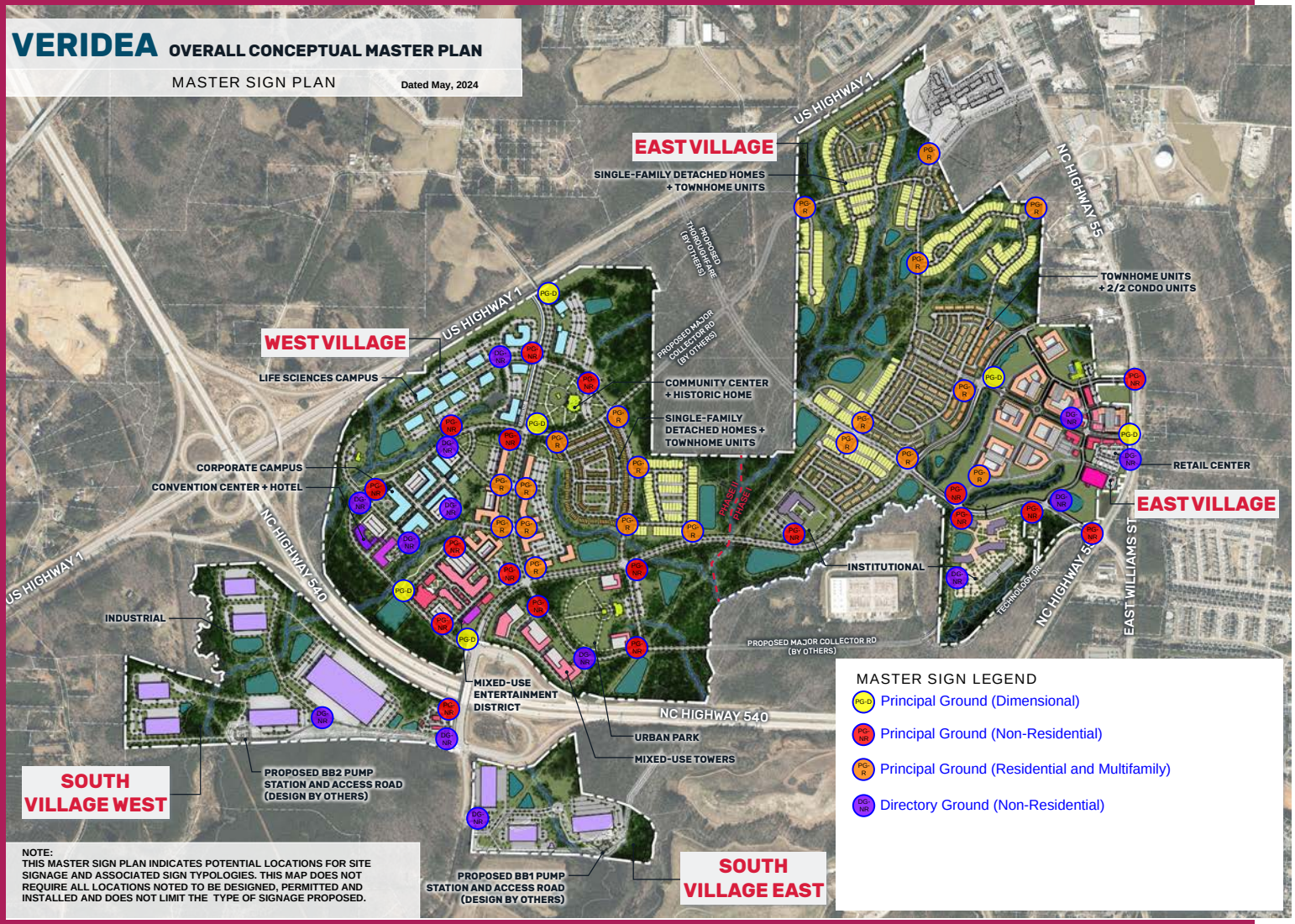
MASTER SIGNAGE PLAN

The Master Sign Plan is intended to provide a comprehensive and strategic blueprint for the effective and cohesive implementation of ground monumentation signage within Veridea. It serves as a guiding document that outlines the overall vision, design guidelines, and specifications for all signage elements to ensure consistency, brand identity, and functional clarity.

The Master Sign Plan identifies ground signage only. Additional signage, such as building-mounted signage traffic control devices, digital directories and trail markers, can be further defined on the project level.

Standards for other types of signs, such as wall and building signs, are further defined in this Section. Refer to Sections 7.2 and 7.3 for definitions, example imagery and allowable modifications.

This map indicates signage opportunities as determined at the time of this publication and is for reference only.



7.2: MASTER SIGNAGE PLAN

Principal Ground (Dimensional)

- A sign type specific to Veridea and is not a standard Town of Apex sign typology.
- Defined as a sign supported permanently upon the ground by a continuous base or two or more support features, not attached to any building, that includes a three-dimensional or artistic element.
- Intended to be visible and experienced by both vehicles and pedestrians as an artistic approach to placemaking and signage.
- Signage may be integrated into the three-dimensional element or adjacent to, but no further than 10 feet from, the three-dimensional element.



Lighting may be incorporated. See Section 08.



Signage may be integrated or adjacent to the dimensional art element







Use of structure and material selection to mimic natural landscapes and forms

7.2: MASTER SIGNAGE PLAN

Principal Ground (Non-residential, residential, multifamily)

- Per the Town UDO Definition: A sign supported permanently upon the ground by a continuous base or two (2) or more supported posts at the outside edge, not attached to any building.
- Applies to non-residential, residential and multifamily uses.





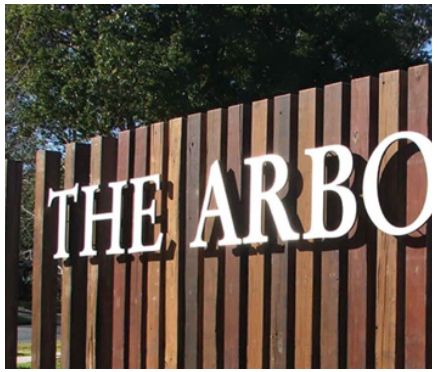
Mounted to retaining wall





Use of mulitple levels and layers





Use of natural materials such as stone and wood



Freestanding letters

7.2: MASTER SIGNAGE PLAN

Directory Ground (Non-Residential, Multifamily)

- Per the Town UDO Definition: A ground sign with a continuous base for a building or development that is intended to support wayfinding.
- Applies to non-residential and multifamily uses.

If digital signage is provided, it shall meet the following:

- Digital signage cannot face the public right of way.
- The display area of the sign shall remain static for at least 30 seconds unless a person is actively using any interactive features of the display area.
- Digital signs shall be equipped with automatic dimming technology that adjusts the sign's brightness in direct correlation with natural ambient light conditions.
- The brightness shall not exceed six (6) footcandles from dusk to dawn when measured one (1) foot from the center of the display area.







Use of natural materials and layers



Utilization of height for visibility





Integration of art

7.2: MASTER SIGNAGE PLAN

Wall Sign

- Per the Town UDO Definition: A sign attached parallel to a wall, professionally painted on the wall surface or erected and confined within the limits of an outside wall of any building or structure, which is supported by such wall or building.
- Applies to non-residential uses.



Projection from building face



Back lit box lettering





Side mounted to building wall

Painted wall mural signage

SECTION 7.3

MODIFICATIONS: PERMANENT SIGNS

Sign Type (Permanent)	Definition (Abbreviated definition provided, refer to Town of Apex UDO for full definition and requirements.)	Modification Request (If no modification provided, follow the Town of Apex UDO)
Awning	A material such as fabric, metal, flexible plastic, or vinyl that is supported by or attached to a frame and that extends from the exterior wall of a building without ground-mounted support	No modifications.
Home Occupation	Advertising home occupations permitted only where a home occupation has been approved	No modifications.
Building Marker	A plaque, plate or seal placed on a building to signify origin	Quantity - Maximum 1 per building facade, not to exceed 2 per building Sign Area - Maximum 4 square feet
Directory (Building)	A wall sign mounted to a building for the purpose of wayfinding or navigation.	Quantity - 1 per building entrance, not to exceed 3 per building Sign area - Maximum 6 square feet Material - Digital permitted. Refer to digital standards on page 68.
Directory (Ground) - Non-residential	A ground sign with a continuous base less than two (2) feet in height for the purpose of wayfinding, navigation or directional information.	Maximum height - 8 feet Maximum base height - 4 feet Maximum sign area - 10 square feet Material - Digital permitted. Refer to digital standards on page 68.
Directory (Ground) -Residential (multifamily)	A ground sign with a continuous base less than two (2) feet in height for the purpose of wayfinding, navigation or directional information.	Maximum height - 6 feet Maximum base height - 4 feet Maximum sign area - 10 square feet Material - Digital permitted. Refer to digital standards on page 68.
Flags	A fabric, usually rectangular or triangular in shape, designed to be flown from a flag pole	No modifications.
Gasoline Sales	A service station sign advertising fuel prices in accordance with North Carolina General Statutes	No modifications.
Governmental	A temporary or permanent sign erected and maintained by or required by the city, county, state or federal government	No modifications.
Health/Hospital	Permanent signs erected and maintained by an Ambulatory Healthcare Facility with Emergency Department or a Hospital	No modifications.
Incidental	A sign, generally informational, that is directory as to the use of the subject property on which it is located.	No modifications.
Marquee	A theater wall sign designed to have changeable copy	Digital theatre marquee signs permitted. A singular image must be static for a minimum of 30 seconds. Digital cannot face the public right of way.
Menu Board	An accessory sign providing associated with a drive-through window or walk-up window	No modifications.

- This table indicates signage typologies identified in the Town of Apex UDO and associated modifications allowed within the limits of Veridea. The Town of Apex UDO shall apply to any standard or sign typology not listed. Any revisions to modifications, up to a 10% deviation from listed, must be approved by the Planning Director. Any re[illegible]cations that exceed a 10% deviation are subject to a revision to the Pattern Book and approval by Town Council.
- Signage less than 1 square foot located on permanent site elements other than buildings is exempt from sign standards.

SECTION 7.3

MODIFICATIONS: PERMANENT SIGNS

Sign Type (Permanent)	**Definition (Abbreviated definition provided, refer to Town of Apex UDO for full definition and requirements.)**	**Modification Request (If no modification provided, follow the Town of Apex UDO)**
Parapet Building Sign	A sign extending above the parapet or placed on a roof surface	Permitted only within non-residential districts of Veridea. Quantity - 1 per commercial district Maximum height - 15 feet Sign area - Maximum 80 square feet
Principal Ground (Dimensional) *Non-standard sign type*	A sign supported permanently upon the ground by a continuous base or two or more support features, not attached to any building, that includes a three-dimensional or artistic element.	Permitted only within non-residential districts of Veridea. Quantity - 1 per major full service vehicular intersection Maximum height - 15 feet Maximum sign area - 50 square feet Three dimension or artistic element excluded from sign area calculation. Not permitted within landscape medians. Must be located within 30 feet of the public right of way.
Principal Ground (Non-residential)	A sign supported permanently upon the ground by a continuous base or two (2) or more support posts at the outside edge, not attached to any building	Quantity - 2 permitted at each full service vehicular entrance Height - maximum 8 feet on major collector or thoroughfare roads; maximum 6 feet on local streets Sign area - maximum 50 square feet on major collector or thoroughfare roads; maximum 30 square feet on local streets May be located on a retaining wall that does not exceed 10 feet in height
Principal Ground (Residential and Multifamily)	A sign supported permanently upon the ground by a continuous base or two (2) or more support posts at the outside edge, not attached to any building	Quantity - 2 permitted at each full service vehicular entrance Height - maximum 8 feet on major collector or thoroughfare roads; maximum 6 feet on local streets Sign area - maximum 50 square feet on major collector or thoroughfare roads; 30 square feet on local streets May be located on a retaining wall that does not exceed 10 feet in height
Projecting Sign	A sign affixed to a building or wall in such a manner that its leading edge extends more than 12 inches beyond the surface of said building or wall.	No modifications.
Suspended	A sign that is suspended from the underside of a horizontal plane surface and is supported by such surface	No modifications.
Wall	A sign attached parallel to a wall, professionally painted on the wall surface or erected and confined within the limits of an outside wall of any building or structure, which is supported by such wall or building	No modifications.
Interior Sign	A ground or sign located adjacent to parking spaces that is directory as to the use of the parking area.	No modifications.

^ This table indicates signage typologies identified in the Town of Apex UDO and associated modifications allowed within the limits of Veridea. The Town of Apex UDO shall apply to any standard or sign typology not listed. Any revisions to modifications, up to a 10% deviation from listed, must be approved by the Planning Director. Any re[illegible]cations that exceed a 10% deviation are subject to a revision to the Pattern Book and approval by Town Council

^ Signage less than 1 square foot located on permanent site elements other than buildings is exempt from sign standards.

SECTION 7.3

MODIFICATIONS: TEMPORARY SIGNS

Sign Type (Temporary)	Definition (Abbreviated definition provided, refer to Town of Apex UDO for full definition and requirements.)	Modification Request (If no modification provided, follow the Town of Apex UDO)
On-premise, non-commercial temporary signs	A temporary sign with non-commercial messaging that is not associated with an event not located on residential property	No modifications.
Banners *Non standard sign type*	A lightweight sign that is temporarily installed on a streetlight in the public right-of-way for decorative or informational purposes	Quantity - 1 per streetlight pole Size - Maximum 24 inches wide by 60 inches height Maximum Sign Area - 10 square feet Changeable when desired and allowed year-round.
Construction Sites	An on-premise, freestanding temporary sign erected during the construction of a development project	No modifications.
Event (Commercial)	Temporary on-premise signs erected during commercial events	No modifications.
Event (Non-commercial)	Temporary on-premise signs erected during non-commercial events	No modifications.
Sandwich Board Sign	Consisting of two panels joined together at the top and configured into the shade of an inverted "V" so that the bottom of the sign rests upon the ground	No modifications.
Seasonal Outdoor Sales	Outdoor temporary signs not located on a farm permitted with a temporary use permit allowing seasonal outdoor sales	No modifications.
Window	Any sign that is placed on the outside or inside of a window or door and is visible from the exterior	No modifications.

- This table indicates signage typologies identified in the Town of Apex UDO and associated modifications allowed within the limits of Veridea. The Town of Apex UDO shall apply to any standard or sign typology not listed. Any revisions to modifications, up to a 10% deviation from listed, must be approved by the Planning Director. Any revisions to modifications that exceed a 10% deviation are subject to a revision to the Pattern Book and approval by Town Council.
- Signage less than 1 square foot located on permanent site elements other than buildings is exempt from sign standards.

SECTION 8

Lighting

Introduction
Site Lighting



SECTION 8.1

INTRODUCTION

Street and landscape lighting is an important component for not only safety but also aids in orientation, highlights the identity of an area, and creates a sense of drama. Veridea is committed to providing a site lighting strategy that is complementary to each street's character and creates a delightful sense of place during evening hours.



Site lighting shall comply with the following:

- Incorporate the latest energy-efficiency technology for directing light, reducing glare and limiting light pollution.
- Street fixture shall be consistent for entire roadway lengths.
- This Pattern Book does not overrule lighting standards otherwise required by the Town of Apex UDO, the SD Plan or the Environmental Enhancement Plan. The key elements listed within this Section are intended to complement and provide framework for the design approach of site lighting. Lighting that is an alternative from the Town standard located within the public right of way may be included as part of a maintenance agreement between the Town and the Responsible Person/ Developer.



8.3: SITE LIGHTING

Streetscape Lighting

Streetscape and roadway lighting within the public right of way shall follow the Town of Apex UDO standards, including the following:

- Pedestrian scale poles shall be between 12′ and 18′ mounting height with a black fiberglass pole.
- Vehicular scale poles shall be between 20′ and 35′ mounting height with a black fiberglass pole.
- Post top luminaries shall be the Town standard or a contemporary, round form style, consistent with the ARB Arbor Post Top by Cooper Lighting, the Pacifica family by Architectural Area Lighting, or similar.
- Cobra head luminaries shall follow the Town of Apex standard LED shoebox, or similar.
- All fixtures and poles shall be black.
- Structural footings shall be direct burial with foundations conceals. Footings shall be sized sufficiently to accommodate attachment arms for banners and hanging planter pots.
- Poles located within urban streetscapes shall accommodate electrical outlets for holiday lighting.
- Fixtures shall meet dark sky requirements.



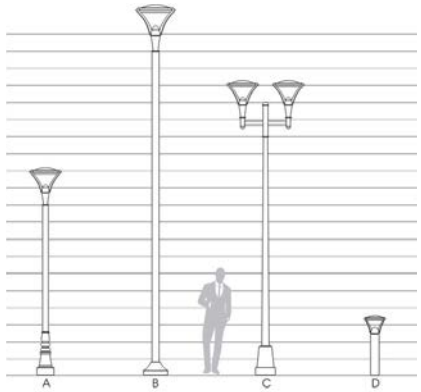
At urban streetscape locations and along major thoroughfares, pole foundations shall be structurally engineered to accommodate attachments such as banners, planter pots and holiday decorations.



The Town's standard fixture or ARB Arbor Post Top by Cooper Lighting (or similar) is permitted for use in the public right of way.



Post top fixtures are permitted to follow differing assemblies, such as single-mounted, double-mounted or wall mounted. Where applicable, utilization of the entire family product line of post tops, bollards and wall-mounted lighting is encouraged.





The Pacifica family by Architectural Area Lighting is permitted [illegible] public right-of-way but subject to be included as part of a developer's maintenance agreement.



Cobra style lighting shall follow Town of Apex standard shoebox fixture, or similar.

8.3: SITE LIGHTING

Site and Area Lighting

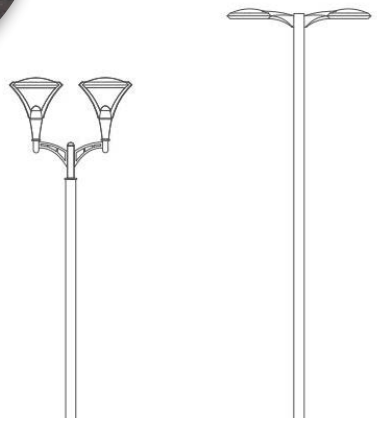
Site and area lighting within private and Town owned and operated developments shall be utilized for safety lighting, large-scale spatial lighting, and vehicular roadway and pedestrian lighting. Fixtures mounted to poles should meet the following requirements:

- Pedestrian scale poles shall have a mounting height between 12' and 18'.
- Vehicular scale poles shall have a mounting height between 20' and 35'.
- All fixtures shall be black. All poles shall be black fiberglass.
- Fixture and post top styles shall be of the same style as streetscape and right of way fixtures (see page 75).
- Utilization of the entire family line of products is encouraged for consistency.
- Structural footings shall be direct burial with foundation conceals.
- Poles located within urban plazas and open spaces dedicated to public large scale gatherings shall accommodate electrical outlets for holiday lighting.
- Cobra fixtures for parking lot lighting shall follow the Town standard shoebox fixture, or similar.

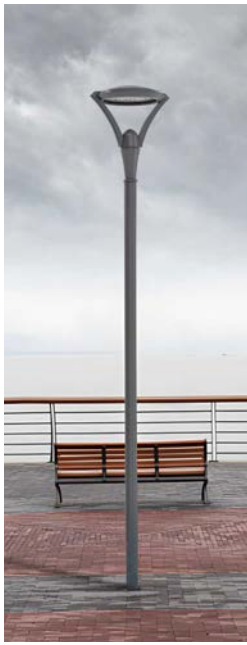




Veridea's standard lighting products are contemporary, round form style, including the Pacifica Family by Architectural Area Lighting and the Arbor Family by Cooper Lighting, or similar.



Fixtures may be double-headed to accommodate both vehicular and pedestrian needs.









Utilization of the entire family product line of post tops, bollards and wall-mounted lighting is encouraged.

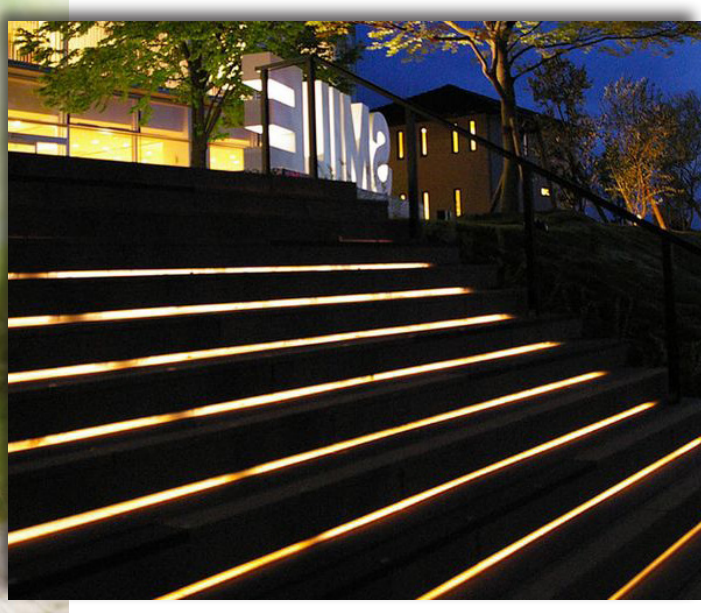
8.3: SITE LIGHTING

Pathway Lighting

Pathway lighting includes bollard lights, step and wall lights, strip lighting and handrail illumination. Pathway lighting shall comply with the following:

- Bollards shall be no taller than 3’ in height.
- In-grade lighting shall be direct burial with foundations concealed.
- Step or wall lighting shall be flush with adjacent materials.
- Fixtures shall be LED and a modern style.
- Fixtures shall be black or bronze in color.
- Integrated lighting, such as in handrails, shall be hidden.



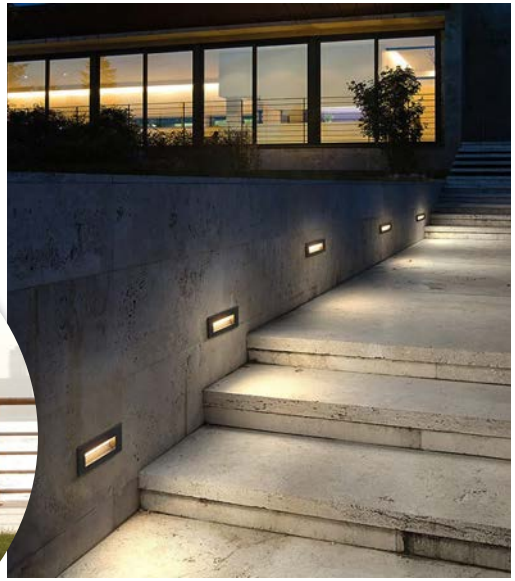


Bollards and pathway lighting shall have a modern style and no taller than 3’ in height.









Wall mounted and step lights shall be flush with adjacent materials.

8.3: SITE LIGHTING

Landscape Lighting

Landscape lighting should be utilized as a way to enhance landscape aesthetics, highlight important elements, and provide soft, safe lighting. This style of lighting shall be limited to high impact gathering areas, plazas and streetscapes to reduce light pollution. All landscape lighting shall be low-voltage.

Landscape lighting may include:

- Tree and landscape uplights.
- String lighting/catenary lighting.
- Artistic light applications.
- In-grade hardscape lighting.



Artistic lighting applications are encouraged.





In non-residential, urban gathering areas, be uplight or adorned with tree wrap lights for decorative purposes. uplighting to reduce light pollution.



Utilize downlighting mounted to building walls and structures to reduce light pollution and provide an aesthetic experience.



String and catenary lighting at public gathering areas provide opportunities for aesthetic lighting and holiday applications.

APPENDIX

SUPPLEMENTAL DOCUMENTATION

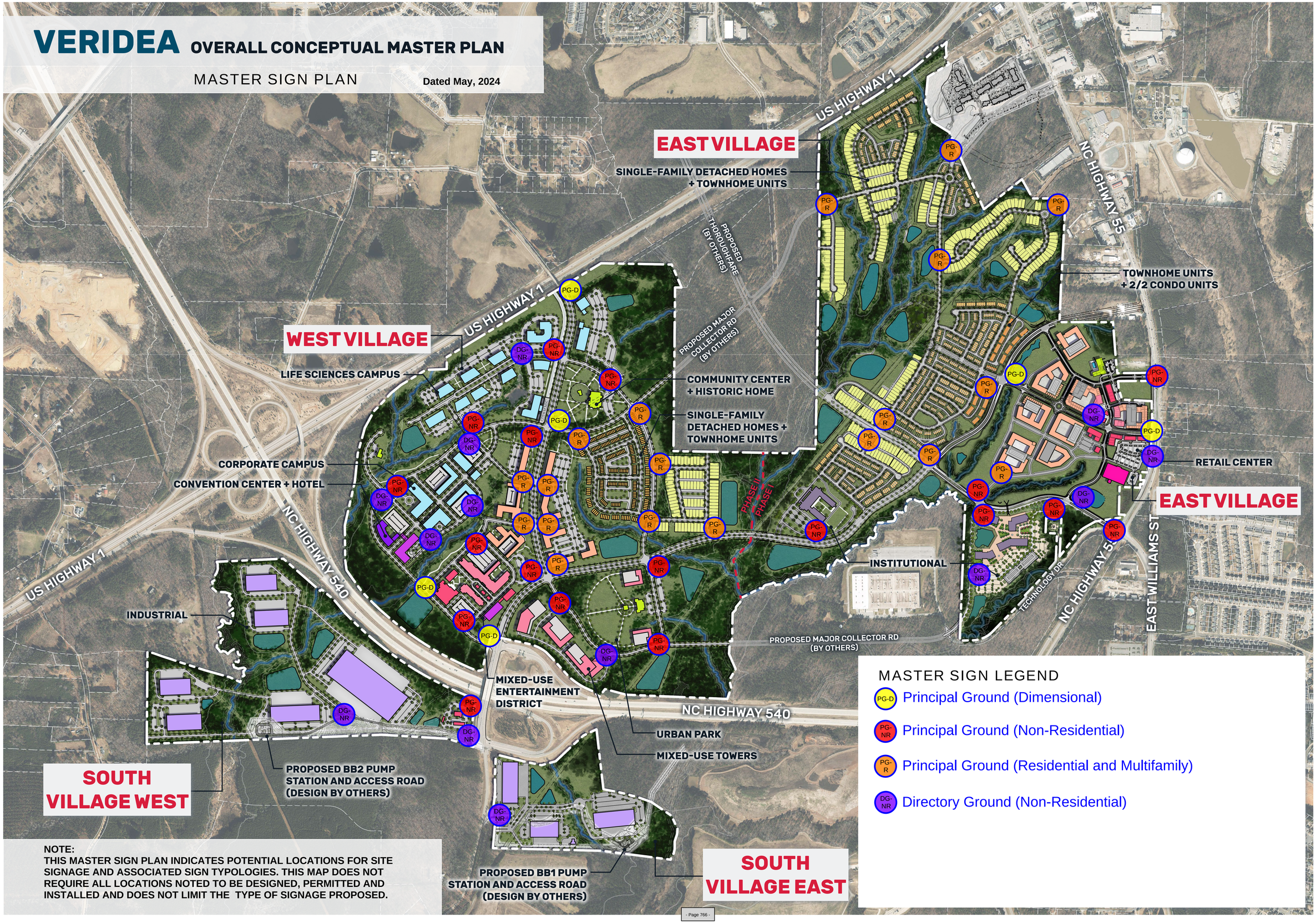
i. Master Signage Plan



VERIDEA OVERALL CONCEPTUAL MASTER PLAN

MASTER SIGN PLAN

Dated May, 2024



NOTE:
THIS MASTER SIGN PLAN INDICATES POTENTIAL LOCATIONS FOR SITE SIGNAGE AND ASSOCIATED SIGN TYPOLOGIES. THIS MAP DOES NOT REQUIRE ALL LOCATIONS NOTED TO BE DESIGNED, PERMITTED AND INSTALLED AND DOES NOT LIMIT THE TYPE OF SIGNAGE PROPOSED.

MASTER SIGN LEGEND

- PG-D — Principal Ground (Dimensional)
- PG-NR — Principal Ground (Non-Residential)
- PG-R — Principal Ground (Residential and Multifamily)
- DG-NR — Directory Ground (Non-Residential)

McADAMS

PREPARED FOR:
RXR REALTY

VERIDEA CONCEPTUAL MASTER PLAN
APEX, NORTH CAROLINA

10' 500'
SCALE: 1" = 500'

RXR-22001
09. 07. 2023

01

| Agenda Item | cover sheet

for consideration by the Apex Town Council

Item Type: CONSENT AGENDA

Meeting Date: December 09, 2025

Item Details

Presenter(s): Allen Coleman, Town Clerk

Department(s): Town Clerk's Office

Requested Motion

Motion to approve the Apex Tax Report dated November 17, 2025.

Approval Recommended?

Yes

Item Details

The Wake County Board of Commissioners, in regular session on December 1, 2025, approved and accepted the enclosed tax report for the Town of Apex, dated November 17, 2025 for the period of October 1, 2025 through October 31, 2025.

Attachments

- CN21-A1: Tax Report for October 2025

WAKE COUNTY
NORTH CAROLINA

Board of Commissioners
P.O. Box 550 • Raleigh, NC 27602

TEL 919 856 6180
FAX 919 856 5699

SUSAN P. EVANS, CHAIR
DON MIAL, VICE-CHAIR
VICKIE ADAMSON
SAFIYAH JACKSON
CHERYL STALLINGS
SHINICA THOMAS
TARA WATERS

December 2, 2025

Mr. Allen Coleman
Town Clerk
Town of Apex
Post Office Box 250
Apex, North Carolina 27502

Dear Mr. Coleman:

The Wake County Board of Commissioners, in regular session on December 1, 2025, approved and accepted the enclosed tax report for the Town of Apex.

The attached adopted actions are submitted for your review; no local board action is required.

Sincerely,

Yvonne Gilyard
Clerk to the Board
Wake County Board of Commissioners

Enclosure(s)

WAKE COUNTY TAX ADMINISTRATION

10/01/2025 - 10/31/2025

Rebate Detail Report

APEX

DATE 11/17/2025 TIME 11:00:52 AM

REBATE NUM	PROPERTY	CITY TAG	LATE LIST	BILLED INTEREST	TOTAL REBATED	PROCESS DATE	ACCOUNT NUMBER	TAX YEAR	YEAR FOR	BILLING TYPE	OWNER
BUSINESS REAL ESTATE ACCOUNTS											
938899	848.91	0.00	0.00	0.00	848.91	10/17/2025	0000107812	2025	2025	000000	RXR LEN APEX OWNER LLC
938898	69.95	0.00	0.00	0.00	69.95	10/17/2025	0000052564	2025	2025	000000	RXR LEN APEX OWNER LLC
937412	54,655.72	0.00	0.00	0.00	54,655.72	10/2/2025	0000007532	2025	2025	000000	BEL NICHOLS LIMITED PARTNERSHIP
SUBTOTALS FOR BUSINESS REAL ESTATE ACCOUNTS	**55,574.58**	**0.00**	**0.00**	**0.00**	**55,574.58**	**55,574.58**		**3 Properties Rebated**			
INDIVIDUAL PROPERTY ACCOUNTS											
939565	3.40	0.00	0.34	0.00	3.74	10/20/2025	0006797164	2024	2024	000000	EICHENLAUB, BRIAN LAURENT
936381	188.32	30.00	0.00	0.00	218.32	10/6/2025	0007037586	2025	2024	000000	HENDERSON, THOMAS EDWARD
937460	65.96	0.00	0.00	0.00	65.96	10/6/2025	0006644484	2025	2025	000000	WARREN, KIMREL BUNCH
SUBTOTALS FOR INDIVIDUAL PROPERTY ACCOUNTS	**257.68**	**30.00**	**0.34**	**0.00**	**288.02**	**288.02**		**3 Properties Rebated**			
INDIVIDUAL REAL ESTATE ACCOUNT											
938901	916.12	0.00	0.00	0.00	916.12	10/17/2025	0000349293	2025	2025	000000	ALAM, SELINA
937867	45.77	0.00	0.00	0.00	45.77	10/8/2025	0000497483	2025	2025	000000	AINAPUR, VIMAL KUMAR
SUBTOTALS FOR INDIVIDUAL REAL ESTATE ACCOUNTS	**961.89**	**0.00**	**0.00**	**0.00**	**961.89**	**961.89**		**2 Properties Rebated**			
WILDLIFE BOAT ACCOUNTS											
938718	59.33	0.00	0.00	0.00	59.33	10/14/2025	0004218928	2025	2025	000000	KEMAK, ERIC JAMES
SUBTOTALS FOR WILDLIFE BOAT ACCOUNTS	**59.33**	**0.00**	**0.00**	**0.00**	**59.33**	**59.33**		**1 Properties Rebated**			

TOTAL REBATED FORAPEX	**56,853.48**	**30.00**	**0.34**	**0.00**	**56,883.82**	**56,883.82**	**9 Properties Rebated for City**

| Agenda Item | cover sheet

for consideration by the Apex Town Council

ADDED ITEM

Item Type: CONSENT AGENDA

Meeting Date: December 09, 2025

Item Details

Presenter(s): Allen Coleman, Town Clerk

Department(s): Town Clerk's Office

Requested Motion

Motion to amend the Apex Town Council Regular Meeting Schedule for Calendar 2026.

Approval Recommended?

Yes

Item Details

In accordance with North Carolina General Statute § 143-318.12, a schedule of regular meetings shall be filed with the Town Clerk to the Town Council. The schedule must show the date, time, and place of each meeting.

During the Town Council's Organizational Meeting on Wednesday, December 3, 2025, the Town Council unanimously approved the calendar of regular meetings for 2026. After additional review a few modifications are requested.

The 2026 Town Council Regular Meeting Schedule for Calendar Year 2026 is proposed to be amended as follows.

- **CHANGE** – Thursday, February 26, 2025 Legislative Breakfast – 7:30 a.m.
  - Date Change to – Thursday, March 12, 2025
  - Same time and location
- **CHANGE** – Thursday, May 7, 2025 Budget Work Session – 12:00 Noon
  - Date Change to – Friday, May 8, 2025
  - Same time and location
- **CHANGE** – Tuesday, September 29, 2025 Regular Town Council Meeting – 6:00 p.m.
  - Date Change to Tuesday, September 22, 2025
  - Same time and location

- **CHANGE** – Tuesday, December 8, 2025 Regular Town Council Meeting – 6:00 p.m.
    - Date change to Thursday, December 17, 2025
    - Same time and location

Attachments

- CN22-A1: CY2026 Amendment No. 1 – Apex Town Council Regular Meeting Schedule

ADOPTED – PENDING AMENDMENT NO. 1

TOWN OF APEX
Apex Town Council Meeting Schedule
Calendar Year 2026

In accordance with North Carolina General Statute 143-318.12, a schedule of regular meetings shall be filed with the Town Clerk to the Town Council. The schedule must show the date, time, and place of each meeting.

Regular Town Council Meetings are held on the 2nd and 4th Tuesday of each month unless otherwise noted at Town Hall.

Regular Town Council Work Sessions are held on the 3rd Tuesday of each month unless otherwise noted at Town Hall.

All other meetings are held at Town Hall unless otherwise noted below.

The Apex Town Hall is located at 73 Hunter Street in Apex North Carolina

Special Accommodation Notice: Anyone needing special accommodations to attend the meeting(s) below and/or if this information is needed in an alternative format, please contact the Town Clerk's Office. The Town Clerk is located at 73 Hunter Street in Apex Town Hall on the 2nd Floor, (email) allen.coleman@apexnc.org or (phone) 919-249-1260.

Questions should be directed to the Office of the Town Clerk by phone at 919-249-1260 or by email to allen.coleman@apexnc.org.

DRAFT

JANUARY 2026

- Tuesday, January 13, 2026 – Regular Town Council Meeting – 6:00 p.m.
- Thursday, January 22, 2026 – Regular Town Council Work Session – 3:30 p.m.
- Tuesday, January 27, 2026 – Regular Town Council Meeting – 6:00 p.m.
- Thursday, January 29, 2026 – Quarterly Town Council Work Session – 3:30 p.m.

FEBRUARY 2026

- Tuesday, February 10, 2026 – Regular Town Council Meeting – 6:00 p.m.
- Wednesday, February 11, 2026 – Annual Retreat – ALL DAY
- Thursday, February 12, 2026 – Annual Retreat – ALL DAY
- Friday, February 13, 2026 – Annual Retreat – ALL DAY

- Tuesday, February 17, 2026 – Regular Town Council Work Session – 3:30 p.m.
- Thursday, February 19, 2026 – Appointed Employees Goals Check-in – 5:00 p.m.
- Tuesday, February 24, 2026 – Regular Town Council Meeting – 6:00 p.m.

MARCH 2026

- Tuesday, March 10, 2026 – Regular Town Council Meeting – 6:00 p.m.
- Thursday, March 12, 2026 – Legislative Breakfast – 7:30 a.m.
- Tuesday, March 17, 2026 – Regular Town Council Work Session – 3:30 p.m.
- Tuesday, March 24, 2026 – Regular Town Council Meeting – 6:00 p.m.
- Monday, March 30, 2026 – Joint Collaboration Meeting – 5:30 p.m.

APRIL 2026

- Tuesday, April 14, 2026 – Regular Town Council Meeting – 6:00 p.m.
- Thursday, April 16, 2026 – Town Manager's Recommended Budget Presentation – 3:00 p.m.
- Tuesday, April 21, 2026 – Regular Town Council Work Session – 3:30 p.m.
- Tuesday, April 28, 2026 – Regular Town Council Meeting – 6:00 p.m.
- Thursday, April 30, 2026 – Quarterly Town Council Work Session – 3:30 p.m.

MAY 2026

- Friday, May 8, 2026 – Budget Work Session – 12:00 noon
- Tuesday, May 12, 2026 – Regular Town Council Meeting – 6:00 p.m.
- Tuesday, May 19, 2026 – Regular Town Council Work Session – 3:30 p.m.
- Thursday, May 21, 2026 – Budget Work Session – 12:00 noon
- Thursday, May 28, 2026 – Regular Town Council Meeting – 6:00 p.m.

JUNE 2026

- Monday, June 1, 2026 – Joint Collaboration Meeting – 5:30 p.m.
- Tuesday, June 9, 2026 – Regular Town Council Meeting – 6:00 p.m.
- Tuesday, June 16, 2026 – Regular Town Council Work Session – 3:30 p.m.
- Tuesday, June 23, 2026 – Regular Town Council Meeting – 6:00 p.m.

DRAFT

ADOPTED – PENDING AMENDMENT NO. 1

JULY 2026
NONE PROPOSED

AUGUST 2026
- Thursday, August 13, 2026 – Quarterly Town Council Work Session – 3:30 p.m.
- Tuesday, August 11, 2026 – Regular Town Council Meeting – 6:00 p.m.
- Tuesday, August 18, 2026 – Regular Town Council Work Session – 3:30 p.m.
- Tuesday, August 25, 2026 – Regular Town Council Meeting – 6:00 p.m.
- Monday, August 31, 2026 – Joint Collaboration Meeting – 5:30 p.m.

SEPTEMBER 2026
- Thursday, September 10, 2026 – Regular Town Council Meeting – 6:00 p.m.
- Tuesday, September 15, 2026 – Regular Town Council Work Session – 3:30 p.m.
- Tuesday, September 22, 2026 – Regular Town Council Meeting – 6:00 p.m.

OCTOBER 2026
- Thursday, October 8, 2026 – Strategic Planning Session – 12:00 noon
- Tuesday, October 13, 2026 – Regular Town Council Meeting – 6:00 p.m.
- Tuesday, October 20, 2026 – Regular Town Council Work Session – 3:30 p.m.
- Tuesday, October 27, 2026 – Regular Town Council Meeting – 6:00 p.m.
- Thursday, October 29, 2026 – Quarterly Town Council Work Session – 3:30 p.m.

NOVEMBER 2026
- Tuesday, November 10, 2026 – Regular Town Council Meeting – 6:00 p.m.
- Tuesday, November 17, 2026 – Regular Town Council Work Session – 3:30 p.m.

DECEMBER 2026
- Tuesday, December 15, 2026 – Regular Town Council Work Session – 3:30 p.m.
- Thursday, December 17, 2026 – Regular Town Council Meeting – 6:00 p.m.

DRAFT

| Agenda Item | cover sheet

for consideration by the Apex Town Council

Item Type: PUBLIC HEARING

Meeting Date: December 09, 2025

Item Details

Presenter(s): Dianne Khin, Director

Department(s): Planning

Requested Motion

Conduct a Public Hearing and possible motion to adopt an Ordinance on the Question of Annexation - Apex Town Council's intent to annex 2.59 acres, located at 1000 Classic Road (PIN 0751-26-9262), Annexation No. 816, into the Town Corporate limits.

Approval Recommended?

Yes

Item Details

The annexation petition has been certified and a public hearing notice has been posted.

Attachments

- PH1-A1: Annexation Ordinance - Annexation No. 816 - 1000 Classic Road - 2.59 acres
- PH1-A2: Public Hearing Notice – Annexation No. 816 – 1000 Classic Road – 2.59 acres
- PH1-A3: Legal Description – Annexation No. 816 – 1000 Classic Road – 2.59 acres
- PH1-A4: Aerial Map – Annexation No. 816 – 1000 Classic Road – 2.59 acres
- PH1-A5: Plat Map – Annexation No. 816 – 1000 Classic Road – 2.59 acres
- PH1-A6: Annexation Petition – Annexation No. 816 – 1000 Classic Road – 2.59 acres

Media Contact:
Allen Coleman, Town Clerk to the Apex Town Council

FOR IMMEDIATE RELEASE

PUBLIC NOTICE – PUBLIC HEARING

APEX, N.C. (November 14, 2025) – The Town Council of Apex, North Carolina has scheduled a Public Hearing to be held at **6:00 p.m.** at Apex Town Hall, 73 Hunter Street, on the **9th day of December, 2025**, on the question of annexation of the following property requested by petition filed pursuant to G.S. 160A-31:

Annexation No. 816
1000 Classic Road – 2.59 acres



CONTINUED – PUBLIC NOTICE – PUBLIC HEARING

Residents may submit written comments to the Town Council with attention marked to the Town Clerk Allen Coleman; P.O. Box 250; Apex, NC 27502 or by email at public public.hearing@apexnc.org. Please use subject line "Annexation Petition No. 816" and include your first and last name, your address, and your phone number in your written statements. Written comments will be accepted until 3:00 PM on Tuesday, December 9, 2025.

Members of the public can access and view the meeting on the Town's YouTube Channel https://www.youtube.com/c/TownofApexGov or attend in-person.

Anyone needing special accommodations to attend this meeting and/or if this information is needed in an alternative format, please contact the Town Clerk's Office. The Town Clerk is located at 73 Hunter Street in Apex Town Hall on the 2nd Floor, (email) allen.coleman@apexnc.org or (phone) 919-249-1260. We request at least 48 hours' notice prior to the meeting to make the appropriate arrangements.

Questions should be directed to the Town Clerk's Office.

###

Smith & Smith Surveyors, P.A.
P.O. Box 457
Apex, N.C. 27502
(919) 362-7111
Firm License No. C-0155

Lying and being in Town of Apex ETJ, White Oak Township, Wake County, North Carolina and described more fully as follows to wit:

BEGINNING at a point the northwest corner of Lot 26 (B.M. 1996, PG. 1146), northeast corner of Lot 27 (B.M. 1997, PG. 1915), southeast corner of Lot 2 (B.M. 2020, PG. 1710), and southwest corner of Lot 4 (B.M. 1994, PG. 85); thence with Lot 4 South 89° 54' 15" East, 290.24 feet to a point; thence South 03° 51' 24" West, 326.27 feet to a point; thence South 02° 53' 13" West, 108.84 feet to a point; thence a curve to the left North 42° 29' 43" West, 36.05 feet (chord), 25.01 feet (radius) to a point; thence North 88° 37' 34" West, 240.96 feet to a point; thence North 00° 20' 46" East, 59.98 feet to a point; thence North 00° 20' 46" East, 342.38 feet to the BEGINNING, containing 2.59 total acres more or less.

This description was prepared for the sole purpose of annexation of a municipal boundary and for no other use.

PETITION FOR VOLUNTARY ANNEXATION

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

Application #: 816 Submittal Date: 10-1-2025

Fee Paid $ 300.00 Check # CC

TO THE TOWN COUNCIL APEX, NORTH CAROLINA

1. We, the undersigned owners of real property, respectfully request that the area described in Part 4 below be annexed to the Town of Apex, ☒ Wake County, ☐ Chatham County, North Carolina.
2. The area to be annexed is ☒ contiguous, ☐ non-contiguous (satellite) to the Town of Apex, North Carolina and the boundaries are as contained in the metes and bounds description attached hereto.
3. If contiguous, this annexation will include all intervening rights-of-way for streets, railroads, and other areas as stated in G.S. 160A-31(f), unless otherwise stated in the annexation amendment.

OWNER INFORMATION

Smith Mccormick Properties, LLC	0751-26-9262
Owner Name (Please Print)	Property PIN or Deed Book & Page #
(336) 690-7185	dixonsmith@ese-co.com
Phone	E-mail Address
Owner Name (Please Print)	Property PIN or Deed Book & Page #
Phone	E-mail Address
Owner Name (Please Print)	Property PIN or Deed Book & Page #
Phone	E-mail Address

SURVEYOR INFORMATION

Surveyor: Smith & Smith Surveyors

Phone: (919) 362-7111 Fax:

E-mail Address: ben@smithandsmithsurveyors.net

ANNEXATION SUMMARY CHART

Property Information		Reason(s) for annexation (select all that apply)	
Total Acreage to be annexed:	2.59	Need water service due to well failure	☐
Population of acreage to be annexed:	0	Need sewer service due to septic system failure	☐
Existing # of housing units:	0	Water service (new construction)	☐
Proposed # of housing units:	0	Sewer service (new construction)	☐
Zoning District*:	LI-CU	Receive Town Services	☑

*If the property to be annexed is not within the Town of Apex's Extraterritorial Jurisdiction, the applicant must also submit a rezoning application with the petition for voluntary annexation to establish an Apex zoning designation. Please contact the Planning Department with questions.

PETITION FOR VOLUNTARY ANNEXATION

Application #: 816 Submittal Date: 10-1-2025

COMPLETE IF IN A LIMITED LIABILITY COMPANY

In witness whereof, Smith McCormick a limited liability company, caused this instrument to be executed in its name by a member/manager pursuant to authority duly given, this the 15 day of September, 2025

Name of Limited Liability Company SMITH MCCORMICK

By: James B. McCormick
Signature of Member/Manager

STATE OF NORTH CAROLINA
COUNTY OF WAKE

Sworn and subscribed before me, James B. McCormick, a Notary Public for the above State and County, this the 15 day of September, 2025.

Heather Jean
Notary Public

SEAL

Heather Jean
Notary Public, North Carolina
Guilford County

My Commission Expires: 09/26/2027

COMPLETE IF IN A PARTNERSHIP

In witness whereof, _____, a partnership, caused this instrument to be executed in its name by a member/manager pursuant to authority duly given, this the _____ day of _____, 20_____.

Name of Partnership _____

By: _____
Signature of General Partner

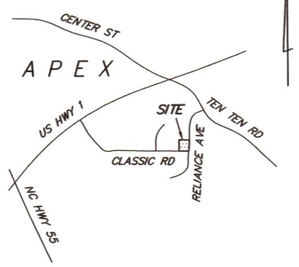
STATE OF NORTH CAROLINA
COUNTY OF WAKE

Sworn and subscribed before me, _____, a Notary Public for the above State and County, this the _____day of _____, 20____.

_____
Notary Public

SEAL

My Commission Expires: _____



VICINITY MAP (NOT TO SCALE)

I, STALEY C. SMITH , CERTIFY THAT THIS PLAT WAS DRAWN UNDER MY SUPERVISION ~~FROM AN ACTUAL SURVEY~~ MADE UNDER MY SUPERVISION AS RECORDED IN:

D.B. 8910, PG. 2375
B.M. 1996, PG. 1146

THAT THE BOUNDARIES NOT SURVEYED ARE CLEARLY INDICATED AS BROKEN LINES AND WERE PLOTTED FROM INFORMATION AS REFERENCED HEREON; THAT THE RATIO OF PRECISION AS CALCULATED WAS 1: N/A AND THAT THIS PLAT MEETS THE REQUIREMENTS OF THE STANDARDS OF PRACTICE FOR LAND SURVEYING IN NORTH CAROLINA (21 NCAC 56 .1600)

THIS MAP OR PLAT IS EXEMPT FROM THE REQUIREMENTS OF G.S. 47-30 PURSUANT TO G.S. 47-30(j).

WITNESS MY ORIGINAL SIGNATURE, LICENSE NUMBER, AND SEAL THIS 29TH DAY OF OCTOBER, A.D., 2025.

NORTH CAROLINA PROFESSIONAL SEAL L-3766 LAND SURVEYOR STALEY C. SMITH

Staley C. Smith
Professional Land Surveyor

L-3766
License Number

(2)
NOW OR FORMERLY
STRAIGHT ARROW PROPERTIES, LLC
D.B. 18935, PG. 885
B.M. 2017, PG. 2326
B.M. 2020, PG. 1710

B.M. 2016, PG. 1343
ANNEXATION #579

(4)
CONNIE STONE, TRUSTEE
MILDRED M. STONE, TRUSTEE
D.B. 16352, PG. 1050
B.M. 1994, PG. 85

(3R)
APEX HOLDINGS GROUP, LLC
D.B. 19794, PG. 59
B.M. 1994, PG. 1692

B.M. 1997, PG. 2076
MAP NORTH

20' SANITARY SEWER EASEMENT D.B. 7808, PG. 785

290.24'
S 89°54'15" E

OUT
IN
TOWN OF APEX CORPORATE LIMITS

342.38'
N 00°20'46" E

2.59 ACRES TOTAL ANNEXED
NOT A PHYSICAL SURVEY

THIS MAP WAS PREPARED FOR THE SOLE PURPOSE OF ANNEXATION OF A MUNICIPAL BOUNDARY.
THIS MAP SHOULD NOT BE USED TO TRANSFER PROPERTY SHOWN HEREON.

(9)
SEVEN SPRINGS PROPERTIES GROUP, LLC
D.B. 16774, PG. 1747
B.M. 1996, PG. 493

2460

S 03°51'24" W
326.27'

(26)
SMITH/McCORMICK PROPERTIES, LLC
D.B. 8910, PG. 2375
B.M. 1996, PG. 1146
PIN 0751-26-9262

RELIANCE AVENUE
60' PUBLIC R/W
B.M. 1996, PG. 493

20' SANITARY SEWER EASEMENT D.B. 7860, PG. 296

OUT
IN
TOWN OF APEX CORPORATE LIMITS

(27)
CLASSIC ROAD HOLDINGS, LLC
D.B. 17705, PG. 2163
B.M. 1997, PG. 1915

B.M. 1997, PG. 2076
ANNEXATION #235

1000

59.98'
N 00°20'46" E

CLASSIC ROAD
60' PUBLIC R/W
B.M. 1996, PG. 493

S 02°53'13" W
108.84'

OUT
IN
TOWN OF APEX CORPORATE LIMITS

N 88°37'34" W
240.96'
BEARING BASIS

N 42°29'43" W
CHORD=36.05'
RADIUS=25.01'

(10)
JOHN D. ABOOD, ET UX
D.B. 6974, PG. 914
B.M. 1996, PG. 493

(41)
B.M. 1997, PG. 1734

B.M. 1997, PG. 2076
ANNEXATION #235

(24)
PS NC III, L.P.
D.B. 15714, PG. 1652
B.M. 2000, PG. 127

B.M. 1997, PG. 2076
ANNEXATION #235

TOWN OF APEX CORPORATE LIMITS
IN
OUT

OUT
IN

0 20 40 80
U.S. SURVEY FEET
1 inch = 40 ft.

ANNEXATION # _____

I, ALLEN COLEMAN, CMC, NCCCC, TOWN CLERK , Apex, North Carolina certify this is a true and exact map of annexation adopted

the _____ day of _____ , 2025.
by the Town Council. I set my hand and seal of
the Town of Apex, _____ , 2025.

_____
ALLEN COLEMAN, CMC, NCCCC, TOWN CLERK

SURVEYOR NOTES:

1. THE PROPERTY SHOWN HEREON MAY BE SUBJECT TO COVENANTS, CONDITIONS, RESTRICTIONS, RIGHTS OF WAY, AND EASEMENTS OF RECORD AFFECTING THE SAME.
2. NO TITLE SEARCH HAS BEEN PERFORMED BY THIS FIRM DURING THE COURSE OF THIS SURVEY.
3. THIS SURVEYOR DOES NOT CERTIFY TO THE EXISTENCE OR NON-EXISTENCE OF ANY UNDERGROUND UTILITIES, BURIAL GROUNDS, OR ANY SUBSURFACE FEATURES THAT MAY OR MAY NOT BE PRESENT ON THIS SITE.
4. ALL DISTANCES ARE HORIZONTAL U.S. SURVEY FOOT UNIT GROUND MEASUREMENTS.
5. AREA DETERMINED USING THE COORDINATE GEOMETRY METHOD.
6. CURRENT PROPERTY ZONING: LI-CU (LIGHT INDUSTRIAL - CONDITIONAL USE)
7. SUBJECT PROPERTY ADDRESS: 1000 CLASSIC RD APEX, NC 27539 AND 2460 RELIANCE AVE APEX, NC 27539

Legend
R/W - Right Of Way
PIN - Parcel Identification Number
1000 - Street Address (Typical)
Property Line (not surveyed)
Property Line (not surveyed)
Approximate Right Of Way Line (not surveyed)
Easement (not surveyed)
Existing Town of Apex Corporate Limits (not surveyed)

RECORDED IN BOOK OF MAPS 2025 ,PAGE _____ .

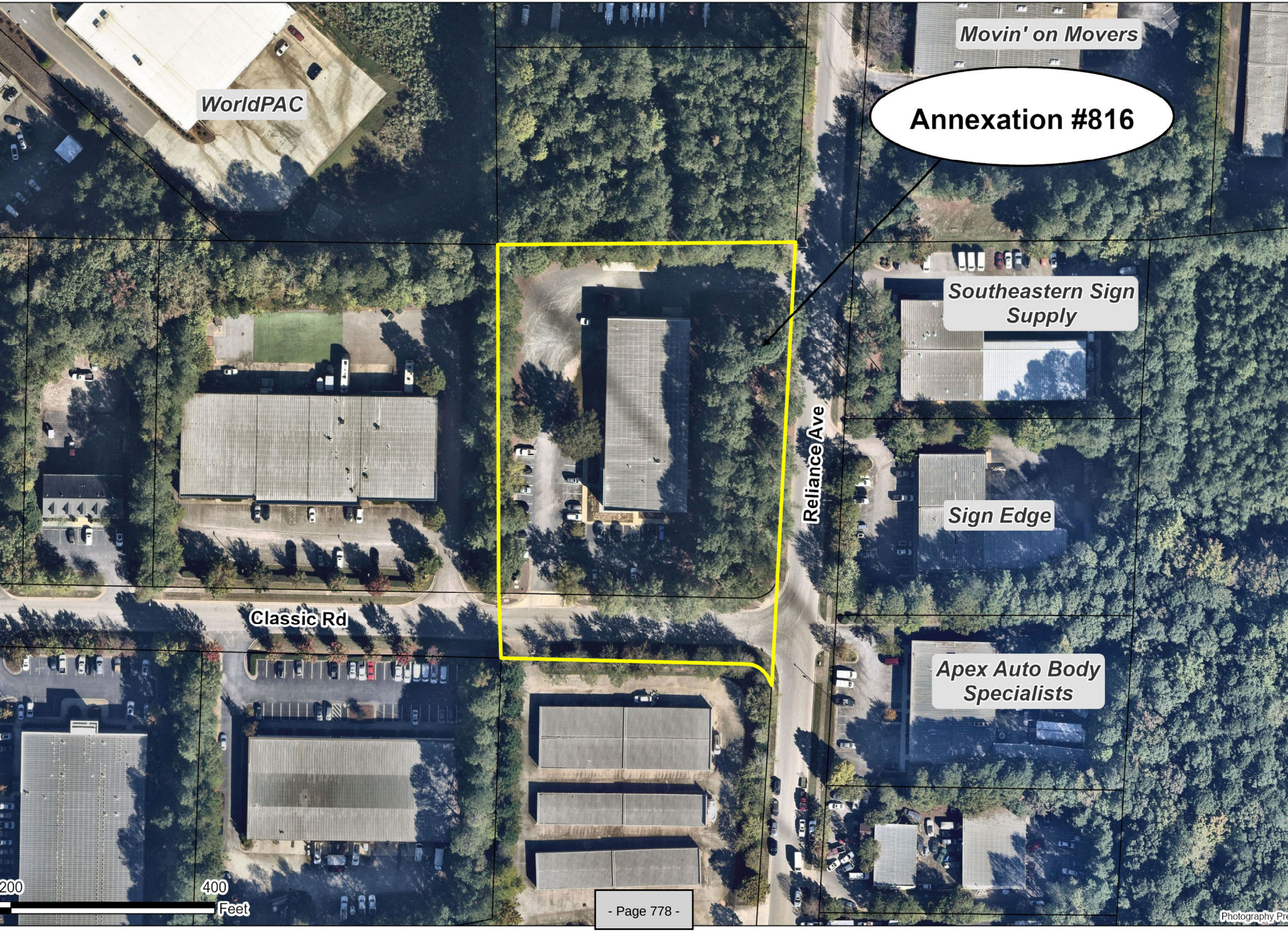
ANNEXATION MAP for the TOWN OF APEX
SMITH/McCORMICK PROPERTIES, LLC
TOWN OF APEX ETJ, WHITE OAK TOWNSHIP, WAKE COUNTY, NC

LISTED OWNER
(NOT A TITLE VERIFICATION)
SMITH/McCORMICK PROPERTIES, LLC
1812 E WENDOVER AVE
GREENSBORO, NC 27405

PIN 0751-26-9262

Smith & Smith, Surveyors, P.A.
P.O. BOX 457
APEX, N.C. 27502
(919) 362-7111
FIRM LICENSE No. C-0155

DATE SEPT 4, 2025
SCALE 1" = 40'
DRAWN BY WBH
PROJ. NO. 2025-67


Movin' on Movers
Annexation #816
WorldPAC
Southeastern Sign Supply
Reliance Ave
Sign Edge
Classic Rd
Apex Auto Body Specialists
200
400
Feet

| Agenda Item | cover sheet

for consideration by the Apex Town Council

Item Type: PUBLIC HEARING

Meeting Date: December 9, 2025

Item Details

Presenter(s): Shannon Cox, Long Range Planning Manager

Department(s): Planning Department

Requested Motion

Public hearing and possible motion to amend the Thoroughfare and Collector Street Plan Map and the Bicycle and Pedestrian System Plan Map of the Apex Transportation Plan for consistency with the proposed rezoning 25CZ18 Veridea SD-CZ amendment.

Approval Recommended?

Planning Department staff recommend approval of the proposed amendments.

The Planning Board will consider the amendments at their December 8, 2025 meeting.

Item Details

The purpose of the public hearing is to consider amendments to the Thoroughfare and Collector Street Plan Map and the Bicycle and Pedesrtian System Plan Map of the Apex Transportation Plan associated with 25CZ18 Veridea SD-CZ amendment. The proposed amendments would: (1) revise the planned alignment for Veridea Parkway, (2) revise the planned alignment of future Jessie Drive, (3) revise the planned alignment of future Technology Drive extension, (4) extend future Jupiter Creek Drive, and (5) remove the planned sidepath along future Veridea Parkway.

Attachments

- PH2-A1: Staff Report - Apex Transportation Plan - Veridea - Roadway and Bike Ped

Purpose of the Apex Transportation Plan

The Thoroughfare and Collector Street Plan Map, Transit Plan Map, and Bicycle and Pedestrian System Plan Map collectively represent a network of current and future facilities that provide guidance on what is likely to be suitable for long term growth, connectivity, recreation, and multimodal travel. The Transportation Plan does not provide a schedule for implementation, nor does it set aside funding for improvements. The purpose of the public hearing is to consider proposed amendments to the Thoroughfare and Collector Street Plan Map and Bicycle and Pedestrian System Plan Map in order to make a decision.

Overview of Proposed Amendments

A map of the proposed amendments to the Thoroughfare and Collector Street Plan Map is displayed in Figure 1.

A map of the proposed amendment to the Bicycle and Pedestrian System Plan Map is displayed in Figure 2.

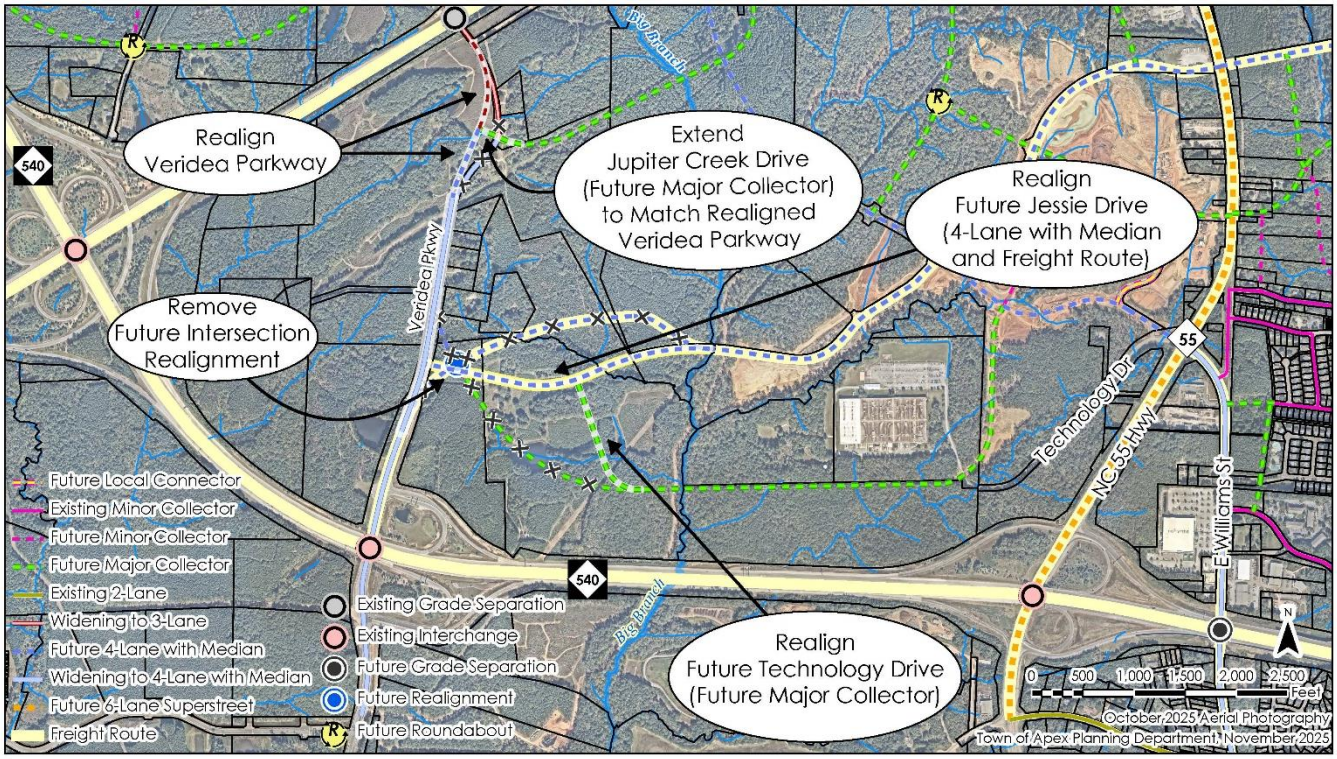


Figure 1. Proposed amendments to the Thoroughfare and Collector Street Plan Map

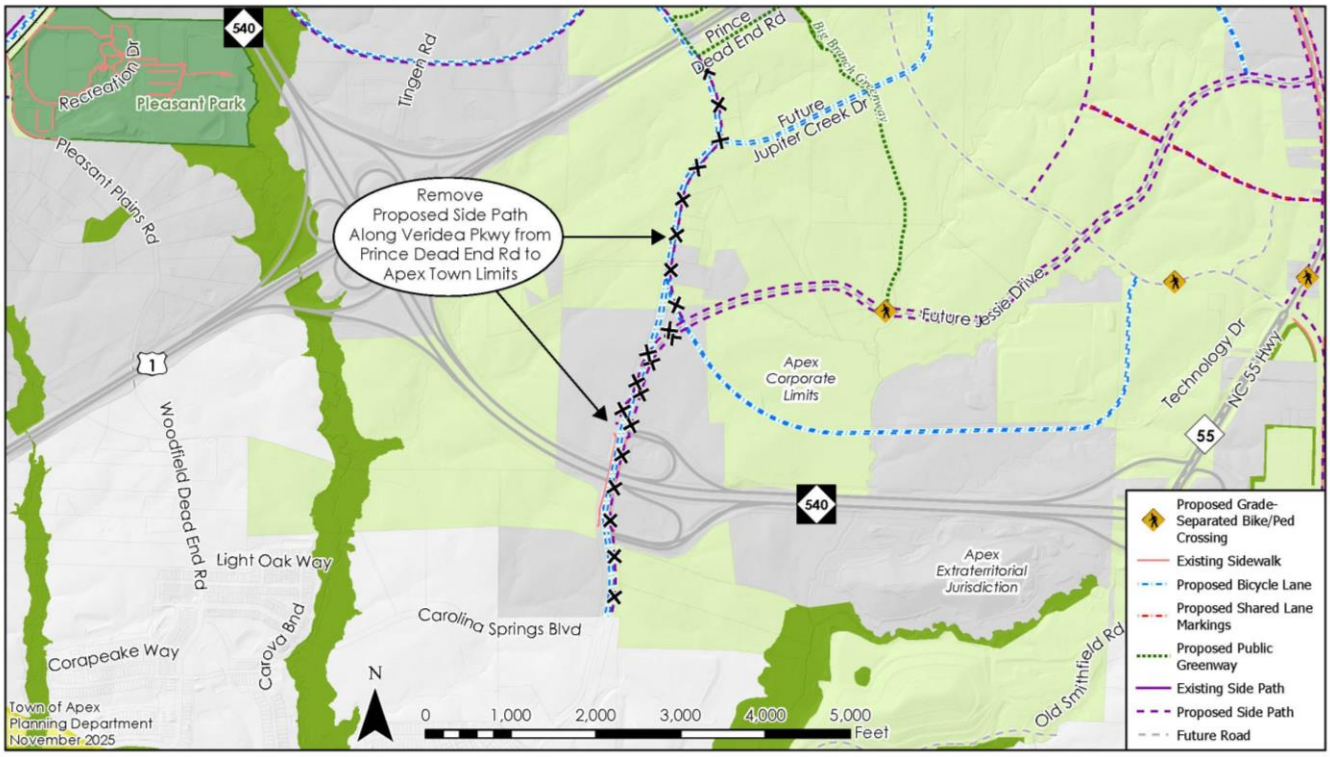


Figure 2. Proposed amendments to the Bicycle and Pedestrian System Plan Map

Explanation of Proposed Amendments
The amendments are associated with the proposed rezoning, 25CZ18 Veridea SD-CZ amendment.

The primary roadway amendment is to remove the planned intersection realignment of existing Veridea Parkway and future Jessie Drive. This amendment is requested because an updated Traffic Impact Analysis that includes the North Carolina Children's Hospital shows that there would be substantial left-turn movements from Jessie Drive onto Veridea Parkway. This left-turn movement is projected to be over 1,300 vehicles during the morning peak hour and over 500 vehicles in the afternoon peak hour. The turning movements would overwhelm this intersection and cause significant queueing on Veridea Parkway towards NC 540 based on the current plan to make Jessie Drive the through-movement between NC 55 and NC 540. These volumes would likely require a third left-turn lane and an additional receiving lane on Veridea Parkway north of the intersection. Instead, the north-south movement of Veridea Parkway should remain the through-movement, with a turn needed to get onto Jessie Drive. With this configuration, the turning volumes to and from Jessie Drive would be approximately 300 vehicles or less during each peak hour after construction of the NC Children's Hospital, a more manageable volume.

Due to the proposed removal of the intersection realignment at existing Veridea Parkway and future Jessie Drive; adjustments to the planned alignment of future Technology Drive extension are also needed. The proposed amendment shifts the alignment of future Technology Drive extension to the east, to provide sufficient spacing

for a full-movement intersection along Jessie Drive. Further consideration of whether this major collector could intersect Jessie Drive even further east to avoid stream impacts is expected as part of Peak Plan 2055, but is not proposed at this time, given it would involve property outside of the rezoning case. Other amendments to the Thoroughfare and Collector Street Plan Map include minor adjustments to the alignment of Veridea Parkway and proposed Jupiter Creek Drive to reduce the curvature of Veridea Parkway in this section and improve sight distance at the intersection with Jupiter Creek Drive.

The proposed amendment to the Bicycle and Pedestrian System Plan Map is to remove the future side path along Veridea Parkway from approximately Carolina Springs Boulevard to Prince Dead End Road. This change is associated with feedback from the North Carolina Department of Transportation (NCDOT). NCDOT has indicated that they are not supportive of on-street bicycle lanes if a separated facility, like a side path, is provided. NCDOT also prefers vertically-separated facilities, especially along four-lane thoroughfares and higher-capacity, higher-speed roadways. Planning staff believe that a side path provides a different function than bicycle lanes given they mingle pedestrian and bicycle traffic and do not provide the same visibility for fast-moving bicycles along a roadway. During the public engagement process for Bike Apex, staff heard strong interest for bicycle facilities that would be separated from pedestrian traffic along specific roadways commonly used by road cyclists, including Veridea Parkway and Tingen Road. Given these considerations; the applicant, NCDOT, and Town staff agreed with a proposed amendment to remove the side path from the Bicycle and Pedestrian System Plan Map, but to construct the bicycle lanes as separated bicycle lanes, located behind the roadway curb. These lanes would be separated from both vehicular and pedestrian traffic. This configuration will also address potential conflicts between a stopped bus and bicycle lanes along this future transit route. Note, the existing bridges at US 1 and NC 540 will continue to be “pinch points” for bicycle and pedestrian facilities along Veridea Parkway until substantial infrastructure improvements can be made. A diagram representing the typical section for the three-lane section of Veridea Parkway between Jupiter Creek Drive and Prince Dead End Road is shown in Figure 3. A representative typical section for the four-lane section of Veridea Parkway is shown as Figure 4.

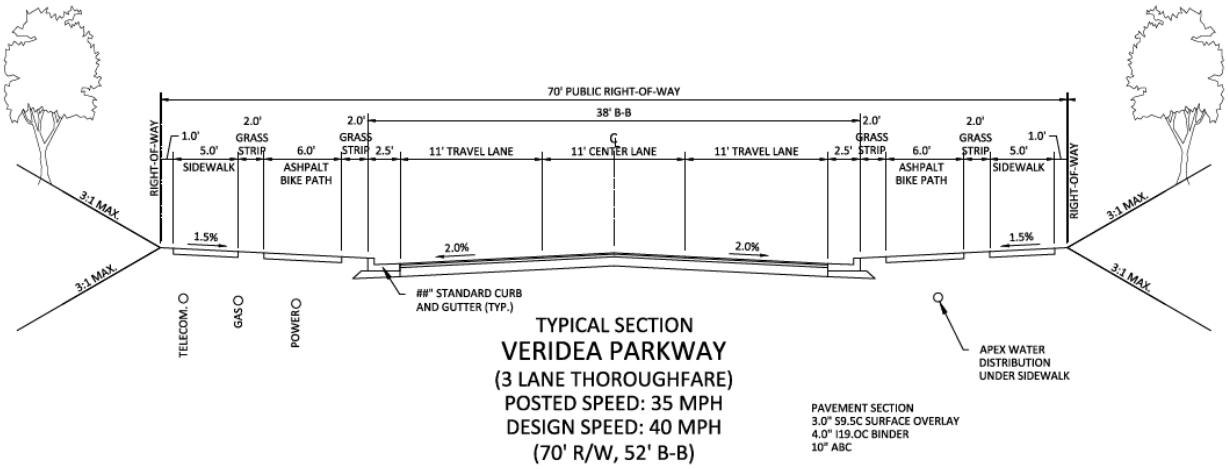


Figure 3. Typical Section for Veridea Parkway (3-lane) showing separated bicycle lane and sidewalk

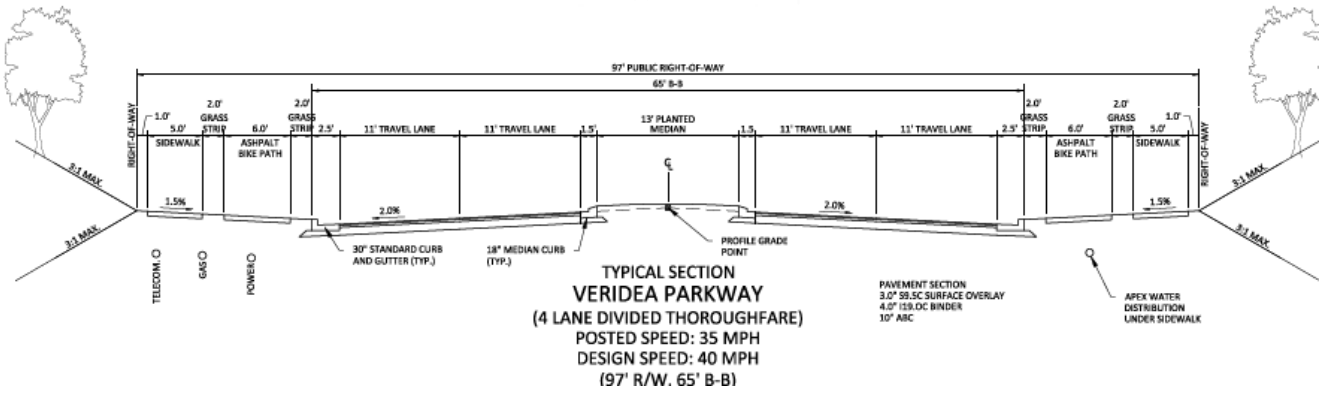


Figure 4. Typical Section for Veridea Parkway (4-lane) showing separated bicycle lane and sidewalk

Staff Recommendation:
Planning Department staff and Transportation and Infrastructure Development staff recommend approval of the proposed amendments. The amendments were reviewed by staff in Parks, Recreation, and Cultural Resources; Police; and Fire and there were no concerns. Water Resources staff expressed concern about a section of the planned alignment for Technology Drive extension that is outside of the area to be amended. The concern is regarding the necessity of a stream crossing in this location. Staff agreed this should be addressed with Peak Plan 2055, or sooner, if a site plan is submitted for this area.

Planning Board Recommendation:
The Planning Board will consider these amendments at their December 8, 2025 meeting. Their recommendation will be reported during the staff presentation.

| Agenda Item | cover sheet

for consideration by the Apex Town Council

Item Type: PUBLIC HEARING

Meeting Date: December 9, 2025

Item Details

Presenter(s): Shannon Cox, Long Range Planning Manager

Department(s): Planning Department

Requested Motion

Public hearing and possible motion to amend the Transit Plan Map of the Apex Transportation Plan related to 25CZ18 Veridea Sustainabile Development (SD)-Conditional Zoning (CZ) amendment.

Approval Recommended?

Planning Department staff recommend approval of the proposed amendments.

The Planning Board will consider the amendments at their December 8, 2025 meeting.

Item Details

The purpose of the public hearing is to consider amendments to the Transit Plan Map of the Apex Transportation Plan proposed by staff and related to the 25CZ18 Veridea SD-CZ amendment. The proposed amendments would: (1) remove the future commuter rail spur and future Rail and Bus Transit Center intended to serve the future Veridea area, and (2) add a Bus Transit Center within Veridea near the proposed Wake Technical Community College campus.

Attachments

- PH3-A1: Staff Report - Apex Transportation Plan Amendment - Veridea - Transit

Purpose of the Apex Transportation Plan

The Thoroughfare and Collector Street Plan Map, Transit Plan Map, and Bicycle and Pedestrian System Plan Map collectively represent a network of current and future facilities that provide guidance on what is likely to be suitable for long term growth, connectivity, recreation, and multimodal travel. The Transportation Plan does not provide a schedule for implementation, nor does it set aside funding for improvements. The purpose of the public hearing is to consider proposed amendments to the Transit Plan Map in order to make a decision.

Overview of Proposed Amendments

A map of the proposed amendments to the Transit Plan Map is displayed in Figure 1.

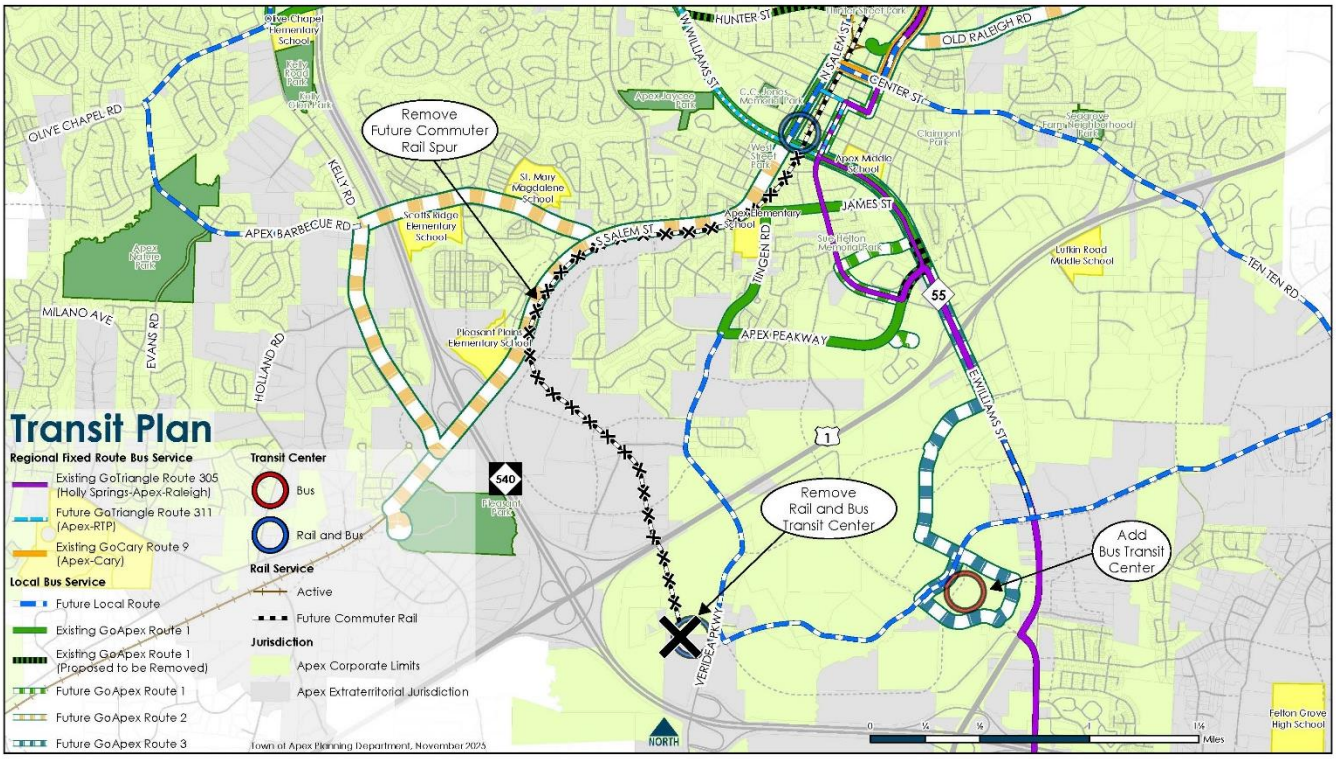


Figure 1. Proposed amendments to the Transit Plan Map

Explanation of Proposed Amendments

The amendments are associated with the proposed rezoning, 25CZ18 Veridea SD-CZ amendment, but are requested by staff.

The commitments for Veridea established with zoning case 09CZ07 include a condition to reserve land for a "Regional Public Transit System", which is to include a fixed guideway or comparable transit technology. In summary, the reservation of land is to prohibit permanent development within the reserve area until 2035, at which time, if there are no plans that financially commit implementation of a regional rail plan that includes Veridea, the reservation is null and void. Staff are requesting the removal of the rail spur and associated Rail and Bus Transit Center west of Veridea Parkway from the Transit Plan Map. The staff report for the rezoning amendment will explain proposed modifications to the rezoning commitments, including removal of the condition associated with rail right of way reservations.

pared by: Shannon Cox, Long Range Planning Manager

Funding the rail spur to Veridea by 2035 is not anticipated in regional plans. A Strategic Regional Rail Infrastructure Investment Study (Rail Investment Study) was completed by the Capital Area Metropolitan Planning Organization (CAMPO) and Triangle West Transportation Planning Organization (TWTPO) over 2024 and into 2025. According to the study scope, "The goals of this study are to survey the universe of committed and proposed rail projects within the two MPOs, to assess which of these projects will do the most to increase the amount of passenger rail service operating in the Triangle, to align those projects in a way that maximizes their eligibility for BIL [Bipartisan Infrastructure Law] and other funding opportunities, and to develop an ongoing passenger rail development strategy for the region that can be updated over time."[i] While the rail spur to Veridea was identified as a proposed project, it ultimately was not included in the study as it was determined it is not a viable candidate for federal funding. The intent of the study is to inform alignment of available regional funding to support rail projects that are candidates for federal funds. The 2035 Wake Transit Plan pivots from supporting commuter rail projects and instead, "The Plan will invest in regional service by implementing and expanding the Bus Rapid Transit (BRT) network and by setting aside a 'rail-ready' fund to support state and federal regional rail projects."[ii] While the connection to Apex via the S-Line that has been supported by the North Carolina Department of Transportation is identified in the proposed regional network in the 2035 Wake Transit Plan, a spur to Veridea is not.

While not included in the referenced Regional Rail Investment study or Wake Transit Plan, by request, CAMPO prepared a planning-level estimate for a passenger rail spur from downtown Apex to Veridea. That estimate is summarized in Table 1. It should be noted that this estimate does not include site-specific factors such as topography and environmental features, that would likely increase costs. The estimated planning-level cost of the spur is approximately $63 million. Without federal funding support, it is extremely unlikely that funding would be available for this spur by the 2035 deadline established in the zoning conditions, or within any reasonably-proximate timeframe.

Table 1. Planning-level estimate for a passenger rail spur to Veridea

Phase	Cost	Project Assumptions	Cost Assumptions
Right-of-Way (ROW)	$ 28,500,460	Would require near to total (80-100%) ROW needs for new line in Wake County (Rural) for 4 miles of 100' ROW.	4mi of 100' ROW or 2,112,000 sq ft (~48acres) of rural Wake County. Avg Land Value by acre in Wake County is $424,114; NCDOT recommends a modifier of 1.4 for Wake County ROW.
Construction: Line	$ 12,777,600	4 Miles of single-track passenger/freight rail	4mi of new track at $1,996,500 per mile, includes recommended 35% contingency per NCDOT recommendations.
Construction: Bridge	$ 15,000,000	250' bridge deck at 25' width	$175 per deck sq ft and additional steel supports and grading/earthwork needs.
Construction: Station	$ 6,500,000	Utilized Apex Downtown Mobility Hub project for reference (Apex TOD Study)	Cost are assumed similar to mobility hub project submitted in SPOT 8.
Total	$ 62,778,060		

Reserving land for a future rail spur would significantly impact land development plans within both Veridea and between South Salem Street and Old US 1 Highway; and, if ultimately constructed, an additional rail corridor could create a substantial barrier in these areas. Rail comes with some negatives; affecting crossings for roadways

and the bicycle and pedestrian network, and increasing noise and vibration. This idea would introduce these issues to a new area not currently served by any type of rail. Finally, when originally added to the Town's Transit Plan and included in the zoning commitments for Veridea, light rail was contemplated for the Triangle region. Light rail is no longer a viable option and any future passenger rail in our area is likely to have much less frequent service than originally envisioned.

Given the difficulties of bringing a rail spur from the existing S-Line corridor to the Veridea area, staff recommend instead focusing on bus service; with possible contemplation of Bus Rapid Transit as part of the Peak Plan 2055 comprehensive planning process. Both frequent bus service and Bus Rapid Transit can be implemented at a much lower cost than rail; and would likely provide much more frequent service to this area. A new bus route to Veridea was identified in the Apex Transit Prioritization Study as proposed GoApex Route 3. In addition, GoTriangle Route 305 travels along the NC 55 corridor. To better serve these routes, and to support the possible future opportunity for Bus Rapid Transit; staff recommend adding a Bus Transit Center within Veridea to the Transit Plan Map. Commitments related to reserving land area for and constructing the Bus Transit Center are included in the 25CZ18 Veridea SD-CZ amendment and will be described in that staff report.

Staff Recommendation:
Planning Department staff recommend approval of the proposed amendments. The amendments were reviewed by staff in Transportation and Infrastructure Development; Parks, Recreation, and Cultural Resources; Police; Fire; and Water Resources, and there were no concerns. In addition, GoTriangle staff indicated they would support the location of the proposed Bus Transit Center.

Planning Board Recommendation:
The Planning Board will consider these amendments at their December 8, 2025 meeting. Their recommendation will be reported during the staff presentation.

[i] NC Capital Area Metropolitan Planning Organization and Triangle West Transportation Planning Organization. Strategic Regional Rail Infrastructure Investment Study. Available: https://www.campo-nc.us/programs-studies/rail.
[ii] NC Capital Area Metropolitan Planning Organization. 2035 Wake Transit Plan. August 2025. Available: https://publicinput.com/Customer/File/Full/2d4b3a37-f975-4f98-ac0d-dfe755f81697

| Agenda Item | cover sheet

for consideration by the Apex Town Council

Item Type: PUBLIC HEARING

Meeting Date: December 9, 2025

Item Details

Presenter(s): Amanda Bunce, Assistant Planning Director

Department(s): Planning

Requested Motion

Public Hearing and possible motion regarding amendments to the Sustainability Standards for Veridea known as an Environmental Enhancement Plan and Ordinance.

Approval Recommended?

The Planning Department recommends approval.

The Planning Board will hear this item at their December 8, 2025 meeting. Staff will present their recommendation at the December 9, 2025 Town Council meeting.

Item Details

The purpose of the Environmental Enhancement Plan is to set additional or modified sustainability standards for an approved Sustainable Development-Conditional Zoning (SD-CZ) district. The proposed amendments to the plan would be applicable to the following PINs and any lands subsequently rezoned to be included in the Veridea SD Plan: 0730852539, 0730865572, 0730977087, 0730977967, 0730996270, 0740052449, 0740070950, 0740078021, 0740081019, 0740082199, 0740082327, 0740167653, 0740180091, 0740180331, 0740191376, 0740240814 (portion of), 0740241030 (portion of), 0740241461 (portion of), 0740283126, 0740287376, 0740293940, 0740360895, 0740289979, 0740489140, 0740586619, 0740783479, 0740888498, 0740990489, 0740558687 (portion of), 0740992174, 0740992565, 0740992632, 0741207566, 0741614057, 0741203157, 0741117192, 0740389302.

Attachments

- PH4-A1: Staff Report - Environmental Enhancement Plan Amendments - Veridea Development
- PH4-A2: Legal Description - Environmental Enhancement Plan Amendments - Veridea Development
- PH4-A3: Veridea EEP Amendment Letter - Environmental Enhancement Plan Amendments - Veridea Development
- PH4-A4: Existing Ordinance (ORD-2023-023 - Environmental Enhancement Plan Amendments - Veridea Development
- PH4-A5: Ordinance to Adopt - Environmental Enhancement Plan Amendments - Veridea Development

Background:

Veridea is an approximately 1,097.15-acre mixed use development that is generally bounded by US Hwy 1, E. Williams St (Hwy 55), and NC 540 and is the only area in Apex that is zoned Sustainable Development-Conditional Zoning (SD-CZ). Veridea is comprised of the following PINs:

0730852539, 0730865572, 0730977087, 0730977967, 0730996270, 0740052449, 0740070950, 0740078021, 0740081019, 0740082199, 0740082327, 0740167653, 0740180091, 0740180331, 0740191376, 0740240814 (portion of), 0740241030 (portion of), 0740241461 (portion of), 0740283126, 0740287376, 0740293940, 0740360895, 0740289979, 0740489140, 0740586619, 0740783479, 0740888498, 0740990489, 0740558687 (portion of), 0740992174, 0740992565, 0740992632, 0741207566, 0741614057, 0741203157, 0741117192, 0740389302

The Veridea Sustainable Development (SD) Plan was adopted to "facilitate the development of Veridea as a community of safe, healthy, resource efficient and transit-oriented mixed-use projects planned and developed in accordance with Principles promoting Sustainability. Accordingly, Veridea will be developed in view of the following Guiding Principles:

a. Create economic value
b. Eliminate the concept of waste
c. Insist on a renewable future
d. Create delightful urban places
e. Integrate nature throughout the community."

The Veridea Sustainable Development (SD) Plan, in accordance with Sec. 2.3.16 of the Unified Development Ordinance (UDO), establishes "a flexible framework of development standards (collectively, the "Sustainability Standards")". The Sustainability Standards include natural and cultural resource standards, transportation infrastructure standards, utility infrastructure standards, energy standards, community design standards, and building standards. The entire SD Plan can be viewed here: http://www.apexnc.org/DocumentCenter/View/2864.

Current Environmental Enhancement Plan:

The Environmental Enhancement Plan (EEP) is defined as "additional Sustainability Standards related to environmental enhancement required to be submitted to the Town Council for approval in accordance with UDO 2.3.16.F.3.b." The current EEP was adopted by Town Council in February 2023 and was a requirement of the SD Plan prior to Subdivision or Site Plan approvals.

The Sustainability Standards in the adopted EEP are intended to protect natural resources and the environment in light of the development pattern permitted in the SD Plan and to address secondary and cumulative impacts associated with the infrastructure required for Veridea. The EEP includes sections related to the following:

1. Building Standards (Energy, Water Efficiency, Indoor Air Quality, and Material Management)
2. Environmental and Natural Resource Protection (Resource Conservation Area)
3. Stormwater & Surface Water Management (Stormwater Management, Water Conservation, and Surface Water Enhancement)
4. Land Management (Sedimentation & Erosion Control Standards, Waste Minimization, Perimeter Buffers, Landscaping)
5. Air Quality Protections

It is important to note that this EEP is not a stand-alone set of standards and must be used in conjunction with the approved SD Plan and Pattern Book for Veridea as well as the Unified Development Ordinance.

Proposed Environmental Enhancement Plan Amendments:

The applicant is proposing amendments to the EEP in two parts. The details of these amendments can be found in the attached "Veridea Environmental Enhancement Plan (EEP) Amendment" letter.

PART 1

Part 1 of the amendment letter applies only to the proposed North Carolina Children's (NCC) hospital campus and includes exemptions from certain energy performance ratings and specific water fixture requirements in Section 1 that cannot be practically or feasibly met by the intended uses on the NCC campus. The exemptions requested are as follows:

Section I: Building Standards
Exemption from I.A.1.a., b. & e.

a. In furtherance of the goals set forth in SD Plan 3.7.2, all non-residential and mixed-use buildings in Veridea shall provide plan analysis demonstrating improvement of energy performance by 20% compared to baseline building performance ratings per ASHRAE/ IESNA Standard 90.1-2010 Appendix G. (Note: 2010 ASHREA is being referenced here, consistent with current LEED Rating System benchmark standard).

b. At build-out of Veridea, a minimum of 50% of non-residential buildings within Veridea shall be certified under one of these 3rd Party Certification Program options:
   i. LEED Rating System
   ii. Green Globes
   iii. Fitwel
   iv. Similar alternative standard as determined by the Responsible Party

   Responsible Party will ensure the ability to meet this 50% commitment at the time of each non-residential building permit application to the Town of Apex.

e. Documentation
   i. For all buildings, a letter of compliance shall be provided to the Town with the submittal of building permits for that building by a Professional Engineer (PE) licensed to practice in North Carolina, an architect licensed in North Carolina, OR a qualified third-party certifier stating that, in his or her opinion, the building design demonstrates improvement of energy performance by 20% compared to baseline building performance ratings per ASHRAE/ IESNA Standard 90.1-2010 Appendix G.

   ii. For each building that is developed to meet the standards for certification under one of the 3rd Party Certification Options, a letter of building certification from the selected program shall be provided to the Town at building completion.

Exemption from I.B.1. & 2.

1. Bathroom Fixtures
   a. 100% of showerheads, lavatory faucets and toilets/urinals shall be WaterSense rated fixtures.

2. Water Using Appliances
    a. Dishwashers and clothes washers installed by builder must be Energy Star qualified.

PART 2

Part 2 of the amendment letter applies to all property with Veridea and proposes modifications to the standard related to Electric Vehicle (EV) parking in Section V.

Significant changes to the EV parking requirements in the UDO were approved in May 2023, just three months after adoption of the EEP. The changes primarily involved adding a significant requirement for EV-Ready parking spaces and increasing the amount of EV charging spaces required for several uses.

Shown below are the changes to the amount and type of EV parking that were approved with those amendments:

Use	Minimum Number of Required EV-Ready Spaces	Minimum Number of Required Electric Vehicle Charging Spaces
Multi-family or apartment	**30% of all required motor vehicle spaces**	~~3%~~ **15%** of all required motor vehicle spaces
Government Service	**15% of all required motor vehicle spaces**	3% of all required motor vehicle spaces
Commercial Uses	**15% of all required motor vehicle spaces**	3% of all required motor vehicle spaces, **provided** ~~if~~ the minimum motor vehicle parking requirement is at least 100 spaces. ~~One (1) EV-Ready space is required if 11 to 49 motor vehicle spaces are required. Two (2) EV-Ready spaces are required if 50 to 99 motor vehicle spaces are required.~~
Office, business or professional	**15% of all required motor vehicle spaces**	3% of all required motor vehicle spaces
Office: Coworking Space	**15% of all required motor vehicle spaces**	3% of all required motor vehicle spaces
Office: Call Center	**15% of all required motor vehicle spaces**	3% of all required motor vehicle spaces
Hotel or motel	**30% of all required motor vehicle spaces**	~~3~~**10**% of all required motor vehicle spaces
Industrial Uses	**15% of all required motor vehicle spaces**	3% of all required motor vehicle spaces
Park, active or passive	**15% of all required motor vehicle spaces**	2% of all required motor vehicle spaces
Parking Structure	**15% of all provided motor vehicle spaces**	3% of all provided motor vehicle spaces
Parking Structure (School, public or private: Elementary, Junior, or Senior)	-	2 spaces
School, public or private: Elementary or Junior	-	3% of all required spaces that are provided in an off-street surface lot
School, public or private: Senior	-	1% of all required spaces that are provided in an off-street surface lot

When this section of the UDO was written and amended, large institutional campuses such as the proposed North Carolina Children's hospital and Wake Technical Community College were not anticipated. Certainly, the amount of parking that must be provided within structured parking for the proposed hospital use was not envisioned.

In addition, the requirement added for EV-Ready spaces significantly impacts initial construction costs and results in the installation of wiring, transformers, and associated equipment that would otherwise sit unused for a potentially long period of time until they are needed to be converted to EV charging spaces.

EV-Ready is defined by the UDO as:

> "Installation of "raceway" (the enclosed conduit that forms the physical pathway for electrical wiring to protect it from damage), dedicated branch circuit(s) (electrical pre-wiring), circuit breakers, and other electrical components, including a receptacle (240-volt outlet) or blank cover needed to support future installation of one (1) or more charging stations."

Therefore, the applicant is proposing the following modifications to the EV standard in the EEP:

Section V. Air Quality Protection
Modification to V. h.

h. ~~Parking for electric vehicles and bicycles will be provided as required by the Town of Apex UDO~~.
Parking requirements:

i. Bicycle parking shall be provided as required by the Town of Apex UDO.
ii. For all uses on the NC Children's health care campus, EV charging spaces shall be provided for 0.3% of the required parking spaces and EV-Ready spaces shall be provided for 1.5% of the required parking spaces.
iii. Multi-family development and hotels shall be required to provide 10% of the required parking as EV charging spaces and 35% of the required parking as EV-Ready spaces.
iv. Higher Education uses shall provide 1% of the required parking as EV Charging spaces and 1.5% of the required parking as EV-Ready spaces.
v. Elementary, junior, and high schools (public or private) are required to meet UDO requirements for EV parking.
vi. All other uses shall be required to provide the UDO required amount of electric vehicle charging spaces and 10% of the required parking as EV-Ready spaces.
vii. For all uses with the Veridea SD-CZ zoning, in-lieu of EV-Ready spaces as defined in Article 12 of the Unified Development Ordinance, EV-Capable spaces shall be allowed. EV-Capable shall mean the installation of "raceway" (the enclosed conduit that forms the physical pathway for electrical wiring to protect it from damage) from the parking space to the nearest electrical distribution room for structured parking or the nearest manhole or hand hole for surface parking. Wire, circuitry, receptacles, chargers, electrical panels, distribution equipment, and/or any other supporting equipment are not required.

The proposed modifications set or reduce the amount of EV-Ready and EV charging spaces for all uses on the NCC Children's health care campus and on the future Wake Technical Community College campus to an amount commensurate with the amount of parking that will be provided for such uses. The proposed

modifications to the multi-family and hotel use requirements reduces the amount of charging spaces required by 5%, but increases the amount of EV-Ready spaces by the same amount.

Shown below is a comparison table of the UDO and Proposed EEP EV parking amendments:

Use	Minimum Number of Required EV-Ready Spaces	Minimum Number of Required Electric Vehicle Charging Spaces	Minimum Number of Required EV-Ready Spaces	Minimum Number of Required Electric Vehicle Charging Spaces
	UDO Required		Proposed Modification for EEP	
Multi-family or apartment	30% of all required motor vehicle spaces	15% of all required motor vehicle spaces	35% of all required motor vehicle spaces	10% of all required motor vehicle spaces
Government Service	15% of all required motor vehicle spaces	3% of all required motor vehicle spaces	10% of all required motor vehicle spaces	3% of all required motor vehicle spaces
Commercial Uses	15% of all required motor vehicle spaces	3% of all required motor vehicle spaces, provided the minimum motor vehicle parking requirement is at least 100 spaces.	10% of all required motor vehicle spaces	3% of all required motor vehicle spaces, provided the minimum motor vehicle parking requirement is at least 100 spaces.
Office, business or professional	15% of all required motor vehicle spaces	3% of all required motor vehicle spaces	10% of all required motor vehicle spaces	3% of all required motor vehicle spaces
Office: Coworking Space	15% of all required motor vehicle spaces	3% of all required motor vehicle spaces	10% of all required motor vehicle spaces	3% of all required motor vehicle spaces
Office: Call Center	15% of all required motor vehicle spaces	3% of all required motor vehicle spaces	10% of all required motor vehicle spaces	3% of all required motor vehicle spaces
Hotel or motel	30% of all required motor vehicle spaces	10% of all required motor vehicle spaces	35% of all required motor vehicle spaces	10% of all required motor vehicle spaces
Industrial Uses	15% of all required motor vehicle spaces	3% of all required motor vehicle spaces	10% of all required motor vehicle spaces	3% of all required motor vehicle spaces
Park, active or passive	15% of all required motor vehicle spaces	2% of all required motor vehicle spaces	10% of all required motor vehicle spaces	2% of all required motor vehicle spaces
Parking Structure*	15% of all provided motor vehicle spaces	3% of all provided motor vehicle spaces	10% of all required motor vehicle spaces	3% of all provided motor vehicle spaces
Parking Structure (School, public or private: Elementary, Junior, or Senior)	-	2 spaces	-	2 spaces
School, public or private: Elementary or Junior	-	3% of all required spaces that are provided in an off-street surface lot	-	3% of all required spaces that are provided in an off-street surface lot
School, public or private: Senior	-	1% of all required spaces that are provided in an off-street surface lot	-	1% of all required spaces that are provided in an off-street surface lot
*All uses on the NC Children's health care campus	N/A	N/A	1.5% of all required motor vehicle spaces	0.3% of all required motor vehicle spaces
*Higher Education uses	N/A	N/A	1.5% of all required motor vehicle spaces	1% of all required motor vehicle spaces

PLANNING STAFF RECOMMENDATION:
Planning staff believes the proposed amendments are reasonable and recommends approval of the proposed amendments to the Veridea Environmental Enhancement Plan.

PLANNING BOARD RECOMMENDATION:
The Planning Board will hear this item at their December 8, 2025 meeting. Staff will present their recommendation at the December 9, 2025 Town Council meeting.

Attachments:
1. Environmental Enhancement Plan Amendment Letter
2. Current Environmental Enhancement Plan approved in February 2023.

TOWN OF APEX
POST OFFICE BOX 250
APEX, NORTH CAROLINA 27502
PHONE 919-249-3426

PUBLIC NOTIFICATION OF PUBLIC HEARING

Adoption of Additional or Modified Sustainability Standards for Veridea

Pursuant to the provisions of North Carolina General Statutes §160D-601 and to the Town of Apex Unified Development Ordinance (UDO) Secs. 2.2.11 and 2.3.16.F.3, notice is hereby given of a public hearing before the Town Council of the Town of Apex for the purpose of soliciting comments relative to the amendment of Sustainability Standards for Veridea known as the Environmental Enhancement Plan.

The purpose of the Environmental Enhancement Plan is to set additional or modified sustainability standards for an approved Sustainable Development-Conditional Zoning (SD-CZ) district. The applicant proposes to amend parts of the approved Environmental Improvement Plan.

Veridea is located at the following PINs:

0730852539, 0730865572, 0730977087, 0730977967, 0730996270, 0740052449, 0740070950, 0740078021, 0740081019, 0740082199, 0740082327, 0740167653, 0740180091, 0740180331, 0740191376, 0740240814 (portion of), 0740241030 (portion of), 0740241461 (portion of), 0740283126, 0740287376, 0740293940, 0740360895, 0740289979, 0740489140, 0740586619, 0740783479, 0740888498, 0740990489, 0740558687 (portion of), 0740992174, 0740992565, 0740992632, 0741207566, 0741614057, 0741203157, 0741117192, 0740389302

Public Hearing Location: Apex Town Hall
Council Chamber, 2nd Floor
73 Hunter Street, Apex, North Carolina

Town Council Public Hearing Date and Time: December 9, 2025 6:00 PM

You may attend the meeting in person or view the meeting through the Town's YouTube livestream at: https://www.youtube.com/c/townofapexgov.

If you are unable to attend, you may provide a written statement by email to public.hearing@apexnc.org, or submit it to the Office of the Town Clerk (73 Hunter Street or USPS mail - P.O. Box 250, Apex, NC 27502), at least two business days prior to the Town Council vote. You must provide your name and address for the record. The written statements will be delivered to the Town Council prior to their vote. Please include the Public Hearing name in the subject line.

The UDO can be accessed online at: http://www.apexnc.org/233.

The Veridea SD-CZ district standards can be accessed online at: http://www.apexnc.org/DocumentCenter/View/5237.

Dianne F. Khin, AICP
Planning Director

Published Dates: November 21-December 9, 2025

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1 of 2

TOWN OF APEX
POST OFFICE BOX 250
APEX, NORTH CAROLINA 27502
PHONE 919-249-3426

PUBLIC NOTIFICATION OF PUBLIC HEARING

Adoption of Additional or Modified Sustainability Standards for Veridea

Pursuant to the provisions of North Carolina General Statutes §160D-601 and to the Town of Apex Unified Development Ordinance (UDO) Secs. 2.2.11 and 2.3.16.F.3, notice is hereby given of a public hearing before the Town Council of the Town of Apex for the purpose of soliciting comments relative to the amendment of Sustainability Standards for Veridea known as the Environmental Enhancement Plan.

The purpose of the Environmental Enhancement Plan is to set additional or modified sustainability standards for an approved Sustainable Development-Conditional Zoning (SD-CZ) district. The applicant proposes to amend parts of the approved Environmental Improvement Plan.

Veridea is located at the following PINs:
0730852539, 0730865572, 0730977087, 0730977967, 0730996270, 0740052449, 0740070950, 0740078021, 0740081019, 0740082199, 0740082327, 0740167653, 0740180091, 0740180331, 0740191376, 0740240814 (portion of), 0740241030 (portion of), 0740241461 (portion of), 0740283126, 0740287376, 0740293940, 0740360895, 0740289979, 0740489140, 0740586619, 0740783479, 0740888498, 0740990489, 0740558687 (portion of), 0740992174, 0740992565, 0740992632, 0741207566, 0741614057, 0741203157, 0741117192, 0740389302

Public Hearing Location: Apex Town Hall
Council Chamber, 2nd Floor
73 Hunter Street, Apex, North Carolina

Town Council Public Hearing Date and Time: December 9, 2025 6:00 PM

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The UDO can be accessed online at: http://www.apexnc.org/233.

The Veridea SD-CZ district standards can be accessed online at: http://www.apexnc.org/DocumentCenter/View/5237.

Dianne F. Khin, AICP
Planning Director

Published Dates: November 21-December 9, 2025

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2:21 PM 11/21/2025

TOWN OF APEX
POST OFFICE BOX 250
APEX, NORTH CAROLINA 27502
PHONE 919-249-3426

NOTIFICACIÓN PÚBLICA DE AUDIENCIAS PÚBLICAS

Enmienda a los Estándares de Sostenibilidad Adicionales o Modificados para Veridea

De conformidad con las disposiciones de los Estatutos Generales de Carolina del Norte §160D-601 y con la secciónes 2.2.11 y 2.3.16.F.3 de la Ordenanza de Desarrollo Unificado (UDO) del ayuntamiento de Apex, por la presente se notifican las audiencias públicas ante el Consejo Municipal del ayuntamiento de Apex a fin de solicitar comentarios en relación a la enmienda de los Estándares de Sostenibilidad para Veridea, conocidos como el Plan de Mejora Ambiental.

El objetivo del Plan de Mejora Ambiental es establecer normas de sostenibilidad adicionales o modificadas para un distrito aprobado de Desarrollo sostenible-Ordenamiento territorial condicional (SD-CZ). El solicitante propone enmendar partes del Plan de Mejoramiento Ambiental aprobado.

Veridea se ubica en los siguientes números de identificación de parcela (PIN):

0730852539, 0730865572, 0730977087, 0730977967, 0730996270, 0740052449, 0740070950, 0740078021, 0740081019, 0740082199, 0740082327, 0740167653, 0740180091, 0740180331, 0740191376, 0740240814 (portion of), 0740241030 (portion of), 0740241461 (portion of), 0740283126, 0740287376, 0740293940, 0740360895, 0740289979, 0740489140, 0740586619, 0740783479, 0740888498, 0740990489, 0740558687 (portion of), 0740992174, 0740992565, 0740992632, 0741207566, 0741614057, 0741203157, 0741117192, 0740389302

Lugar de la audiencia pública: Ayuntamiento de Apex
Cámara del Consejo, 2º piso
73 Hunter Street, Apex, Carolina del Norte

Fecha y hora de la audiencia pública del Consejo Municipal: 9 de diciembre de 2025 6:00 PM

Puede asistir a la reunión de manera presencial o seguir la transmisión en directo por YouTube a través del siguiente enlace: https://www.youtube.com/c/townofapexgov.

Si no puede asistir, puede enviar una declaración escrita por correo electrónico a public.hearing@apexnc.org, o presentarla a la oficina del Secretario Municipal (73 Hunter Street o por correo USPS a P.O. Box 250, Apex, NC 27502), al menos dos días hábiles antes de la votación del Consejo Municipal. Debe proporcionar su nombre y dirección para que conste en el registro. Las declaraciones escritas se entregarán al Consejo Municipal antes de la votación. No olvide incluir el nombre de la audiencia pública en el asunto.

Se puede acceder a la UDO en línea en: http://www.apexnc.org/233.

Las normas de distrito SD-CZ de Veridea se pueden acceder en línea en:
http://www.apexnc.org/DocumentCenter/View/5237.

Dianne F. Khin, AICP
Directora de Planificación

Fechas de publicación: 21 de noviembre – 9 de diciembre de 2025

https://www.apexnc.org/DocumentCenter/View/52642/Veridea-EEP-Amendment-Legal-A...
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2 of 2

TOWN OF APEX
POST OFFICE BOX 250
APEX, NORTH CAROLINA 27502
PHONE 919-249-3426

NOTIFICACIÓN PÚBLICA
DE AUDIENCIAS PÚBLICAS
Enmienda a los Estándares de Sostenibilidad Adicionales o Modificados para Veridea

De conformidad con las disposiciones de los Estatutos Generales de Carolina del Norte §160D-601 y con la secciónes 2.2.11 y 2.3.16.F.3 de la Ordenanza de Desarrollo Unificado (UDO) del ayuntamiento de Apex, por la presente se notifican las audiencias públicas ante el Consejo Municipal del ayuntamiento de Apex a fin de solicitar comentarios en relación a la enmienda de los Estándares de Sostenibilidad para Veridea, conocidos como el Plan de Mejora Ambiental.

El objetivo del Plan de Mejora Ambiental es establecer normas de sostenibilidad adicionales o modificadas para un distrito aprobado de Desarrollo sostenible-Ordenamiento territorial condicional (SD-CZ). El solicitante propone enmendar partes del Plan de Mejoramiento Ambiental aprobado.

Veridea se ubica en los siguientes números de identificación de parcela (PIN):
0730852539, 0730865572, 0730977087, 0730977967, 0730996270, 0740052449, 0740070950, 0740078021, 0740081019, 0740082199, 0740082327, 0740167653, 0740180091, 0740180331, 0740191376, 0740240814 (portion of), 0740241030 (portion of), 0740241461 (portion of), 0740283126, 0740287376, 0740293940, 0740360895, 0740289979, 0740489140, 0740586619, 0740783479, 0740888498, 0740990489, 0740558687 (portion of), 0740992174, 0740992565, 0740992632, 0741207566, 0741614057, 0741203157, 0741117192, 0740389302

Lugar de la audiencia pública: Ayuntamiento de Apex
Cámara del Consejo, 2º piso
73 Hunter Street, Apex, Carolina del Norte

Fecha y hora de la audiencia pública del Consejo Municipal: 9 de diciembre de 2025 6:00 PM

Puede asistir a la reunión de manera presencial o seguir la transmisión en directo por YouTube a través del siguiente enlace: https://www.youtube.com/c/townofapexgov.

Si no puede asistir, puede enviar una declaración escrita por correo electrónico a public.hearing@apexnc.org, o presentarla a la oficina del Secretario Municipal (73 Hunter Street o por correo USPS a P.O. Box 250, Apex, NC 27502), al menos dos días hábiles antes de la votación del Consejo Municipal. Debe proporcionar su nombre y dirección para que conste en el registro. Las declaraciones escritas se entregarán al Consejo Municipal antes de la votación. No olvide incluir el nombre de la audiencia pública en el asunto.

Se puede acceder a la UDO en línea en: http://www.apexnc.org/233.

Las normas de distrito SD-CZ de Veridea se pueden acceder en línea en:
http://www.apexnc.org/DocumentCenter/View/5237.

Dianne F. Khin, AICP
Directora de Planificación

Fechas de publicación: 21 de noviembre – 9 de diciembre de 2025

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PIN: 0740191376, 0741207566, 0730977087, 0730996270, 0740180091, 0740180331, 0740287376, 0740293940, 0740360895, 0740289979, 0740389302, 0740586619, 0740783479, 0740888498, 0740992174, 0741614057, 0740489140, 0741203157

Being a portion of the lands now or formerly owned by RXR Len Apex Owner, LLC, as described in Deed Book 19263, Page 2403; RXR Len Apex Owner, LLC, as described in Deed Book 19297, Page 1692; RXR Len Apex Owner LLC, as described in Deed Book 19947, Page 487; RXR Len Apex Owner, LLC, as described in Deed Book 19263, Page 2335 in the Wake County Register of Deeds; being more particularly described as:

Beginning at a rebar with cap on the northern right of way line of N.C. Highway 540, a variable width controlled access right of way as described in Deed Book 15539, page 1855, being also the southeast corner of lands now or formerly owned by RXR Len Apex Owner, LLC, as described in Deed Book 19263, page 2403, the point of beginning; thence from the beginning and leaving the northern right of way line of NC Highway 540 and with said common line, North 00°14'49" West a distance of 667.80 feet to a point; thence South 87°37'02" West a distance of 180.32 feet to a point; thence North 01°55'47" West a distance of 1400.56 feet to a point; thence South 84°14'41" West a distance of 440.42 feet to a point on the eastern right of way line of Veridea Parkway, a variable width public right of way, as described in Deed Book 16421, page 2112 and Deed Book 16326, page 2125; thence with the eastern right of way line of Veridea Parkway, North 09°16'52" East a distance of 6.98 feet to a point; thence North 09°16'52" East a distance of 31.69 feet to a point; thence North 09°28'48" East a distance of 166.90 feet to a point; thence North 09°28'48" East a distance of 13.32 feet to a point; thence North 09°28'48" East a distance of 17.71 feet to a point; thence North 09°28'48" East a distance of 55.05 feet to a point on the southern line of lands now or formerly owned by Roger W. and Glenda K. Bushee, as described in Deed Book 4691, page 197; thence with said common line, South 80° 05'31" East a distance of 386.35 feet to an existing iron pipe, being a southwestern corner of lands now or formerly owned by RXR Len Apex Owner, LLC, as described in Deed Book 19737, page 1859; thence with said common line, South 09°53'16" West a distance of 120.00 feet to an existing iron pipe; thence North 89°42'24" East a distance of 427.65 feet to an existing iron pipe; thence North 28°17'19" East a distance of 258.03 feet to a point; thence North 25°29'27" West a distance of 398.53 feet to a point; thence South 85°22'14" West a distance of 220.54 feet to a point; thence South 09°39'36" West a distance of 200.09 feet to a point, being the northeast corner of lands now or formerly owned by Roger W. and Glenda K. Bushee, as described in Deed Book 4691, page 197; thence with said common line, North 80°09'19" West a distance of 185.05 feet to a point, being the southeast corner of lands now or formerly owned by W J and Catherin A Fields, as described in Deed Book 3138, page 93; thence with said common line and the common line of others, North 09°58'01" East a distance of 550.14 feet to a point, being the southeast corner

of lands now or formerly owned by Whitehouse Assets Management, LLC, as described in Deed Book 17143, page 2248; thence with said common line, North 24°25'22" East a distance of 442.30 feet to a point; thence South 69°45'18" West a distance of 509.98 feet to an existing rebar in the center of Veridea Parkway, a 60’ public right of way as shown on Book of Maps 2003, page 1756, passing through an existing iron pipe on the eastern right of way line of Veridea Parkway 34.45 feet before the end of the line; thence with the center of Veridea Parkway, South 09°52'33" West a distance of 171.70 feet to a point; thence South 09°57'23" West a distance of 550.24 feet to a point; thence South 09°26'46" West a distance of 21.55 feet to a point; thence leaving the center of Veridea Parkway, North 89°10'45" West a distance of 68.12 feet to a point on the western right of way line of Veridea Parkway, a variable width public right of way as described in Deed Book 16421, page 2112 and Deed Book 16326, page 2125, passing through an existing iron pipe 38.57 feet before the end of the line; thence with the western right of way line of Veridea Parkway, South 09°28'47" West a distance of 60.77 feet to a point; thence South 09°28'45" West a distance of 430.91 feet to an existing concrete monument; thence South 09°46'52" West a distance of 74.87 feet to an existing concrete monument, being the northeast corner of lands now or formerly owned by RXR Len Apex Owner, LLC, as described in Deed Book 19263, page 2403; thence leaving the western right of way line of Veridea Parkway, and with said common line, North 89°09'45" West a distance of 1110.26 feet to an existing iron pipe; thence South 02°26'42" West a distance of 1505.96 feet to a point on the northern right of way line of NC Highway 540, a variable width controlled access right of way as described in Deed Book 15539, page 1837; thence with the northern right of way line of NC Highway 540, with a curve to the right a radius of 4035.00 feet, an arc length of 857.09 feet, a chord bearing of North 53°42'27" West, a chord length of 855.48 feet to an existing rebar; thence with a curve to the right a radius of 4054.26 feet, an arc length of 326.65 feet, a chord bearing of North 45°18'10" West, a chord length of 326.56 feet to an existing rebar with cap; thence North 36°43'15" West a distance of 102.76 feet to an existing rebar with cap; thence North 35°20'20" West a distance of 237.13 feet to an existing rebar with cap; thence North 07°47'12" West a distance of 131.08 feet to an existing rebar with cap; thence North 00°34'29" West a distance of 436.11 feet to an existing rebar with cap; thence North 12°52'53" East a distance of 565.14 feet to an existing rebar with cap; thence North 05°57'15" East a distance of 356.74 feet to an existing rebar with cap; thence North 15°26'08" East a distance of 134.33 feet to a point; thence North 15°26'08" East a distance of 200.01 feet to an existing rebar with cap; thence North 28°28'53" East a distance of 237.21 feet to an existing rebar with cap; thence North 45°14'54" East a distance of 75.20 feet to an existing rebar with cap; thence North 42°51'55" East a distance of 241.20 feet to an existing rebar with cap, transitioning to the southern right of way line of US Highway 1, a variable width controlled access right of way, as described in Deed Book 14140, page 979; thence with the southern right of way line of US Highway 1, North 50°43'55" East a distance of 160.95 feet to an existing rebar with cap; thence

North 58°37'05" East a distance of 364.36 feet to a point, being the southwest corner of lands now or formerly owned by The Young Men's Christian Association of the Triangle Area, Inc, as described in Deed Book 17017, page 2427, passing through an existing concrete monument 86.12 feet before the end of the line and an existing iron pipe 3.87 feet before the end of the line; thence leaving the southern right of way line of US Highway 1 and with said common line, North 87°38'44" East a distance of 265.82 feet to a point, passing through an existing iron pipe 259.41 feet before the end of the line; thence North 00°27'33" West a distance of 149.91 feet to a point on the southern right of way line of US Highway 1, a variable width controlled access right of way, as described in Deed Book 14140, page 979; thence with the southern right of way line of U.S. Highway 1, North 58°41'20" East a distance of 1668.68 feet to a point in the center of Veridea Parkway, a 60 foot public right of way as shown on Book of Maps 2003, page 1756; thence continuing with the southern right of way line of US Hihgway 1, North 58°41'20" East a distance of 31.03 feet to an existing concrete monument on the eastern right of way line of Veridea Parkway; thence continuing with the southern right of way line of US Highway 1, North 58°39'55" East a distance of 576.45 feet to a point, being a western corner of lands now or formerly owned by EBT Farms, LLC, as shown on Book of Maps 2015, page 14, passing through an existing iron pipe 3.61 feet before the end of the line; thence with said common line, South 88°58'01" East a distance of 304.56 feet to a point in the center of Prince Dead End Road, a 60 foot public right of way as shown on Book of Maps 1988, page 283, being referenced by an existing iron pipe 3.69 feet northeast of the corner; thence leaving the center of Prince Dead End Road and continuing with said common line, South 88°58'01" East a distance of 584.55 feet to a point, being a western corner of lands now or formerly owned by the Town of Apex, as shown on Book of Maps 1989, page 59, passing through an existing iron pipe 14.43 feet before the end of the line; thence with said common line, South 23°14'08" East a distance of 315.07 feet to an existing bent iron pipe on a northern line of lands now or formerly owned by Wildbird LLC, as shown on Book of Maps 1985, page 64; thence with said common line, North 89°17'57" West a distance of 82.50 feet to an existing iron pipe; thence South 00°32'06" West a distance of 760.78 feet to an existing iron pipe, passing through an existing iron pipe 546.06 feet before the end of the line; thence South 00°33'48" West a distance of 1301.27 feet to an existing iron stake, passing through existing iron pipes 776.99 feet and 741.67 feet before the end of the line; thence South 88°56'50" East a distance of 1524.31 feet to an existing iron pipe; thence North 42°37'27" East a distance of 84.50 feet to a point; thence South 87°51'02" East a distance of 208.48 feet to an existing iron pipe, passing through an existing iron pipe 155.64 feet before the end of the line; thence North 00°58'38" East a distance of 734.06 feet to an existing iron pipe, passing through an existing iron pipe 31.40 feet before the end of the line; thence North 00°58'38" East a distance of 2549.03 feet to an existing iron pipe, passing through an existing iron pipe 2465.38 feet before the end of the line; thence South 89°46'05" West a distance of 25.90 feet to an existing iron pipe, being a southeast corner of lands now or formerly owned by

Town of Apex, as shown on Book of Maps 1989, page 59; thence with said common line, North 01°31'12" East a distance of 572.91 feet to an existing iron pipe; thence North 01°28'31" East a distance of 119.73 feet to an existing iron pipe; thence North 01°30'44" East a distance of 41.12 feet to an existing iron pipe on the southern right of way line of US Highway 1, a variable width controlled access right of way as shown on Book of Maps 2024, page 630; thence with said common line, North 58°51'35" East a distance of 406.60 feet to an existing concrete monument; thence North 58°00'23" East a distance of 434.93 feet to an existing iron pipe; thence with a curve to the left a radius of 5860.99 feet, an arc length of 1031.97 feet, a chord bearing of North 51°39'15" East, a chord length of 1030.63 feet to an existing iron pipe; thence South 41°41'54" East a distance of 29.56 feet to an existing iron pipe; thence North 46°57'49" East a distance of 79.93 feet to a point in the centerline of the creek, passing through an existing iron pipe 10.00 feet before the end of the line; thence with the centerline of the creek, South 08°18'39" West a distance of 74.71 feet to a point; thence South 03°57'01" East a distance of 106.42 feet to a point on the northern line of lands now or formerly owned by Justin Stanley, as described in Deed Book 17473, page 2663; thence leaving the centerline of the creek and with said common line, South 58°19'32" West a distance of 25.09 feet to an existing concrete monument, passing through an existing iron pipe 15.09 feet before the end of the line; thence South 31°28'08" East a distance of 99.98 feet to an existing iron pipe on a northern line of lands now or formerly owned by Madison Apex Owner, LLC, as described in Deed Book 18329, page 2014; thence with said common line, South 58°37'43" West a distance of 311.61 feet to an existing iron pipe; thence South 05°32'28" West a distance of 311.05 feet to an existing iron pipe; thence South 18°18'17" East a distance of 266.26 feet to an existing iron pipe; thence South 58°02'56" East a distance of 253.73 feet to an existing iron pipe; thence South 24°13'34" East a distance of 1064.47 feet to an existing iron pipe; thence North 51°40'44" East a distance of 610.52 feet to an existing iron pipe, being a western corner of lands now or formerly owned by FTPA Storage Apex, LLC, as described in Deed Book 16283, page 140; thence with said common line, South 29°10'43" East a distance of 276.67 feet to an existing iron pipe, being the southwest corner of lands now or formerly owned by Sunil and Sudarshini Shelke, as described in Deed Book 14964, page 1295; thence with said common line, North 89°42'08" East a distance of 414.38 feet to an existing iron pipe, being the northwest corner of lands now or formerly owned by Apex Rent Account, LLC, as described in Deed Book 16018, page 896; thence South 02°52'31" West a distance of 576.07 feet to an existing iron pipe, being a northwest corner of lands now or formerly owned by PPTapex, LLC, as described in Deed Book 16247, page 277; thence with said common line, South 03°02'31" West a distance of 260.47 feet to an existing iron pipe, being the northwest corner of lands now or formerly owned by James Irvin Rigsbee, as described in Deed Book 2176, page 224; thence with said common line, South 03°08'36" West a distance of 288.05 feet to an existing iron pipe; thence South 02°21'58" West a distance of 72.79 feet to an existing axle, being the northwest corner of lands now or formerly owned by Kenan Transport Co., as

described in Deed Book 2003, page 233; thence with said common line, South 02°22'52" West a distance of 365.20 feet to an existing iron pipe, passing through an existing iron pipe 53.41 feet before the end of the line; thence South 89°54'31" East a distance of 270.03 feet to an existing iron pipe; thence South 89°55'44" East a distance of 403.93 feet to an existing iron pipe, being the northwest corner of lands now or formerly owned by David F. and Sharon L Raymer, as described in Deed Book 8712, page 265; thence with said common line, South 04°23'01" East a distance of 445.52 feet to an existing iron pipe, being the northwest corner of lands now or formerly owned by Thompson Gas – Smokies, LLC, as described in Deed Book 15976, page 1140; thence with said common line, South 05°37'02" East a distance of 199.93 feet to an existing iron pipe; thence North 89°21'15" East a distance of 417.22 feet to an existing iron pipe on the western right of way line of NC Highway 55, a variable width public right of way as shown on Book of Maps 2024, page 630; thence with the western right of way line of NC Highway 55, with a curve to the right a radius of 5633.75 feet, an arc length of 101.71 feet, a chord bearing of South 04°07'50" East, a chord length of 101.71 feet to an existing iron pipe; thence leaving the western right of way line of NC Highway 55 and with the common line of RXR Len Apex Owner, LLC and others, South 89°36'58" West a distance of 414.74 feet to an existing iron pipe, passing through the western right of way line of NC Highway 55 407.68 feet before the end of the line and an existing iron pipe 240.77 feet before the end of the line; thence South 05°37'02" East a distance of 100.00 feet to an existing iron pipe, being the northwest corner of lands now or formerly owned by RXR Len Apex Owner, LLC, as described in Deed Book 19789, page 32; thence South 17°12'56" East a distance of 140.08 feet to an existing iron pipe; thence South 87°06'10" East a distance of 374.27 feet to an existing iron pipe on the western right of way line of NC Highway 55, a variable width public right of way as shown on Book of Maps 2024, page 630, passing through the western right of way line NC Highway 55 9.29 feet before the end of the line; thence with the western right of way line of NC Highway 55, with a curve to the right a radius of 5633.75 feet, an arc length of 100.26 feet, a chord bearing of South 00°30'27" East, a chord length of 100.26 feet to an existing iron pipe; thence South 01°41'54" East a distance of 100.29 feet to an existing iron pipe; thence South 01°45'44" West a distance of 49.94 feet to an existing iron pipe; thence South 01°45'44" West a distance of 49.94 feet to an existing iron pipe; thence South 01°45'44" West a distance of 49.94 feet to an existing iron pipe; thence South 01°45'44" West a distance of 49.94 feet to an existing iron pipe; thence South 01°45'44" West a distance of 49.94 feet to an existing iron pipe; thence South 01°45'44" West a distance of 49.94 feet to an existing iron pipe; thence South 01°45'44" West a distance of 49.94 feet to an existing iron pipe; thence South 01°45'44" West a distance of 49.79 feet to an existing iron pipe; thence South 01°45'44" West a distance of 50.00 feet to an existing iron pipe; thence South 01°45'44" West a distance of 50.00 feet to an existing iron pipe; thence South 01°45'44" West a distance of 3.89 feet to a point; thence North 80°39'17" West a distance of 39.57 feet to a point; thence with a curve to the right a radius of 1515.50 feet, an arc length of 73.75 feet, a chord bearing of

South 10°44'22" West, a chord length of 73.75 feet to a point; thence South 50°25'39" West a distance of 72.79 feet to a point; thence South 03°20'53" West a distance of 77.92 feet to a point, being the northeast corner of lands now or formerly owned by NC Department of Transportation, as described in Deed Book 8235, page 1160; thence with said common line, North 86°43'05" West a distance of 16.98 feet to an existing iron pipe; thence South 01°28'00" West a distance of 100.88 feet to an existing iron pipe; thence South 87°17'00" East a distance of 10.63 feet to a point on the western right of way line of NC Highway 55, a variable width public right of way as shown on Book of Maps 2024, page 630; thence with the western right of way line of NC Highway 55, South 02°47'00" West a distance of 30.24 feet to a point; thence with a curve to the right a radius of 1525.00 feet, an arc length of 20.91 feet, a chord bearing of South 21°53'09" West, a chord length of 20.91 feet to a point; thence North 87°17'00" West a distance of 2.64 feet to an existing iron pipe; thence South 01°28'00" West a distance of 16.53 feet to a point; thence with a curve to the right a radius of 1525.00 feet, an arc length of 34.27 feet, a chord bearing of South 23°40'23" West, a chord length of 34.27 feet to a point; thence continuing with the northern right of way line of NC Highway 55 and the common line of lands now or formerly owned by NC Department of Transportation, as described in Deed Book 8138, page 1625, North 87°21'16" West a distance of 246.10 feet to an existing iron pipe; thence continuing with said common line and the common line of others, South 01°23'44" West a distance of 347.79 feet to an existing iron pipe; thence South 86°24'46" East a distance of 46.54 feet to a point on the western right of way line of NC Highway 55, a variable width public right of way as shown on Book of Maps 2024, page 630; thence with the western right of way line of NC Highway 55, South 31°28'58" West a distance of 41.58 feet to a point on the northern right of way line of Technology Drive, a variable width public right of way as shown on Book of Maps 2008, page 448; thence with the northern right of way line of Technology Drive, South 81°05'32" West a distance of 325.98 feet to an existing iron pipe, passing through an existing iron pipe 125.44 feet before the end of the line; thence South 60°43'09" West a distance of 132.34 feet to an existing iron pipe; thence with a curve to the left a radius of 426.43 feet, an arc length of 181.19 feet, a chord bearing of South 49°06'58" West, a chord length of 179.83 feet to an existing iron pipe; thence South 36°56'38" West a distance of 162.54 feet to an existing iron pipe; thence South 37°44'51" West a distance of 163.20 feet to an existing iron pipe, being the southeast corner of lands now or formerly owned by Margaret Evans Heirs, as shown on Book of Maps 2002, page 165; thence leaving the northern right of way line of Technology Drive and with said common line, North 02°38'53" East a distance of 477.63 feet to an existing iron pipe; thence North 86°17'11" West a distance of 191.04 feet to an existing iron pipe; thence South 02°37'54" West a distance of 192.78 feet to an existing iron pipe; thence South 87°21'03" East a distance of 144.87 feet to an existing iron pipe; thence South 02°38'53" West a distance of 351.16 feet to an existing iron pipe on the northern right of way line of Technology Drive, a variable width public right of way as shown on Book of Maps 2008, page

448; thence with the northern right of way line of Technology Drive, with a curve to the right a radius of 5840.02 feet, an arc length of 578.81 feet, a chord bearing of South 42°11'18" West, a chord length of 578.57 feet to an existing iron pipe; thence South 45°24'35" East a distance of 26.85 feet to an existing iron pipe; thence South 44°12'36" West a distance of 620.76 feet to an existing iron pipe; thence with a curve to the right a radius of 351.98 feet, an arc length of 268.88 feet, a chord bearing of South 67°02'07" West, a chord length of 262.39 feet to an existing iron pipe; thence South 88°52'01" West a distance of 164.86 feet to an existing iron pipe on the eastern line of EMC Corporation, as described in Deed Book 8681, page 1014; thence with said common line, North 02°16'22" East a distance of 50.18 feet to an existing iron pipe; thence North 02°17'00" East a distance of 1402.38 feet to an existing iron pipe; thence North 02°17'00" East a distance of 163.32 feet to an existing iron pipe; thence North 02°11'42" East a distance of 120.99 feet to a point in the centerline of the creek, passing through an existing iron pipe 10.00 feet before the end of the line; thence with the centerline of the creek, North 82°46'29" West a distance of 59.32 feet to a point; thence North 38°01'48" West a distance of 154.60 feet to a point; thence North 84°02'09" West a distance of 86.70 feet to a point; thence South 20°44'56" West a distance of 18.43 feet to a point; thence South 79°18'34" West a distance of 39.77 feet to a point; thence South 13°19'46" East a distance of 38.31 feet to a point; thence South 76°35'49" West a distance of 53.23 feet to a point; thence South 26°54'51" West a distance of 42.90 feet to a point; thence South 33°19'02" East a distance of 29.87 feet to a point; thence South 51°46'22" West a distance of 61.75 feet to a point; thence North 64°34'50" West a distance of 58.31 feet to a point; thence South 29°34'47" West a distance of 47.94 feet to a point; thence South 71°40'28" West a distance of 23.79 feet to a point; thence North 39°32'53" West a distance of 102.73 feet to a point; thence North 69°26'41" West a distance of 124.25 feet to a point; thence South 57°24'05" West a distance of 82.87 feet to a point; thence South 07°43'11" West a distance of 131.15 feet to a point; thence South 83°27'25" West a distance of 147.78 feet to a point; thence South 00°36'20" East a distance of 95.70 feet to a point; thence South 80°37'14" West a distance of 210.03 feet to a point; thence South 21°46'20" West a distance of 110.71 feet to a point; thence South 78°48'03" East a distance of 41.76 feet to a point; thence South 32°29'11" West a distance of 93.04 feet to a point; thence North 66°26'02" West a distance of 45.02 feet to a point; thence South 47°52'32" West a distance of 34.12 feet to a point; thence South 00°28'52" West a distance of 71.12 feet to a point; thence South 79°33'24" West a distance of 96.46 feet to a point; thence North 52°02'42" West a distance of 30.57 feet to a point; thence South 81°23'08" West a distance of 60.05 feet to a point; thence South 41°39'40" West a distance of 186.48 feet to a point; thence South 44°48'01" East a distance of 60.58 feet to a point; thence South 20°16'03" West a distance of 35.02 feet to a point; thence North 76°32'52" West a distance of 126.07 feet to a point; thence South 34°49'57" West a distance of 90.84 feet to a point; thence North 41°34'57" West a distance of 26.79 feet to a point; thence South 44°48'57" West a

distance of 69.31 feet to a point; thence South 28°17'36" East a distance of 74.29 feet to a point; thence South 47°29'27" West a distance of 92.11 feet to a point; thence North 49°33'56" West a distance of 78.37 feet to a point; thence South 87°17'25" West a distance of 290.72 feet to a point; thence South 11°44'33" West a distance of 20.66 feet to a point; thence South 64°16'17" West a distance of 220.45 feet to a point; thence South 82°21'19" West a distance of 72.19 feet to a point; thence North 36°16'44" West a distance of 42.40 feet to a point; thence South 69°36'51" West a distance of 126.77 feet to a point; thence South 62°06'56" West a distance of 316.17 feet to a point; thence South 17°45'27" West a distance of 29.26 feet to a point; thence South 26°24'46" West a distance of 31.72 feet to a point; thence South 40°05'18" West a distance of 78.74 feet to a point; thence South 07°45'39" West a distance of 35.25 feet to a point; thence South 42°06'24" West a distance of 57.16 feet to a point, being a northwest corner of lands now or formerly owned by EMC Corporation, as described in Deed Book 8681, page 1014; thence with said common line, South 01°06'28" West a distance of 351.89 feet to an existing iron pipe on the northern line of lands now of formerly owned by Greenway Waste Solutions of Apex, LLC, as described in Deed Book 9099, page 1045; thence with said common line, South 88°51'48" West a distance of 28.47 feet to a point in the centerline of the creek; thence with the centerline of the creek, South 03°52'45" West a distance of 158.77 feet to a point; thence South 23°38'07" East a distance of 210.79 feet to a point; thence South 30°01'31" West a distance of 156.29 feet to a point; thence South 11°48'54" East a distance of 104.71 feet to a point; thence South 19°26'04" West a distance of 147.77 feet to a point on the northern right of way line of NC Highway 540, a variable width public right of way as described in Deed Book 15539, page 1850; thence with the northern right of way line of NC Highway 540, North 87°35'38" West a distance of 1273.34 feet to an existing rebar with cap; thence North 75°03'53" West a distance of 276.59 feet to an existing rebar with cap; thence South 36°13'41" West a distance of 120.37 feet to a point; thence North 49°31'49" West a distance of 105.40 feet to the point and place of beginning, having an area of 36,092,685 square feet, 828.57 acres

Less and Except the Following:

PIN: 0730977967; 0740081019; 0740082199; 0740070950; 0740082327

Being all of the lands now or formerly owned by RXR Len Apex Owner, LLC, as described in Deed Book 20025, page 1418, and Yifei Wang and wife, Hua Mei, as described in Deed Book 18896, page 1725 in the Wake County Register of Deeds; being more particularly described as:

Beginning at an existing iron pipe, being a western corner of lands now or formerly owned by RXR Len Apex Owner, LLC, as described in Deed Book 19297, page 1692, the point of beginning; thence from the beginning and with said common line, South 02°19'40" West a distance of 199.14 feet to a point, being a northwest corner of lands now or formerly owned by RXR Len Apex Owner, LLC, as described in Deed Book 19263, page 2403; thence with said common line, South 02°19'40" West a distance of 64.13 feet to an existing iron pipe, being a northwest corner of lands now or formerly owned by RXR Len Apex Owner, LLC, as described in Deed Book 19263, page 2403; thence with said common line, South 02°13'53" West a distance of 189.40 feet to an existing iron pipe; thence South 02°17'48" West a distance of 67.39 feet to an existing iron pipe, being a northeast corner of lands now or formerly owned by RXR Len Apex Owner, LLC, as described in Deed Book 19263, page 2403; thence with said common line, South 65°19'45" West a distance of 538.99 feet to a point; thence South 01°27'55" West a distance of 148.65 feet to a point; thence South 77°54'05" West a distance of 389.22 feet to an existing iron pipe; thence North 00°01'19" West a distance of 967.73 feet to a point; thence North 89°58'41" East a distance of 616.26 feet to an existing rebar; thence North 89°58'41" East a distance of 133.87 feet to an existing iron pipe, being a southwest corner of lands now or formerly owned by RXR Len Apex Owner, LLC, as described in Deed Book 19297, page 1692; thence with said common line, North 87°19'22" East a distance of 145.34 feet to the point and place of beginning, containing an area of 668,038 square feet or 15.34 acres.

PIN: 0740992565

Being a portion of the lands now or formerly owned by RXR Len Apex Owner, LLC, as described in Deed Book 19263, page 2403 in the Wake County Register of Deeds; being more particularly described as: Beginning at an existing iron pipe on the western right of way line of NC Highway 55, a variable width public right of way as shown on Book of Maps 2024, page 630, being also the southeast corner of the subject parcel, the point of beginning; thence from the beginning and with the western right of way line of NC Highway 55 and the common line of RXR Len Apex Owner, LLC, as described in Deed Book 19789, page 32, South 89°40'44" West a distance of 123.48 feet to an existing iron pipe, passing through the western right of way line of NC Highway 55 116.17 feet before the end of the line; thence North 02°18'46" West a distance of 50.01 feet to an existing iron pipe, being a southern corner lands now or formerly owned by RXR Len Apex Owner, LLC, as described in Deed Book 19821, page 1026; thence with said common line, North 89°43'19" East a distance of 123.46 feet to an existing iron pipe on the western right of way line of NC Highway 55, passing through the western right of way line of NC Highway 55 7.22 feet before the end of the line; thence with the western right of way line of NC Highway 55, with a curve to the right a radius of 5633.75 feet, an arc length of 49.92 feet, a chord bearing of South 02°20'20" East, a chord length of 49.92 feet to the point and place of beginning, containing an area of 6,168 square feet or 0.14 acres.

PIN 0740992632; 0740990489

Being two tracts of land now or formerly owned by RXR Len Apex Owner LLC, as described in Deed Book 19821, page 1026 and Deed Book 19789, page 32 in the Wake County Register of Deeds; being more particularly described as:

Beginning at a point, being the northeast corner of lands now or formerly owned by RXR Len Apex Owner LLC, as described in Deed Book 19821, page 1026 in the Wake County Register of Deeds, being also a corner on the western right of way line of N.C. Highway 55, a variable width public right of way as shown on Book of Maps 2024, page 630, the point of beginning; thence from the beginning and with the western right of way line of N.C. Highway 55, with a curve to the right a radius of 5412.50 feet, an arc length of 100.31 feet, a chord bearing of South 03°00'35" East, a chord length of 100.31 feet to a point on the northern line of lands now or formerly owned by RXR Len Apex Owner LLC, as described in Deed Book 19263, page 2403; thence leaving the western right of way line of N.C. Highway 55 and with said common line, South 89°43'19" West a distance of 116.24 feet to an existing iron pipe; thence South 02°18'46" East a distance of 50.01 feet to an existing iron pipe; thence North 89°40'44" East a distance of 116.17 feet to a point on the western right of way line of N.C. Highway 55; thence with the western right of way line of N.C. Highway 55, with a curve to the right a radius of 2791.21 feet, an arc length of 91.54 feet, a chord bearing of South 00°35'17" East, a chord length of 91.54 feet to a point; thence with a curve to the right a radius of 5411.27 feet, an arc length of 12.91 feet, a chord bearing of South 00°14'58" West, a chord length of 12.91 feet to a point on a northern line of lands now or formerly owned by RXR Len Apex Owner LLC, as shown as New Tract 4 on Book of Maps 2024, page 630; thence leaving the western right of way line of N.C. Highway 55 and with said common line, North 87°06'10" West a distance of 364.98 feet to an existing iron pipe; thence North 17°12'56" West a distance of 140.08 feet to an existing iron pipe, being the southwest corner of lands now or formerly owned by David E. Page, Heirs, as described in Deed Book 1107, page 549; thence with said common line, North 89°41'49" East a distance of 235.12 feet to a point; thence North 02°22'35" West a distance of 99.98 feet to an existing iron pipe on a southern line of lands now or formerly owned by RXR Len Apex Owner LLC, as shown as New Tract 4 on Book of Maps 2024, page 630; thence with said common line, North 89°36'58" East a distance of 166.91 feet to the point and place of beginning, containing an area of 66,202 square feet or 1.52 acres.

PIN: 0740283126 (6300 King David Court)

Being all of the land now or formerly owned by RXR Len Apex Owner, LLC, as described in Deed Book 19737, page 1859 in the Wake County Register of Deeds; being more particularly described as:

Beginning at a point, being the northeast corner of lands now or formerly owned by Roger W. and Glenda K. Bushee, as described in Deed Book 4691, page 197, being also a corner of lands now or formerly owned by RXR Len Apex Owner, LLC, as described in Deed Book 19263, page 2335, the point of beginning; thence from the beginning, and with the common line of RXR Len Apex Owner, LLC, North 09°39'36" East a distance of 200.09 feet to a point; thence North 85°22'14" East a distance of 220.54 feet to a point; thence South 25°29'27" East a distance of 398.53 feet to a point; thence South 28°17'19" West a distance of 258.03 feet to an existing iron pipe; thence South 89°42'24" West a distance of 427.65 feet to an existing iron pipe; thence North 09°53'16" East a distance of 120.00 feet to an existing iron pipe, being a southern corner of lands now or formerly owned by Roger W. and Glenda K. Bushee, as described in Deed Book 4691, page 197; thence with said common line, South 80°06'44" East a distance of 60.00 feet to a point; thence North 09°39'36" East a distance of 270.00 feet to the point and place of beginning, containing an area of 217,807 square feet or 5.00 acres.

PIN: 0730977967; 0740081019; 0740082199; 0740082327; 0740070950

Being all of the lands now or formerly owned by RXR Len Apex Owner, LLC, as described in Deed Book 20025, page 1418, and Yifei Wang and wife, Hua Mei, as described in Deed Book 18896, page 1725 in the Wake County Register of Deeds; being more particularly described as: Beginning at an existing iron pipe, being a western corner of lands now or formerly owned by RXR Len Apex Owner, LLC, as described in Deed Book 19297, page 1692, the point of beginning; thence from the beginning and with said common line, South 02°19'40" West a distance of 199.14 feet to a point, being a northwest corner of lands now or formerly owned by RXR Len Apex Owner, LLC, as described in Deed Book 19263, page 2403; thence with said common line, South 02°19'40" West a distance of 64.13 feet to an existing iron pipe, being a northwest corner of lands now or formerly owned by RXR Len Apex Owner, LLC, as described in Deed Book 19263, page 2403; thence with said common line, South 02°13'53" West a distance of 189.40 feet to an existing iron pipe; thence South 02°17'48" West a distance of 67.39 feet to an existing iron pipe, being a northeast corner of lands now or formerly owned by RXR Len Apex Owner, LLC, as described in Deed Book 19263, page 2403; thence with said common line, South 65°19'45" West a distance of 538.99 feet to a point; thence South 01°27'55" West a distance of 148.65 feet to a point; thence South 77°54'05" West a distance of 389.22 feet to an existing iron pipe; thence North 00°01'19" West a distance of 967.73 feet to a point; thence North 89°58'41" East a distance of 616.26 feet to an existing rebar; thence North 89°58'41" East a distance of 133.87 feet to an existing iron pipe, being a southwest corner of lands now or formerly owned by RXR Len Apex Owner, LLC, as described in Deed Book 19297, page 1692; thence with said common line, North 87°19'22" East a distance of 145.34 feet to the point and place of beginning, containing an area of 668,038 square feet or 15.34 acres.

Zoning line that runs across the subject parcels taken from legal description signed and sealed by Joe H. Patterson, III, L-3717, and dated 9/23/25, as included on pages 40-42 in rezoning report #24CZ23. Document accessed by Google on October 23, 2025 at the following weblink:

https://mccmeetingspublic.blob.core.usgovcloudapi.net/apexnc-meet-03a58966ba85431aa8fe86ef0da28897/ITEM-Attachment-001-2d34773ae54546f69e3816c213718a14.pdf

Zoning line in said description was aligned and merged with boundary performed by the John R. McAdams Company.

PIN: 0740240814, 0740241461, 0740241030

Being a portion of the lands now or formerly owned by RXR Len Apex Owner, LLC, as described in Deed Book 19263, page 2403 in the Wake County Register of Deeds; being more particularly described as:

Beginning at an existing concrete monument at a northwest corner of the subject lands, being on the eastern right of way line of Old Holly Springs Apex Road, a variable width public right of way as shown on Book of Maps 2022, page 2, and the southern right of way line of the NC Highway 540 ramp, a variable width controlled access right of way as described in Deed Book 15539, page 1855, the point of beginning; thence from the beginning and with the southern right of way line of the NC Highway 540 ramp, North 48°17'55" East a distance of 64.35 feet to a point; thence North 48°17'55" East a distance of 3.48 feet to a point; thence South 76°02'09" East a distance of 316.69 feet to an existing concrete monument, passing through an existing concrete monument 312.72 feet before the end of the line; thence South 77°42'22" East a distance of 224.13 feet to an existing concrete monument; thence North 74°21'52" East a distance of 75.00 feet to a point; thence leaving the southern right of way line of the NC Highway 540 ramp and across the subject lands now or formerly owned by RXR Len Apex Owner, LLC, as described in Deed Book 19263, page 2403, South 17°16'29" East a distance of 276.68 feet to a point; thence South 49°13'21" East a distance of 207.69 feet to a point; thence South 08°25'14" East a distance of 269.34 feet to a point; thence South 24°55'35" East a distance of 469.85 feet to a point on the northern line of lands now or formerly owned by Wake County, as described in Deed Book 2272, page 678; thence with said common line, North 88°36'32" West a distance of 1161.37 feet to an existing iron pipe, being an eastern corner of lands now or

formerly owned by Wake County, as described in Deed Book 4803, page 67; thence with said common line, North 04°58'10" East a distance of 362.56 feet to a point; thence South 89°45'44" West a distance of 59.47 feet to a point on the eastern right of way line of Old Holly Springs Apex Road, a variable width public right of way as shown on Book of Maps 2022, page 2; thence with the eastern right of way line of Old Holly Springs Apex Road, North 13°15'47" East a distance of 53.04 feet to an existing concrete monument; thence with a curve to the left a radius of 1700.00 feet, an arc length of 338.32 feet, a chord bearing of North 07°33'43" East, a chord length of 337.77 feet to an existing concrete monument, passing through an existing concrete monument 305.65 feet before the end of the line; thence with a curve to the left a radius of 1900.00 feet, an arc length of 76.93 feet, a chord bearing of North 01°06'08" West, a chord length of 76.92 feet to an existing concrete monument; thence with a curve to the left a radius of 1900.00 feet, an arc length of 63.33 feet, a chord bearing of North 01°01'01" West, a chord length of 63.33 feet to an existing concrete monument; thence with a curve to the left a radius of 1900.00 feet, an arc length of 31.67 feet, a chord bearing of North 02°26'58" West, a chord length of 31.67 feet to an existing concrete monument; thence North 02°54'23" East a distance of 203.97 feet to the point and place of beginning, containing an area of 1,000,850 square feet or 22.98 acres.

PIN: 0740558687 “0” Technology Drive

Beginning at an existing Rebar having an NC Grid NAD 83 Coordinate of N: 706447.20 E: 2046758.62. Thence South 01°08'38" East a distance of 80.10 feet to a point; thence North 88°51'22" East a distance of 155.80 feet to a point; thence South 02°16'41" West a distance of 461.59 feet to a point along the Northern Right of Way of NC Highway 540; thence along Right of way South 61°27'09" West a distance of 26.84 feet to a point; thence South 59°58'25" West a distance of 237.08 feet to a point; thence North 28°22'04" West a distance of 10.00 feet to a point; thence with a curve turning to the right with an arc length of 786.41 feet, with a radius of 1650.00 feet, with a chord bearing of South 75°17'10" West, with a chord length of 778.99 feet to a point; thence North 88°45'04" West a distance of 203.97 feet to a point; thence North 87°37'46" West a distance of 718.10 feet to a point; thence North 87°36'50" West a distance of 643.60 feet to a point; thence North 87°37'20" West a distance of 356.63 feet to a point; thence leaving said Right of way North 19°26'04" East a distance of 147.77 feet to a point; thence North 11°48'54" West a distance of 104.71 feet to a point; thence North 30°01'31" East a distance of 156.29 feet to a point; thence North 23°38'07" West a distance of 210.79 feet to a point; thence North 03°52'45" East a distance of 158.77 feet to a point; thence North 88°51'48" East a distance of 28.47 feet to an Iron Pipe; thence North 88°51'48" East a distance of 1457.31 feet to a point; thence North 88°51'48" East a distance of 1251.38 feet to the Point of Beginning,

Having an area of 2202540 square feet, 50.56 acres

Tract PIN: 0740-07-8021 (REID: 0407983)

Being a portion of the land now or formerly owned by RXR Len Apex Owner, LLC, as described in Deed Book 19263, page 2403 in the Wake County Register of Deeds; being more particularly described as: Beginning at an existing concrete monument at the northeast corner of the subject parcel, being on the western right of way line of Veridea Parkway, a variable width controlled access and public right of way as described in Deed Book 15539, page 1885, the point of beginning; thence from the beginning and with the western right of way line of Veridea Parkway, with a curve to the right a radius of 1933.03 feet, an arc length of 173.41 feet, a chord bearing of South 14°22'33" West, a chord length of 173.35 feet to a point; thence South 16°56'46" West a distance of 296.14 feet to a point; thence South 36°46'38" West a distance of 128.94 feet to a point; thence South 21°28'31" West a distance of 304.38 feet to a point; thence South 20°42'10" West a distance of 61.19 feet to a point; thence with a curve to the left a radius of 6150.50 feet, an arc length of 428.45 feet, a chord bearing of South 18°25'23" West, a chord length of 428.36 feet to an existing concrete monument; thence with a curve to the left a radius of 6150.50 feet, an arc length of 203.98 feet, a chord bearing of South 15°28'40" West, a chord length of 203.97 feet to an existing concrete monument; thence with a curve to the left a radius of 6150.50 feet, an arc length of 244.84 feet, a chord bearing of South 13°23'14" West, a chord length of 244.82 feet to an existing concrete monument on the northern right of way line of N.C. Highway 540, a variable width controlled access right of way, as described in Deed Book 15539, page 1837; thence with the northern right of way line of N.C. Highway 540, South 82°34'50" West a distance of 63.94 feet to an existing concrete monument; thence with a curve to the right a radius of 4035.00 feet, an arc length of 584.49 feet, a chord bearing of North 63°59'55" West, a chord length of 583.98 feet to a point, being the southeast corner of lands now or formerly owned by RXR Len Apex Owner, LLC, as described in Deed Book 19263, page 2403; thence leaving the northern right of way line of N.C. Highway 540 and with said common line, North 02°26'42" East a distance of 1505.96 feet to an existing iron pipe, being the southwest corner of lands now or formerly owned by RXR Len Apex Owner, LLC, as described in Deed Book 19263, page 2403; thence with said common line, South 89°09'45" East a distance of 1110.26 feet to the point and place of beginning, containing an area of 1,405,383 square feet or 32.26 acres.

Tract PIN: 0740-16-7653 (REID: 0407980)

Being a portion of the land now or formerly owned by RXR Len Apex Owner, LLC, as described in Deed Book 19263, page 2403 in the Wake County Register of Deeds; being more particularly described as: Beginning at an existing rebar with cap at the southeast corner of the subject parcel, being on the northern right of way line of the N.C. Highway 540 Ramp, a variable width controlled access right of way, as described in Deed Book 15539, page 1855, the point of beginning; thence from the beginning and with the northern right of way line of the N.C. Highway 540 Ramp, North 65°24'12" West a distance of 112.48 feet to an existing concrete monument; thence with a curve to the right a radius of 865.00 feet, an arc length of 261.30 feet, a chord bearing of North 54°43'51" West, a chord length of 260.31 feet to an existing concrete monument; thence North 42°11'22" West a distance of 182.87 feet to an existing concrete monument; thence North 40° 19'02" West a distance of 35.61 feet to a point; thence North 44°05'45" West a distance of 184.73 feet to an existing concrete monument; thence with a curve to the left a radius of 534.00 feet, an arc length of 249.50 feet, a chord bearing of North 64°32'31" West, a chord length of 247.24 feet to an existing concrete monument; thence North 77°55'37" West a distance of 220.93 feet to an existing concrete monument; thence North 25° 05'55" West a distance of 60.93 feet to an existing concrete monument on the eastern right of way line of Veridea Parkway, a variable width controlled access and public right of way, as described in Deed Book 15539, page 1885; thence with the eastern right of way line of Veridea Parkway, with a curve to the right a radius of 5930.50 feet, an arc length of 363.87 feet, a chord bearing of North 18°48'19" East, a chord length of 363.81 feet to a point; thence North 20°49'17" East a distance of 59.37 feet to a point; thence North 17°36'52" East a distance of 299.95 feet to a point; thence North 07°20'42" East a distance of 127.17 feet to a point; thence North 16°56'54" East a distance of 296.14 feet to a point; thence with a curve to the left a radius of 2067.50 feet, an arc length of 227.29 feet, a chord bearing of North 13°47'56" East, a chord length of 227.18 feet to a point, being a southwest corner of lands now or formerly owned by RXR Len Apex Owner, LLC, as described in Deed Book 19263, page 2335; thence leaving the eastern right of way line of Veridea Parkway and with said common line, North 84°14'41" East a distance of 440.42 feet to a point, being the northwest corner of lands now or formerly owned by RXR Len Apex Owner, LLC, as described in Deed Book 19263, page 2335; thence with said common line, South 01°55'47" East a distance of 1400.56 feet to a point; thence North 87°37'02" East a distance of 180.32 feet to a point; thence South 00°14'49" East a distance of 667.80 feet to the point and place of beginning, containing an area of 1,187,508 square feet or 27.26 acres.

PIN: 0730865572, 0730852539, 0740052449

BEING A PORTION OF THE LANDS NOW OR FORMERLY OWNED BY RXR LEN APEX OWNER, LLC, AS DESCRIBED IN DEED BOOK 19263, PAGE 2403, IN THE WAKE COUNTY REGISTER OF DEEDS; BEING MORE PARTICULARLY DESCRIBED AS: BEGINNING AT A CONCRETE MONUMENT ON THE WESTERN RIGHT OF WAY OF VERIDEA PARKWAY, SAID MONUMENT BEING ON THE NORTHERN LINE OF THE TRACT SHOWN ON BOOK OF MAPS 1986, PAGE 1865, THE POINT OF BEGINNING; THENCE NORTH 71°59'15" WEST A DISTANCE OF 337.68 FEET TO AN IRON PIPE; THENCE NORTH 86°29'50" WEST A DISTANCE OF 829.07 FEET TO AN IRON PIPE, THE NORTHEAST CORNER OF TRACT 3 AS SHOWN ON BOOK OF MAPS 2022, PAGE 3; THENCE WITH SAID COMMON LINE SOUTH 87°43'51" WEST A DISTANCE OF 2,965.86 FEET TO AN IRON PIPE ON THE EASTERN LINE OF TRACT F, AS SHOWN ON BOOK OF MAPS 1974, PAGE 228; THENCE WITH SAID COMMON LINE NORTH 00°24'36" EAST A DISTANCE OF 1,161.04 FEET TO A POINT ON THE SOUTHERN LINE OF TRACT B, AS SHOWN ON BOOK OF MAPS 1979, PAGE 686; THENCE WITH SAID COMMON LINE SOUTH 78°13'36" EAST A DISTANCE OF 73.65 FEET TO A POINT; THENCE SOUTH 70°13'09" EAST A DISTANCE OF 113.59 FEET TO A POINT; THENCE SOUTH 71°57'54" EAST A DISTANCE OF 121.73 FEET TO A POINT; THENCE SOUTH 70°58'13" EAST A DISTANCE OF 114.09 FEET TO A POINT; THENCE SOUTH 72°14'11" EAST A DISTANCE OF 343.92 FEET TO A POINT; THENCE SOUTH 74°17'38" EAST A DISTANCE OF 315.81 FEET TO A POINT; THENCE SOUTH 65°13'58" EAST A DISTANCE OF 138.23 FEET TO A POINT; THENCE SOUTH 65°10'08" EAST A DISTANCE OF 10.00 FEET TO A POINT IN BIG BRANCH; THENCE WITH SAID BRANCH NORTH 19°49'58" EAST A DISTANCE OF 52.46 FEET TO A POINT; THENCE NORTH 27°34'56" EAST A DISTANCE OF 25.74 FEET TO A POINT; THENCE NORTH 62°53'48" EAST A DISTANCE OF 26.76 FEET TO A POINT; THENCE NORTH 29°01'04" WEST A DISTANCE OF 21.84 FEET TO A POINT; THENCE NORTH 05°59'14" WEST A DISTANCE OF 34.25 FEET TO A POINT; THENCE NORTH 49°53'01" EAST A DISTANCE OF 15.65 FEET TO A POINT; THENCE NORTH 35°50'22" EAST A DISTANCE OF 26.00 FEET TO A POINT; THENCE NORTH 57°56'55" WEST A DISTANCE OF 27.74 FEET TO A POINT; THENCE SOUTH 77°56'49" WEST A DISTANCE OF 70.86 FEET TO A POINT; THENCE NORTH 69°25'39" WEST A DISTANCE OF 55.42 FEET TO A POINT; THENCE NORTH 16°13'12" WEST A DISTANCE OF 54.07 FEET TO A POINT; THENCE NORTH 47°24'29" EAST A DISTANCE OF 30.81 FEET TO A POINT; THENCE SOUTH 76°52'37" EAST A DISTANCE OF 46.52 FEET TO A POINT; THENCE NORTH 23°54'47" EAST A DISTANCE OF 15.13 FEET TO A POINT; THENCE NORTH 10°53'04" EAST A DISTANCE OF 79.33 FEET TO A POINT; THENCE NORTH 70°48'08" WEST A DISTANCE OF 21.80 FEET TO A POINT; THENCE NORTH 13°57'57" WEST A DISTANCE OF 44.13 FEET TO A POINT; THENCE NORTH 54°45'55" WEST A DISTANCE OF 48.38 FEET TO A POINT; THENCE SOUTH 57°21'14" WEST A DISTANCE OF 58.90 FEET TO A POINT; THENCE SOUTH 44°33'39" WEST A DISTANCE OF 46.68 FEET TO A POINT; THENCE NORTH 46°24'21" WEST A DISTANCE OF 39.79 FEET TO A POINT; THENCE NORTH 72°29'35" WEST A DISTANCE OF 36.60 FEET TO A POINT; THENCE SOUTH 47°15'35" WEST A DISTANCE OF 18.92 FEET TO A POINT; THENCE NORTH 74°35'59" WEST A DISTANCE OF 21.22 FEET TO A POINT; THENCE NORTH 28°54'22" WEST A DISTANCE OF 20.74 FEET TO A POINT; THENCE NORTH 42°54'07" WEST A

DISTANCE OF 46.75 FEET TO A POINT; THENCE NORTH 06°55'02" EAST A DISTANCE OF 26.65 FEET TO A POINT; THENCE NORTH 88°27'17" EAST A DISTANCE OF 37.67 FEET TO A POINT; THENCE NORTH 27°00'55" EAST A DISTANCE OF 19.39 FEET TO A POINT; THENCE NORTH 01°16'06" EAST A DISTANCE OF 31.60 FEET TO A POINT; THENCE NORTH 45°55'37" EAST A DISTANCE OF 50.02 FEET TO A POINT; THENCE NORTH 01°23'54" EAST A DISTANCE OF 14.01 FEET TO A POINT; THENCE NORTH 65°17'04" WEST A DISTANCE OF 42.02 FEET TO A POINT; THENCE NORTH 01°21'12" EAST A DISTANCE OF 32.19 FEET TO A POINT; THENCE NORTH 46°19'10" WEST A DISTANCE OF 51.21 FEET TO A POINT; THENCE NORTH 06°48'02" EAST A DISTANCE OF 35.97 FEET TO A POINT; THENCE NORTH 69°34'03" EAST A DISTANCE OF 41.13 FEET TO A POINT; THENCE NORTH 39°27'36" EAST A DISTANCE OF 39.13 FEET TO A POINT; THENCE NORTH 15°04'34" WEST A DISTANCE OF 20.63 FEET TO A POINT; THENCE NORTH 51°45'25" WEST A DISTANCE OF 25.88 FEET TO A POINT; THENCE NORTH 30°03'26" EAST A DISTANCE OF 27.95 FEET TO A POINT; THENCE SOUTH 60°17'18" EAST A DISTANCE OF 30.79 FEET TO A POINT; THENCE SOUTH 36°34'38" EAST A DISTANCE OF 34.28 FEET TO A POINT; THENCE SOUTH 78°45'43" EAST A DISTANCE OF 52.43 FEET TO A POINT; THENCE NORTH 41°36'19" EAST A DISTANCE OF 15.36 FEET TO A POINT; THENCE NORTH 04°43'43" EAST A DISTANCE OF 44.44 FEET TO A POINT; THENCE NORTH 30°37'30" EAST A DISTANCE OF 51.77 FEET TO A POINT; THENCE NORTH 05°00'41" EAST A DISTANCE OF 35.48 FEET TO A POINT; THENCE SOUTH 62°04'45" WEST A DISTANCE OF 33.82 FEET TO A POINT; THENCE NORTH 44°58'03" WEST A DISTANCE OF 39.84 FEET TO A POINT; THENCE NORTH 44°37'02" EAST A DISTANCE OF 21.58 FEET TO A POINT; THENCE NORTH 53°05'19" EAST A DISTANCE OF 60.88 FEET TO A POINT; THENCE NORTH 61°15'57" WEST A DISTANCE OF 39.17 FEET TO A POINT; THENCE NORTH 50°49'25" WEST A DISTANCE OF 23.78 FEET TO A POINT; THENCE NORTH 10°03'59" WEST A DISTANCE OF 28.54 FEET TO A POINT; THENCE NORTH 38°48'29" EAST A DISTANCE OF 55.95 FEET TO A POINT; THENCE NORTH 43°08'07" WEST A DISTANCE OF 60.59 FEET TO A POINT; THENCE NORTH 42°28'11" EAST A DISTANCE OF 31.74 FEET TO A POINT; THENCE NORTH 70°54'18" WEST A DISTANCE OF 69.18 FEET TO A POINT; THENCE NORTH 86°35'18" WEST A DISTANCE OF 111.94 FEET TO A POINT; THENCE NORTH 47°58'54" WEST A DISTANCE OF 68.58 FEET TO A POINT; THENCE NORTH 30°52'49" EAST A DISTANCE OF 32.56 FEET TO A POINT; THENCE NORTH 21°24'56" WEST A DISTANCE OF 54.07 FEET TO A POINT; THENCE NORTH 55°25'47" EAST A DISTANCE OF 39.27 FEET TO A POINT; THENCE NORTH 03°25'23" WEST A DISTANCE OF 46.46 FEET TO A POINT; THENCE NORTH 31°42'04" EAST A DISTANCE OF 54.96 FEET TO A POINT; THENCE NORTH 18°30'38" EAST A DISTANCE OF 44.10 FEET TO A POINT; THENCE NORTH 01°10'29" WEST A DISTANCE OF 65.77 FEET TO A POINT; THENCE NORTH 22°17'56" WEST A DISTANCE OF 29.93 FEET TO A POINT; THENCE NORTH 19°15'09" EAST A DISTANCE OF 2.52 FEET TO A POINT ON THE SOUTH LINE OF ROBERT BEREMAN; THENCE WITH SAID COMMON LINE NORTH 87°19'40" EAST A DISTANCE OF 837.86 FEET TO A POINT ON THE SOUTHERN RIGHT OF WAY OF NORTH CAROLINA HIGHWAY 540; THENCE WITH SAID RIGHT OF WAY SOUTH 48°51'19" EAST A DISTANCE OF 616.60 FEET TO A REBAR WITH CAP; THENCE NORTH 44°43'56" EAST A DISTANCE OF 25.00 FEET TO A REBAR WITH CAP; THENCE SOUTH 50°09'33" EAST A DISTANCE OF 205.32 FEET TO A REBAR WITH CAP;

THENCE SOUTH 39°54'37" EAST A DISTANCE OF 212.61 FEET TO A REBAR WITH CAP; THENCE A CURVE TO THE LEFT A RADIUS OF 4,375.00 FEET, AN ARC LENGTH OF 311.61 FEET, A CHORD BEARING OF SOUTH 45°34'54" EAST, A CHORD LENGTH OF 311.54 FEET TO A REBAR WITH CAP; THENCE A CURVE TO THE LEFT, A RADIUS OF 4,375.00 FEET, AN ARC LENGTH OF 1,106.45 FEET, A CHORD BEARING OF SOUTH 54°52'03" EAST, A CHORD LENGTH OF 1,103.50 FEET TO A POINT; THENCE A CURVE TO THE LEFT, A RADIUS OF 4,375.00 FEET, AN ARC LENGTH OF 456.34 FEET, A CHORD BEARING OF SOUTH 65°10'37" EAST, A CHORD LENGTH OF 456.13 FEET TO A CONCRETE MONUMENT; THENCE SOUTH 49°00'55" EAST A DISTANCE OF 133.17 FEET TO A POINT ON THE WESTERN RIGHT OF WAY OF VERIDEA PARKWAY; THENCE WITH SAID RIGHT OF WAY, A CURVE TO THE LEFT, A RADIUS OF 1,680.00 FEET, AN ARC LENGTH OF 355.38 FEET, A CHORD BEARING OF SOUTH 05°50'57" WEST, A CHORD LENGTH OF 354.72 FEET TO A POINT; THENCE WITH A CURVE TO THE LEFT A RADIUS OF 1,680.00 FEET, AN ARC LENGTH OF 205.93 FEET, A CHORD BEARING OF SOUTH 03°43'21" EAST, A CHORD LENGTH OF 205.80 FEET TO THE POINT OF BEGINNING; CONTAINING 5,629,803 SQUARE FEET OR 129.24 ACRES.

PIN: 0741117192

Being all of the land now or formerly owned by RXR Len Apex Owner, LLC, as described as “PIN: 0741-11-7192 (Tract 1)” in Deed Book 19947, page 487 in the Wake County Register of Deeds; being more particularly described as: Beginning at an existing concrete monument on the eastern right of way line of Veridea Parkway, a 60 foot public right of way as shown on Book of Maps 2003, page 1756, being also a corner on the northern right of way line of U.S. Highway 1, a variable width controlled access right of way as shown on Book of Maps 2010, page 282, the point of beginning; thence from the beginning and with the eastern right of way line of Veridea Parkway, North 35°53'59" West a distance of 81.82 feet to an existing iron pipe, being a southern corner of lands now or formerly owned by Greater Raleigh Area Christian Education, Inc., as shown on Book of Maps 2015, page 14; thence leaving the eastern right of way line of Veridea Parkway and with said common line, North 00°44'04" East a distance of 32.54 feet to an existing iron pipe; thence South 89°07'32" East a distance of 204.62 feet to an existing iron pipe on the northern right of way line of U.S. Highway 1; thence with the northern right of way line of U.S. Highway 1, South 58°38'37" West a distance of 183.90 feet to the point and place of beginning, containing an area of 10,829 square feet or 0.25 acres.

November 26, 2025

Town of Apex

Planning Department

322 N. Mason Street

Apex, NC 27502

RE: Veridea Environmental Enhancement Plan (EEP) Amendment

To Whom It May Concern,

This letter is to inform you of a proposed amendment to the Veridea Environmental Enhancement Plan (EEP) to facilitate the development of the North Carolina Children's Hospital and campus.

The Veridea Environmental Enhancement Plan was approved by the Town of Apex on February 28th, 2023 (Ordinance #2023-023).

In the summer of 2025, North Carolina Children's announced their intention to develop a new, state-of-the-art children's hospital within Veridea, bringing North Carolina's first freestanding children's hospital to the Triangle. The hospital and its supporting uses (including but not limited to medical, research, academic, administrative, transport, patient and family respite and accommodations) have a specific set of needs for sustainable building and site design. These unique considerations require the enclosed technical exemptions to the Environmental Enhancement Plan (Exhibit A).

Exhibit A includes the proposed exemptions from technical standards found in the EEP. The exemptions that apply to the health care campus and surrounding supporting uses (including but not limited to medical, research, academic, administrative, transport, patient and family respite and accommodations, central utility plant, and adequate parking facilities) which will make up the campus are found in Part 1 of Exhibit A. Exemptions for the overall SD-CZ Zoned area are contained within Part 2 of Exhibit A.

Exemptions requested herein include standards which relate to specific energy performance ratings, specific fixtures, and EV parking. Where exemptions from text are requested, the full text is provided.

A corresponding UDO Amendment application has been filed in the Town's development portal.

Sincerely,

Veridea Development Team

Exhibit A.

Veridea EEP Plan Amendment

Proposed Text Changes

November 26, 2025

PART 1 NCC Campus Property

The Environmental Enhancement Plan south of US 1, east of I-540, and west of Veridea Parkway (PINs 0740191376, 0730996270, 0730977087, 0730977967, 0740081019, 0740070950, 0740082327, 0740082199, 0740078021, 0740180091, 0740180331, 0731902142 (portion of)) and a portion of the Sustainable Development Plan south of US 1 and east of Veridea Parkway (PINs 0741207566, 0741203157, 0740293940) will retain all of the standards from Ordinance # ORD-2023-023 except:

Section I: Building Standards

Exemption from I.A.1.a., b. & e.

a. In furtherance of the goals set forth in SD Plan 3.7.2, all non-residential and mixed-use buildings in Veridea shall provide plan analysis demonstrating improvement of energy performance by 20% compared to baseline building performance ratings per ASHRAE/ IESNA Standard 90.1-2010 Appendix G. (Note: 2010 ASHREA is being referenced here, consistent with current LEED Rating System benchmark standard).

b. At build-out of Veridea, a minimum of 50% of non-residential buildings within Veridea shall be certified under one of these 3rd Party Certification Program options:

    a. LEED Rating System
    b. Green Globes
    c. Fitwel
    d. Similar alternative standard as determined by the Responsible Party

    Responsible Party will ensure the ability to meet this 50% commitment at the time of each non-residential building permit application to the Town of Apex.

e. Documentation

    i. For all buildings, a letter of compliance shall be provided to the Town with the submittal of building permits for that building by a Professional Engineer (PE) licensed to practice in North Carolina, an architect licensed in North Carolina, OR a qualified third-party certifier stating that, in his or her opinion, the building

design demonstrates improvement of energy performance by 20% compared to baseline building performance ratings per ASHRAE/ IESNA Standard 90.1-2010 Appendix G.

ii. For each building that is developed to meet the standards for certification under one of the 3rd Party Certification Options, a letter of building certification from the selected program shall be provided to the Town at building completion.

Exemption from I.B.1. & 2.

1. Bathroom Fixtures

    a. 100% of showerheads, lavatory faucets and toilets/urinals shall be WaterSense rated fixtures.

2. Water Using Appliances

    a. Dishwashers and clothes washers installed by builder must be Energy Star qualified.

PART 2 Veridea Properties Zoned SD-CZ

With respect to the entirety of the Development, the following exceptions and amendments to the Environmental Enhancement Plan shall apply:

Section V. Air Quality Protection

Modification to V. h.

h. ~~Parking for electric vehicles and bicycles will be provided as required by the Town of Apex UDO~~. Parking requirements:

i. Bicycle parking shall be provided as required by the Town of Apex UDO.

ii. For all uses on the NC Children's health care campus, EV charging spaces shall be provided for 0.3% of the required parking spaces and EV-Ready spaces shall be provided for 1.5% of the required parking spaces.

iii. Multi-family development and hotels shall be required to provide 10% of the required parking as EV charging spaces and 35% of the required parking as EV-Ready spaces.

iv. Higher Education uses shall provide 1% of the required parking as EV Charging spaces and 1.5% of the required parking as EV-Ready spaces.

v. Elementary, junior, and high schools (public or private) are required to meet UDO requirements for EV parking.

vi. All other uses shall be required to provide the UDO required amount of electric vehicle charging spaces and 10% of the required parking as EV-Ready spaces.

vii. For all uses with the Veridea SD-CZ zoning, in-lieu of EV-Ready spaces as defined in Article 12 of the Unified Development Ordinance, EV-Capable spaces shall be allowed. EV-Capable shall mean the installation of "raceway" (the enclosed conduit that forms the physical pathway for electrical wiring to protect it from damage) from the parking space to the nearest electrical distribution room for structured parking or the nearest manhole or hand hole for surface parking. Wire, circuitry, receptacles, chargers, electrical panels, distribution equipment, and/or any other supporting equipment are not required.

ORD · 2023 (5)

023

AN ORDINANCE TO ADOPT ADDITIONAL SUSTAINABILITY STANDARDS FOR VERIDEA

BE IT ORDAINED by the Town Council of the Town of Apex as follows:

Section 1. The Environmental Enhancement Plan for Veridea is hereby adopted in accordance with Section 2.3.16.F.3.b of the Unified Development Ordinance and Section 3.1.2 of the Sustainable Development Plan adopted for Veridea by Rezoning #09CZ07 ("Veridea SD Plan").

Section 2. 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.

Section 3. Pursuant to Section 3.3.4 of the Veridea SD Plan, the Environmental Enhancement Plan in Attachment "B" is hereby incorporated into the Veridea SD Plan and is applicable to the land described in Attachment "A" and to any lands subsequently rezoned to be included in the Veridea SD Plan.

Section 4. The ordinance shall be effective upon enactment on the 28th day of February 2023.

Introduced by Council Member Gantt

Seconded by Council Member Gray

Attest:

Allen Coleman, CMC, NCCCC
Town Clerk

TOWN OF APEX

Jacques K. Gilbert
Mayor

Approved As To Form:

Laurie L. Hohe
Town Attorney

APEX 1873 NORTH CAROLINA

Attachment A

Property Description

Tract 1 (Poe):

BEGINNING at a point which is the northeast corner of the 54.650 acre tract shown on Boundary Survey Prepared for Apex Land Assemblage, LLC by Riley Surveying, PA dated February 23, 2006 and recorded in Book of Maps 2006, Page 416, Wake County Registry; thence along the line of said 54.650 acre tract N 89° 54' 34" W 1794.53 feet to a point in the centerline of Big Branch; thence along the centerline of Big Branch, the following courses and distances denoted L87 through L156 on the following table:

CENTERLINE BIG BRANCH

LINE TABLE		
LINE	*BEARING*	*LENGTH*
L87	*N20° 48' 14" E*	*52.19*
L88	*N27° 36' 15" E*	*25.74*
L89	*N62° 55' 07" E*	*26.76*
L90	*N28° 59' 45" W*	*21.84*
L91	*N05° 57' 55" W*	*34.25*
L92	*N49° 54' 20" E*	*15.65*
L93	*N35° 51' 41" E*	*26.00*
L94	*N57° 55' 36" W*	*27.74*
L95	*S77° 58' 08" W*	*70.86*
L96	*N69° 24' 20" W*	*55.42*
L97	*N16° 11' 53" W*	*54.07*
L98	*N47° 25' 48" E*	*30.81*
L99	*S76° 51' 18" E*	*46.52*
L100	*N23° 56' 06" E*	*15.13*
L101	*N10° 54' 23" E*	*79.33*
L102	*N70° 46' 49" W*	*21.80*
L103	*N13° 56' 38" W*	*44.13*
L104	*N54° 44' 36" W*	*48.38*
L105	*S57° 22' 33" W*	*58.59*
L106	*S44° 34' 58" W*	*46.68*
L107	*N46° 23' 02" W*	*39.79*
L108	*N72° 28' 16" W*	*36.60*
L109	*S47° 16' 54" W*	*18.92*
L110	*N74° 34' 40" W*	*21.22*
L111	*N28° 53' 03" W*	*20.74*
L112	*N42° 52' 48" W*	*46.75*
L113	*N06° 56' 21" E*	*26.65*
L114	*N88° 28' 36" E*	*43.87*
L115	*N27° 02' 14" E*	*18.93*
L116	*N01° 17' 25" E*	*31.60*
L117	*N45° 56' 56" E*	*50.02*
L124	*N39° 28' 55" E*	*39.13*
L125	*N15° 03' 15" W*	*20.63*
L126	*N51° 44' 06" W*	*25.88*
L127	*N30° 05' 45" E*	*27.95*
L128	*S60° 15' 59" E*	*30.79*
L129	*S36° 33' 19" E*	*34.28*
L130	*S78° 44' 24" E*	*52.43*
L131	*N41° 37' 38" E*	*15.36*
L132	*N04° 45' 02" E*	*44.44*
L133	*N30° 38' 49" E*	*51.77*
L134	*N05° 02' 00" W*	*35.48*
L135	*S62° 06' 04" W*	*33.82*
L136	*N44° 56' 44" W*	*39.84*
L137	*N44° 38' 21" E*	*21.58*
L138	*N53° 06' 38 E*	*60.88*
L139	*N61° 14' 38" W*	*39.17*
L140	*N50° 48' 06" W*	*23.78*
L141	*N10° 02' 40" W*	*28.54*
L142	*N38° 49' 48" E*	*55.95*
L143	*N43° 06' 48" W*	*60.59*
L144	*N42° 29' 30" E*	*31.74*
L145	*N70° 52' 59" W*	*69.18*
L146	*N86° 33' 59" W*	*111.94*
L147	*N47° 57' 35" W*	*68.58*
L148	*N30° 54' 08" E*	*32.56*
L149	*N21° 23' 37" W*	*54.07*
L150	*N55° 27' 06" E*	*39.27*
L151	*N03° 24' 04" W*	*46.46*
L152	*N31° 43' 23" E*	*54.96*
L153	*N18° 31' 57" E*	*44.10*
L154	*N01° 09' 10" W*	*65.77*
L155	*N22° 16' 37" W*	*29.93*
L156	*N19° 16' 28" E*	*2.52*

L118	*N01° 25' 13" E*	*14.01*
L119	*N65° 15' 45" W*	*42.02*
L120	*N01° 22' 31" E*	*32.19*
L121	*N46° 17' 51" W*	*51.21*
L122	*N06° 49' 21" E*	*35.97*
L123	*N69° 35' 22" E*	*41.13*

Thence leaving the course of Big Branch, N 87° 20' 59" E 1317.72 feet to a point; thence N 00° 20' 59" E 1411.74 feet to a point; thence N 87° 17' 47" E 1396.96 feet to a point; thence S 02° 19' 40" W 527.05 feet to a point; thence S 90° 00' 00" W 750.13 feet to a point; thence S 00° 00' 00" W 967.73 feet to a point; thence N 77° 55' 24" E 389.22 feet to a point; thence N 01° 29' 14" E 148.65 feet to a point; thence N 65° 20' 41" E 538.98 feet to a point; thence S 02° 20' 59" W 179.73 feet to a point; thence S 02° 28' 41" W 1915.88 feet to a point; thence N 89° 11' 33" W 648.01 feet to the point and place of beginning and being all of Tract 3 containing 128.439 acres shown on a survey entitled "Exempt Division Survey – Property of Bobby and Elizabeth Poe" prepared by Riley Surveying, PA dated November 9, 2006.

Tract 2 (Poe):

BEING all of the 1.710 acre tract and the 0.042 acre tract shown as area in the right of way of Old Holly Springs – Apex Road shown on a map entitled "Property of Bobby W. and Elizabeth A. Poe, F.D. Prince, Sr, Trustee" recorded in Book of Maps 2002, Page 109, Wake County Registry, reference to which is hereby made for greater certainty of description and also being more particularly described as follows: Beginning at an existing nail in the northwest corner of the property of E.K. Huang, et. al. as described in Deed Book 6650, Page 866, Wake County Registry, and the southwest corner of the property of F.D. Prince, Sr. as described in Deed Book 8291, page 540, Wake County Registry, runs thence North 05 degrees 23 minutes 24 seconds East 64.21 feet to an iron pipe; thence North 74 degrees 31 minutes 24 seconds East 381.93 feet to an iron pipe; thence South 86 degrees 04 minutes 18 seconds East 863.27 feet to an iron pipe in the west right of way of SR 1153 (Old Holly Springs – Apex Road). Thence South 86 degrees 04 minutes 18 seconds East 30.32 feet to the centerline of SR 1153; thence along the centerline of SR 1153, South 12 degrees, 45 minutes 03 seconds West 60.72 feet to a point; thence with the north line of Huang, et. al., North 86 degrees 04 minutes 18 seconds West 30.32 feet to an existing iron pipe; thence North 86 degrees 04 minutes 18 seconds West 843.70 feet to an existing iron pipe; thence South 74 degrees 31 minutes 24 seconds West 394.54 feet to an existing iron pipe, the point and place of Beginning, and also being Tract 1 containing 1.754 acres shown on a survey entitled "Exempt Division Survey – Property of Bobby and Elizabeth Poe" prepared by Riley Surveying, PA dated November 9, 2006.

Tract 3 (Lyna):

BEGINNING at a point in the centerline of Old Holly Springs Apex Road, said point being calculated as follows: Beginning at a point in the line of Tract A shown on a map entitled "Proposed Subdivision and Recombination of Properties of Wake County" which is recorded in Book of Maps 1998, Page 782, Wake County Registry, said point also being North 45° 03' 47" East 1591.01 feet from the centerline of the intersection of Old Holly Springs Apex Road and

Woods Creek Road; thence North 09° 24' 42" East 362.56 feet to a point; thence North 85° 47' 44" West 162.21 feet to an iron pin in the centerline of Old Holly Springs Apex Road; thence along the centerline of Old Holly Springs Apex Road in an northerly direction along a left hand curve having a radius of 1963.49 feet an arc distance of 423.08 feet and chord bearing and distance of North 12° 12' 26" East 422.26 feet to the POINT AND PLACE OF BEGINNING: thence continuing along the centerline of said Old Holly Springs Apex Road in a northerly direction along a left hand curve having a radius of 1963.49 feet, an arc distance of 259.39 feet and a chord bearing and distance of North 02° 14' 59" East 259.20 feet; thence North 00° 00' 56" East 187.39 feet to a point; thence South 67° 20' 57" East 925.18 feet to a point; thence South 61° 30' 00" East 301.10 feet to a point; thence South 73° 33' 19" East 346.87 feet to a point; thence South 74° 36' 50" East 217.48 feet to a point; thence South 70° 39" 03" East 219.39 feet to a point; thence South 66° 06' 14" East 183.83 feet to a point; thence South 51° 10' 55" East 327.09 feet to a point in the centerline of White Oak Creek a/k/a Falls Branch Creek; thence along the centerline of said creek as follows: South 03° 23' 35" East 31.18 feet to a point; thence South 19° 58' 50" East 138.13 feet to a point; thence South 09° 01' 05" West 63.94 feet to a point; thence South 22° 49' 37" West 94.25 feet to a point; thence South 05° 19' 49" West 65.12 feet to a point; thence leaving the center line of said creek N 67° 48' 05" W 2481.26 feet to the point and place of BEGINNING and being all of Tract 1 containing 23.62 acres as shown on a survey entitled "Exempt Subdivision prepared for Apex Land Assemblage, LLC" by Riley Surveying, P.A. dated May 13, 2005.

Tract 4 (Reeves):

BEGINNING at a point in the line of Tract A shown on a map entitled "Proposed Subdivision and Recombination of Properties of Wake County" which is recorded in Book of Maps 1998, Page 782, Wake County Registry, said point also being North 45° 03' 47" East 1591.01 feet from the centerline of the intersection of Old Holly Springs Apex Road and Woods Creek Road, being the point and place of BEGINNING, thence North 09° 24' 42" East 362.56 feet to a point; thence North 85° 47' 44" West 162.21 feet to a point; thence North 85° 47' 44" West 30.48 feet to an iron pin in the centerline of Old Holly Springs Apex Road; thence along the centerline of Old Holly Springs Apex Road in an northerly direction along a left hand curve having a radius of 1963.49 feet, an arc distance of 423.08 feet and chord bearing and distance of North 12° 12' 26" East 422.26 feet to a point; thence leaving the centerline of said road South 67° 48' 05" East 2481.26 feet to a point in the centerline of White Oak Creek a/k/a Falls Branch Creek; thence along the centerline of said creek as follows South 05° 19' 49" West 39.71 feet to a point; thence South 17° 13' 42" West 52.16 feet to a point; thence South 63° 16' 26" West 25.88 feet to a point; thence South 17° 55' 39" West 68.74 feet to a point; thence leaving the line of said creek North 78° 00' 00" West 876.99 feet to a point; thence North 84° 10' 00" West 1370.01 feet to the point and place of BEGINNING, and being all of Tract 2 containing 23.62 acres as shown on a survey entitled "Exempt Subdivision prepared for Apex Land Assemblage, LLC" by Riley Surveying, P.A. dated May 13, 2005.

Tract 5 (Goodwin/ALAN):

BEING all that certain tract or parcel of land containing 54.650 acres, more or less, as shown on plat of survey entitled "Boundary Survey Prepared for Apex Land Assemblage, LLC" dated February 16, 2006 and revised February 23, 2006, prepared by Phillip W. Riley, professional Land Surveyor, of Riley Surveying, P.A. and recorded in Book of Maps 2006, Page 416, Wake County Registry, which plat is referenced for a more particular description.

Tract 6 (Adams):

BEING all that certain tract or parcel of land containing 86.334 acres as shown on plat of survey entitled "Boundary Survey, Prepared for HH Trinity Apex Investments, LLC, Holly Springs Township, Wake County, NC" dated September 17, 2007, prepared by Phillip W. Riley, Professional Land Surveyor, of Riley Survey, P.A. and recorded in Book of Maps 2007, Page 2469, Wake County Registry, which plat is referenced for a more particular description.

Tract 7 (Cox):

BEING all that certain tract or parcel of land containing 65.210 acres as shown on plat of survey entitled "Boundary Survey, Prepared for HH Trinity Apex Investments, LLC, Holly Springs Township, Wake County, NC" dated September 19, 2007, prepared by Phillip W. Riley, Professional Land Surveyor, of Riley Survey, P.A. and recorded in Book of Maps 2007, Page 2467, Wake County Registry, which plat is referenced for a more particular description.

Tracts 8 - 11 (Raymer):

BEING all those certain tracts or parcels of land designated as Tract I-A, containing 278.521 acres; Tract II, containing 2.134 acres; Tract III, containing 4.333 acres; and Tract 840' x 40', containing 0.626 acres, as shown on plat of survey entitled "Boundary Survey, Prepared for HH Trinity Apex Investments, LLC, Holly Springs Township, Wake County, NC" dated September 20, 2007, prepared by Phillip W. Riley, Professional Land Surveyor, of Riley Surveying, P.A. and recorded in Book of Maps 2007, Page 2468, Wake County Registry, which plat is referenced for a more particular description.

Tract 12 (Apex Town Square):

Being all of that certain tract of land lying in the Town of Apex, Holly Springs Township, Wake County, North Carolina, and being more particularly described as follows:

BEGINNING at an existing iron pipe at the northeastern corner of the now or formerly EMC Corporation property described in Deed recorded Book 2791, Page 428, Wake County Registry, said pipe also being located in the western line of the now or formerly Cash and Maynard Tract 1-A as shown on plat of survey recorded in Book of Maps 2003, Page 398, Wake County Registry (the "Plat"), said pipe being located North 02° 14' 00" East 271.08 feet from a common corner with said Cash and Maynard Tract 1-A and the now or formerly Cor Bregman property in said EMC Corporation's eastern property line as shown on the Plat; thence with said EMC Corporation's northern property line, South 89° 33' 33" West 1,910.66 feet to an existing iron pipe; thence with EMC Corporation's interior eastern property line, North 02° 07' 56" East

543.28 feet to an existing iron pipe, the southeastern corner of the now or formerly Colon Hobby property; thence with the eastern property line of said Colon Hobby property, North 00° 59' 41" East 734.53 feet to a set iron pipe marking the southwest corner of the said Cash and Maynard Tract 1-A; thence with said Cash and Maynard's Tract 1-A's southern property line and passing over an existing iron pipe at a distance of 15.08 feet, South 87° 48' 34" East 1,905.24 feet (total) to an existing iron pipe; thence continuing with said Cash and Maynard's Tract 1-A's interior western property line, South 01° 15' 42" West 1,190.09 feet to the point or place of BEGINNING, containing 53.939 acres, more or less, including any deed/survey gaps that may exist along the western line of the property herein described, as shown on the Plat, which Plat is referenced for a more particular description and being all of the property conveyed to Apex Town Square, LLC, by deed dated January 6, 2006, and recorded in Book 11766, Page 242, Wake County Registry.

Tract 13 (Bregman):

Lying and being in Town of Apex, Holly Springs Township, Wake County, North Carolina, and being more particularly described as follows:

BEGINNING at an existing iron pipe at a corner of the property now or formerly owned by Heartland Raleigh Apex U.S. 1 Limited Partnership (Book 4454, Page 666, Wake County Registry ["WCR"]), said pipe being located at NC Grid Coordinates: N=707,936.09; E2,048,195.68, and also being located South 31° 57' 19" West a distance of 2,292.37 feet (Grid) from NCGS Monument "TANK" (N=709,881.08; E2,049,408.93); from said POINT OF BEGINNING, running thence along and with the western line of the aforesaid Heartland Raleigh property the following courses and distances:

- South 02° 41' 34" West a distance of 537.74 feet to an existing iron pipe;
- South 02° 41' 34" West a distance of 100.28 feet to an existing iron pipe;
- South 02° 41' 34" West a distance of 2.08 feet to an existing iron pipe;
- South 02° 39' 56" West a distance of 37.18 feet to an existing iron pipe in the northern right-of-way of Technology Drive;

running thence along and with the northern right-of-way of Technology Drive the following courses and distances:

- along and with the arc of a curve to the left having a radius of 411.97 feet (Chord Bearing: South 60° 59' 56" West; Chord Distance: 224.57 feet) a distance of 227.45 feet to an existing iron pipe;
- South 45° 37' 55" West a distance of 288.89 feet to an existing iron pipe;
- South 44° 59' 17" West a distance of 549.68 feet to an existing iron pipe;
- South 44° 59' 17" West a distance of 70.66 feet to an existing iron pipe;
- along and with the arc of a curve to the right having a radius of 351.97 feet (Chord Bearing: South 57° 36' 33" West; Chord Distance: 151.96 feet) a distance of 153.17 feet to an existing iron pipe;
- along and with the arc of a curve to the right having a radius of 351.97 feet (Chord Bearing: South 79° 30' 30" West; Chord Distance: 115.27 feet) a distance of 115.79 feet to an existing iron pipe;
- South 88° 51' 29" West a distance of 164.77 feet to a point in the eastern line of property

now or formerly owned by Data General (Book 2791, Page 428, WCR);

leaving the northern right-of-way of Technology Drive and running thence along and with the eastern line of the aforesaid Data General property, North 02° 16' 29" East a distance of 1,200.00 feet to an existing iron pipe; continuing with the eastern line of the Data General property and running thence North 02° 17' 20" East a distance of 416.31 feet to an existing iron pipe in the southern line of the aforesaid Heartland Raleigh property; running thence along and with the southern line of the Heartland Raleigh property, South 86° 16' 48" East a distance of 1,218.14 feet to the POINT AND PLACE OF BEGINNING, containing 34.0763 acres, more or less, and being all of Tract 4 north of the right-of-way of Technology Drive, as shown on that certain survey entitled "Recombination And Minor Subdivision of Technology Drive Property For Thomas H. Byrd, III", dated December 11, 1996, and prepared by Niall W. Gillespie, R.L.S. (No. L-2629) (File Name: BYRDTOPO), to which survey reference is hereby made for a more particular description, and being the same property conveyed to Cor S. Bregman by deed recorded in Book 7409, Page 255, Wake County Registry, and being the same property conveyed to Cornelius S. Bregman and Kandes K. Bregman, as Trustees of the Cornelius and Kandes Bregman Trust, under Agreement dated September 20, 1999 by deed recorded in Book 10856, Page 2786, Wake County Registry, LESS AND EXCEPT (i) the property conveyed to Thomas H. Byrd, IV, and wife Lisa W. Byrd, by deed recorded in Book 10129, Page 491, Wake County Registry, and (ii) the property conveyed to the Department of Transportation by deed recorded in Book 8128, Page 153, Wake County Registry.

Tracts 14 - 15 (EMC):

Being all those certain tracts or parcels of land containing approximately 47.419 acres and identified as portions of parcel identification numbers 0740672147 (containing approximately 46.61 acres) and 0740570471 (containing approximately 77.66 acres), and as generally shown as Tract 2 on the map attached hereto as Schedule 1.

Tract 16 (Whitehouse):

Being all that certain tract or parcel of land containing approximately 27.47 acres and identified as parcel identification number 0740287376 and being the same property conveyed to Brenda P. Whitehouse, individually, a 55% undivided interest, and Brenda P. Whitehouse as Trustee of the Irene F. Prince Family Trust dated February 19, 2004, a 45% undivided interest, by deed recorded in Book 10680, Page 477, Wake County Registry.

Tract 17 (F. Prince):

Being all that certain tract or parcel of land containing approximately 75.63 acres and identified as parcel identification number 0740191376 and being the same property conveyed to F.D. Prince, Sr., sole Trustee, or his successors in trust, under the Frank Dixon Prince, Sr. Living Trust, dated October 20, 1988, and any amendments thereto, by deed recorded in Book 8291, Page 540, Wake County Registry.

Tract 18 (F. Prince):

Being all that certain tract or parcel of land containing approximately 21.36 acres and identified as parcel identification number 0730996270 and being the same property conveyed to F.D. Prince, Sr., sole Trustee, or his successors in trust, under the Frank Dixon Prince, Sr. Living Trust, dated October 20, 1988, and any amendments thereto, by deed recorded in Book 8291, Page 540, Wake County Registry.

Tract 19 (B. Prince):

Being all that certain tract or parcel of land containing approximately 32.06 acres and identified as parcel identification number 0741207566 and being the same property conveyed to William Ira Prince, III, by deed recorded in Book 2673, Page 652, Wake County Registry.

Tract 20 (J. Prince):

Being all that certain tract or parcel of land containing approximately 1.80 acres and identified as parcel identification number 0740293940 and being the same property conveyed to William I. Prince and Jean P. Prince, by deed recorded in Book 6217, Page 146, Wake County Registry.

Tracts 21-38 (Stephens):

Being all of those certain tracts or parcels of land identified as parcel identification numbers 0740886966, 0740991702, 0740992565, 0740991337, 0740991237, 0740990140, 0740980647, 0740982309, 0740982534, 0740982635, 0740982769, 0740982866, 0740982964, 0740982929, 0740992024, 0740992069, 0740992169 and 0740982764.

Tract 39 (Tew):

Being all that certain tract or parcel of land containing approximately 1.84 acres and identified as parcel identification number 0741203157 and being the same property conveyed to Kim Prince Tew, and husband, David Wayne Tew, by deed recorded in Book 10633, Page 1741, Wake County Registry.

Tract 40 (Huang):

Being all that certain tract or parcel of land containing approximately 13.33 acres and identified as parcel identification number 0740180091 and being the same property conveyed to Ruey Shiue Huang, Co-Trustee, and Edward K. Huang, Co-Trustee, of The Huang Family Trust, dated September 30, 2005, by deed recorded in Book 10656, Page 33, Wake County Registry.

Attachment B

Environmental Enhancement Plan
Veridea
Apex, NC

November 1, 2022

Revised: December 1, 2022

2nd Revision: January 31, 2023

3rd Revision: February 3, 2023

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INTRODUCTION

On May 10, 2011, the Town of Apex adopted the Veridea Sustainable Development Plan ("SD Plan"). As set forth in the SD Plan, Veridea will be planned and developed as a safe, healthy, resource efficient, pedestrian and transit-oriented mixed-use community in accordance with these Guiding Principles:

- Create economic value;
- Eliminate the concept of waste;
- Insist on a renewable future;
- Create delightful urban places; and
- Integrate nature throughout the community.

The SD Plan is intended to encourage a pattern of high density, pedestrian-friendly development in some areas of Veridea and the conservation or enhancement of natural space in other areas. This Environmental Enhancement Plan ("EEP"), required by SD Plan Article 3.1.2, sets forth specific environmental Sustainability Standards applicable to Veridea to guide the development of Veridea in accordance with the SD Plan pursuant to Article 2.3.16 F) 3) b) of the Apex Unified Development Ordinance ("UDO"). The Sustainability Standards set forth in this EEP are intended to protect natural resources and the environment in light of this development pattern and to address secondary and cumulative impacts associated with the infrastructure required for Veridea. Unless otherwise defined herein, capitalized terms used in this EEP have the same meaning assigned to them in the UDO and in the SD Plan.

A. Purpose of the Environmental Enhancement Plan (EPP)

Taken as a whole, the Sustainability Standards set forth in the SD Plan and the EEP will provide a level of environmental protection that equals or exceeds the traditional metrics set forth in the Apex UDO, State and federal laws. A development project of Veridea's scale affords a rare opportunity to meaningfully plan for a more resilient future, by implement best practices in diversifying land use, building design, waste avoidance, energy optimization, water conservation and protection, transportation and open space. The EEP provides a framework for sustainable development principles over the lifespan of this multi-phase project.

B. Balancing Growth and Environmental Protection

In an effort to provide a holistic review of the Town's growth projections and infrastructure planned to support that growth, the Town of Apex has prepared a Secondary and Cumulative Impact Master Mitigation Plan (the "SCIMMP"), which examines the potential secondary and cumulative impacts throughout the Town's Planning Area associated with planned infrastructure. The SCIMMP acknowledges that sprawling development—the secondary and cumulative impacts associated with water, sewer and transportation infrastructure—will result in adverse environmental impacts and points out that Apex has taken progressive steps to balance the competing goals of growth and environmental protection. As noted in the SCIMPP, Apex has implemented mitigation measures that limit sprawl by encouraging areas of higher density development, such as is represented by Veridea.

While the SCIMMP served as a point of reference, this EEP sets forth alternative standards as an enhancement and mitigation strategy to address the potential secondary and cumulative impacts noted in the SCIMMP that may occur within Veridea. Specifically, the EEP, like the measures noted in the SCIMPP, is intended to balance the goals of growth and environmental protection, by facilitating

compact, dense, development that, in certain respects, is inherently less impactful than automobile-oriented low density residential development and that also lends itself to innovative environmental protection measures. The compact urban spaces in Veridea will allow for the use of both structural and non-structural SCMs, including innovative techniques for urban areas, for water quality protection that meets or exceeds that required by the measures noted in the SCIMPP. Similarly, the compact urban spaces in Veridea will be pedestrian- bicycle- and transit-oriented and, for this reason, will result in decreased automobile use and vehicle miles traveled. The decreased dependence on automobiles within Veridea will, in turn, improve air quality through the reduction of vehicular traffic and mobile energy consumption. In combination, the SD Plan and the EEP will result in the creation of compact, walkable, vibrant, and interconnected community that balances the goals of development and environmental protection and offers residents and visitors a high quality of life.

C. Organization of the Environmental Enhancement Plan

The EEP is organized into the following sections:

1. Building Standards
2. Environmental and Natural Resource Protection
3. Stormwater & Surface Water Management
4. Land Management
5. Air Quality Protections

I. BUILDING STANDARDS

A. Energy

1. Non-Residential and Mixed-Use Buildings Energy Efficiency

a. In furtherance of the goals set forth in SD Plan 3.7.2, all non-residential and mixed-use buildings in Veridea shall provide plan analysis demonstrating improvement of energy performance by 20% compared to baseline building performance ratings per ASHRAE/ IESNA Standard 90.1-2010 Appendix G. (Note: 2010 ASHREA is being referenced here, consistent with current LEED Rating System benchmark standard)

b. At build-out of Veridea, a minimum of 50% of non-residential buildings within Veridea shall be certified under one of these 3rd Party Certification Program options:
   i. LEED Rating System
   ii. Green Globes
   iii. Fitwel
   iv. Similar alternative standard as determined by the Responsible Party

   Responsible Party will ensure the ability to meet this 50% commitment at the time of each non-residential building permit application to the Town of Apex.

c. Solar facilities may be installed on the roofs of building occupied by industrial uses. Installation of solar facilities will be subject to a Return of Investment Analysis consistent with industry practices.

d. Solar facilities will be installed in the open space required to be dedicated per the SD Plan.

e. Documentation
   i. For all buildings, a letter of compliance shall be provided to the Town with the submittal of building permits for that building by a Professional Engineer (PE) licensed to practice in North Carolina, an architect licensed in North Carolina, OR a qualified third-party certifier stating that, in his or her opinion, the building design demonstrates improvement of energy performance by 20% compared to baseline building performance ratings per ASHRAE/ IESNA Standard 90.1-2010 Appendix G.

   ii. For each building that is developed to meet the standards for certification under one of the 3rd Party Certification Options, a letter of building certification from the selected program shall be provided to the Town at building completion.

2. Residential Buildings Energy Efficiency

a. All single-family, townhomes, multi-family, and condominium residential dwelling units to be constructed in Veridea must meet at least one of the following options (or similar alternative standard as determined by the Responsible Party).
   i. Energy Star Program Certification
   ii. ecoSelect Program Certification
   iii. Clear Program Certification
   iv. Passive House Institute US Certification
   v. DOE Zero Energy Ready Home (ZERH) Program

vi. National Green Building Standards (NGBS Program) Certification
vii. LEED for Homes Program Certification
viii. Similar alternative standard as determined by the Responsible Party

b. Certification Program Approval – Prior to the recordation of any final plat for single-family, townhome, or condo lots Town of Apex staff shall review and approve the selected residential energy efficiency program for compliance with this Plan.

3. Renewable Energy

a. Veridea will create a receptive environment for solar energy technologies. Panels will be allowed on any roof orientation while also maintaining compliance with architectural design guidelines
b. Conduit for wiring of solar panels shall be provided in all single-family and townhome residential units.

B. Water Efficiency

All water fixtures and appliances shall be rated, and design of buildings shall incorporate water-saving measures. Proof of compliance with the provisions below will be per I.A.1.c hereof.

1. Bathroom Fixtures
   a. 100% of showerheads, lavatory faucets and toilets/urinals shall be WaterSense rated fixtures.

2. Water Using Appliances
   a. Dishwashers and clothes washers installed by builder must be Energy Star qualified.

3. Water Efficient Design for Residential Plumbing Systems
   a. To reduce water wasted while waiting for hot water to be delivered to a fixture, the hot water pipe length shall be no more than 50 feet when measured from the water heater to the furthest fixture for all residential units, where practicable. For units with recirculation systems installed, demand-initiated controls should be encouraged.

4. Landscape Practices
   a. Landscape plantings shall be drought tolerant, native, and locally adaptive species (including turf); at minimum 80% of plantings. Such plantings shall be presented on plans submitted to the Town of Apex for review.

   b. When installed, irrigation systems shall be equipped with weather-based or soil moisture sensor-based controllers. Spray heads shall be limited to turf areas only. Reclaimed water should be used if available.

C. Indoor Air Quality

Residential (single-family, townhome, multi-family, and condominium) designs and construction within Veridea shall include practices that enhance indoor air quality. Proof of compliance with provisions below will be provided per I.A.1.c and I.A.2.b hereof.

1. Building Envelope
    a. Smoking restrictions implemented AND ETS transfer pathways minimized for commercial and multi-unit residential buildings.

2. Mechanicals
    a. Equipment designed and selected to keep relative humidity < 60% for conditioned space.
    b. Minimum MERV 8 filter on forced air HVAC systems
    c. All fireplaces within conditioned space are direct vented with gasketed doors. NO UNVENTED/VENT FREE FIREPLACES allowed within conditioned space.

3. Materials
    a. Interior paints and finishes certified low emission (Zero or less than 50g/l VOC content).
    b. Carpet, carpet adhesives, and carpet cushion certified low emission per the Carpet and Rug Institute (CRI) Indoor Air Quality Program (CRI Green Label Plus).

D. Material Management

Proof of compliance with provisions below will be provided per I.A.1.c and I.A.2.b hereof.

1. Storage and Collection of Recyclables
    a. Within every mixed-use or nonresidential project, recycling containers adjacent to other waste receptacles or recycling containers integrated into the design of the receptacle shall be provided.

2. Recycled Content
    a. To increase demand for building products that incorporate recycled content materials, special consideration must be given to contractors proposing to use materials with recycled content.

3. Regional Materials
    a. To increase demand for building materials and products that are extracted and manufactured locally, and in doing so supporting the use of indigenous resources and reducing the environmental impacts resulting from transportation, special consideration must be given to contractors proposing to use building materials or products which have been extracted, harvested or recovered, as well as manufactured, within 500 miles of Veridea.

II. ENVIRONMENTAL AND NATURAL RESOURCE PROTECTION

A. Resource Conservation Area – SD Plan Article 3.4.3.1.

From its inception, Veridea has been conceived of and planned as a place in harmony with its natural surroundings. The standards contained herein and in the SD Zoning Plan encourage and require site design techniques that preserve the natural and cultural environment, thereby enhancing the developed environment.

1. Standards

a. Resource Conservation Area (RCA) - Apex has recognized that compliance with the Town's existing RCA requirements set forth in the UDO would prevent certain highly desirable development characteristics, such as density and connectivity, and has exempted areas intended for dense activity centers from the requirement of RCA. In keeping with this precedent, and to achieve the vision of Veridea, as set forth in SD Plan Article 3.1.3, notwithstanding UDO Article 8.1.2.C), 100-acres of land within Veridea shall be established as RCA.

b. Establishment of RCA - Notwithstanding UDO Article 8.1.2.A), RCA shall be established in Veridea according to the criteria set forth in III.A.2 hereof. RCA shall be shown on Master Subdivision Plans and Site Plans where applicable.

2. Criteria for Establishing Resource Conservation Area in Veridea

A. Categories of RCA

1. UDO 8.1.2.B.1 shall apply within Veridea.

2. Restoration Areas – restored, repaired and/or stabilized degraded stream channels, restored or re-vegetated stream buffers, constructed wetlands areas that are restored using innovative techniques authorized in accordance with IV.A.1 hereof, and SCMs that are amenities in accordance with IV.A.2.d hereof may be established as RCA.

3. In addition, any land within the Veridea SD zoned area placed in a conservation easement and deeded to the Master Property Owners' Association, or sub-associations within Veridea, or a qualified land management agency, such as but not limited to the Triangle Land Conservancy, may qualify as RCA.

4. In addition, as set forth in SD Plan 3.4.3.1.e, both:
   a. Open Space, excluding Civic Buildings and all associated parking, municipal parking lots, and parking associated with Open Space that exceeds the direct needs of such Open Space; and
   b. Recreation area provided in Public Space or Civic Space within the Development including, but not limited to, open space, pools, tennis courts, tot lots, ball fields, and village greens shall be allowed to be counted as partial credit toward the RCA requirement. The credit for such area shall be 50% of the area provided. (For example, 1 acre of area shall count as 0.5 acres of RCA.) In order to qualify as RCA, the area must be located on a lot 0.5 acre or larger in size.

5. Land utilized for renewable energy generating facilities qualifies as RCA.

6. Existing or proposed private easements that are also utilized for a trail, for a pedestrian walkway, as a passive recreational amenity, through environmentally sensitive areas, or as community gardens for public educational, recreational, or shared community use shall qualify as RCA.

B. Site and Tree Survey Required
   1. UDO 8.1.2.B.2 shall apply within Veridea.

   2. Notwithstanding the foregoing, consistent with IV.C.1 hereof and Section 3.4.3.1 of the Veridea SD Plan, UDO 8.1.2.B.2.f shall not apply within Veridea.

C. Ownership of RCA in Subdivisions
   The RCA within a subdivision shall be designated so that the RCA may not be removed, modified, or damaged. The RCA shall be a separate Lot(s) and be owned in common by the Lot owners or owned by a separate entity or entities (e.g. property owner's association, development corporation, building lot owner or owners, land management agency or non-profit such as a land trust or conservancy, etc.) In no case shall the RCA for one subdivision be owned by more than 3 entities.

D. Designation of RCA
   Though RCA shall be calculated for Veridea cumulatively, approved RCA shall be shown on the Site Plan or Subdivision Plan for each development site. The RCA shall be shown on the final plat with metes and bounds, to be preserved in perpetuity.

F. Standards for Protection During Construction
   The standards set forth in UDO 8.1.2.G shall apply within Veridea except to the extent that such standard is inconsistent with the provisions of this EEP or SD Plan.

G. Development Restrictions on Steep Slopes
   UDO 8.1.4 shall apply within Veridea.

III. STORMWATER & SURFACE WATER MANAGEMENT

A. Stormwater Management – SD Plan 3.4.3.2.a.

As set forth in SD Plan 3.4.3.2.a, the objectives for stormwater management within Veridea are:

i. Reducing pollutants to protect surface water bodies;
ii. Promoting recharge of ground water resources;
iii. Reduce / minimize flooding within the Development and downstream;
iv. Enhancing safety and aesthetics for the public; and
v. Creating wildlife habitats and educational opportunities.

All SCMs implemented within Veridea shall comply with the NC Department of Environmental Quality (NC DEQ) Stormwater Design Manual Considerations for selecting and using SCMs within Veridea will include, but are not limited to: site applicability, public safety, spatial requirements, soil characteristics, hydrologic benefits, slope, existing land use conditions, and maintenance requirements. In addition to the items listed above, it is the goal to make stormwater features amenities within Veridea and assets to the overall aesthetics of Veridea and the Town.

1. Approved SCMs

The following SCMs are approved for implementation in Veridea.

a. Detention systems that capture a volume of runoff and temporarily detain that volume for release over several days.

b. Constructed wetland systems that are similar to retention and detention systems, except that a major portion of the SCM water surface area (in pond systems) or bottom (in meadow-type systems) contains wetland vegetation.

c. Filtration systems that use some combination of a granular filtration media such as sand, soil, organic material, carbon or a membrane to remove typical pollutants found in runoff.

d. Vegetated systems (biofilters) such as green roofs, green walls, swales, filter strips that are designed to convey and treat either shallow flow or sheet flow runoff.

e. Innovative systems, as defined by 15A NCAC 02H.1003(6), or proprietary systems, may be approved by the Town on a case-by-case basis.

f. Regional stormwater management facilities, to augment, and/or in lieu of, on-site treatment and detention for stormwater management that is implemented on a Lot by Lot or Project by Project basis, to the extent allowed by applicable Federal and North Carolina law and regulation.

2. SCM Standards

a. SCM's will be designed to provide a minimum of 85% TSS removal from stormwater runoff from their contributory drainage area.

b. Downstream of Veridea: post-development peak flows shall not exceed pre-development peak flows for the 25-, 10-, and 1-year storms. Roadway projects shown on the Thoroughfare and Collector Street Plan of the Town of Apex and undertaken in public rights-of-way within Veridea shall be deemed exempt from these requirements.

c. Storage volumes shall be provided such that the runoff from the required water quality storm event (1.0-inch of rainfall) does not draw down in less than two days and that the volume is drawn down completely within five days.

d. To enhance the overall aesthetics of Veridea and the Town, SCMs that are amenities within Veridea may receive credit toward the Open Space requirement per SD Plan 3.1.3 or Resource Conservation Area per SD Plan 3.4.3. For a SCM to receive credit toward the Open Space requirement, it shall be designed to provide at least five (5) of the following features:
   i. Pedestrian access by way of an installed soft or hard surface path from the nearest pedestrian pathway;
   ii. Use of similar plant materials as those used in adjacent and surrounding planting beds;
   iii. Limit rip rap to 15% of the total surface area of the stormwater facility used for stabilization;
   iv. Plant pallet comprised of native and adaptive plant material that provides for visual interest and diversity, while attracting wildlife;
   v. Curvilinear forms that define the limits of the facility to avoid simple shapes that are incongruent with the natural topography of the site;
   vi. Active water feature;
   vii. Elements that provide opportunities for passive recreation including site furnishings, overhead shelter, and pleasant views;
   viii. Educational opportunities in the form of educational signage;
   ix. Fitness opportunities added along a pathway; and

e. SCM's meeting the standards of III.A.2.a.2 hereof, exclusive of riprap areas, may receive credit as Resource Conservation Area.

f. Structural SCMs shall be designed in accordance with UDO 6.1.12 and other applicable Town standards.

g. Described area containing each structural SCM shall be depicted on the site plan or Subdivision Plan and on the final plat in accordance with UDO 6.1.12.C.

h. For all structural SCMs approved, the owner of such SCM shall have an operation and maintenance agreement in accordance with UDO 6.1.12.D. An operation and maintenance agreement shall not be required for non-structural SCMs. For the purposes of this EEP, non-structural SCMs shall be defined as practices implemented in single family residential or commercial applications that are less than one-acre of disturbed area and generally include but are not limited to: disconnecting downspouts and other runoff features, limiting impervious surface and land disturbance, and other non-structural practices as approved by the Town.

i. Performance guarantees, maintenance and maintenance guarantees and inspection requirements for SCMs shall comply with UDO 6.1.12.G), H), and I).

j. SCMs located in a public right-of-way or easement require an encroachment and maintenance agreement with the Town before such encroachment is made, in accordance with SD Plan 3.3.5.

k. Storm drainage easements shall be recorded to identify the locations of SCMs on a Lot(s). The owner of the Lot shall not remove or structurally alter such SCM without prior written approval from the Town.

3. Floodplain

a. FEMA regulated floodplain is located in the southwestern portion of the parcel. Local floodplain will be determined through the definition of a base flood elevation by means of a detailed hydraulic report for streams with a drainage area greater than 100-acres. Per allowances in the UDO 6.2.16.B, non-residential buildings shall be allowed in the floodplain, and there shall be no over-riding requirement to preserve floodplain as RCA.

b. Notwithstanding UDO 6.2.3, stormwater management, detention and retention facilities may encroach within potential on-site flood hazard areas where a base flood elevation has been established pursuant to UDO 6.2.17.B. Where proposed, the detailed hydraulic analysis revising the base flood elevation will be provided at the time of site plan or subdivision submittal.

c. Revisions / modifications to the base flood elevation, including but not limited to fill and grading, may be submitted at the time of site plan or subdivision plan submittal in the event that the flow within a stream is changed and will impact the base flood elevation. Any modifications to FEMA regulated floodplain will be permitted in accordance with local and federal regulations.

B. Water Conservation – SD Plan 3.4.3.2.b.

The careful stewardship of the use of water within Veridea is set forth in the SD Plan goals for water conservation are:

- Reducing per capita water use while retaining attractive landscapes;
- Protection of ground and surface water supplies from unsustainable depletion;
- Eliminating unnecessary waste in water use practices;
- Reducing wastewater treatment volume and associated municipal expenditures;
- Promoting the increased use of re-use water for irrigation.

To achieve these goals water conservation standards in Veridea will include:

1. Water Efficient Landscape Practices

a. Planting
   i. The planting of landscape materials shall be in accordance with the Town of Apex, NCDEQ, or North Carolina Cooperative Extension standards for drought tolerant, native, and locally adaptive species.
   ii. Plant materials shall be chosen to thrive based on their exposure to sun, wind, and soil conditions.
   iii. Landscape beds shall provide a 3" layer of mulching material.
   iv. Plants shall be grouped according to water needs, or "hydrozones," to limit overwatering.

b. Irrigation
   i. Irrigation systems shall be equipped with weather-based or soil moisture sensor-based controllers.
   ii. Installation of spray heads shall be limited to turf areas only.

2. Storm Water Re-use

a. Re-use of stormwater for non-potable applications such as irrigation, vehicle washing, cooling tower make-up water, etc. will be encouraged, for both commercial and residential applications. Stormwater reuse will be utilized in the portions of Veridea approved for multi-family uses. Installation of stormwater reuse facilities will be subject to the design teams review of the viability on each building. Landscaped areas within the multifamily residential development will be irrigated with stormwater reuse where practicable. Where re-use water is not available, potable water may be used for irrigation in accordance with the Town of Apex Water Conservation Ordinance.

b. Re-use water may be used for irrigation in areas of public or private lawns, landscaping or recreation area.

c. Where a centralized chiller plant is utilized, and where practical, re-use water may provide cooling tower make-up water.

C. Surface Water Enhancement – SD Plan 3.4.3.2.c.

As set forth in SD Plan 3.4.3.2.c, the objectives for surface water enhancement within Veridea are:

- Maintaining water quality by capturing or controlling sediment, nutrients, and other pollutants per the minimum requirements of the Town of Apex;
- Ensure that post-development peak flows do not exceed pre-development flows for the 25-year storm event;
- Augmenting low flow from SCM's to improve downstream aquatic habitat;
- Enhancing public use and enjoyment of the natural system; and
- Install signage prohibiting pet waste and use of fertilizers near environmentally sensitive areas.

1. Stream Protection Buffers -

Veridea is located in the Secondary Watershed Protection District per the Town of Apex Watershed Protection Overlay District dated May 2022 and will utilize the High-Density Development Option. All perennial and intermittent streams have been field verified by the Town of Apex; verification is included as Appendix A to this Plan. Stream buffers will be maintained pursuant to 6.1.7.B of the Town of Apex UDO.

As provided in 6.1.7.b.2 of the Town of Apex UDO, a vegetative buffer an average width of not less than 100' shall be maintained along each side of a perennial stream and at no point shall the buffer width be less than 50'. While buffer widths may vary from the map included as Appendix B of this Plan, final buffer area provided within Veridea shall not be less than 166.87 acres.

The Town of Apex verification of the perennial and intermittent streams shall be valid for the period of the validity of any Army Corps of Engineers Individual / Nationwide Permit.

a. Future buffer authorizations within Veridea shall be in accordance with process in Section 6.1.11 of the Town of Apex UDO.

b. Impacts to the established stream protection areas established herein shall be mitigated per Section 6.1.13 of the Town of Apex UDO.

c. For the purposes of this EEP, "stream protection areas" shall refer to protected areas including floodways and floodplains Buffer widths shall be as described in Appendix B.

2. Mitigation

With a project the size and density of Veridea some unavoidable impacts are necessary to accommodate the required vehicular and pedestrian transportation improvements and utility infrastructure. The EEP proposes specific mitigation options to address these impacts. These impacts will be limited, yet necessary to address:

- Vehicular and pedestrian transportation improvements and interconnectivity

- Utility infrastructure that will serve Veridea as well as adjacent lands which are yet to be developed.

- Non-erosive outlets for stormwater management facilities

- Intermittent streams and isolated wetland pockets as needed to create developable land areas to support the proposed densities.

a. Mitigation for impacts to wetlands will be accomplished per the regulations of the United States Army Corps of Engineers and North Carolina Division of Environmental Quality.

b. Mitigation for impacts to streams will be performed, as required by any applicable federal or state law or regulation. The appropriate parameter to use in establishing the required mitigation, length or area, will be selected based on the type of stream area impacted and the proposed mitigation measure selected.

c. In all cases where mitigation is required for impacts to the buffer, a Plan shall be submitted with each site plan or subdivision plan depicting the proposed mitigation for those impacts. The mitigation requirement may be met through one of the following options, which are consistent with mitigation alternatives set forth in UDO 6.1.14.C:
   i. Construction of an alternative measure or combination of measures that reduce nutrient loading equal to or better than the setback that is lost and that is approved by the Town. Such measures may include stormwater SCMs, including LID applications, and other means of capturing and controlling nutrients and other pollutants and shall be located on the site of the riparian buffer that is lost, if practicable, or as close to that location as is practicable;
   ii. Payment of compensatory mitigation fee to a private mitigation bank that complies with banking requirements of the US Army Corps of Engineers, currently set out at http://www.saw.usace.army.mil/WETLANDS/Mitigation/mitbanks.html or from the US Army Corps of Engineers, P.O. Box 1890, Wilmington, NC, 28402-1890;
   iii. Donation of real property or of an interest in real property pursuant to Sec. 6.1.14.F; or
   iv. Restoration or enhancement of a non-forested riparian buffer pursuant to the requirements of Sec. 6.1.14.G.

d. Any and all mitigation performed pursuant to this EEP shall be available for use as mitigation credit against a federal or North Carolina mitigation requirement.

e. The following two documents, along with the Veridea Guiding Principles, will be used as guidance in the preparation of the mitigation measures:
   i. "Stream Mitigation Guidelines, April 2003", published by the US Army Corps of Engineers, as may be amended or updated from time to time, attached as Appendix 8, in particular Section 10.A Flexible Stream Mitigation, Urban Watershed Management; and
   ii. "EEP Mitigation Plan Template, Version 2.0 03-27-08", prepared by the North Carolina Ecosystem Enhancement Program, as may be amended from time to

time.

f. The TRC or Town Council, as applicable, in the event of an exception granted in as contemplated by SD Plan 3.4.1, shall approve the mitigation measures upon finding that the plan provides for:
   i. The option chosen for meeting the mitigation requirement and the required area of mitigation;
   ii. Consistency with the standards set forth in IV.C.2.c hereof;
   iii. Engineering feasibility;
   iv. Operation and maintenance, if any is required hereunder; and
   v. The offset payment amount, as applicable.

IV. LAND MANAGEMENT

A. Sedimentation & Erosion Control Standards

The goals for sedimentation and erosion control set forth in the SD Plan 3.4.3.3.a are:

i. Minimize disturbance to vegetation and soils
ii. Minimize runoff and diversion;
iii. Minimize the need for additional storm drainage facilities;
iv. Reduce sedimentation; and
v. Prompt stabilization after land clearing and grading

The most effective sedimentation and erosion control prevention is born from careful planning of grading activities, continuous inspection of the installed erosion control devices and ongoing maintenance of the devices to insure optimal performance.

a. Design - The Town's standards for design for the 25-year storm event and 3,600 cubic feet of volume per disturbed acres shall be implemented in Veridea.

b. Shared facilities – To minimize grading, where stormwater management devices are proposed those devices may first serve as erosion control sediment basins or traps and be converted to permanent stormwater management devices as soon as the contributing drainage area is sufficiently stabilized.

c. Stabilization – All land disturbing activity is to be planned and coordinated, to the extent practical, to minimize the disturbed areas exposed at any one time. Disturbed areas must be seeded after 7-working days of completion of grading. All remaining areas must be seeded and mulched, or otherwise stabilized within 14 calendar days after completion of grading of any phase of the project.

d. Outlet structures shall be designed to only draw down the cleanest water from the surface of the erosion control device.

e. Along with the required inspections after each storm event, weekly inspections will be performed to ensure that the installed devices have not been altered by construction activities. A log will be maintained by the contractor on each project demonstrating the vigilant monitoring and maintenance of the erosion control facilities.

f. Due to the mixed-use nature of the Veridea, residential development of single-family lots, townhomes, and condominiums within Veridea, net of public rights-of-way, RCA, and public and private easements, shall be exempt from the requirements of Section 7.2.5 of the Town of Apex UDO. Site Plans for single-family only developments in Veridea shall not be exempt from the requirements of 7.2.5.

B. Waste Minimization – SD Plan 3.4.3.3.b.

The waste minimization standards shall support the solid waste goals identified in the Wake County Environmental Stewardship Agenda, adopted by the Wake County Board of Commissioners February 21, 2005 and as may be amended from time to time.

a. Land-clearing Debris - Excavated soil and rock and land-clearing debris shall be re-used, to the extent allowed by applicable federal, state and local law, within Veridea to the maximum extent practicable. To this end, land-clearing debris may be mulched and used for landscaping and/or site stabilization purposes within Veridea.

b. Soil Stockpiles – Soil stockpiles 30' or less in height shall be permitted within the boundaries of Veridea. Stockpiles over 30' in height, but not exceeding 50', shall be permitted provided they are setback from property lines and thoroughfares a minimum of 100'. The maximum slope permitted for soil stockpiles is 3:1.

c. Mulch Stockpiles – Mulch stockpiles shall not exceed 15 feet in height and shall be stored no longer than 45 days.

C. Perimeter Buffers

a. A 10' Type B buffer is required where the SD zoning abuts property zoned or used primarily for residential purposes. This buffer is intended to remain undisturbed. If disturbance is necessary due to site constraints or other limiting factors, the areas disturbed will be replanted per the Type A Buffer standards in the Town of Apex UDO.

b. A 10' Type B Buffer is required when the SD zoning abuts property zoned or used primarily for retail, industrial, or other similar uses. This buffer is intended to remain undisturbed. If disturbance is necessary due to site constraints or other limiting factors, the areas disturbed will be replanted per the Type A Buffer standards in the Town of Apex UDO.

c. A 50' Type B Buffer is required where the residential uses in the SD zoning abut the rights-of-way of US-1 and NC-540. This buffer is intended to remain undisturbed. If disturbance is necessary due to site constraints or other limiting factors, the areas disturbed will be replanted per the Type A Buffer standards in the Town of Apex UDO.

d. A 20' Type B Buffer is required where non-residential and vertical mixed uses abut the rights-of-way of US-1 and NC-540. This buffer is intended to remain undisturbed. If disturbance is necessary due to site constraints or other limiting factors, the areas disturbed will be replanted per the Type A Buffer standards in the Town of Apex UDO.

e. When a building is constructed within 25' of the right-of-way of NC HWY 55, a planted 10' Type D buffer is required adjacent to NC HWY 55. No building shall be closer than 10' to the required buffer. This buffer is intended to remain undisturbed. If disturbance is necessary due to site constraints or other limiting factors, the areas disturbed will be replanted per the Type A Buffer standards in the Town of Apex UDO.

f. When a building is constructed more than 25' from the right-of-way of NC HWY 55, a planted 15' Type A buffer is required adjacent to NC HWY 55. This buffer is intended to remain undisturbed. If disturbance is necessary due to site constraints or other limiting factors, the areas disturbed will be replanted per the Type A Buffer standards in the Town of Apex UDO.

g. If additional property is added to the SD zoning, buffers on existing and newly added property shall meet the preceding buffer requirements or be removed, as applicable.

h. Greenways and side paths are permitted to traverse perimeter buffers.

D. Landscaping

a. Where feasible, deciduous shade trees shall be planted on the south sides of buildings; evergreens shall be planted on the north side.

b. Pollinator friendly landscaping will be planted in landscaped areas where feasible.

c. All landscaping planted within Veridea shall be listed in the Town of Apex's Design and Development Manual.

V. AIR QUALITY PROTECTION

In recognition of the impacts of greenhouse gas emissions that a development the size of Veridea could have the SD Plan 3.4.3.4. establishes air quality goals. The following standards aim to achieve these goals.

a. Multiple land uses that will provide the services and facilities to increase the internal trip capture of the community and reduce vehicular trip generation and vehicle miles traveled both within and outside Veridea.

b. Interconnected development that will provide sidewalks, greenways and walking paths to link land uses through-out the development to be accessible by means other than motorized vehicles.

c. Linear parks will be constructed along Jessie Drive to encourage walking and biking, preserve and highlight environmental features, and provide active greens spaces for future residents and employees.

d. Coordination with and, where appropriate, provide accommodations for alternative modes of travel including rail, bus, ride sharing, charging stations for moving both within Veridea and to connect to the rest of the region. In coordination with Town staff around Apex's Comprehensive Transportation plan, mobility hubs and curb areas planned for quick and safe pick -up and drop offs in high-density, nixed use areas of the Project.

e. Significant open space, conservation area, landscape areas and street trees in high density areas to maintain a significant carbon absorbing medium.

f. Where practicable, buildings will be oriented toward pedestrian facilities or transit routes to promote modes of travel other than the single automobile.

g. To promote walkability, two grade-separated pedestrian crossings will be constructed. The crossings will be constructed as required per the Town of Apex's Comprehensive Transportation Plan, as amended.

h. Parking for electric vehicles and bicycles will be provided as required per the Town of Apex UDO.

i. Single-family homes will include a 240A/50V electrical outlet in garages for electric vehicle charging.

APPENDIX A

WATER RESOURCES DEPARTMENT

December 09, 2022

Steven Ball, RF, PWS
Soil & Environmental Consultants, PA
8412 Falls of Neuse Road, Suite 104
Raleigh, NC 27615

Subject: Stream Buffer Determination
Veridea
Apex, NC
Cape Fear River Basin

Apex 22-010

Dear Mr. Ball,

On December 07th, 2022, I met with you at the subject site to evaluate twenty-three (23) drainage features and determine if they are subject to the Town of Apex (Town) riparian buffer rules. Based on the information obtained during the evaluation and per the requirements set forth in Section 6.1.11 of the Town Unified Development Ordinance (UDO), I concur with the stream classifications as shown on the attached sketch dated 12-7-2022 and 11-22-2022 for SEV1.

Drainage Feature	Shown as on USGS	Shown as on Soil Survey	Determination made in the field	Determined Buffer Width
SEV1	Present	Perennial	Intermittent	50 feet
Feature 1 Upstream	Not Present	Intermittent	Ephemeral	0 feet
Feature 1 Downstream	Not Present	Intermittent	Intermittent	50 feet
Feature 2 Upstream	Not Present	Intermittent	Ephemeral	0 feet
Feature 2 Downstream	Not Present	Intermittent	Intermittent	50 feet
Feature 3 SFA	Not Present	Intermittent	Ephemeral	0 feet
Feature 3 SFB	Not Present	Intermittent	Intermittent	50 feet
Feature 4 Upstream	Not Present	Intermittent	Ephemeral	0 feet
Feature 4 Downstream	Not Present	Intermittent	Intermittent	50 feet

Feature 5 Upstream	Not Present	Intermittent	Ephemeral	0 feet
Feature 5 Downstream	Not Present	Intermittent	Intermittent	50 feet
Feature 6 Upstream	Not Present	Intermittent	Ephemeral	0 feet
Feature 6 Downstream	Not Present	Intermittent	Intermittent	50 feet
Feature 8 W	Not Present	Intermittent	Intermittent	50 feet
Feature 8 X	Not Present	Intermittent	Ephemeral	0 feet
Feature 9 Z	Not Present	Intermittent	Ephemeral	0 feet
Feature 10 Y	Not Present	Intermittent	Ephemeral	0 feet
Feature 11- I	Present	Perennial	Intermittent	50 feet
Feature 11-P	Present	Perennial	Perennial	100 feet
Feature 12	Present	Intermittent	Ephemeral	0 feet
Feature 13-E	Present	Intermittent	Ephemeral	0 feet
Feature 13-I	Present	Intermittent	Intermittent	50 feet
Stream 14	Not Present	Intermittent	Ephemeral	0 feet

This on-site determination shall expire five (5) years from the date of this letter. Landowners or affected parties that dispute a determination made by the Division of Water Resources (DWR) or Delegated Local Authority in the Jordan Lake watershed may request a determination by the DWR Director.

An appeal request must be made within sixty (60) days of date of this letter or from the date the affected party (including downstream and/or adjacent owners) is notified of this letter. A request for a determination by the Director shall be referred to in writing c/o Paul Wojoski, DWR – 401 & Buffer Permitting Branch; 1617 Mail Service Center, Raleigh, NC 27699-1617. Otherwise the appeal procedure will be in accordance with UDO Section 6.1.11.

If you dispute the Director's determination, you may file a petition for an administrative hearing. You must file the petition with the Office of Administrative Hearings within sixty (60) days of receipt of this notice of decision. A petition is considered filed when it is received in the Office of Administrative Hearings

during normal office hours. The Office of Administrative Hearings accepts filings Monday through Friday between the hours of 8:00am and 5:00pm, except for official State holidays.

To request a hearing, send the original and one (1) copy of the petition to the Office of Administrative Hearings, 6714 Mail Service Center, Raleigh, NC 27699-6714. A copy of the petition must also be served to the Department of Natural Resources, c/o Bill Lane, General Counsel, 1601 Mail Service Center, Raleigh, NC 27699-1601.

This determination is final and binding unless, as detailed above, you ask for a hearing or appeal within sixty (60) days. This project may require a Section 404/401 Permit for the proposed activity. Any inquiries should be directed to the US Army Corp of Engineers (Raleigh Regulator Field Office) at (919) 554-4884. If you have any questions, please do not hesitate to contact me at (919) 372-7470.

Sincerely,

James Misciagno, CES, CPESC
Environmental Field Services Supervisor

NORTH CAROLINA
WAKE COUNTY

RIGHT OF ENTRY

This Right of Entry is executed this 13 day of October, 2022 by HH Trinity Apex Investments LLC and Veridea Holdings LLC (the "Owners").

WHEREAS, the Town of Apex ("Town") is seeking to make a stream buffer determination across the property known as Veridea - South Village East in the Town of Apex, North Carolina and designated as PIN # 0740240514, 0740261651, 0740241620 by the Wake County Revenue Department (the "**Subject Property**");

WHEREAS, the Owners are agreeable to provide the Town with this Right of Entry under the terms and conditions stated herein so that the above referenced determination may proceed.

NOW THEREFORE in light of the above premises, the Owners do hereby grant and give freely and without coercion, the right of access and entry to the Subject Property on the terms and conditions as stated below:

1. The Town of Apex and its contractors may enter the Subject Property for the purpose of conducting on-site environmental investigations and issuing a determination based on those investigations as it relates to stream buffer determination.
2. This Right of Entry does not convey to the Town any title or ownership interest in the Subject Property.
3. The Town and its employees, contractors, agents and representatives enter upon the Subject Property at their own risk and assume all risks related to the property.
4. The undersigned agrees and warrants to hold harmless the Town of Apex, its agencies, departments, contractors, and subcontractors, and discharges and waives any action, either equitable or legal that arise from the activities described above on the property except in the case of negligence by the Town.

Witness Cynthia Hedgpeth By: _____

By: _____

Riparian Buffer Call
Application

This application is required to be fully completed and submitted to Town staff prior to conducting a buffer call. Please submit the application package electronically to james.miscione@apexnc.org.

PROPERTY INFORMATION

Owner(s): HH Trinity Apex Investments LLC / Veridea Holdings LLC

Site Address: Veridea Parkway - South of North Carolina Highway 540

CONSULTANT INFORMATION (If applicable)

Name: McAdams (William H. Derks)

Address: 621 Hillsborough Street, Raleigh, North Carolina 27603

Email: Derks@mcadamsco.com

Phone: 919- 361- 5000

CHECKLIST

Please place a checkmark in the spaces provided below to indicate that the required information has been provided with this submittal.

Right of Entry Form	X
NCDEQ Stream Identification Forms (v. 4.11)	X
Sketch Map*	X

Topo Map (most recent version)	X
1970 Wake County Soil Survey Map	X

*Sketch map should show all drainage features on the property with all applicable riparian buffers shown. Please clearly indicate or list which features are being called with this application.

NOTES

SIGNATURE (Consultant or Responsible Party)

By my signature below, I certify that the information provided with this application is accurate and truthful.

Date: October 21, 2022

East & South Village Delineation & Buffer Review.

The Preliminary Jurisdictional Determination (PJD) of streams and wetlands for the entirety of Veridea was reapproved by the USACOE and NCDENR on May 26, 2017. In discussions with the reviewers in preparation for the submittal of the Individual Permit (IP) application for Veridea it was agreed that that delineation would be utilized and would be extended by virtue of the IP approval for the duration of the IP. There is precedent for a large IP to be approved for 25-years. The requested duration for the Veridea IP is 30-years.

It is understood that field conditions may change over time as development occurs in the watershed areas outside of the Veridea boundary. But the establishment of the buffers initially for East Village, and in the near future for the rest of Veridea, also need to have a longer commitment as well in order to have a reliable map for planning development that may occur 10-, 15, or 20-years from now.

To begin that confirmation field review of the streams in the East Village section of Veridea was completed by S&EC on September 29, 2022 and for South Village East on October 6, 2022. The scoring sheets are attached. The feature numbers below, from the recent review in the field, also have a reference to the Stream designation from the approved PJD. Discussion below references the inconsistencies of the PJD, Town's Watershed Protection Overlay Map, USGS, Wake County Soils Survey and field scoring sheets.

It is worth noting that all of the intermittent stream features shown on the East Village portion of Veridea are from designations on the Wake Co. Soils Survey. The Soils Survey was completed in 1970 and depicts the streams with intermittent buffers on the Town's map as either "Not crossable with tillage" or "Unclassified". None of the streams are shown on the online USGS Apex or New Hill Quad maps dated 2022.

Feature 1 (Stream LL) —This feature appears to extend upstream approx. 40-50' higher than the PJD. A new flag was hung (TOA 1) at the start point. Shown as a perennial stream on the PJD, intermittent on the Town's map, not identified on USGS and intermittent on the Soils Survey. Stream forms upstream and downstream were taken

Feature 2 (Stream II) – The start point stayed the same. A new flag was hung (TOA 2) start point. Stream forms were taken upstream and downstream

Feature 3 (Stream BB) - The pond is shown on USGS but not on the Soils Survey. Just the reverse for the stream. Not shown on USGS but indicated on the Soils Survey. Delineated as Intermittent Unimportant on the PJD. It appears that the buffer should start at the confluence of two minor draws from below the pond and the second running from the southeast. The feature begins at flag TOA 3, the buffer should not start until it reaches the drainage that runs north south from the pond as shown. There is also enough of a gap between the pond and this feature that the pond should not be buffered.

NC Division of Water Quality –Methodology for Identification of Intermittent and Perennial Streams and Their Origins v. 4.1

SEV1

NC DWQ Stream Identification Form Version 4.1

South Village East-1

Date: 10/06/2022	Project/Site: VERIDEA/11065	Latitude: 35.684766
Evaluator: SWEC - JOSHUA HARVEY	County: WAKE	Longitude: -78.858835
Total Points: *Stream is at least intermittent if ≥ 19 or perennial if ≥ 30** 25.5	Stream Determination (circle one) Ephemeral (Intermittent) Perennial	Other e.g. Quad Name:

A. Geomorphology (Subtotal = 13.5)	Absent	Weak	Moderate	Strong
1* Continuity of channel bed and bank	0	1	2	(3)
2. Sinuosity of channel along thalweg	0	1	(2)	3
3. In-channel structure: ex. riffle-pool, step-pool, ripple-pool sequence	0	(1)	2	3
4. Particle size of stream substrate	0	1	(2)	3
5. Active/relict floodplain	0	(1)	2	3
6. Depositional bars or benches	0	(1)	2	3
7. Recent alluvial deposits	0	1	(2)	3
8. Headcuts	(0)	1	2	3
9. Grade control	0	(0.5)	1	1.5
10. Natural valley	0	0.5	(1)	1.5
11. Second or greater order channel *artificial ditches are not rated; see discussions in manual	No = 0		Yes = 3	

B. Hydrology (10)				
12. Presence of Baseflow	0	(1)	2	3
13. Iron oxidizing bacteria	(0)	1	2	3
14. Leaf litter	1.5	(1)	0.5	0
15. Sediment on plants or debris	0	(0.5)	1	1.5
16. Organic debris lines or piles	0	(0.5)	1	1.5
17. Soil-based evidence of high water table?	No = 0		Yes = 3	

C. Biology (Subtotal = (0))				
18. Fibrous roots in streambed	(3)	2	1	0
19. Rooted upland plants in streambed	(3)	2	1	0
20. Macrobenthos (note diversity and abundance)	(0)	1	2	3
21. Aquatic Mollusks	(0)	1	2	3
22. Fish	(0)	0.5	1	1.5
23. Crayfish	(0)	0.5	1	1.5
24. Amphibians	0	0.5	(1)	1.5
25. Algae	(0)	0.5	1	1.5
26. Wetland plants in streambed	FACW = 0.75; OBL = 1.5 Other = 0			

*perennial streams may also be identified using other methods. See p. 35 of manual.

Notes:

Sketch:

Soils = Per
USGS = Present

10/25/2022 JM

NC Division of Water Quality – Methodology for Identification of Intermittent and Perennial Streams and Their Origins v. 4.1

NC DWQ Stream Identification Form Version 4.1 TOA 1 – UPStream

Date: 9/29/22	Project/Site: Veridea - EU	Latitude: 35.695892
Evaluator: K. Murph.	County: Wake	Longitude: -78.63536
Total Points: *Stream is at least intermittent if ≥ 19 or perennial if ≥ 30** 13	Stream Determination (circle one) (Ephemeral) Intermittent Perennial	Other Apex *e.g. Quad Name:*

A. Geomorphology (Subtotal = 6.5)	Absent	Weak	Moderate	Strong
1. Continuity of channel bed and bank	0	1	(2)	3
2. Sinuosity of channel along thalweg	0	(1)	2	3
3. In-channel structure: ex. riffle-pool, step-pool, ripple-pool sequence	0	(1)	2	3
4. Particle size of stream substrate	0	(1)	2	3
5. Active/relict floodplain	(0)	1	2	3
6. Depositional bars or benches	(0)	1	2	3
7. Recent alluvial deposits	(0)	1	2	3
8. Headcuts	0	(1)	2	3
9. Grade control	(0)	0.5	1	1.5
10. Natural valley	0	(0.5)	1	1.5
11. Second or greater order channel (artificial ditches are not rated; see discussions in manual)	No = (0)		Yes = 3	

B. Hydrology (4.5)				
12. Presence of Baseflow	(3)	1	2	3
13. Iron oxidizing bacteria	(0)	1	2	3
14. Leaf litter	1.5	(1)	0.5	0
15. Sediment on plants or debris	(0)	0.5	1	1.5
16. Organic debris lines or piles	0	(0.5)	1	1.5
17. Soil-based evidence of high water table?	No = 0		Yes = (3)	

C. Biology (Subtotal = 2)				
18. Fibrous roots in streambed	3	2	(1)	0
19. Rooted upland plants in streambed	3	2	(1)	0
20. Macrobenthos (note diversity and abundance)	(0)	1	2	3
21. Aquatic Mollusks	(0)	1	2	3
22. Fish	(0)	0.5	1	1.5
23. Crayfish	(0)	0.5	1	1.5
24. Amphibians	(0)	0.5	1	1.5
25. Algae	(0)	0.5	1	1.5
26. Wetland plants in streambed	FACW = 0.75; OBL = 1.5 Other = (0)			

*perennial streams may also be identified using other methods. See p. 35 of manual.

Notes:

Sketch:

Soils = Int
USGS = NP

JM 10/31/2022

Down TOA-1 TOA1 Down stream

NC Division of Water Quality –Methodology for Identification of Intermittent and Perennial Streams and Their Origins v. 4.1

NC DWQ Stream Identification Form Version 4.1

Date: 4/29	Project/Site: Upside - EU	Latitude: 35.69571
Evaluator: BB/KM	County: Wake	Longitude: -78.83541
Total Points: *Stream is at least intermittent if ≥ 19 or perennial if ≥ 30** 22.75	Stream Determination (circle one) Ephemeral Intermittent Perennial	Other 1 pt e.g. Quad Name:

A. Geomorphology (Subtotal = 13)	Absent	Weak	Moderate	Strong
1* Continuity of channel bed and bank	0	1	2	(3)
2. Sinuosity of channel along thalweg	0	1	(2)	3
3. In-channel structure: ex. riffle-pool, step-pool, ripple-pool sequence	0	(1)	2	3
4. Particle size of stream substrate	0	(1)	2	3
5. Active/relict floodplain	0	(1)	2	3
6. Depositional bars or benches	0	(1)	2	3
7. Recent alluvial deposits	0	(1)	2	3
8. Headcuts	0	1	(2)	3
9. Grade control	0	(0.5)	1	1.5
10. Natural valley	0	0.5	(1)	1.5
11. Second or greater order channel *artificial ditches are not rated; see discussions in manual	No = 0		Yes = 3	

B. Hydrology (4.5)				
12. Presence of Baseflow	(0)	1	2	3
13. Iron oxidizing bacteria	(0)	1	2	3
14. Leaf litter	1.5	1	(0.5)	0
15. Sediment on plants or debris	0	(0.5)	1	1.5
16. Organic debris lines or piles	0	(0.5)	1	1.5
17. Soil-based evidence of high water table?	No = 0		Yes = (1)	

C. Biology (Subtotal = 5.25)				
18. Fibrous roots in streambed	3	(2)	1	0
19. Rooted upland plants in streambed	3	(2)	1	0
20. Macrobenthos (note diversity and abundance)	(0)	1	2	3
21. Aquatic Mollusks	(0)	1	2	3
22. Fish	(0)	0.5	1	1.5
23. Crayfish	(0)	0.5	1	1.5
24. Amphibians	0	(0.5)	1	1.5
25. Algae	(0)	0.5	1	1.5
26. Wetland plants in streambed	FACW = 0.75; OBL = 1.5 Other = 0			
*perennial streams may also be identified using other methods. See p. 35 of manual.				

Notes:

Sketch:

Soils = Int

USGS = NP

JM 10/31/2022

NC Division of Water Quality –Methodology for Identification of Intermittent and Perennial Streams and Their Origins v. 4.1

NC DWQ Stream Identification Form Version 4.1 TOA2 - UpStream

Date: 9/29/22	Project/Site: Veridea - EU	Latitude: 35.697061
Evaluator: BB/KM	County: Wake	Longitude: -78.836777
Total Points: *Stream is at least intermittent if ≥ 19 or perennial if ≥ 30** 11.5	Stream Determination (circle one) (Ephemeral) Intermittent Perennial	Other e.g. Quad Name:

A. Geomorphology (Subtotal = 7)	Absent	Weak	Moderate	Strong
1* Continuity of channel bed and bank	0	1	(2)	3
2. Sinuosity of channel along thalweg	0	(1)	2	3
3. In-channel structure: ex. riffle-pool, step-pool, ripple-pool sequence	0	(1)	2	3
4. Particle size of stream substrate	0	(1)	2	3
5. Active/relict floodplain	(0)	1	2	3
6. Depositional bars or benches	(0)	1	2	3
7. Recent alluvial deposits	(0)	1	2	3
8. Headcuts	0	(1)	2	3
9. Grade control	(0)	0.5	1	1.5
10. Natural valley	0	0.5	(1)	1.5
11. Second or greater order channel (artificial ditches are not rated; see discussions in manual)	No = (0)		Yes = 3	

B. Hydrology (0.5)				
12. Presence of Baseflow	(0)	1	2	3
13 Iron oxidizing bacteria	(0)	1	2	3
14. Leaf litter	1.5	1	0.5	(0)
15. Sediment on plants or debris	(0)	0.5	1	1.5
16. Organic debris lines or piles	0	(0.5)	1	1.5
17. Soil-based evidence of high water table?	No = (0)		Yes = 3	

C. Biology (Subtotal = 4)				
18. Fibrous roots in streambed	3	2	(1)	0
19. Rooted upland plants in streambed	(3)	2	1	0
20. Macrobenthos (note diversity and abundance)	(0)	1	2	3
21. Aquatic Mollusks	(0)	1	2	3
22. Fish	(0)	0.5	1	1.5
23. Crayfish	(0)	0.5	1	1.5
24. Amphibians	(0)	0.5	1	1.5
25. Algae	(0)	0.5	1	1.5
26. Wetland plants in streambed	FACW = 0.75; OBL = 1.5 Other = (0)			

*perennial streams may also be identified using other methods. See p. 35 of manual.

Notes:

Sketch:

Soils = Int
USGS = NP

JM 10/31/2022

T to A 2 Below

NC Division of Water Quality –Methodology for Identification of Intermittent and Perennial Streams and Their Origins v. 4.1

NC DWQ Stream Identification Form Version 4.1

Date: 9/29/22	Project/Site: Verdia - LV	Latitude: 35.696705
Evaluator: SB/KBM	County: Wake	Longitude: -78.83283
Total Points: *Stream is at least intermittent if ≥ 19 or perennial if ≥ 30** (19)	Stream Determination (circle one) Ephemeral (Intermittent) Perennial	Other 1 per *e.g. Quad Name:*

A. Geomorphology (Subtotal = 13.5) (13.5)

	Absent	Weak	Moderate	Strong
1* Continuity of channel bed and bank	0	1	2	3
2. Sinuosity of channel along thalweg	0	1	2	3
3. In-channel structure: ex. riffle-pool, step-pool, ripple-pool sequence	0	1	2	3
4. Particle size of stream substrate	0	1	2	3
5. Active/relict floodplain	0	1	2	3
6. Depositional bars or benches	0	1	2	3
7. Recent alluvial deposits	0	1	2	3
8. Headcuts	0	1	2	3
9. Grade control	0	0.5	1	1.5
10. Natural valley	0	0.5	1	1.5
11. Second or greater order channel	No = 0		Yes = 3	

*artificial ditches are not rated; see discussions in manual

B. Hydrology (1.5)

12. Presence of Baseflow	0	1	2	3
13. Iron oxidizing bacteria	0	1	2	3
14. Leaf litter	1.5	1	0	
15. Sediment on plants or debris	0	0.5	1	1.5
16. Organic debris lines or piles	0	0.5	1	1.5
17. Soil-based evidence of high water table?	No = 0		Yes = 3	

C. Biology (Subtotal = 4)

18. Fibrous roots in streambed	3	2	1	0
19. Rooted upland plants in streambed	3	2	1	0
20. Macrobenthos (note diversity and abundance)	0	1	2	3
21. Aquatic Mollusks	0	1	2	3
22. Fish	0	0.5	1	1.5
23. Crayfish	0	0.5	1	1.5
24. Amphibians	0	0.5	1	1.5
25. Algae	0	0.5	1	1.5
26. Wetland plants in streambed	FACW = 0.75; OBL = 1.5 Other = 0			

*perennial streams may also be identified using other methods. See p. 35 of manual.

Notes:

Sketch:

Soils = Int
USGS = NP

JM 10/31/2022

Feature 3-SFA

NC Division of Water Quality – Methodology for Identification of Intermittent and Perennial Streams and Their Origins v. 4.11

NC DWQ Stream Identification Form Version 4.11

Date: 9/29/22	Project/Site: Verdera LV	Latitude: 35.701467
Evaluator: SB KM	County: Wake	Longitude: -78.852491
Total Points: *Stream is at least intermittent if ≥ 19 or perennial if ≥ 30** (7)	Stream Determination (circle one) Ephemeral Intermittent Perennial	Other Apex e.g. Quad Name:

A. Geomorphology (Subtotal = 3.5)	Absent	Weak	Moderate	Strong
1* Continuity of channel bed and bank	0	(1)	2	3
2. Sinuosity of channel along thalweg	0	(1)	2	3
3. In-channel structure: ex. riffle-pool, step-pool, ripple-pool sequence	(0)	1	2	3
4. Particle size of stream substrate	(0)	1	2	3
5. Active/relict floodplain	(0)	1	2	3
6. Depositional bars or benches	(0)	1	2	3
7. Recent alluvial deposits	(0)	1	2	3
8. Headcuts	(0)	1	2	3
9. Grade control	0	(0.5)	1	1.5
10. Natural valley	0	0.5	(1)	1.5
11. Second or greater order channel	No = (0)		Yes = 3	

*artificial ditches are not rated; see discussions in manual

B. Hydrology (Subtotal = 1.5)				
12. Presence of Baseflow	(0)	1	2	3
13. Iron oxidizing bacteria	(0)	1	2	3
14. Leaf litter	1.5	1	(0.5)	0
15. Sediment on plants or debris	0	(0.5)	1	1.5
16. Organic debris lines or piles	0	(0.5)	1	1.5
17. Soil-based evidence of high water table?	No = (0)		Yes = 3	

C. Biology (Subtotal = 2)				
18. Fibrous roots in streambed	3	2	(1)	0
19. Rooted upland plants in streambed	3	2	(1)	0
20. Macrobenthos (note diversity and abundance)	(0)	1	2	3
21. Aquatic Mollusks	(0)	1	2	3
22. Fish	(0)	0.5	1	1.5
23. Crayfish	(0)	0.5	1	1.5
24. Amphibians	(0)	0.5	1	1.5
25. Algae	(0)	0.5	1	1.5
26. Wetland plants in streambed	FACW = 0.75; OBL = 1.5; Other = 0			

*perennial streams may also be identified using other methods. See p. 35 of manual.

Notes:

Sketch:

Soils = Int

USGS = NP

JM 11/16/2022

41

Feature 3 - SF B

NC Division of Water Quality –Methodology for Identification of Intermittent and Perennial Streams and Their Origins v. 4.11

NC DWQ Stream Identification Form Version 4.11

Date: 9/29/22	Project/Site: Vesicle EU	Latitude: 35.700 84C
Evaluator: SB KM	County: Wake	Longitude: -78.836 265
Total Points: 19 *Stream is at least intermittent if ≥ 19 or perennial if ≥ 30**	Stream Determination (circle one) Ephemeral Intermittent Perennial	Other: Apex *e.g. Quad Name:*

A. Geomorphology (Subtotal = 9.5)	Absent	Weak	Moderate	Strong
1[a] Continuity of channel bed and bank	0	1	2	3
2. Sinuosity of channel along thalweg	0	1	2	3
3. In-channel structure: ex. riffle-pool, step-pool, ripple-pool sequence	0	1	2	3
4. Particle size of stream substrate	0	1	2	3
5. Active/relict floodplain	0	1	2	3
6. Depositional bars or benches	0	1	2	3
7. Recent alluvial deposits	0	1	2	3
8. Headcuts	0	1	2	3
9. Grade control	0	0.5	1	1.5
10. Natural valley	0	0.5	1	1.5
11. Second or greater order channel	No = 0		Yes = 3	

[a] artificial ditches are not rated; see discussions in manual

B. Hydrology (Subtotal = 5)				
12. Presence of Baseflow	0	1	2	3
13. Iron oxidizing bacteria	0	1	2	3
14. Leaf litter	1.5	1	0.5	0
15. Sediment on plants or debris	0	0.5	1	1.5
16. Organic debris lines or piles	0	0.5	1	1.5
17. Soil-based evidence of high water table?	No = 0		Yes = 3	

C. Biology (Subtotal = 4.5)				
18. Fibrous roots in streambed	3	2	1	0
19. Rooted upland plants in streambed	3	2	1	0
20. Macrobenthos (note diversity and abundance)	0	1	2	3
21. Aquatic Mollusks	0	1	2	3
22. Fish	0	0.5	1	1.5
23. Crayfish	0	0.5	1	1.5
24. Amphibians	0	0.5	1	1.5
25. Algae	0	0.5	1	1.5
26. Wetland plants in streambed	FACW = 0.75 OBL = 1.5 Other = 0			

*perennial streams may also be identified using other methods. See p. 35 of manual.

Notes:

Sketch:

Soils = Int
USGS = NP

JM 11/21/2022

NC Division of Water Quality –Methodology for Identification of Intermittent and Perennial Streams and Their Origins v. 4.1

NC DWQ Stream Identification Form Version 4.1 TOA 4_ upstream

Date: 9/29/22	Project/Site: Uwharrie - EU	Latitude: 35.701472
Evaluator: SM/KM	County: Uwharrie	Longitude: -79.83539
Total Points: *Stream is at least intermittent if ≥ 19 or perennial if ≥ 30** 4.5	Stream Determination (circle one) (Ephemeral) Intermittent Perennial	Other Apex *e.g. Quad Name:*

A. Geomorphology (Subtotal = 4.5)	Absent	Weak	Moderate	Strong
1* Continuity of channel bed and bank	0	(1)	2	3
2. Sinuosity of channel along thalweg	0	(1)	2	3
3. In-channel structure: ex. riffle-pool, step-pool, ripple-pool sequence	0	(1)	2	3
4. Particle size of stream substrate	(0)	1	2	3
5. Active/relict floodplain	(0)	1	2	3
6. Depositional bars or benches	(0)	1	2	3
7. Recent alluvial deposits	(0)	1	2	3
8. Headcuts	0	(1)	2	3
9. Grade control	(0)	0.5	1	1.5
10. Natural valley	0	(0.5)	1	1.5
11. Second or greater order channel	No = (0)		Yes = 3	

artificial ditches are not rated; see discussions in manual

B. Hydrology				
12. Presence of Baseflow	(0)	1	2	3
13. Iron oxidizing bacteria	(0)	1	2	3
14. Leaf litter	1.5	1	(0.5)	0
15. Sediment on plants or debris	(0)	0.5	1	1.5
16. Organic debris lines or piles	0	(0.5)	1	1.5
17. Soil-based evidence of high water table?	No = (0)		Yes = 3	

C. Biology (Subtotal = 4)				
18. Fibrous roots in streambed	3	2	(1)	0
19. Rooted upland plants in streambed	(3)	2	1	0
20. Macrobenthos (note diversity and abundance)	(0)	1	2	3
21. Aquatic Mollusks	(0)	1	2	3
22. Fish	(0)	0.5	1	1.5
23. Crayfish	(0)	0.5	1	1.5
24. Amphibians	(0)	0.5	1	1.5
25. Algae	(0)	0.5	1	1.5
26. Wetland plants in streambed	FACW = 0.75; OBL = 1.5 Other = (0)			

*perennial streams may also be identified using other methods. See p. 35 of manual.

Notes:

Sketch:

Soils = Int
USGS = NP

SM 10/31/2022

TOA 4 Down stream
below

NC Division of Water Quality –Methodology for Identification of Intermittent and Perennial Streams and Their Origins v. 4.1

NC DWQ Stream Identification Form Version 4.1

Date: 9/29/22	Project/Site: Veridea - EV	Latitude: 39.701532
Evaluator: SB/KM	County: Wake	Longitude: 78.83550
Total Points: *Stream is at least intermittent if ≥ 19 or perennial if ≥ 30** 19.5	Stream Determination (circle one) Ephemeral Intermittent Perennial	Other Apex *e.g. Quad Name:*

A. Geomorphology (Subtotal = 10.5)	Absent	Weak	Moderate	Strong
1* Continuity of channel bed and bank	0	1	2	3
2. Sinuosity of channel along thalweg	0	1	2	3
3. In-channel structure: ex. riffle-pool, step-pool, ripple-pool sequence	0	1	2	3
4. Particle size of stream substrate	0	1	2	3
5. Active/relict floodplain	0	1	2	3
6. Depositional bars or benches	0	1	2	3
7. Recent alluvial deposits	0	1	2	3
8. Headcuts	0	1	2	3
9. Grade control	0	0.5	1	1.5
10. Natural valley	0	0.5	1	1.5
11. Second or greater order channel	No = 0		Yes = 3	

*artificial ditches are not rated; see discussions in manual

B. Hydrology (5)				
12. Presence of Baseflow	0	1	2	3
13. Iron oxidizing bacteria	0	1	2	3
14. Leaf litter 4	1.5	1	0.5	0
15. Sediment on plants or debris	0	0.5	1	1.5
16. Organic debris lines or piles	0	0.5	1	1.5
17. Soil-based evidence of high water table?	No = 0		Yes = 3	

C. Biology (Subtotal =)				
18. Fibrous roots in streambed	3	2	1	0
19. Rooted upland plants in streambed	3	2	1	0
20. Macrobenthos (note diversity and abundance)	0	1	2	3
21. Aquatic Mollusks	0	1	2	3
22. Fish	0	0.5	1	1.5
23. Crayfish	0	0.5	1	1.5
24. Amphibians	0	0.5	1	1.5
25. Algae	0	0.5	1	1.5
26. Wetland plants in streambed	FACW = 0.75 OBL = 1.5 Other = 0			

*perennial streams may also be identified using other methods. See p. 35 of manual.

Notes:

Sketch:

Soils = Int
USGS = NP

JM 10/31/2022

NC Division of Water Quality – Methodology for Identification of Intermittent and Perennial Streams and Their Origins v. 4.1

NC DWQ Stream Identification Form Version 4.1 TOA 5- upstream

Date: 9/29/22	Project/Site: Vereden - EU	Latitude: 35.69974
Evaluator: SB/KM	County: Wake	Longitude: -78.839864
Total Points: *Stream is at least intermittent if ≥ 19 or perennial if ≥ 30** 17	Stream Determination (circle one) (Ephemeral) Intermittent Perennial	Other e.g. Quad Name: Apex

A. Geomorphology (Subtotal = 8)	Absent	Weak	Moderate	Strong
1a. Continuity of channel bed and bank	0	1	(2)	3
2. Sinuosity of channel along thalweg	0	1	(2)	3
3. In-channel structure: ex. riffle-pool, step-pool, ripple-pool sequence	0	(1)	2	3
4. Particle size of stream substrate	0	(1)	2	3
5. Active/relict floodplain	(0)	1	2	3
6. Depositional bars or benches	(0)	1	2	3
7. Recent alluvial deposits	(0)	1	2	3
8. Headcuts	0	(1)	2	3
9. Grade control	(0)	0.5	1	1.5
10. Natural valley	0	0.5	(1)	1.5
11. Second or greater order channel (artificial ditches are not rated; see discussions in manual)	No = 0		Yes = 3	

B. Hydrology (Subtotal = 4)				
12. Presence of Baseflow	(0)	1	2	3
13. Iron oxidizing bacteria	(0)	1	2	3
14. Leaf litter	1.5	1	(0.5)	0
15. Sediment on plants or debris	(0)	0.5	1	1.5
16. Organic debris lines or piles	0	(0.5)	1	1.5
17. Soil-based evidence of high water table?	No = 0		Yes = (3)	

C. Biology (Subtotal = 5)				
18. Fibrous roots in streambed	(3)	(2)	1	0
19. Rooted upland plants in streambed	(3)	2	1	0
20. Macrobenthos (note diversity and abundance)	(0)	1	2	3
21. Aquatic Mollusks	(0)	1	2	3
22. Fish	(0)	0.5	1	1.5
23. Crayfish	(0)	0.5	1	1.5
24. Amphibians	(0)	0.5	1	1.5
25. Algae	(0)	0.5	1	1.5
26. Wetland plants in streambed	FACW = 0.75; OBL = 1.5 Other = (0)			

*perennial streams may also be identified using other methods. See p. 35 of manual.

Notes:

Sketch:

Soils = Int

USGS = NP

JM 10/31/2022

Below & Downstream
TO14

NC Division of Water Quality –Methodology for Identification of Intermittent and Perennial Streams and Their Origins v. 4.1

NC DWQ Stream Identification Form Version 4.1

Date: 9/29/22	Project/Site: Vendue - EV	Latitude: 35.694426
Evaluator: SB/KM	County: Wake	Longitude: -78.83[illegible]23
Total Points: *Stream is at least intermittent if ≥ 19 or perennial if ≥ 30** 21.75	Stream Determination (circle one) Ephemeral (Intermittent) Perennial	Other Apex *e.g. Quad Name*

A. Geomorphology (Subtotal = 12)	Absent	Weak	Moderate	Strong
1* Continuity of channel bed and bank	0	1	2	(3)
2. Sinuosity of channel along thalweg	0	1	(2)	3
3. In-channel structure: ex. riffle-pool, step-pool, ripple-pool sequence	0	(1)	2	3
4. Particle size of stream substrate	0	(1)	2	3
5. Active/relict floodplain	(0)	1	2	3
6. Depositional bars or benches	(0)	1	2	3
7. Recent alluvial deposits	0	(0)	2	3
8. Headcuts	0	(1)	(2)	3
9. Grade control	0	(0.5)	1	1.5
10. Natural valley	0	0.5	1	(1.5)
11. Second or greater order channel artificial ditches are not rated; see discussions in manual	No = (0)		Yes = 3	

B. Hydrology (5)				
12. Presence of Baseflow	(0)	1	2	3
13. Iron oxidizing bacteria	(0)	1	2	3
14. Leaf litter	1.5	(1)	0.5	0
15. Sediment on plants or debris	0	(0.5)	1	1.5
16. Organic debris lines or piles	0	(0.5)	1	1.5
17. Soil-based evidence of high water table?	No = 0		Yes = (3)	

C. Biology (Subtotal = 4.5)				
18. Fibrous roots in streambed	3	(2)	1	0
19. Rooted upland plants in streambed	3	(2)	1	0
20. Macrobenthos (note diversity and abundance)	(0)	1	2	3
21. Aquatic Mollusks	(0)	1	2	3
22. Fish	(0)	0.5	1	1.5
23. Crayfish	(0)	0.5	1	1.5
24. Amphibians	(0)	0.5	1	1.5
25. Algae	0	0.5	1	(1.5)
26. Wetland plants in streambed	FACW = (0.75); OBL = 1.5 Other = 0			

*perennial streams may also be identified using other methods. See p. 35 of manual.

Notes:

Sketch:

Soils = Int
USGS = NP

JM 10/31/2022

NC Division of Water Quality –Methodology for Identification of Intermittent and Perennial Streams and Their Origins v. 4.1

NC DWQ Stream Identification Form Version 4.1 TOA 6 - upstream

Date: 9/29/22	Project/Site: Vanden - EV	Latitude: 35.648558
Evaluator: SB/KM	County: Wake	Longitude: -78.881210
Total Points: *Stream is at least intermittent if ≥ 19 or perennial if ≥ 30** 14	Stream Determination (circle one) (Ephemeral) Intermittent Perennial	Other e.g. Quad Name: Apex

A. Geomorphology (Subtotal = 5.5)	Absent	Weak	Moderate	Strong
1* Continuity of channel bed and bank	0	(1)	2	3
2. Sinuosity of channel along thalweg	0	(1)	2	3
3. In-channel structure: ex. riffle-pool, step-pool, ripple-pool sequence	0	(1)	2	3
4. Particle size of stream substrate	0	(1)	2	3
5. Active/relict floodplain	(0)	1	2	3
6. Depositional bars or benches	(0)	1	2	3
7. Recent alluvial deposits	(0)	1	2	3
8. Headcuts	(0)	1	2	3
9. Grade control	(0)	0.5	1	1.5
10. Natural valley	0	0.5	1	(1.5)
11. Second or greater order channel	No = (0)		Yes = 3	

*artificial ditches are not rated; see discussions in manual

B. Hydrology (3.5)				
12. Presence of Baseflow	(0)	1	2	3
13. Iron oxidizing bacteria	(0)	1	2	3
14. Leaf litter	1.5	1	(0.5)	0
15. Sediment on plants or debris	(0)	0.5	1	1.5
16. Organic debris lines or piles	(0)	0.5	1	1.5
17. Soil-based evidence of high water table?	No = 0		Yes = (3)	

C. Biology (Subtotal = 5)				
18. Fibrous roots in streambed	3	(2)	1	0
19. Rooted upland plants in streambed	(3)	2	1	0
20. Macrobenthos (note diversity and abundance)	(0)	1	2	3
21. Aquatic Mollusks	(0)	1	2	3
22. Fish	(0)	0.5	1	1.5
23. Crayfish	(0)	0.5	1	1.5
24. Amphibians	(0)	0.5	1	1.5
25. Algae	(0)	0.5	1	1.5
26. Wetland plants in streambed	FACW = 0.75; OBL = 1.5 Other = (0)			

*perennial streams may also be identified using other methods. See p. 35 of manual.

Notes:

Sketch:

Soils = Int

USGS = NP

JM 10/31/2022

To A 6' Below / Downstream

NC Division of Water Quality –Methodology for Identification of Intermittent and Perennial Streams and Their Origins v. 4.1

NC DWQ Stream Identification Form Version 4.1

Date: 9/29/22	Project/Site: Verida-LV	Latitude: 35.648274
Evaluator: SB/KM	County: Locke	Longitude: -78.842114
Total Points: *Stream is at least intermittent if ≥ 19 or perennial if ≥ 30* 20	Stream Determination (circle one) Ephemeral (Intermittent) Perennial	Other Apex e.g. Quad Name:

A. Geomorphology (Subtotal = 12)	Absent	Weak	Moderate	Strong
1st Continuity of channel bed and bank	0	1	2	3
2. Sinuosity of channel along thalweg	0	1	2	3
3. In-channel structure: ex. riffle-pool, step-pool, ripple-pool sequence	0	1	2	3
4. Particle size of stream substrate	0	1	2	3
5. Active/relict floodplain	0	1	2	3
6. Depositional bars or benches	0	1	2	3
7. Recent alluvial deposits	0	1	2	3
8. Headcuts	0	1	2	3
9. Grade control	0	0.5	1	1.5
10. Natural valley	0	0.5	1	1.5
11. Second or greater order channel (artificial ditches are not rated; see discussions in manual)	No = 0		Yes = 3	

B. Hydrology (5.0)				
12. Presence of Baseflow	0	1	2	3
13. Iron oxidizing bacteria	0	1	2	3
14. Leaf litter	1.5	1	0.5	0
15. Sediment on plants or debris	0	0.5	1	1.5
16. Organic debris lines or piles	0	0.5	1	1.5
17. Soil-based evidence of high water table?	No = 0		Yes = 3	

C. Biology (Subtotal = 11.3)				
18. Fibrous roots in streambed	3	2	1	0
19. Rooted upland plants in streambed	3	2	1	0
20. Macrobenthos (note diversity and abundance)	0	1	2	3
21. Aquatic Mollusks	0	1	2	3
22. Fish	0	0.5	1	1.5
23. Crayfish	0	0.5	1	1.5
24. Amphibians	0	0.5	1	1.5
25. Algae	0	0.5	1	1.5
26. Wetland plants in streambed	FACW = 0.75; OBL = 1.5 Other = 0			

*perennial streams may also be identified using other methods. See p. 35 of manual.

Notes:

Sketch:

Soils = Int
USGS = NP

JM 10/31/2022

Stream Form. W
Feature - P ?

NC Division of Water Quality –Methodology for Identification of Intermittent and Perennial Streams and Their Origins v. 4.11

NC DWQ Stream Identification Form Version 4.11

Date: 9/29/22	Project/Site: Ulrichia EV	Latitude: 35.701029
Evaluator: SB KM	County: Wake	Longitude: -78.843865
Total Points: *Stream is at least intermittent if ≥ 19 or perennial if ≥ 30** 19	Stream Determination (circle one) Ephemeral (Intermittent) Perennial	Other Apex *e.g. Quad Name:*

A. Geomorphology (Subtotal = 10.5)	Absent	Weak	Moderate	Strong
1* Continuity of channel bed and bank	0	1	(2)	3
2. Sinuosity of channel along thalweg	0	1	(2)	3
3. In-channel structure: ex. riffle-pool, step-pool, ripple-pool sequence	0	(1)	2	3
4. Particle size of stream substrate	0	(1)	2	3
5. Active/relict floodplain	0	(1)	2	3
6. Depositional bars or benches	0	(1)	2	3
7. Recent alluvial deposits	0	(1)	2	3
8. Headcuts	(0)	1	2	3
9. Grade control	0	(0.5)	1	1.5
10. Natural valley	0	0.5	(1)	1.5
11. Second or greater order channel	No = (0)		Yes = 3	

*artificial ditches are not rated; see discussions in manual

B. Hydrology (Subtotal = 4.5)				
12. Presence of Baseflow	(0)	1	2	3
13. Iron oxidizing bacteria	(0)	1	2	3
14. Leaf litter	1.5	1	(0.5)	0
15. Sediment on plants or debris	0	(0.5)	1	1.5
16. Organic debris lines or piles	0	(0.5)	1	1.5
17. Soil-based evidence of high water table?	No = 0		Yes = (3)	

C. Biology (Subtotal = 4)				
18. Fibrous roots in streambed	3	(2)	1	0
19. Rooted upland plants in streambed	3	(2)	1	0
20. Macrobenthos (note diversity and abundance)	(0)	1	2	3
21. Aquatic Mollusks	(0)	1	2	3
22. Fish	(0)	0.5	1	1.5
23. Crayfish	(0)	0.5	1	1.5
24. Amphibians	(0)	0.5	1	1.5
25. Algae	(0)	0.5	1	1.5
26. Wetland plants in streambed	FACW = 0.75, OBL = 1.5, Other = 0			

*perennial streams may also be identified using other methods. See p. 35 of manual.

Notes:

Sketch:

Soils = InT
USGS = NP

JM 11/30/2022

8

NC Division of Water Quality –Methodology for Identification of Intermittent and Perennial Streams and Their Origins v. 4.1

Stream Form X-Feature 8

NC DWQ Stream Identification Form Version 4.1

Date: 9/30/22	Project/Site: Veridea - EV	Latitude: 35.70089
Evaluator: SB/KM	County: Wake	Longitude: -78.8436
Total Points: Stream is at least intermittent if ≥ 19 or perennial if ≥ 30* 13	Stream Determination (circle one) (Ephemeral) Intermittent Perennial	Other Apex e.g. Quad Name:

A. Geomorphology (Subtotal = 4)	Absent	Weak	Moderate	Strong
1^a. Continuity of channel bed and bank	0	(1)	2	3
2. Sinuosity of channel along thalweg	0	(1)	2	3
3. In-channel structure: ex. riffle-pool, step-pool, ripple-pool sequence	(0)	1	2	3
4. Particle size of stream substrate	0	(1)	2	3
5. Active/relict floodplain	(0)	1	2	3
6. Depositional bars or benches	(0)	1	2	3
7. Recent alluvial deposits	(0)	1	2	3
8. Headcuts	(0)	1	2	3
9. Grade control	(0)	0.5	1	1.5
10. Natural valley	0	0.5	(1)	1.5
11. Second or greater order channel (artificial ditches are not rated; see discussions in manual)	No = (0)		Yes = 3	

B. Hydrology (5)				
12. Presence of Baseflow	(0)	1	2	3
13. Iron oxidizing bacteria	(0)	1	2	3
14. Leaf litter	1.5	(1)	0.5	0
15. Sediment on plants or debris	(0)	0.5	1	1.5
16. Organic debris lines or piles	0	0.5	(1)	1.5
17. Soil-based evidence of high water table?	No = 0		Yes = (3)	

C. Biology (Subtotal = 4)				
18. Fibrous roots in streambed	3	2	(1)	0
19. Rooted upland plants in streambed	(3)	2	1	0
20. Macrobenthos (note diversity and abundance)	(0)	1	2	3
21. Aquatic Mollusks	(0)	1	2	3
22. Fish	(0)	0.5	1	1.5
23. Crayfish	(0)	0.5	1	1.5
24. Amphibians	(0)	0.5	1	1.5
25. Algae	(0)	0.5	1	1.5
26. Wetland plants in streambed	FACW = 0.75; OBL = 1.5 Other = (0)			

*perennial streams may also be identified using other methods. See p. 35 of manual.

Notes:

Sketch:

Soils = INT
USGS = NP

10/31/2022

~~Do not need to see~~
~~in field~~ SM

9

NC Division of Water Quality –Methodology for Identification of Intermittent and Perennial Streams and Their Origins v. 4.1

Stream form Z-Feature 9

NC DWQ Stream Identification Form Version 4.1

Date: 9/29/22	Project/Site: Vencleva - LV	Latitude: 35.648238
Evaluator: SB/KM	County: Wake	Longitude: -78.84806
Total Points: Stream is at least intermittent if ≥ 19 or perennial if ≥ 30* 18	Stream Determination (circle one) (Ephemeral) Intermittent Perennial	Other Apex e.g. Quad Name:

A. Geomorphology (Subtotal = 8)	Absent	Weak	Moderate	Strong
1ª Continuity of channel bed and bank	0	1	(2)	3
2. Sinuosity of channel along thalweg	0	(1)	2	3
3. In-channel structure: ex. riffle-pool, step-pool, ripple-pool sequence	0	(1)	2	3
4. Particle size of stream substrate	0	(1)	2	3
5. Active/relict floodplain	(0)	1	2	3
6. Depositional bars or benches	(0)	1	2	3
7. Recent alluvial deposits	0	(1)	2	3
8. Headcuts	0	(1)	2	3
9. Grade control	(0)	0.5	1	1.5
10. Natural valley	0	0.5	(1)	1.5
11. Second or greater order channel artificial ditches are not rated; see discussions in manual	No = (0)		Yes = 3	

B. Hydrology (5)				
12. Presence of Baseflow	(0)	1	2	3
13. Iron oxidizing bacteria	(0)	1	2	3
14. Leaf litter	1.5	(1)	0.5	0
15. Sediment on plants or debris	(0)	0.5	1	1.5
16. Organic debris lines or piles	0	0.5	(1)	1.5
17. Soil-based evidence of high water table?	No = 0		Yes = (3)	

C. Biology (Subtotal = 5)				
18. Fibrous roots in streambed	3	(2)	1	0
19. Rooted upland plants in streambed	(3)	2	1	0*
20. Macrobenthos (note diversity and abundance)	(0)	1	2	3
21. Aquatic Mollusks	(0)	1	2	3
22. Fish	(0)	0.5	1	1.5
23. Crayfish	(0)	0.5	1	1.5
24. Amphibians	(0)	0.5	1	1.5
25. Algae	(0)	0.5	1	1.5
26. Wetland plants in streambed	FACW = 0.75; OBL = 1.5 Other = (0)			

*perennial streams may also be identified using other methods. See p. 35 of manual.

Notes:

Sketch:

Soils = Int
USGS = NP

JM 10/31/2022

10

NC Division of Water Quality –Methodology for Identification of Intermittent and Perennial Streams and Their Origins v. 4.1

Stream form Y-Feature 10

NC DWQ Stream Identification Form Version 4.1

Date: 9/29/22	Project/Site: Vulcan LEV	Latitude: 35.6953
Evaluator: SB / V, M	County: Wake	Longitude: -78.84584
Total Points: *Stream is at least intermittent if ≥ 19 or perennial if ≥ 30** 15	Stream Determination (circle one) (Ephemeral) Intermittent Perennial	Other *e.g. Quad Name:*

A. Geomorphology (Subtotal = 5)	Absent	Weak	Moderate	Strong
1* Continuity of channel bed and bank	0	1	(2)	3
2. Sinuosity of channel along thalweg	0	(1)	2	3
3. In-channel structure: ex. riffle-pool, step-pool, ripple-pool sequence	(0)	1	2	3
4. Particle size of stream substrate	0	(1)	2	3
5. Active/relict floodplain	(0)	1	2	3
6. Depositional bars or benches	(0)	1	2	3
7. Recent alluvial deposits	(0)	1	2	3
8. Headcuts	(0)	1	2	3
9. Grade control	(0)	0.5	1	1.5
10. Natural valley	0	0.5	(1)	1.5
11. Second or greater order channel (artificial ditches are not rated; see discussions in manual)	No = (0)		Yes = 3	

B. Hydrology (5)				
12. Presence of Baseflow	(0)	1	2	3
13. Iron oxidizing bacteria	(0)	1	2	3
14. Leaf litter	1.5	(1)	0.5	0
15. Sediment on plants or debris	(0)	0.5	1	1.5
16. Organic debris lines or piles	0	0.5	(1)	1.5
17. Soil-based evidence of high water table?	No = 0		Yes = (3)	

C. Biology (Subtotal = 5)				
18. Fibrous roots in streambed	3	(2)	1	0
19. Rooted upland plants in streambed	(3)	2	1	0
20. Macrobenthos (note diversity and abundance)	(0)	1	2	3
21. Aquatic Mollusks	(0)	1	2	3
22. Fish	(0)	0.5	1	1.5
23. Crayfish	(0)	0.5	1	1.5
24. Amphibians	(0)	0.5	1	1.5
25. Algae	(0)	0.5	1	1.5
26. Wetland plants in streambed	FACW = 0.75; OBL = 1.5 Other = 0			

*perennial streams may also be identified using other methods. See p. 35 of manual.

Notes:

Sketch:

Soils = Int
USGS = NP

JM 10/31/2022

Stream Form [illegible]
11-I - Feature 11

NC Division of Water Quality –Methodology for Identification of Intermittent and Perennial Streams and Their Origins v. 4.11

NC DWQ Stream Identification Form Version 4.11

Date: 12/7/22	Project/Site: Verida EV	Latitude: 35.70463
Evaluator: SBell	County: Wake	Longitude: -78.843506
Total Points: *Stream is at least intermittent if ≥ 19 or perennial if ≥ 30** 26.5	Stream Determination (circle one) Ephemeral Intermittent Perennial	Other e.g. Quad Name: Apex

A. Geomorphology (Subtotal = 15)	Absent	Weak	Moderate	Strong
1ª Continuity of channel bed and bank	0	1	(2)	3
2. Sinuosity of channel along thalweg	0	1	(2)	3
3. In-channel structure: ex. riffle-pool, step-pool, ripple-pool sequence	0	(1)	2	3
4. Particle size of stream substrate	0	(1)	2	3
5. Active/relict floodplain	0	(1)	2	3
6. Depositional bars or benches	0	(1)	2	3
7. Recent alluvial deposits	0	(1)	2	3
8. Headcuts	0	(1)	2	3
9. Grade control	0	0.5	(1)	1.5
10. Natural valley	0	0.5	(1)	1.5
11. Second or greater order channel	No = 0		Yes = (3)	

ª artificial ditches are not rated; see discussions in manual

B. Hydrology (Subtotal = 7.5)				
12. Presence of Baseflow	0	1	(2)	3
13. Iron oxidizing bacteria	(0)	1	2	3
14. Leaf litter	1.5	(1)	0.5	0
15. Sediment on plants or debris	0	(0.5)	1	1.5
16. Organic debris lines or piles	0	0.5	(1)	1.5
17. Soil-based evidence of high water table?	No = 0		Yes = (3)	

C. Biology (Subtotal = 4)				
18. Fibrous roots in streambed	3	(2)	1	0
19. Rooted upland plants in streambed	3	(2)	1	0
20. Macrobenthos (note diversity and abundance)	0	1	2	3
21. Aquatic Mollusks	0	1	2	3
22. Fish	0	0.5	1	1.5
23. Crayfish	0	0.5	1	1.5
24. Amphibians	0	0.5	1	1.5
25. Algae	0	0.5	1	1.5
26. Wetland plants in streambed	FACW = 0.75; OBL = 1.5 Other = 0			

*perennial streams may also be identified using other methods. See p. 35 of manual.

Notes:

Sketch:

Soils = Perennial
USGS = Present

JM 12/8/2022

Stream Form 11-P

NC Division of Water Quality –Methodology for Identification of Intermittent and Perennial Streams and Their Origins v. 4.11

NC DWQ Stream Identification Form Version 4.11

Date: 12/7/22	Project/Site: Veridea EV	Latitude: 35.764339
Evaluator: SDgll	County: Wake	Longitude: -78.84395
Total Points: *Stream is at least intermittent if ≥ 19 or perennial if ≥ 30** 32	Stream Determination (circle one) Ephemeral Intermittent (Perennial)	Other Apex e.g. Quad Name:

A. Geomorphology (Subtotal = 18)	Absent	Weak	Moderate	Strong
1* Continuity of channel bed and bank	0	1	2	(3)
2. Sinuosity of channel along thalweg	0	1	(2)	3
3. In-channel structure: ex. riffle-pool, step-pool, ripple-pool sequence	0	1	(2)	3
4. Particle size of stream substrate	0	1	(2)	3
5. Active/relict floodplain	0	(1)	2	3
6. Depositional bars or benches	0	1	(2)	3
7. Recent alluvial deposits	0	(1)	2	3
8. Headcuts	0	1	(2)	3
9. Grade control	0	0.5	(1)	1.5
10. Natural valley	0	0.5	(1)	1.5
11. Second or greater order channel	No = 0		Yes = (3)	

*artificial ditches are not rated; see discussions in manual

B. Hydrology (Subtotal = 8.5)				
12. Presence of Baseflow	0	1	(2)	3
13. Iron oxidizing bacteria	(0)	1	2	3
14. Leaf litter	(1.5)	1	0.5	0
15. Sediment on plants or debris	0	0.5	(1)	1.5
16. Organic debris lines or piles	0	0.5	(1)	1.5
17. Soil-based evidence of high water table?	No = 0		Yes (3)	

C. Biology (Subtotal = 5.5)				
18. Fibrous roots in streambed	3	(2)	1	0
19. Rooted upland plants in streambed	(3)	2	1	0
20. Macrobenthos (note diversity and abundance)	(0)	1	2	3
21. Aquatic Mollusks	(0)	1	2	3
22. Fish	(0)	0.5	1	1.5
23. Crayfish	0	(0.5)	1	1.5
24. Amphibians	(0)	0.5	1	1.5
25. Algae	(0)	0.5	1	1.5
26. Wetland plants in streambed	FACW = 0.75; OBL = 1.5 Other = 0			

*perennial streams may also be identified using other methods. See p. 35 of manual.

Notes:

Sketch:

41

Soils = Perennial
USGS = present

JM 12/8/2022

Veridea EAST FEATURE 12

NC Division of Water Quality –Methodology for Identification of Intermittent and Perennial Streams and Their Origins v. 4.11

NC DWQ Stream Identification Form Version 4.11

Date: 12/5/2022	Project/Site: VERIDEA EAST	Latitude: 35.705299
Evaluator: SHEC - JOSHUA HARVEY	County: WAKE	Longitude: -78.847135
Total Points: *Stream is at least intermittent if ≥ 19 or perennial if ≥ 30** 12.5	Stream Determination (circle one) (Ephemeral) Intermittent Perennial	Other *e.g. Quad Name:*

A. Geomorphology (Subtotal = 7)	Absent	Weak	Moderate	Strong
1ª. Continuity of channel bed and bank	0	(1)	2	3
2. Sinuosity of channel along thalweg	0	(1)	2	3
3. In-channel structure: ex. riffle-pool, step-pool, ripple-pool sequence	0	(1)	2	3
4. Particle size of stream substrate	0	(1)	2	3
5. Active/relict floodplain	(0)	1	2	3
6. Depositional bars or benches	0	(1)	2	3
7. Recent alluvial deposits	(0)	1	2	3
8. Headcuts	0	(1)	2	3
9. Grade control	(0)	0.5	1	1.5
10. Natural valley	0	0.5	(1)	1.5
11. Second or greater order channel	No = 0		Yes = 3	

ª artificial ditches are not rated; see discussions in manual

B. Hydrology (Subtotal = 0.5)				
12. Presence of Baseflow	(0)	1	2	3
13. Iron oxidizing bacteria	(0)	1	2	3
14. Leaf litter	1.5	1	(0.5)	0
15. Sediment on plants or debris	(0)	0.5	1	1.5
16. Organic debris lines or piles	(0)	0.5	1	1.5
17. Soil-based evidence of high water table?	No = (0)		Yes = 3	

C. Biology (Subtotal = 5)				
18. Fibrous roots in streambed	3	(2)	1	0
19. Rooted upland plants in streambed	(3)	2	1	0
20. Macrobenthos (note diversity and abundance)	0	1	2	3
21. Aquatic Mollusks	(0)	1	2	3
22. Fish	(0)	0.5	1	1.5
23. Crayfish	(0)	0.5	1	1.5
24. Amphibians	(0)	0.5	1	1.5
25. Algae	(0)	0.5	1	1.5
26. Wetland plants in streambed	FACW = 0.75; OBL = 1.5 Other = 0			

*perennial streams may also be identified using other methods. See p. 35 of manual.

Notes:

Sketch:

41

Soils = Int

USGS = Present

JM 12/8/2022

Veridea EAST FEATURE B E

NC Division of Water Quality –Methodology for Identification of Intermittent and Perennial Streams and Their Origins v. 4.11

NC DWQ Stream Identification Form Version 4.11

Date: 12/5/2022	Project/Site: VERIDEA EAST	Latitude: 35.702922
Evaluator: SREC - JOSHUA HARVEY	County: WAKE	Longitude: -78.847666
Total Points: *Stream is at least intermittent if ≥ 19 or perennial if ≥ 30** 15.5	Stream Determination (circle one) Ephemeral Intermittent Perennial	Other *e.g. Quad Name:*

A. Geomorphology (Subtotal = 7.5)	Absent	Weak	Moderate	Strong
1ª Continuity of channel bed and bank	0	1	(2)	3
2. Sinuosity of channel along thalweg	0	(1)	2	3
3. In-channel structure: ex. riffle-pool, step-pool, ripple-pool sequence	0	(1)	2	3
4. Particle size of stream substrate	0	(1)	2	3
5. Active/relict floodplain	(0)	1	2	3
6. Depositional bars or benches	(0)	1	2	3
7. Recent alluvial deposits	0	(1)	2	3
8. Headcuts	(0)	1	2	3
9. Grade control	0	(0.5)	1	1.5
10. Natural valley	0	0.5	(1)	1.5
11. Second or greater order channel	(No = 0)		Yes = 3	

ª artificial ditches are not rated; see discussions in manual

B. Hydrology (Subtotal = 2)				
12. Presence of Baseflow	0	(1)	2	3
13. Iron oxidizing bacteria	(0)	1	2	3
14. Leaf litter	1.5	1	(0.5)	0
15. Sediment on plants or debris	(0)	0.5	1	1.5
16. Organic debris lines or piles	0	(0.5)	1	1.5
17. Soil-based evidence of high water table?	(No = 0)		Yes = 3	

C. Biology (Subtotal = 0)				
18. Fibrous roots in streambed	(3)	2	1	0
19. Rooted upland plants in streambed	(3)	2	1	0
20. Macrobenthos (note diversity and abundance)	0	1	2	3
21. Aquatic Mollusks	0	1	2	3
22. Fish	0	0.5	1	1.5
23. Crayfish	0	0.5	1	1.5
24. Amphibians	0	0.5	1	1.5
25. Algae	0	0.5	1	1.5
26. Wetland plants in streambed	FACW = 0.75; OBL = 1.5 Other = 0			

*perennial streams may also be identified using other methods. See p. 35 of manual.

Notes:

Sketch:

41

Soils = Int
USGS = Prsnt

12/8/2022

Veridea East FEATURE 13 I

NC Division of Water Quality –Methodology for Identification of Intermittent and Perennial Streams and Their Origins v. 4.11

NC DWQ Stream Identification Form Version 4.11

Date: 12/5/2022	Project/Site: VERIDEA EAST	Latitude: 35.702124
Evaluator: SEE - JOSHUA HARVEY	County: WAKE	Longitude: -78.846077
Total Points: *Stream is at least intermittent if ≥ 19 or perennial if ≥ 30** 21	Stream Determination (circle one) Ephemeral (Intermittent) Perennial	Other *e.g. Quad Name:*

A. Geomorphology (Subtotal = 9.5)	Absent	Weak	Moderate	Strong
1[a]. Continuity of channel bed and bank	0	1	(2)	3
2. Sinuosity of channel along thalweg	0	(1)	2	3
3. In-channel structure: ex. riffle-pool, step-pool, ripple-pool sequence	0	(1)	2	3
4. Particle size of stream substrate	0	1	(2)	3
5. Active/relict floodplain	(0)	1	2	3
6. Depositional bars or benches	0	(1)	2	3
7. Recent alluvial deposits	0	(1)	2	3
8. Headcuts	0	(1)	2	3
9. Grade control	(0)	0.5	1	1.5
10. Natural valley	0	(0.5)	1	1.5
11. Second or greater order channel	(No = 0)		Yes = 3	

[a] artificial ditches are not rated; see discussions in manual

B. Hydrology (Subtotal = 5.5)				
12. Presence of Baseflow	0	(1)	2	3
13. Iron oxidizing bacteria	(0)	1	2	3
14. Leaf litter	1.5	1	(0.5)	0
15. Sediment on plants or debris	0	(0.5)	1	1.5
16. Organic debris lines or piles	0	(0.5)	1	1.5
17. Soil-based evidence of high water table?	No = 0		(Yes = 3)	

C. Biology (Subtotal = 6)				
18. Fibrous roots in streambed	(3)	2	1	0
19. Rooted upland plants in streambed	(3)	2	1	0
20. Macrobenthos (note diversity and abundance)	0	1	2	3
21. Aquatic Mollusks	0	1	2	3
22. Fish	0	0.5	1	1.5
23. Crayfish	0	0.5	1	1.5
24. Amphibians	0	0.5	1	1.5
25. Algae	0	0.5	1	1.5
26. Wetland plants in streambed	FACW = 0.75; OBL = 1.5 Other = 0			

*perennial streams may also be identified using other methods. See p. 35 of manual.

Notes:

Sketch:

Soils = Int

USGS = Present JM 12/6/2022

Verdea EAST FEATURE 14

NC Division of Water Quality –Methodology for Identification of Intermittent and Perennial Streams and Their Origins v. 4.11

NC DWQ Stream Identification Form Version 4.11

Date: 12/5/2022	Project/Site: VERIDEA EAST	Latitude: 35.700972
Evaluator: SCEC - JOSHUA HARVEY	County: WAKE	Longitude: -78.748823
Total Points: *Stream is at least intermittent if ≥ 19 or perennial if ≥ 30** No Scorable Feature	Stream Determination (circle one) Ephemeral Intermittent Perennial	Other *e.g. Quad Name:*

A. Geomorphology (Subtotal =)	Absent	Weak	Moderate	Strong
1* Continuity of channel bed and bank	0	1	2	3
2. Sinuosity of channel along thalweg	0	1	2	3
3. In-channel structure: ex. riffle-pool, step-pool, ripple-pool sequence	0	1	2	3
4. Particle size of stream substrate	0	1	2	3
5. Active/relict floodplain	0	1	2	3
6. Depositional bars or benches	0	1	2	3
7. Recent alluvial deposits	0	1	2	3
8. Headcuts	0	1	2	3
9. Grade control	0	0.5	1	1.5
10. Natural valley	0	0.5	1	1.5
11. Second or greater order channel	No = 0		Yes = 3	

*artificial ditches are not rated; see discussions in manual

B. Hydrology (Subtotal =)				
12. Presence of Baseflow	0	1	2	3
13. Iron oxidizing bacteria	0	1	2	3
14. Leaf litter	1.5	1	0.5	0
15. Sediment on plants or debris	0	0.5	1	1.5
16. Organic debris lines or piles	0	0.5	1	1.5
17. Soil-based evidence of high water table?	No = 0		Yes = 3	

C. Biology (Subtotal =)				
18. Fibrous roots in streambed	3	2	1	0
19. Rooted upland plants in streambed	3	2	1	0
20. Macrobenthos (note diversity and abundance)	0	1	2	3
21. Aquatic Mollusks	0	1	2	3
22. Fish	0	0.5	1	1.5
23. Crayfish	0	0.5	1	1.5
24. Amphibians	0	0.5	1	1.5
25. Algae	0	0.5	1	1.5
26. Wetland plants in streambed	FACW = 0.75; OBL = 1.5 Other = 0			

*perennial streams may also be identified using other methods. See p. 35 of manual.

Notes:

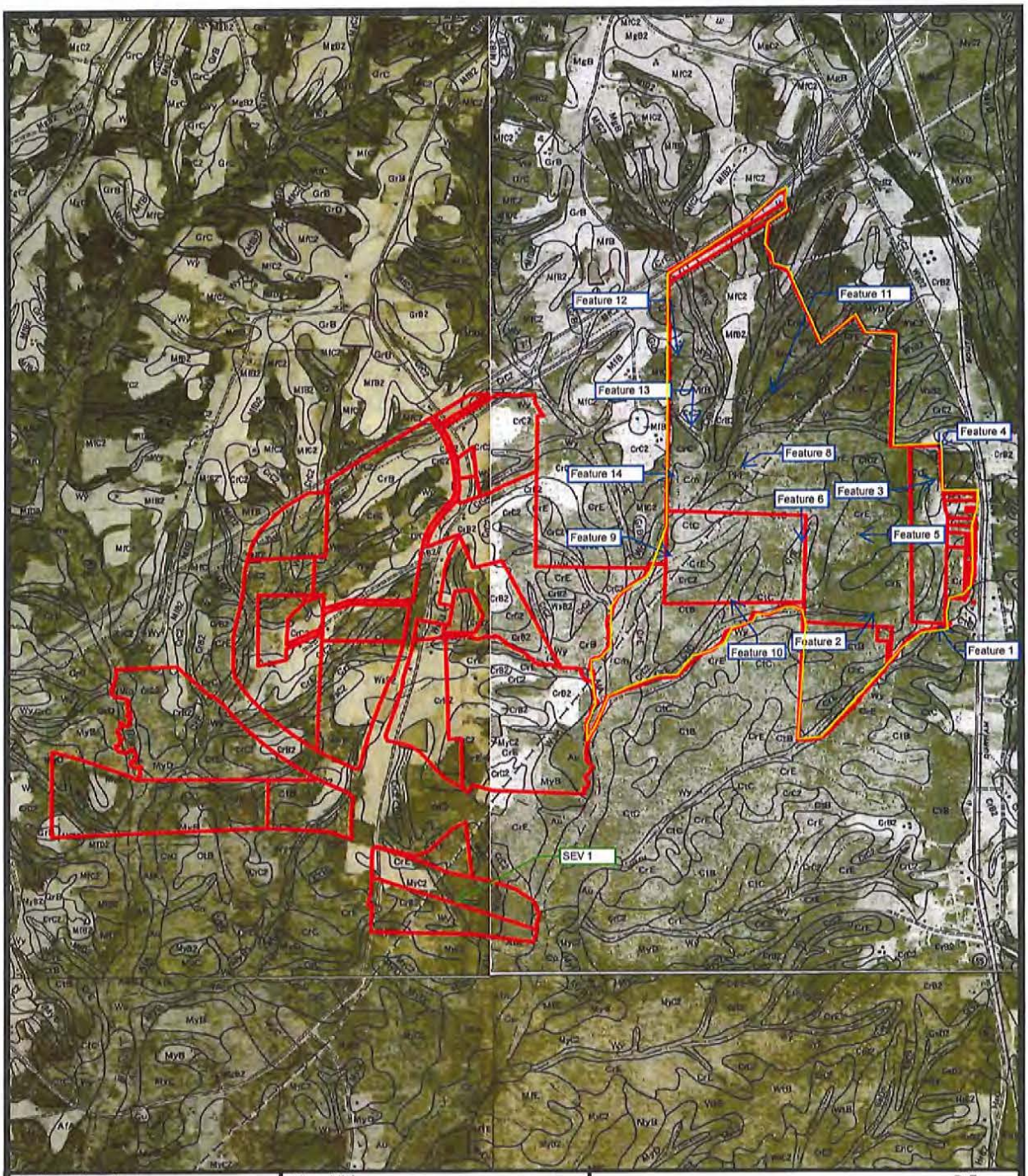
Sketch:

No Scorable Feature JM

41

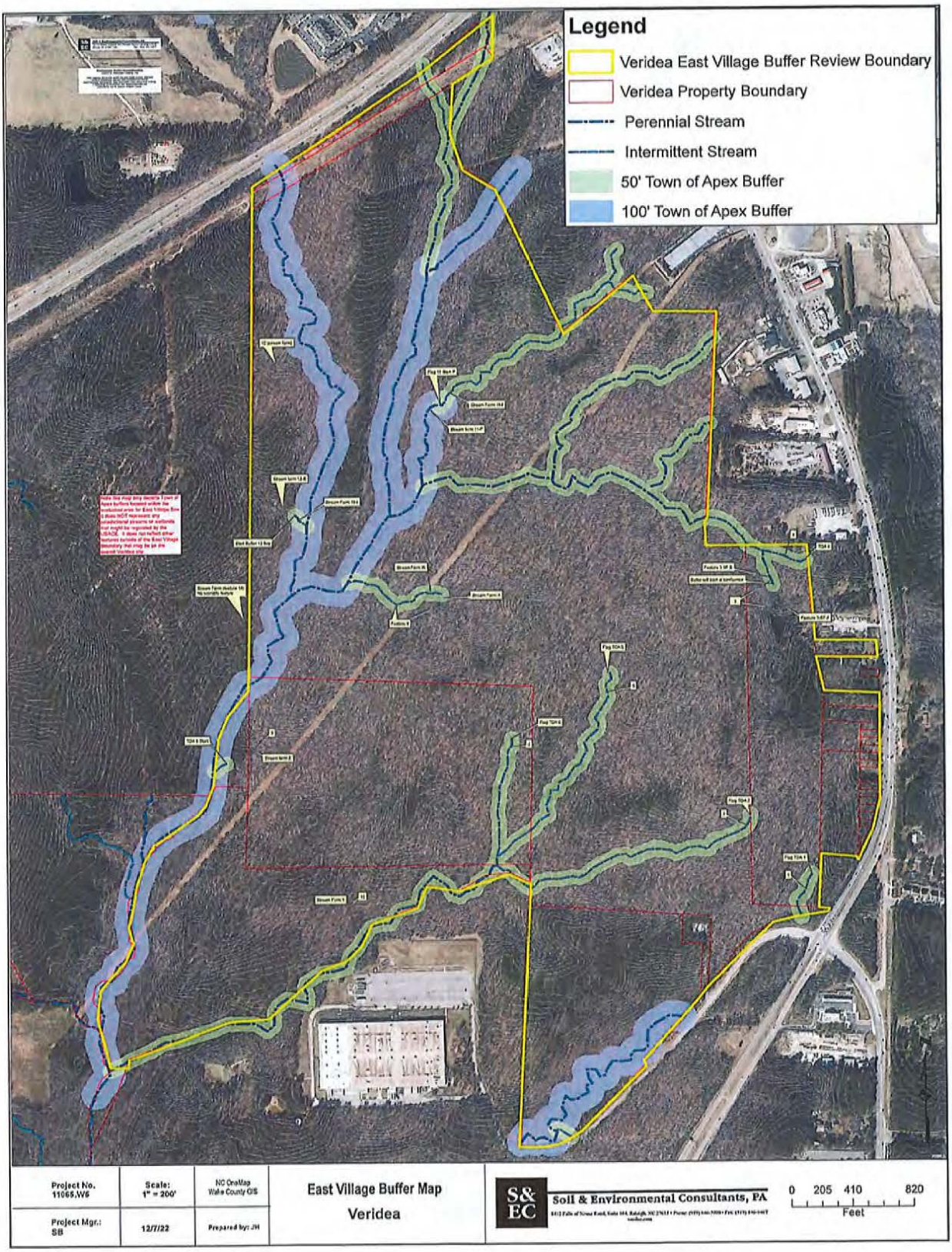
SOILS = Int
US62 = NP

12/8/2022

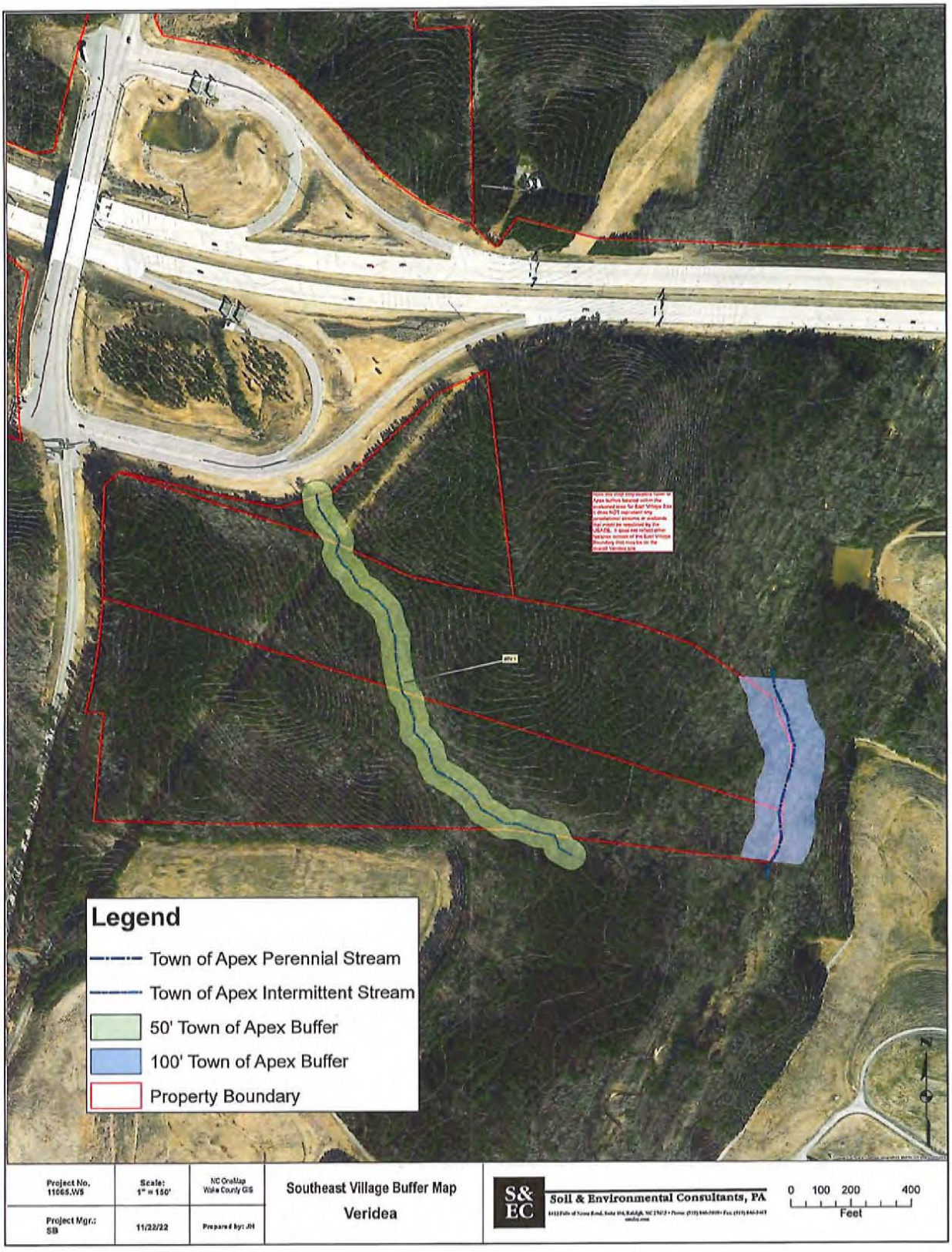


Project Number: 11065.W4	Map Title: SS Map Veridea Wake County, NC	0 1,750 3,500 Feet N
Project Manager: DS		
Scale: 1" = 1750'		
Date: 09/10/2021	Source: Wake County Soil Survey Sheets 74, 75, 82 & 83	S&EC Soil & Environmental Consultants, PA 8412 Falls of Neuse Road, Suite 104, Raleigh, NC 27615 • Phone: (919) 846-5900 • Fax: (919) 846-5467 sandec.com

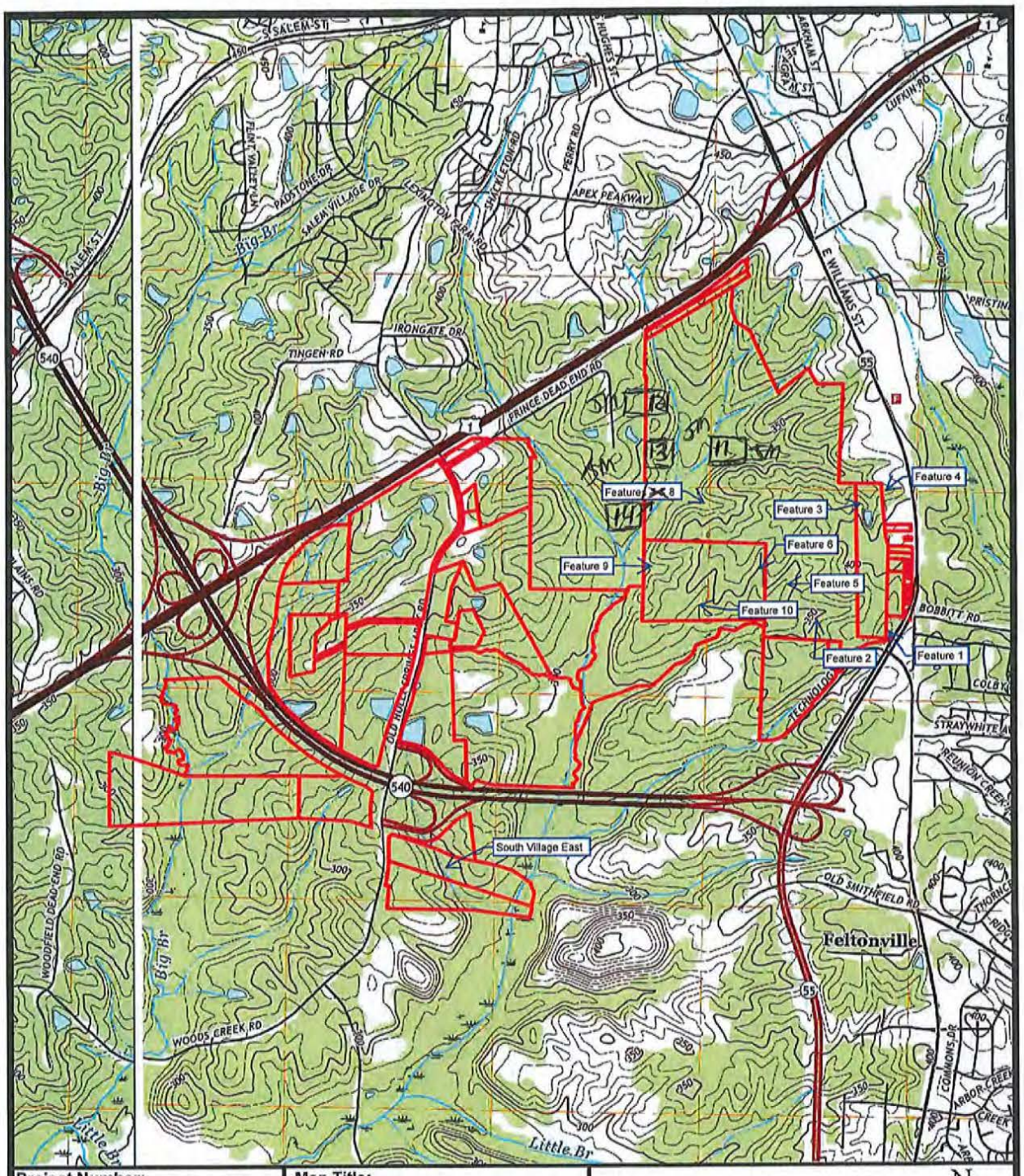
JM 12/8/2022


Legend
Veridea East Village Buffer Review Boundary
Veridea Property Boundary
Perennial Stream
Intermittent Stream
50' Town of Apex Buffer
100' Town of Apex Buffer
Project No. 11065.W6
Scale: 1" = 200'
NC OneMap Wake County GIS
Project Mgr.: SB
12/7/22
Prepared by: JH
East Village Buffer Map
Veridea
S&EC
Soil & Environmental Consultants, PA
0 205 410 820
Feet

TM 12/8/2022

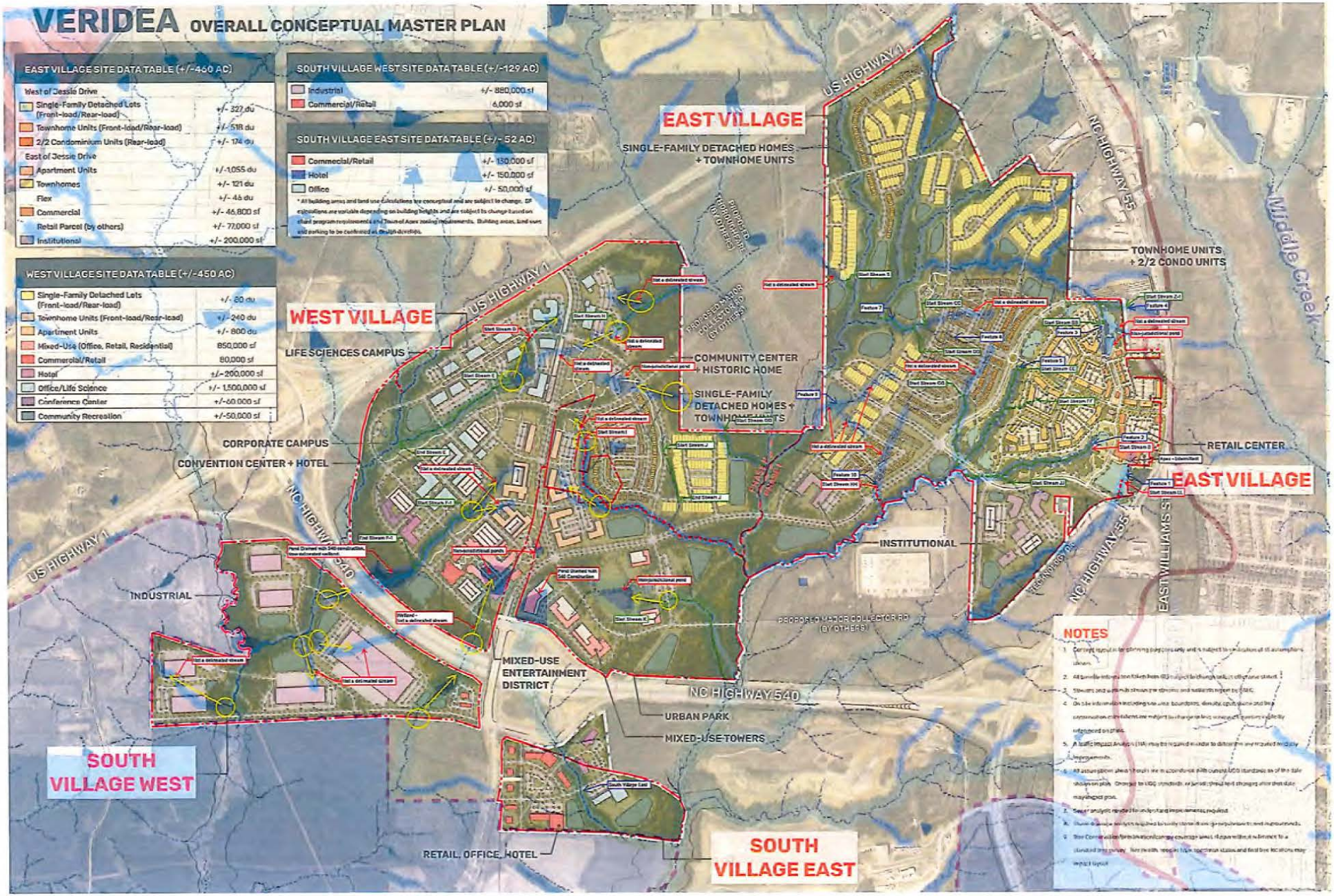

Legend
Town of Apex Perennial Stream
Town of Apex Intermittent Stream
50' Town of Apex Buffer
100' Town of Apex Buffer
Property Boundary
Project No. 11065.WS
Scale: 1" = 150'
NC OneMap Wake County GIS
Project Mgr.: SB
11/22/22
Prepared by: JH
Southeast Village Buffer Map
Veridea
S&EC
Soil & Environmental Consultants, PA
0 100 200 400
Feet

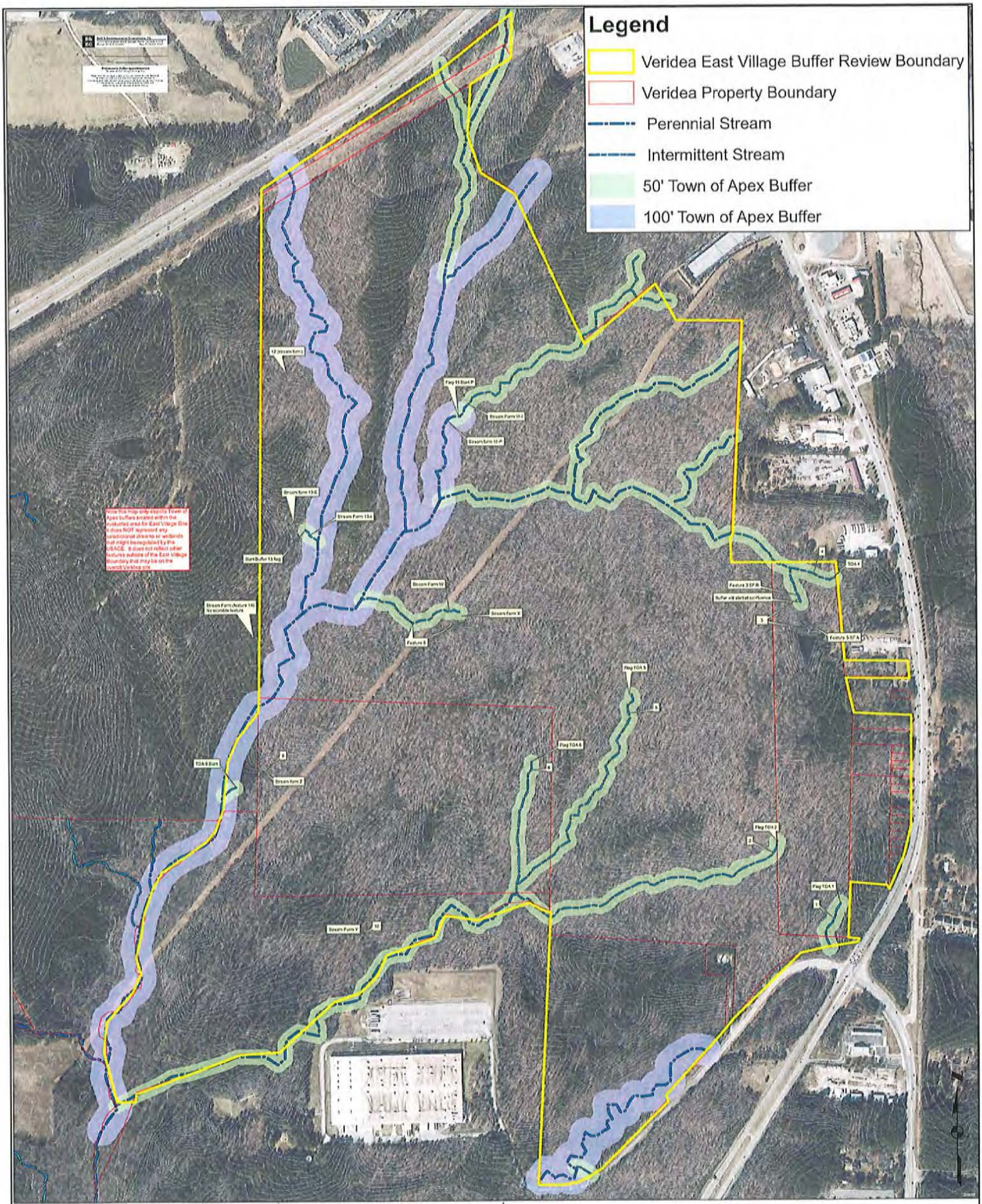
JM 11/22/2022



Project Number: 11065.W4	**Map Title:** USGS Map Veridea Wake County, NC	0 2,000 4,000 Feet N
Project Manager: DS		
Scale: 1" = 2000'		
Date: 09/10/2021	**Source:** USGS Wake County Apex & New Hill Quad	S&EC Soil & Environmental Consultants, PA 8412 Falls of Neuse Road, Suite 104, Raleigh, NC 27615 • Phone: (919) 846-5900 • Fax: (919) 846-5947

JM 12/8/2022


VERIDEA OVERALL CONCEPTUAL MASTER PLAN
EAST VILLAGE SITE DATA TABLE (+/-460 AC)
West of Jessie Drive
Single-Family Detached Lots (Front-load/Rear-load) +/- 327 du
Townhome Units (Front-load/Rear-load) +/- 518 du
2/2 Condominium Units (Rear-load) +/- 174 du
East of Jessie Drive
Apartment Units +/-1,055 du
Townhomes +/- 121 du
Flex +/- 46 du
Commercial +/- 46,800 sf
Retail Parcel (by others) +/- 77,000 sf
Institutional +/- 200,000 sf
SOUTH VILLAGE WEST SITE DATA TABLE (+/-129 AC)
Industrial +/- 880,000 sf
Commercial/Retail 6,000 sf
SOUTH VILLAGE EAST SITE DATA TABLE (+/- 52 AC)
Commercial/Retail +/- 130,000 sf
Hotel +/- 150,000 sf
Office +/- 50,000 sf
WEST VILLAGE SITE DATA TABLE (+/-450 AC)
Single-Family Detached Lots (Front-load/Rear-load) +/- 80 du
Townhome Units (Front-load/Rear-load) +/- 240 du
Apartment Units +/- 800 du
Mixed-Use (Office, Retail, Residential) 850,000 sf
Commercial/Retail 80,000 sf
Hotel +/- 200,000 sf
Office/Life Science +/- 1,500,000 sf
Conference Center +/-60,000 sf
Community Recreation +/-50,000 sf
EAST VILLAGE
SINGLE-FAMILY DETACHED HOMES + TOWNHOME UNITS
TOWNHOME UNITS + 2/2 CONDO UNITS
RETAIL CENTER
EAST VILLAGE
WEST VILLAGE
LIFE SCIENCES CAMPUS
CORPORATE CAMPUS
CONVENTION CENTER + HOTEL
COMMUNITY CENTER + HISTORIC HOME
SINGLE-FAMILY DETACHED HOMES + TOWNHOME UNITS
INDUSTRIAL
INSTITUTIONAL
MIXED-USE ENTERTAINMENT DISTRICT
URBAN PARK
MIXED-USE TOWERS
RETAIL, OFFICE, HOTEL
SOUTH VILLAGE WEST
SOUTH VILLAGE EAST
US HIGHWAY 1
NC HIGHWAY 540
NC HIGHWAY 55
EAST WILLIAMS ST
Middle Creek
PROPOSED MAJOR COLLECTOR RD (BY OTHERS)
NOTES



Project No. 11065.W5	Scale: 1" = 200'	NC OneMap Wake County GIS	East Village Buffer Map Veridea	Soil & Environmental Consultants, PA	0 205 410 820 Feet
Project Mgr.: SB	12/7/22	Prepared by: JH			

January 27, 2023

Steven Ball, RF, PWS
Soil & Environmental Consultants, PA
8412 Falls of Neuse Road, Suite 104
Raleigh, NC 27615

Subject: Stream Buffer Determination
Veridea West Village Ph II
Apex, NC
Cape Fear River Basin

Apex 22-017

Dear Mr. Ball,

On January 20th and 27th, 2023, we met with your staff AJ and Kevin Murphrey at the subject sites to evaluate forty (40) drainage features and determine if they are subject to the Town of Apex (Town) riparian buffer rules. Based on the information obtained during the evaluations and per the requirements set forth in Section 6.1.11 of the Town Unified Development Ordinance (UDO), I concur with the stream classifications as shown on the attached sketch dated 12-02-2022.

Drainage Feature	Shown as on USGS	Shown as on Soil Survey	Determination made in the field	Determined Buffer Width
Feature B – West SF14	Not Present	Intermittent	Ephemeral	0 feet
Feature C – West SF1	Present	Perennial	Intermittent	50 feet
Feature C – West SF16	Not Present	Intermittent	Ephemeral	0 feet
Feature C – West SF5	Not Present	Perennial	Ephemeral	0 feet
Feature E – West SF4	Not Present	Intermittent	Ephemeral	0 feet
Feature G – West SF40	Not Present	Intermittent	Ephemeral	0 feet
Feature H – West SF3	Not Present	Intermittent	Ephemeral	0 feet
Feature J – West SF2	Not Present	Intermittent	Ephemeral	0 feet
Feature K – West SF28	Not Present	Intermittent	Ephemeral	0 feet

Feature K – West SF29	Not Present	Intermittent	Intermittent	50 feet
Feature K – West SF30	Not Present	Intermittent	Ephemeral	0 feet
Feature K – West SF31	Not Present	Intermittent	Ephemeral	0 feet
Feature K – West SF32	Not Present	Intermittent	Intermittent	50 feet
Feature L – West SF15	Not Present	Intermittent	Ephemeral	0 feet
Feature AA – West SF6	Present	Perennial	Ephemeral	0 feet
Feature O – West SF13	Present	Perennial	Intermittent	50 feet
Pond 6	Present	Present	Intermittent	50 feet
Feature O – West SF12	Present	Perennial	Ephemeral	0 feet
Feature O – West SF10	Present	Perennial	Ephemeral	0 feet
Feature O – West SF11	Present	Perennial	Intermittent	50 feet
Feature O – West SF9	Present	Perennial	Ephemeral	0 feet
Feature O – West SF8	Present	Perennial	Intermittent	50 feet
Feature P – West SF37	Not Present	Intermittent	Ephemeral	0 feet
Feature Q – West SF7	Not Present	Intermittent	Ephemeral	0 feet
Feature R – West SF27	Not Present	Intermittent	Ephemeral	0 feet
Feature R – West SF25	Not Present	Intermittent	Intermittent	50 feet
Feature S – West SF26	Not Present	Intermittent	Ephemeral	0 feet
Feature T – West SF24	Not Present	Perennial	Ephemeral	0 feet
Feature T – West SF20	Not Present	Perennial	Intermittent	50 feet
Feature U – West SF23	Not Present	Intermittent	Ephemeral	0 feet

Feature V – West SF35	Not Present	Intermittent	Ephemeral	0 feet
Feature V – West SF36	Not Present	Intermittent	Intermittent	50 feet
Feature V – West SF34	Not Present	Intermittent	Perennial *Intermittent on Soils	50 feet
Feature W – West SF17	Not Present	Intermittent	Ephemeral	0 feet
Feature X – West SF22	Not Present	Intermittent	Ephemeral	0 feet
Feature X – West SF21	Not Present	Intermittent	Intermittent	50 feet
Feature X – West SF41	Not Present	Intermittent	Ephemeral	0 feet
Feature Y – West SF18	Not Present	Perennial	Ephemeral	0 feet
Feature Y – West SF19	Not Present	Perennial	Intermittent	50 feet
Feature BB – West SF38	Not Present	Intermittent	Ephemeral	0 feet
Feature CC – West SF39	Not Present	Intermittent	Ephemeral	0 feet

This on-site determination shall expire five (5) years from the date of this letter. Landowners or affected parties that dispute a determination made by the Division of Water Resources (DWR) or Delegated Local Authority in the Jordan Lake watershed may request a determination by the DWR Director.

An appeal request must be made within sixty (60) days of date of this letter or from the date the affected party (including downstream and/or adjacent owners) is notified of this letter. A request for a determination by the Director shall be referred to in writing c/o Paul Wojoski, DWR – 401 & Buffer Permitting Branch; 1617 Mail Service Center, Raleigh, NC 27699-1617. Otherwise the appeal procedure will be in accordance with UDO Section 6.1.11.

If you dispute the Director's determination, you may file a petition for an administrative hearing. You must file the petition with the Office of Administrative Hearings within sixty (60) days of receipt of this notice of decision. A petition is considered filed when it is received in the Office of Administrative Hearings during normal office hours. The Office of Administrative Hearings accepts filings Monday through Friday between the hours of 8:00am and 5:00pm, except for official State holidays.

To request a hearing, send the original and one (1) copy of the petition to the Office of Administrative Hearings, 6714 Mail Service Center, Raleigh, NC 27699-6714. A copy of the petition must also be served

to the Department of Natural Resources, c/o Bill Lane, General Counsel, 1601 Mail Service Center, Raleigh, NC 27699-1601.

This determination is final and binding unless, as detailed above, you ask for a hearing or appeal within sixty (60) days. This project may require a Section 404/401 Permit for the proposed activity. Any inquiries should be directed to the US Army Corp of Engineers (Raleigh Regulator Field Office) at (919) 554-4884. If you have any questions, please do not hesitate to contact me at (919) 372-7470.

Sincerely,

James Misciagno, CES, CPESC
Stormwater Field Services Supervisor

Riparian Buffer Call
Application

This application is required to be fully completed and submitted to Town staff prior to conducting a buffer call. Please submit the application package electronically to james.misciagno@apexnc.org.

PROPERTY INFORMATION

Owner(s): *See attached table

Site Address: 3012 Veridea Parkway, Apex, North Carolina 27539

CONSULTANT INFORMATION (If applicable)

Name: Joshua Harvey

Address: 8412 Falls of Neuse Road, Suite 104, Raleigh, NC 27615

Email: jharvey@sandec.com

Phone: 919.760.9622

CHECKLIST

Please place a checkmark in the spaces provided below to indicate that the required information has been provided with this submittal.

Right of Entry Form	X
NCDEQ Stream Identification Forms (v. 4.11)	X
Sketch Map*	X

Topo Map (most recent version)	X
1970 Wake County Soil Survey Map	X

*Sketch map should show all drainage features on the property with all applicable riparian buffers shown. Please clearly indicate or list which features are being called with this application.

NOTES

SIGNATURE (Consultant or Responsible Party)

By my signature below, I certify that the information provided with this application is accurate and truthful.

Joshua Harvey Digitally signed by Joshua Harvey Date: 2023.01.23 08:55:39 -05'00'

Date: 01/04/2023

NORTH CAROLINA
WAKE COUNTY

RIGHT OF ENTRY

This Right of Entry is executed this _____ day of _____, 20____ by Town of Apex and PRINCE, FRANK D SR TRUSTEE (the "owner").

WHEREAS, the Town of Apex ("Town") is seeking to make a stream buffer determination across the property known as Veridea - Phase 2 in the Town of Apex, North Carolina and designated as PIN # 0740191376, 0730996270 by the Wake County Revenue Department (the "**Subject Property**");

WHEREAS, the owner are agreeable to provide the Town with this Right of Entry under the terms and conditions stated herein so that the above referenced determination may proceed.

NOW THEREFORE in light of the above premises, the owner do hereby grant and give freely and without coercion, the right of access and entry to the Subject Property on the terms and conditions as stated below:

1. The Town of Apex and its contractors may enter the Subject Property for the purpose of conducting on-site environmental investigations and issuing a determination based on those investigations as it relates to stream buffer determination.
2. This Right of Entry does not convey to the Town any title or ownership interest in the Subject Property.
3. The Town and its employees, contractors, agents and representatives enter upon the Subject Property at their own risk and assume all risks related to the property.
4. The undersigned agrees and warrants to hold harmless the Town of Apex, its agencies, departments, contractors, and subcontractors, and discharges and waives any action, either equitable or legal that arise from the activities described above on the property except in the case of negligence by the Town.

Witness: _____ Joseph Spagnoy

By: _____ POA

By: N/A

NORTH CAROLINA
WAKE COUNTY

RIGHT OF ENTRY

This Right of Entry is executed this _____ day of _____, 20____ by Town of Apex and WHITEHOUSE, BRENDA P (the "owner").

WHEREAS, the Town of Apex ("Town") is seeking to make a stream buffer determination across the property known as Veridea - Phase 2 in the Town of Apex, North Carolina and designated as PIN # 0740287376 by the Wake County Revenue Department (the "**Subject Property**");

WHEREAS, the owner are agreeable to provide the Town with this Right of Entry under the terms and conditions stated herein so that the above referenced determination may proceed.

NOW THEREFORE in light of the above premises, the owner do hereby grant and give freely and without coercion, the right of access and entry to the Subject Property on the terms and conditions as stated below:

1. The Town of Apex and its contractors may enter the Subject Property for the purpose of conducting on-site environmental investigations and issuing a determination based on those investigations as it relates to stream buffer determination.
2. This Right of Entry does not convey to the Town any title or ownership interest in the Subject Property.
3. The Town and its employees, contractors, agents and representatives enter upon the Subject Property at their own risk and assume all risks related to the property.
4. The undersigned agrees and warrants to hold harmless the Town of Apex, its agencies, departments, contractors, and subcontractors, and discharges and waives any action, either equitable or legal that arise from the activities described above on the property except in the case of negligence by the Town.

Witness: _____ By: Brenda P Whitehouse

By: Brenda P Whitehouse Trustee

NORTH CAROLINA
WAKE COUNTY

RIGHT OF ENTRY

This Right of Entry is executed this _____ day of _____, 20____ by Town of Apex and HH TRINITY APEX INVESTMENTS LLC (the "owner").

WHEREAS, the Town of Apex ("Town") is seeking to make a stream buffer determination across the property known as South Village East in the Town of Apex, North Carolina and designated as PIN #0730971141,0730852539,0740052449 by the Wake County Revenue Department (the **"Subject Property"**);

WHEREAS, the owner are agreeable to provide the Town with this Right of Entry under the terms and conditions stated herein so that the above referenced determination may proceed.

NOW THEREFORE in light of the above premises, the owner do hereby grant and give freely and without coercion, the right of access and entry to the Subject Property on the terms and conditions as stated below:

1. The Town of Apex and its contractors may enter the Subject Property for the purpose of conducting on-site environmental investigations and issuing a determination based on those investigations as it relates to stream buffer determination.
2. This Right of Entry does not convey to the Town any title or ownership interest in the Subject Property.
3. The Town and its employees, contractors, agents and representatives enter upon the Subject Property at their own risk and assume all risks related to the property.
4. The undersigned agrees and warrants to hold harmless the Town of Apex, its agencies, departments, contractors, and subcontractors, and discharges and waives any action, either equitable or legal that arise from the activities described above on the property except in the case of negligence by the Town.

Witness: _____

HH Trinity Apex Investments LLC
HRCF IV - Trinity Apex Investments LLC

By: _____

By: _____
Richard A. Ortiz
Authorized Signatory

NORTH CAROLINA
WAKE COUNTY

RIGHT OF ENTRY

This Right of Entry is executed this _____ day of _____, 20____ by Town of Apex and HH TRINITY APEX INVESTMENTS LLC (the "owner").

WHEREAS, the Town of Apex ("Town") is seeking to make a stream buffer determination across the property known as Veridea - Phase 2 in the Town of Apex, North Carolina and designated as PIN # See Attached by the Wake County Revenue Department (the "**Subject Property**");

WHEREAS, the owner are agreeable to provide the Town with this Right of Entry under the terms and conditions stated herein so that the above referenced determination may proceed.

NOW THEREFORE in light of the above premises, the owner do hereby grant and give freely and without coercion, the right of access and entry to the Subject Property on the terms and conditions as stated below:

1. The Town of Apex and its contractors may enter the Subject Property for the purpose of conducting on-site environmental investigations and issuing a determination based on those investigations as it relates to stream buffer determination.
2. This Right of Entry does not convey to the Town any title or ownership interest in the Subject Property.
3. The Town and its employees, contractors, agents and representatives enter upon the Subject Property at their own risk and assume all risks related to the property.
4. The undersigned agrees and warrants to hold harmless the Town of Apex, its agencies, departments, contractors, and subcontractors, and discharges and waives any action, either equitable or legal that arise from the activities described above on the property except in the case of negligence by the Town.

Witness: _____

HH Trinity Apex Investments LLC
By: HRCF IV - Trinity Apex Investments LLC

By: _____
Richard A. Ortiz
Authorized Signatory

Phase 2	Owner
0740180331	HH TRINITY APEX INVESTMENTS LLC
0740360895	HH TRINITY APEX INVESTMENTS LLC
0740386384	HH TRINITY APEX INVESTMENTS LLC
0740078021	HH TRINITY APEX INVESTMENTS LLC
0740167653	HH TRINITY APEX INVESTMENTS LLC

NORTH CAROLINA
WAKE COUNTY

RIGHT OF ENTRY

This Right of Entry is executed this _____ day of _____, 20____ by Town of Apex and VERIDEA HOLDINGS LLC (the "owner").

WHEREAS, the Town of Apex ("Town") is seeking to make a stream buffer determination across the property known as Veridea - Phase 2 in the Town of Apex, North Carolina and designated as PIN # 0740180091, 0741203157 by the Wake County Revenue Department (the "**Subject Property**");

WHEREAS, the owner are agreeable to provide the Town with this Right of Entry under the terms and conditions stated herein so that the above referenced determination may proceed.

NOW THEREFORE in light of the above premises, the owner do hereby grant and give freely and without coercion, the right of access and entry to the Subject Property on the terms and conditions as stated below:

1. The Town of Apex and its contractors may enter the Subject Property for the purpose of conducting on-site environmental investigations and issuing a determination based on those investigations as it relates to stream buffer determination.
2. This Right of Entry does not convey to the Town any title or ownership interest in the Subject Property.
3. The Town and its employees, contractors, agents and representatives enter upon the Subject Property at their own risk and assume all risks related to the property.
4. The undersigned agrees and warrants to hold harmless the Town of Apex, its agencies, departments, contractors, and subcontractors, and discharges and waives any action, either equitable or legal that arise from the activities described above on the property except in the case of negligence by the Town.

Witness: _____

Veridea Holdings LLC
HRCF IV - Trinity Apex Investments LLC

By: _____

By: _____

Richard A. Ortiz
Authorized Signatory

PIN_NUM	DEED_ACRES	OWNER	ADDR1	ADDR2	ADDR3	SITE_ADDRESS	FULL_STREET_NAME
740188440	1.38	FIELDS, W J FIELDS, CATHERINE A	3125 VERIDEA PKWY	APEX NC 27539-9202		3125 VERIDEA PKWY	VERIDEA PKWY
730852539	54.65	HH TRINITY APEX INVESTMENTS LLC	VERIDEA HOLDINGS LLC	570 LEXINGTON AVE STE 2200	NEW YORK NY 10022-6837	0 OLD HOLLY SPRINGS APEX RD	OLD HOLLY SPRINGS APEX RD
730971141	98.72	HH TRINITY APEX INVESTMENTS LLC	VERIDEA HOLDINGS LLC	570 LEXINGTON AVE STE 2200	NEW YORK NY 10022-6837	0 VERIDEA PKWY	VERIDEA PKWY
740287376	27.26	WHITEHOUSE, BRENDA P WHITEHOUSE, BRENDA P	3109 VERIDEA PKWY	APEX NC 27539-9202		0 VERIDEA PKWY	VERIDEA PKWY
740191376	75.63	PRINCE, FRANK D SR TRUSTEE	8405 AMANDA CASSIE LN	FUQUAY VARINA NC 27526-9635		3012 VERIDEA PKWY	VERIDEA PKWY
740180331	1.66	HH TRINITY APEX INVESTMENTS LLC	VERIDEA HOLDINGS LLC	570 LEXINGTON AVE STE 2200	NEW YORK NY 10022-6837	0 VERIDEA PKWY	VERIDEA PKWY
740386384	64.67	HH TRINITY APEX INVESTMENTS LLC	VERIDEA HOLDINGS LLC	570 LEXINGTON AVE STE 2200	NEW YORK NY 10022-6837	3009 VERIDEA PKWY	VERIDEA PKWY
741207566	32.06	WVPRINCE PROPERTIES LLC	444 AUGUSTA DR	ROCKPORT TX 78382-6945		2901 VERIDEA PKWY	VERIDEA PKWY
740167653	27.29	HH TRINITY APEX INVESTMENTS LLC	VERIDEA HOLDINGS LLC	570 LEXINGTON AVE STE 2200	NEW YORK NY 10022-6837	0 VERIDEA PKWY	VERIDEA PKWY
740052449	17.36	HH TRINITY APEX INVESTMENTS LLC	VERIDEA HOLDINGS LLC	570 LEXINGTON AVE STE 2200	NEW YORK NY 10022-6837	0 VERIDEA PKWY	VERIDEA PKWY
740078021	32.28	HH TRINITY APEX INVESTMENTS LLC	VERIDEA HOLDINGS LLC	570 LEXINGTON AVE STE 2200	NEW YORK NY 10022-6837	0 VERIDEA PKWY	VERIDEA PKWY
730996270	16.42	PRINCE, F D SR TRUSTEE	FRANK PRINCE JR	8405 AMANDA CASSIE LN	FUQUAY VARINA NC 27526-9635	0 US 1 HWY	US 1 HWY
740360895	82.24	HH TRINITY APEX INVESTMENTS LLC	570 LEXINGTON AVE STE 2200	NEW YORK NY 10022-6837		3229 VERIDEA PKWY	VERIDEA PKWY
740180091	12.57	VERIDEA HOLDINGS LLC	570 LEXINGTON AVE STE 2200	NEW YORK NY 10022-6837		3200 VERIDEA PKWY	VERIDEA PKWY
740188176	3	BUSHEE, ROGER W BUSHEE, GLENDA K	3137 VERIDEA PKWY	APEX NC 27539-9202		3137 VERIDEA PKWY	VERIDEA PKWY
740189737	1.03	WHITEHOUSE, GREGORY HENRY	3109 VERIDEA PKWY	APEX NC 27539-9202		3109 VERIDEA PKWY	VERIDEA PKWY
741203157	1.84	VERIDEA HOLDINGS LLC	570 LEXINGTON AVE STE 2200	NEW YORK NY 10022-6837		2937 VERIDEA PKWY	VERIDEA PKWY
740283126	5	LANGLEY, DAVID K LANGLEY, RENEE M	6300 KING DAVID CT	APEX NC 27539-6897		6300 KING DAVID CT	KING DAVID CT
740188680	1.3	WHITEHOUSE ASSETS MANAGEMENT LLC	3109 VERIDEA PKWY	APEX NC 27539-9202		3117 VERIDEA PKWY	VERIDEA PKWY
740189999	2.49	WHITEHOUSE ASSETS MANAGEMENT LLC	3109 VERIDEA PKWY	APEX NC 27539-9202		3105 VERIDEA PKWY	VERIDEA PKWY
740070950	0.52	HUDSON, KARL GRIER IV	824 BRYAN ST	RALEIGH NC 27605-1104		3134 VERIDEA PKWY	VERIDEA PKWY
740293940	1.8	WVPRINCE PROPERTIES LLC	444 AUGUSTA DR	ROCKPORT TX 78382-6945		2945 VERIDEA PKWY	VERIDEA PKWY
740081019	2.16	APA VERIDEA INVESTMENTS LLC	2000 BEAR CAT WAY STE 102	MORRISVILLE NC 27560-6620		3138 VERIDEA PKWY	VERIDEA PKWY
730977967	10.27	APA VERIDEA INVESTMENTS LLC	2000 BEAR CAT WAY STE 102	MORRISVILLE NC 27560-6620		3142 VERIDEA PKWY	VERIDEA PKWY
740082199	2.09	WANG, YIFEI MEI, HUA	111 BRIDGEGATE DR	CARY NC 27519-7184		3130 VERIDEA PKWY	VERIDEA PKWY

West SF14 West SF14

NC Division of Water Quality –Methodology for Identification of Intermittent and Perennial Streams and Their Origins v. 4.1

NC DWQ Stream Identification Form Version 4.1

Date: 11/2/22	Project/Site: Veridea	Latitude: 35.784010
Evaluator: S+EC – JH	County: Wake	Longitude: -78.886215
Total Points: 4 *Stream is at least intermittent if ≥ 19 or perennial if ≥ 30**	Stream Determination (circle one) Ephemeral Intermittent Perennial	Other B *e.g. Quad Name:*

A. Geomorphology (Subtotal = 1)	Absent	Weak	Moderate	Strong
1[a]. Continuity of channel bed and bank	0	1	2	3
2. Sinuosity of channel along thalweg	0	1	2	3
3. In-channel structure: ex. riffle-pool, step-pool, ripple-pool sequence	0	1	2	3
4. Particle size of stream substrate	0	1	2	3
5. Active/relict floodplain	0	1	2	3
6. Depositional bars or benches	0	1	2	3
7. Recent alluvial deposits	0	1	2	3
8. Headcuts	0	1	2	3
9. Grade control	0	0.5	1	1.5
10. Natural valley	0	0.5	1	1.5
11. Second or greater order channel	No = 0		Yes = 3	

[a] artificial ditches are not rated; see discussions in manual

B. Hydrology (3)				
12. Presence of Baseflow	0	1	2	3
13. Iron oxidizing bacteria	0	1	2	3
14. Leaf litter	1.5	1	0.5	0
15. Sediment on plants or debris	0	0.5	1	1.5
16. Organic debris lines or piles	0	0.5	1	1.5
17. Soil-based evidence of high water table?	No = 0		Yes = 3	

C. Biology (Subtotal = 0)				
18. Fibrous roots in streambed	3	2	1	0
19. Rooted upland plants in streambed	3	2	1	0
20. Macrobenthos (note diversity and abundance)	0	1	2	3
21. Aquatic Mollusks	0	1	2	3
22. Fish	0	0.5	1	1.5
23. Crayfish	0	0.5	1	1.5
24. Amphibians	0	0.5	1	1.5
25. Algae	0	0.5	1	1.5
26. Wetland plants in streambed	FACW = 0.75; OBL = 1.5 Other = 0			

*perennial streams may also be identified using other methods. See p. 35 of manual.

Notes:

Sketch:

Soils = Intermittent
USGS = Not Present

JM 12/15/2022

West SF 1

NC Division of Water Quality –Methodology for Identification of Intermittent and Perennial Streams and Their Origins v. 4.1

NC DWQ Stream Identification Form Version 4.1

Date: 11/2/22	Project/Site: Veridea	Latitude: 35.688108
Evaluator: SFEC – AJK + JA + KM	County: Wake	Longitude: -78.864747
Total Points: *Stream is at least intermittent if ≥ 19 or perennial if ≥ 30** 22 23 JM	Stream Determination (circle one) Ephemeral (Intermittent) Perennial	Other C *e.g. Quad Name:*

A. Geomorphology (Subtotal = 11)	Absent	Weak	Moderate	Strong
1a. Continuity of channel bed and bank	0	1	(2)	3
2. Sinuosity of channel along thalweg	0	1	(2)	3
3. In-channel structure: ex. riffle-pool, step-pool, ripple-pool sequence	0	(1)	2	3
4. Particle size of stream substrate	0	1	(2)	3
5. Active/relict floodplain	0	1	(2)	3
6. Depositional bars or benches	(0)	1	2	3
7. Recent alluvial deposits	0	(1)	2	3
8. Headcuts	(0)	1	2	3
9. Grade control	(0)	0.5	1	1.5
10. Natural valley	0	0.5	(1)	1.5
11. Second or greater order channel	No = 0		Yes = 3	

a artificial ditches are not rated; see discussions in manual

B. Hydrology (6.5)				
12. Presence of Baseflow	0	1	(2)	3
13. Iron oxidizing bacteria	(0)	1	2	3
14. Leaf litter	1.5	(1)	0.5	0
15. Sediment on plants or debris	(0)	0.5	1	1.5
16. Organic debris lines or piles	0	(0.5)	1	1.5
17. Soil-based evidence of high water table?	No = 0		Yes = 3	

C. Biology (Subtotal = 5.5)				
18. Fibrous roots in streambed	3	(2)	1	0
19. Rooted upland plants in streambed	(3)	2	1	0
20. Macrobenthos (note diversity and abundance)	(0)	1	2	3
21. Aquatic Mollusks	(0)	1	2	3
22. Fish	(0)	0.5	1	1.5
23. Crayfish	(0)	0.5	1	1.5
24. Amphibians	0	(0.5)	1	1.5
25. Algae	(0)	0.5	1	1.5
26. Wetland plants in streambed	FACW = 0.75; OBL = 1.5 Other = (0)			

*perennial streams may also be identified using other methods. See p. 35 of manual.

Notes:

Sketch:

Soils = Perennial

USGS = Present

JM

West SF16

NC Division of Water Quality –Methodology for Identification of Intermittent and Perennial Streams and Their Origins v. 4.1

NC DWQ Stream Identification Form Version 4.1

Date: 11/2/22	Project/Site: Veridea	Latitude: 35.694123
Evaluator: SFEC - AJK + JH + KM	County: Wake	Longitude: -78.859020
Total Points: Non-Scoreable Feature *Stream is at least intermittent if ≥ 19 or perennial if ≥ 30**	Stream Determination (circle one) Ephemeral Intermittent Perennial	Other C e.g. Quad Name:

A. Geomorphology (Subtotal =)	Absent	Weak	Moderate	Strong
1[a]. Continuity of channel bed and bank	0	1	2	3
2. Sinuosity of channel along thalweg	0	1	2	3
3. In-channel structure: ex. riffle-pool, step-pool, ripple-pool sequence	0	1	2	3
4. Particle size of stream substrate	0	1	2	3
5. Active/relict floodplain	0	1	2	3
6. Depositional bars or benches	0	1	2	3
7. Recent alluvial deposits	0	1	2	3
8. Headcuts	0	1	2	3
9. Grade control	0	0.5	1	1.5
10. Natural valley	0	0.5	1	1.5
11. Second or greater order channel	No = 0		Yes = 3	

[a] artificial ditches are not rated; see discussions in manual

B. Hydrology ( )				
12. Presence of Baseflow	0	1	2	3
13. Iron oxidizing bacteria	0	1	2	3
14. Leaf litter	1.5	1	0.5	0
15. Sediment on plants or debris	0	0.5	1	1.5
16. Organic debris lines or piles	0	0.5	1	1.5
17. Soil-based evidence of high water table?	No = 0		Yes = 3	

C. Biology (Subtotal =)				
18. Fibrous roots in streambed	3	2	1	0
19. Rooted upland plants in streambed	3	2	1	0
20. Macrobenthos (note diversity and abundance)	0	1	2	3
21. Aquatic Mollusks	0	1	2	3
22. Fish	0	0.5	1	1.5
23. Crayfish	0	0.5	1	1.5
24. Amphibians	0	0.5	1	1.5
25. Algae	0	0.5	1	1.5
26. Wetland plants in streambed	FACW = 0.75; OBL = 1.5 Other = 0			

*perennial streams may also be identified using other methods, See p. 35 of manual.

Notes:

Sketch: Non-Scoreable Feature

Soils = Intermittent

USGS = Not Present

JM 12/15/2022

West SF5

NC Division of Water Quality –Methodology for Identification of Intermittent and Perennial Streams and Their Origins v. 4.1

NC DWQ Stream Identification Form Version 4.1

Date: 11/2/22	Project/Site: Veridea	Latitude: 35.691656
Evaluator: SJEC – AJK + KM	County: Wake	Longitude: -78.862456
Total Points: *Stream is at least intermittent if ≥ 19 or perennial if ≥ 30** 12.25	Stream Determination (circle one) (Ephemeral) Intermittent Perennial	Other C *e.g. Quad Name:*

A. Geomorphology (Subtotal = 5)	Absent	Weak	Moderate	Strong
1a. Continuity of channel bed and bank	0	(1)	2	3
2. Sinuosity of channel along thalweg	0	(1)	2	3
3. In-channel structure: ex. riffle-pool, step-pool, ripple-pool sequence	0	(1)	2	3
4. Particle size of stream substrate	(0)	1	2	3
5. Active/relict floodplain	0	(1)	2	3
6. Depositional bars or benches	(0)	1	2	3
7. Recent alluvial deposits	(0)	1	2	3
8. Headcuts	(0)	1	2	3
9. Grade control	(0)	0.5	1	1.5
10. Natural valley	0	0.5	(1)	1.5
11. Second or greater order channel	No = (0)		Yes = 3	

*artificial ditches are not rated; see discussions in manual

B. Hydrology (3.5)				
12. Presence of Baseflow	(0)	1	2	3
13. Iron oxidizing bacteria	(0)	1	2	3
14. Leaf litter	1.5	1	0.5	(0)
15. Sediment on plants or debris	0	(0.5)	1	1.5
16. Organic debris lines or piles	(0)	0.5	1	1.5
17. Soil-based evidence of high water table?	No = 0		Yes = (3)	

C. Biology (Subtotal = 3.75)				
18. Fibrous roots in streambed	3	2	(1)	0
19. Rooted upland plants in streambed	3	(2)	1	0
20. Macrobenthos (note diversity and abundance)	(0)	1	2	3
21. Aquatic Mollusks	(0)	1	2	3
22. Fish	(0)	0.5	1	1.5
23. Crayfish	(0)	0.5	1	1.5
24. Amphibians	(0)	0.5	1	1.5
25. Algae	(0)	0.5	1	1.5
26. Wetland plants in streambed	FACW = (0.75) OBL = 1.5 Other = 0			

*perennial streams may also be identified using other methods. See p. 35 of manual.

Notes:

Sketch:

Soils = Perennial
USGS = Not Present

JK 11/2/2022

West SF4

NC Division of Water Quality –Methodology for Identification of Intermittent and Perennial Streams and Their Origins v. 4.1

NC DWQ Stream Identification Form Version 4.1

Date: 11/2/22	Project/Site: Veridea	Latitude: 35.688188
Evaluator: SREC - AJK, JH, KM	County: Wake	Longitude: -78.874638
Total Points: *Stream is at least intermittent if ≥ 19 or perennial if ≥ 30** 11.5	Stream Determination (circle one) (Ephemeral) Intermittent Perennial	Other E *e.g. Quad Name:*

A. Geomorphology (Subtotal = 8)	Absent	Weak	Moderate	Strong
1st. Continuity of channel bed and bank	0	1	(2)	3
2. Sinuosity of channel along thalweg	0	1	(2)	3
3. In-channel structure: ex. riffle-pool, step-pool, ripple-pool sequence	0	(1)	2	3
4. Particle size of stream substrate	0	(1)	2	3
5. Active/relict floodplain	0	(1)	2	3
6. Depositional bars or benches	(0)	1	2	3
7. Recent alluvial deposits	(0)	1	2	3
8. Headcuts	(0)	1	2	3
9. Grade control	(0)	0.5	1	1.5
10. Natural valley	0	0.5	(1)	1.5
11. Second or greater order channel	No = (0)		Yes = 3	

artificial ditches are not rated; see discussions in manual

B. Hydrology (Subtotal = 5)				
12. Presence of Baseflow	(0)	1	2	3
13. Iron oxidizing bacteria	(0)	1	2	3
14. Leaf litter	1.5	1	0.5	(0)
15. Sediment on plants or debris	(0)	0.5	1	1.5
16. Organic debris lines or piles	0	(0.5)	1	1.5
17. Soil-based evidence of high water table?	No = (0)		Yes = 3	

C. Biology (Subtotal = 3)				
18. Fibrous roots in streambed	3	2	(1)	0
19. Rooted upland plants in streambed	3	(2)	1	0
20. Macrobenthos (note diversity and abundance)	(0)	1	2	3
21. Aquatic Mollusks	(0)	1	2	3
22. Fish	(0)	0.5	1	1.5
23. Crayfish	(0)	0.5	1	1.5
24. Amphibians	(0)	0.5	1	1.5
25. Algae	(0)	0.5	1	1.5
26. Wetland plants in streambed	FACW = 0.75; OBL = 1.5 Other = (0)			

*perennial streams may also be identified using other methods. See p. 35 of manual.

Notes:

Sketch:

Soils = Intermittent

VSCS = Not Present

JM 12/15/2022

WEST SFHD (FEATURE G)

NC Division of Water Quality –Methodology for Identification of Intermittent and Perennial Streams and Their Origins v. 4.1

NC DWQ Stream Identification Form Version 4.1

Date: 11/02/2022	Project/Site: Heridan	Latitude: 35.602574
Evaluator: SBEC - JOSHUA HARVEY	County: WAKE	Longitude: -78.869561
Total Points: *Stream is at least intermittent if ≥ 19 or perennial if ≥ 30** NO SIGNIFICANT FEATURE	Stream Determination (circle one) Ephemeral Intermittent Perennial	Other G *e.g. Quad Name:*

A. Geomorphology (Subtotal = ✓)	Absent	Weak	Moderate	Strong
1[a]. Continuity of channel bed and bank	0	1	2	3
2. Sinuosity of channel along thalweg	0	1	2	3
3. In-channel structure: ex. riffle-pool, step-pool, ripple-pool sequence	0	1	2	3
4. Particle size of stream substrate	0	1	2	3
5. Active/relict floodplain	0	1	2	3
6. Depositional bars or benches	0	1	2	3
7. Recent alluvial deposits	0	1	2	3
8. Headcuts	0	1	2	3
9. Grade control	0	0.5	1	1.5
10. Natural valley	0	0.5	1	1.5
11. Second or greater order channel artificial ditches are not rated; see discussions in manual	No = 0		Yes = 3	

B. Hydrology (Subtotal = ✓)				
12. Presence of Baseflow	0	1	2	3
13. Iron oxidizing bacteria	0	1	2	3
14. Leaf litter	1.5	1	0.5	0
15. Sediment on plants or debris	0	0.5	1	1.5
16. Organic debris lines or piles	0	0.5	1	1.5
17. Soil-based evidence of high water table?	No = 0		Yes = 3	

C. Biology (Subtotal = ✓)				
18. Fibrous roots in streambed	3	2	1	0
19. Rooted upland plants in streambed	3	2	1	0
20. Macrobenthos (note diversity and abundance)	0	1	2	3
21. Aquatic Mollusks	0	1	2	3
22. Fish	0	0.5	1	1.5
23. Crayfish	0	0.5	1	1.5
24. Amphibians	0	0.5	1	1.5
25. Algae	0	0.5	1	1.5
26. Wetland plants in streambed	FACW = 0.75; OBL = 1.5 Other = 0			

*perennial streams may also be identified using other methods. See p. 35 of manual.

Notes:

Sketch:

Soil = Intermittent

USGS = Not Present

JM 11/02/2022

West SF3

JM 1/20/2023

NC Division of Water Quality –Methodology for Identification of Intermittent and Perennial Streams and Their Origins v. 4.1

NC DWQ Stream Identification Form Version 4.1

Date: 11/2/22	Project/Site: Veridea	Latitude: 35.689827
Evaluator: SHEC-AJK + KM+JH	County: Wake	Longitude: -78.869936
Total Points: *Stream is at least intermittent if ≥ 19 or perennial if ≥ 30** 9.5	Stream Determination (circle one) (Ephemeral) Intermittent Perennial	Other H *e.g. Quad Name:*

A. Geomorphology (Subtotal = 3.5)	Absent	Weak	Moderate	Strong
1[a]. Continuity of channel bed and bank	0	(1)	(2)	3
2. Sinuosity of channel along thalweg	0	(1)	(2) JM	3
3. In-channel structure: ex. riffle-pool, step-pool, ripple-pool sequence	(0)	1	2	3
4. Particle size of stream substrate	(0)	1	2	3
5. Active/relict floodplain	0	(1) JM	2	3
6. Depositional bars or benches	(0)	1	2	3
7. Recent alluvial deposits	(0)	1	2	3
8. Headcuts	(0)	1	2	3
9. Grade control	(0)	0.5	1	1.5
10. Natural valley	0	(0.5)	1	1.5
11. Second or greater order channel	No = (0)		Yes = 3	

[a] artificial ditches are not rated; see discussions in manual

B. Hydrology (3)				
12. Presence of Baseflow	(0)	(1) JM	2	3
13. Iron oxidizing bacteria	(0)	(1) JM	2	3
14. Leaf litter	1.5	(1) JM	0.5	(0)
15. Sediment on plants or debris	(0)	(0.5)	1	1.5
16. Organic debris lines or piles	(0)	0.5	1	1.5
17. Soil-based evidence of high water table?	No = 0		Yes = (3)	

C. Biology (Subtotal = 3)				
18. Fibrous roots in streambed	3	2	(1)	0
19. Rooted upland plants in streambed	3	(2)	1	0
20. Macrobenthos (note diversity and abundance)	(0)	1	2	3
21. Aquatic Mollusks	(0)	1	2	3
22. Fish	(0)	0.5	1	1.5
23. Crayfish	(0)	0.5	1	1.5
24. Amphibians	(0)	0.5	1	1.5
25. Algae	(0)	0.5	1	1.5
26. Wetland plants in streambed	FACW = 0.75; OBL = 1.5 Other = (0)			

*perennial streams may also be identified using other methods. See p. 35 of manual.

Notes:

Sketch:

Soils = Intermittent

VSCS = Not Present

12/15/2022

West SF2

NC Division of Water Quality –Methodology for Identification of Intermittent and Perennial Streams and Their Origins v. 4.1

NC DWQ Stream Identification Form Version 4.1

Date: 11/2/22	Project/Site: Veridea	Latitude: 35.689824
Evaluator: S+EC - AJK + JH + KM	County: Wake	Longitude: -78.868594
Total Points: *Stream is at least intermittent if ≥ 19 or perennial if ≥ 30** 14	Stream Determination (circle one) (Ephemeral) Intermittent Perennial	Other J *e.g. Quad Name:*

A. Geomorphology (Subtotal = 6)	Absent	Weak	Moderate	Strong
1[a]. Continuity of channel bed and bank	0	(1)	2	3
2. Sinuosity of channel along thalweg	0	(1)	2	3
3. In-channel structure: ex. riffle-pool, step-pool, ripple-pool sequence	0	(1)	2	3
4. Particle size of stream substrate	0	(1)	2	3
5. Active/relict floodplain	0	(1)	2	3
6. Depositional bars or benches	(0)	1	2	3
7. Recent alluvial deposits	(0)	1	2	3
8. Headcuts	(0)	1	2	3
9. Grade control	(0)	0.5	1	1.5
10. Natural valley	0	0.5	(1)	1.5
11. Second or greater order channel	No = 0		Yes = 3	

[a] artificial ditches are not rated; see discussions in manual

B. Hydrology (5)				
12. Presence of Baseflow	(0)	1	2	3
13. Iron oxidizing bacteria	(0)	1	2	3
14. Leaf litter	1.5	(1)	0.5	0
15. Sediment on plants or debris	0	(0.5)	1	1.5
16. Organic debris lines or piles	0	(0.5)	1	1.5
17. Soil-based evidence of high water table?	No = 0		Yes = (3)	

C. Biology (Subtotal = 3)				
18. Fibrous roots in streambed	3	2	(1)	0
19. Rooted upland plants in streambed	3	(2)	1	0
20. Macrobenthos (note diversity and abundance)	(0)	1	2	3
21. Aquatic Mollusks	(0)	1	2	3
22. Fish	(0)	0.5	1	1.5
23. Crayfish	(0)	0.5	1	1.5
24. Amphibians	(0)	0.5	1	1.5
25. Algae	(0)	0.5	1	1.5
26. Wetland plants in streambed	FACW = 0.75; OBL = 1.5 Other = (0)			

*perennial streams may also be identified using other methods. See p. 35 of manual.

Notes:

Sketch:

Soils = Intermittent

USGS = Not Present

12/15/2022

West
SF28 JM 11/30/2022

NC Division of Water Quality --Methodology for Identification of Intermittent and Perennial Streams and Their Origins v. 4.1

NC DWQ Stream Identification Form Version 4.1

Date: 11/3/22	Project/Site: Veridea	Latitude: 35.695273
Evaluator: S+EC-AJK	County: Wake	Longitude: -78.862219
Total Points: *Stream is at least intermittent if ≥ 19 or perennial if ≥ 30** 15	Stream Determination (circle one) (Ephemeral) Intermittent Perennial	Other *e.g. Quad Name:* K

A. Geomorphology (Subtotal = 8)	Absent	Weak	Moderate	Strong
1[a] Continuity of channel bed and bank	0	(1)	2	3
2. Sinuosity of channel along thalweg	0	(1)	2	3
3. In-channel structure: ex. riffle-pool, step-pool, ripple-pool sequence	0	(1)	2	3
4. Particle size of stream substrate	0	1	(2)	3
5. Active/relict floodplain	(0)	1	2	3
6. Depositional bars or benches	(0)	1	2	3
7. Recent alluvial deposits	0	(1)	2	3
8. Headcuts	(0)	1	2	3
9. Grade control	0	0.5	(1)	1.5
10. Natural valley	0	0.5	(1)	1.5
11. Second or greater order channel	No = (0)		Yes = 3	

[a] artificial ditches are not rated; see discussions in manual

B. Hydrology (4)				
12. Presence of Baseflow	(0)	(1) JM	2	3
13. Iron oxidizing bacteria	(0)	1	2	3
14. Leaf litter	1.5	1	(0.5)	0
15. Sediment on plants or debris	(0)	0.5	(1) JM	1.5
16. Organic debris lines or piles	0	(0.5)	1	1.5
17. Soil-based evidence of high water table?	No = 0		Yes = (3)	

C. Biology (Subtotal = 3)				
18. Fibrous roots in streambed	3	(2)	1	0
19. Rooted upland plants in streambed	3	2	(1)	0
20. Macrobenthos (note diversity and abundance)	(0)	1	2	3
21. Aquatic Mollusks	(0)	1	2	3
22. Fish	(0)	0.5	1	1.5
23. Crayfish	(0)	0.5	1	1.5
24. Amphibians	(0)	0.5	1	1.5
25. Algae	(0)	0.5	1	1.5
26. Wetland plants in streambed	FACW = 0.75; OBL = 1.5 Other = (0)			

*perennial streams may also be identified using other methods. See p. 35 of manual.

Notes:

Sketch:

Soils = Intermittent
USGS = Not Present

JM 12/15/2022

West

SF29 NC Division of Water Quality – Methodology for Identification of Intermittent and Perennial Streams and Their Origins v. 4.1

NC DWQ Stream Identification Form Version 4.1

Date: 11/3/22	Project/Site: Veridea	Latitude: 35.694757
Evaluator: SEC - AJK	County: Wake	Longitude: -78.862695
Total Points: 22.5 *Stream is at least intermittent if ≥ 19 or perennial if ≥ 30**	Stream Determination (circle one) Ephemeral (Intermittent) Perennial	Other K *e.g. Quad Name:*

A. Geomorphology (Subtotal = 14)	Absent	Weak	Moderate	Strong
1[a] Continuity of channel bed and bank	0	1	2	(3)
2. Sinuosity of channel along thalweg	0	1	2	(3)
3. In-channel structure: ex. riffle-pool, step-pool, ripple-pool sequence	0	1	(2)	3
4. Particle size of stream substrate	0	(1)	2	3
5. Active/relict floodplain	(0)	1	2	3
6. Depositional bars or benches	0	(1)	2	3
7. Recent alluvial deposits	0	(1)	2	3
8. Headcuts	0	(1)	2	3
9. Grade control	0	0.5	(1)	1.5
10. Natural valley	0	0.5	(1)	1.5
11. Second or greater order channel	No = (0)		Yes = 3	

[a] artificial ditches are not rated; see discussions in manual

B. Hydrology (4.5)				
12. Presence of Baseflow	(0)	1	2	3
13. Iron oxidizing bacteria	(0)	1	2	3
14. Leaf litter	1.5	1	(0.5)	0
15. Sediment on plants or debris	0	(0.5)	1	1.5
16. Organic debris lines or piles	0	(0.5)	1	1.5
17. Soil-based evidence of high water table?	No = 0		Yes = (3)	

C. Biology (Subtotal = 4)				
18. Fibrous roots in streambed	3	(2)	1	0
19. Rooted upland plants in streambed	3	(2)	1	0
20. Macrobenthos (note diversity and abundance)	(0)	1	2	3
21. Aquatic Mollusks	(0)	1	2	3
22. Fish	(0)	0.5	1	1.5
23. Crayfish	(0)	0.5	1	1.5
24. Amphibians	(0)	0.5	1	1.5
25. Algae	(0)	0.5	1	1.5
26. Wetland plants in streambed	FACW = 0.75; OBL = 1.5 Other = (0)			

*perennial streams may also be identified using other methods. See p. 35 of manual.

Notes:

Sketch:

Soils = Intermittent
USGS = Not Present

JM 10/13/2022

West

SF30

NC Division of Water Quality –Methodology for Identification of Intermittent and Perennial Streams and Their Origins v. 4.1

NC DWQ Stream Identification Form Version 4.1

Date: 11/3/22	Project/Site: Veridea	Latitude: 35.694807
Evaluator: S+EC - AJK	County: Wake	Longitude: -78.863007
Total Points: *Stream is at least intermittent if ≥ 19 or perennial if ≥ 30** 10	Stream Determination (circle one) (Ephemeral) Intermittent Perennial	Other e.g. Quad Name: R

A. Geomorphology (Subtotal = 7)	Absent	Weak	Moderate	Strong
1[a] Continuity of channel bed and bank	0	1	(2)	3
2. Sinuosity of channel along thalweg	0	(1)	2	3
3. In-channel structure: ex. riffle-pool, step-pool, ripple-pool sequence	0	1	(2)	3
4. Particle size of stream substrate	0	(1)	2	3
5. Active/relict floodplain	(0)	1	2	3
6. Depositional bars or benches	(0)	1	2	3
7. Recent alluvial deposits	(0)	1	2	3
8. Headcuts	(0)	1	2	3
9. Grade control	0	(0.5)	1	1.5
10. Natural valley	0	(0.5)	1	1.5
11. Second or greater order channel	No = (0)		Yes = 3	

[a] artificial ditches are not rated; see discussions in manual

B. Hydrology (0)				
12. Presence of Baseflow	(0)	1	2	3
13. Iron oxidizing bacteria	(0)	1	2	3
14. Leaf litter	1.5	1	0.5	(0)
15. Sediment on plants or debris	(0)	0.5	1	1.5
16. Organic debris lines or piles	(0)	0.5	1	1.5
17. Soil-based evidence of high water table?	No = (0)		Yes = 3	

C. Biology (Subtotal = 3)				
18. Fibrous roots in streambed	3	(2)	1	0
19. Rooted upland plants in streambed	3	2	(1)	0
20. Macrobenthos (note diversity and abundance)	(0)	1	2	3
21. Aquatic Mollusks	(0)	1	2	3
22. Fish	(0)	0.5	1	1.5
23. Crayfish	(0)	0.5	1	1.5
24. Amphibians	(0)	0.5	1	1.5
25. Algae	(0)	0.5	1	1.5
26. Wetland plants in streambed	FACW = 0.75; OBL = 1.5 Other = (0)			

*perennial streams may also be identified using other methods. See p. 35 of manual.

Notes:

Sketch:

Soils = Intermittent

USGS = Not Present

JM 12/15/2022

JM 1/20/2023

West

SF31 NC Division of Water Quality –Methodology for Identification of Intermittent and Perennial Streams and Their Origins v. 4.1

NC DWQ Stream Identification Form Version 4.1

Date: 11/3/2022	Project/Site: Veridea	Latitude: 35.694541
Evaluator: S+EC-AJK	County: Wake	Longitude: -78.863163
Total Points: *Stream is at least intermittent if ≥ 19 or perennial if ≥ 30** 12	Stream Determination (circle one) (Ephemeral) Intermittent Perennial	Other *e.g. Quad Name:* K

A. Geomorphology (Subtotal = 5)	Absent	Weak	Moderate	Strong
1[a] Continuity of channel bed and bank	0	(1)	2	3
2. Sinuosity of channel along thalweg	0	(1)	2	3
3. In-channel structure: ex. riffle-pool, step-pool, ripple-pool sequence	0	(1)	2	3
4. Particle size of stream substrate	0	(1)	2	3
5. Active/relict floodplain	(0)	1	2	3
6. Depositional bars or benches	(0)	1	2	3
7. Recent alluvial deposits	(0)	1	2	3
8. Headcuts	(0)	1	2	3
9. Grade control	(0)	0.5	1	1.5
10. Natural valley	0	0.5	(1)	1.5
11. Second or greater order channel	No = (0)		Yes = 3	

[a] artificial ditches are not rated; see discussions in manual

B. Hydrology (3)				
12. Presence of Baseflow	(0)	(1) JM	2	3
13. Iron oxidizing bacteria	(0)	1	2	3
14. Leaf litter	1.5	1	0.5	(0)
15. Sediment on plants or debris	(0)	0.5	(1) JM	1.5
16. Organic debris lines or piles	(0)	0.5	1	1.5
17. Soil-based evidence of high water table?	No = 0		Yes = (3)	

C. Biology (Subtotal = 4)				
18. Fibrous roots in streambed*	3	(2)	1	0
19. Rooted upland plants in streambed	3	(2)	1	0
20. Macrobenthos (note diversity and abundance)	(0)	1	2	3
21. Aquatic Mollusks	(0)	1	2	3
22. Fish	(0)	0.5	1	1.5
23. Crayfish	(0)	0.5	1	1.5
24. Amphibians	(0)	0.5	1	1.5
25. Algae	(0)	0.5	1	1.5
26. Wetland plants in streambed	FACW = 0.75; OBL = 1.5 Other = (0)			

*perennial streams may also be identified using other methods. See p. 35 of manual

Notes:

Sketch:

Soils = Intermittent

USGS = Not Present

JM 12/15/2022

West

SF32 NC Division of Water Quality – Methodology for Identification of Intermittent and Perennial Streams and Their Origins v. 4.1

NC DWQ Stream Identification Form Version 4.1

Date: 11/3/22	Project/Site: Veridea	Latitude: 35.694109
Evaluator: SFEC – AJK	County: Wake	Longitude: -78.863801
Total Points: 24 *Stream is at least intermittent if ≥ 19 or perennial if ≥ 30**	Stream Determination (circle one) Ephemeral (Intermittent) Perennial	Other e.g. Quad Name: R

A. Geomorphology (Subtotal = 14)	Absent	Weak	Moderate	Strong
1[a] Continuity of channel bed and bank	0	1	2	(3)
2. Sinuosity of channel along thalweg	0	1	2	(3)
3. In-channel structure: ex. riffle-pool, step-pool, ripple-pool sequence	0	1	(2)	3
4. Particle size of stream substrate	0	1	(2)	3
5. Active/relict floodplain	(0)	1	2	3
6. Depositional bars or benches	0	(1)	2	3
7. Recent alluvial deposits	0	(1)	2	3
8. Headcuts	(0)	1	2	3
9. Grade control	0	0.5	(1)	1.5
10. Natural valley	0	0.5	(1)	1.5
11. Second or greater order channel	No = (0)		Yes = 3	

[a] artificial ditches are not rated; see discussions in manual

B. Hydrology (5)				
12. Presence of Baseflow	(0)	1	2	3
13. Iron oxidizing bacteria	(0)	1	2	3
14. Leaf litter	1.5	1	(0.5)	0
15. Sediment on plants or debris	0	(0.5)	1	1.5
16. Organic debris lines or piles	0	0.5	(1)	1.5
17. Soil-based evidence of high water table?	No = 0		Yes = (3)	

C. Biology (Subtotal = 5)				
18. Fibrous roots in streambed	3	(2)	1	0
19. Rooted upland plants in streambed	(3)	2	1	0
20. Macrobenthos (note diversity and abundance)	(0)	1	2	3
21. Aquatic Mollusks	(0)	1	2	3
22. Fish	(0)	0.5	1	1.5
23. Crayfish	(0)	0.5	1	1.5
24. Amphibians	(0)	0.5	1	1.5
25. Algae	(0)	0.5	1	1.5
26. Wetland plants in streambed	FACW = 0.75; OBL = 1.5 Other = (0)			

*perennial streams may also be identified using other methods. See p. 35 of manual

Notes:

Sketch:

Soils = Intermittent

VSBS = Not Present

JH 10/20/2022

West SF 15

NC Division of Water Quality –Methodology for Identification of Intermittent and Perennial Streams and Their Origins v. 4.1

NC DWQ Stream Identification Form Version 4.1

Date: 11/2/22	Project/Site: Veridea	Latitude: 35.694785
Evaluator: SHEC - AJK + KM	County: Wake	Longitude: -78.861676
Total Points: *Stream is at least intermittent if ≥ 19 or perennial if ≥ 30** 12	Stream Determination (circle one) (Ephemeral) Intermittent Perennial	Other L *e.g. Quad Name:*

A. Geomorphology (Subtotal = 5)	Absent	Weak	Moderate	Strong
1[a]. Continuity of channel bed and bank	0	(1)	2	3
2. Sinuosity of channel along thalweg	0	(1)	2	3
3. In-channel structure: ex. riffle-pool, step-pool, ripple-pool sequence	(0)	1	2	3
4. Particle size of stream substrate	0	(1)	2	3
5. Active/relict floodplain	0	(1)	2	3
6. Depositional bars or benches	(0)	1	2	3
7. Recent alluvial deposits	(0)	1	2	3
8. Headcuts	(0)	1	2	3
9. Grade control	(0)	0.5	1	1.5
10. Natural valley	0	0.5	(1)	1.5
11. Second or greater order channel	No = (0)		Yes = 3	

[a] artificial ditches are not rated; see discussions in manual

B. Hydrology (Subtotal = 4)				
12. Presence of Baseflow	(0)	1	2	3
13. Iron oxidizing bacteria	(0)	1	2	3
14. Leaf litter	1.5	1	0.5	(0)
15. Sediment on plants or debris	0	(0.5)	1	1.5
16. Organic debris lines or piles	0	(0.5)	1	1.5
17. Soil-based evidence of high water table?	No = 0		Yes (= 3)	

C. Biology (Subtotal = 3)				
18. Fibrous roots in streambed	3	2	(1)	0
19. Rooted upland plants in streambed	3	(2)	1	0
20. Macrobenthos (note diversity and abundance)	(0)	1	2	3
21. Aquatic Mollusks	(0)	1	2	3
22. Fish	(0)	0.5	1	1.5
23. Crayfish	(0)	0.5	1	1.5
24. Amphibians	(0)	0.5	1	1.5
25. Algae	(0)	0.5	1	1.5
26. Wetland plants in streambed	FACW = 0.75; OBL = 1.5 Other (= 0)			

*perennial streams may also be identified using other methods. See p. 35 of manual.

Notes:

Sketch:

Soils = Intermittent

USGS = Not Present

5/2022

West SFB

NC DWQ Stream Identification Form Version 4.11

Date: 11/2/22	Project/Site: Meridea	Latitude: 35.780631
Evaluator: StEC – JH	County: Wake	Longitude: -78.860357
Total Points: *Stream is at least intermittent if ≥ 19 or perennial if ≥ 30** 13.5	Stream Determination (circle one) (Ephemeral) Intermittent Perennial	Other AA *e.g. Quad Name:*

A. Geomorphology (Subtotal = 7.5)	Absent	Weak	Moderate	Strong
1[a]. Continuity of channel bed and bank	0	1	(2)	3
2. Sinuosity of channel along thalweg	0	1	(2)	3
3. In-channel structure: ex. riffle-pool, step-pool, ripple-pool sequence	0	(1)	2	3
4. Particle size of stream substrate	0	(1)	2	3
5. Active/relict floodplain	(0)	1	2	3
6. Depositional bars or benches	0	(1)	2	3
7. Recent alluvial deposits	(0)	1	2	3
8. Headcuts	(0)	1	2	3
9. Grade control	(0)	0.5	1	1.5
10. Natural valley	0	(0.5)	1	1.5
11. Second or greater order channel	No = 0		Yes = 3	

[a] artificial ditches are not rated; see discussions in manual

B. Hydrology (Subtotal = 0)				
12. Presence of Baseflow	(0)	1	2	3
13. Iron oxidizing bacteria	(0)	1	2	3
14. Leaf litter	1.5	1	0.5	(0)
15. Sediment on plants or debris	(0)	0.5	1	1.5
16. Organic debris lines or piles	(0)	0.5	1	1.5
17. Soil-based evidence of high water table?	No = 0		Yes = 3	

C. Biology (Subtotal = 6)				
18. Fibrous roots in streambed	(3)	2	1	0
19. Rooted upland plants in streambed	(3)	2	1	0
20. Macrobenthos (note diversity and abundance)	(0)	1	2	3
21. Aquatic Mollusks	(0)	1	2	3
22. Fish	(0)	0.5	1	1.5
23. Crayfish	(0)	0.5	1	1.5
24. Amphibians	(0)	0.5	1	1.5
25. Algae	(0)	0.5	1	1.5
26. Wetland plants in streambed	FACW = 0.75; OBL = 1.5 Other = (0)			

*perennial streams may also be identified using other methods. See p. 35 of manual.

Notes:

Sketch:

Soils = Perennial

USGS = Present

JM 11/22

West SF 13

NC Division of Water Quality –Methodology for Identification of Intermittent and Perennial Streams and Their Origins v. 4.1

NC DWQ Stream Identification Form Version 4.1

Date: 11/02/2022	Project/Site: Vendue	Latitude: 35.698832
Evaluator: JH	County: Wake	Longitude: -78.381887
Total Points: *Stream is at least intermittent if ≥ 19 or perennial if ≥ 30** 19	Stream Determination (circle one) Ephemeral Intermittent Perennial	Other ○ *e.g. Quad Name:*

A. Geomorphology (Subtotal = 7.5)	Absent	Weak	Moderate	Strong
1[a]. Continuity of channel bed and bank	0	1	2	(3)
2. Sinuosity of channel along thalweg	0	1	(2)	3
3. In-channel structure: ex. riffle-pool, step-pool, ripple-pool sequence	(0)	1	2	3
4. Particle size of stream substrate	0	(1)	2	3
5. Active/relict floodplain	(0)	1	2	3
6. Depositional bars or benches	0	(1)	2	3
7. Recent alluvial deposits	(0)	1	2	3
8. Headcuts	(0)	1	2	3
9. Grade control	(0)	0.5	1	1.5
10. Natural valley	0	(0.5)	1	1.5
11. Second or greater order channel	No = 0		Yes = 3	

[a] artificial ditches are not rated; see discussions in manual

B. Hydrology (5)				
12. Presence of Baseflow	0	(1)	2	3
13. Iron oxidizing bacteria	(0)	1	2	3
14. Leaf litter	1.5	1	(0.5)	0
15. Sediment on plants or debris	(0)	0.5	1	1.5
16. Organic debris lines or piles	0	(0.5)	1	1.5
17. Soil-based evidence of high water table?	No = 0		Yes = 3	

C. Biology (Subtotal = 0.5)				
18. Fibrous roots in streambed	(3)	2	1	0
19. Rooted upland plants in streambed	(3)	2	1	0
20. Macrobenthos (note diversity and abundance)	(0)	1	2	3
21. Aquatic Mollusks	(0)	1	2	3
22. Fish	(0)	0.5	1	1.5
23. Crayfish	(0)	0.5	1	1.5
24. Amphibians	(0)	(0.5)	1	1.5
25. Algae	(0)	0.5	1	1.5
26. Wetland plants in streambed	FACW = 0.75; OBL = 1.5 Other = 0			

*perennial streams may also be identified using other methods. See p. 35 of manual.

Notes:

Sketch:

Soils = Perennial

USGS = Present

JM 12/15/2022

West SF12

NC Division of Water Quality –Methodology for Identification of Intermittent and Perennial Streams and Their Origins v. 4.1

NC DWQ Stream Identification Form Version 4.1

Date: 11/22/2022	Project/Site: Vernon	Latitude: 35.698448
Evaluator: JH	County: Wayne	Longitude: -78.3626260
Total Points: *Stream is at least intermittent if ≥ 19 or perennial if ≥ 30** 11.5	Stream Determination (circle one) Ephemeral Intermittent Perennial	Other *e.g. Quad Name:*

A. Geomorphology (Subtotal = 4)	Absent	Weak	Moderate	Strong
1[a] Continuity of channel bed and bank	0	1	2	3
2. Sinuosity of channel along thalweg	0	1	2	3
3. In-channel structure: ex. riffle-pool, step-pool, ripple-pool sequence	0	1	2	3
4. Particle size of stream substrate	0	1	2	3
5. Active/relict floodplain	0	1	2	3
6. Depositional bars or benches	0	1	2	3
7. Recent alluvial deposits	0	1	2	3
8. Headcuts	0	1	2	3
9. Grade control	0	0.5	1	1.5
10. Natural valley	0	0.5	1	1.5
11. Second or greater order channel	No = 0		Yes = 3	

[a] artificial ditches are not rated; see discussions in manual

B. Hydrology (3.5)				
12. Presence of Baseflow	0	1	2	3
13. Iron oxidizing bacteria	0	1	2	3
14. Leaf litter	1.5	1	0.5	0
15. Sediment on plants or debris	0	0.5	1	1.5
16. Organic debris lines or piles	0	0.5	1	1.5
17. Soil-based evidence of high water table?	No = 0		Yes = 3	

C. Biology (Subtotal = 4)				
18. Fibrous roots in streambed	3	2	1	0
19. Rooted upland plants in streambed	3	2	1	0
20. Macrobenthos (note diversity and abundance)	0	1	2	3
21. Aquatic Mollusks	0	1	2	3
22. Fish	0	0.5	1	1.5
23. Crayfish	0	0.5	1	1.5
24. Amphibians	0	0.5	1	1.5
25. Algae	0	0.5	1	1.5
26. Wetland plants in streambed	FACW = 0.75; OBL = 1.5 Other = 0			

*perennial streams may also be identified using other methods. See p, 35 of manual.

Notes:

Sketch:

Soils = Perennial
USGS = Present

JM 11/22

West 5 10

NC Division of Water Quality –Methodology for Identification of Intermittent and Perennial Streams and Their Origins v. 4.1

NC DWQ Stream Identification Form Version 4.1

Date: 11/02/2022	Project/Site: Lenden	Latitude: 35.647567
Evaluator: JH	County: Wake	Longitude: -78.864030
Total Points: 26 *Stream is at least intermittent if ≥ 19 or perennial if ≥ 30**	Stream Determination (circle one) Ephemeral Intermittent Perennial	Other 0 *e.g. Quad Name:*

A. Geomorphology (Subtotal = 7)	Absent	Weak	Moderate	Strong
1[a] Continuity of channel bed and bank	0	1	2	3
2. Sinuosity of channel along thalweg	0	1	2	3
3. In-channel structure: ex. riffle-pool, step-pool, ripple-pool sequence	0	1	2	3
4. Particle size of stream substrate	0	1	2	3
5. Active/relict floodplain	0	1	2	3
6. Depositional bars or benches	0	1	2	3
7. Recent alluvial deposits	0	1	2	3
8. Headcuts	0	1	2	3
9. Grade control	0	0.5	1	1.5
10. Natural valley	0	0.5	1	1.5
11. Second or greater order channel	No = 0		Yes = 3	

[a] artificial ditches are not rated; see discussions in manual

B. Hydrology (Bits) 4				
12. Presence of Baseflow	0	1	2	3
13. Iron oxidizing bacteria	0	1	2	3
14. Leaf litter	1.5	1	0.5	0
15. Sediment on plants or debris	0	0.5	1	1.5
16. Organic debris lines or piles	0	0.5	1	1.5
17. Soil-based evidence of high water table?	No = 0		Yes = 3	

C. Biology (Subtotal = 5)				
18. Fibrous roots in streambed	3	2	1	0
19. Rooted upland plants in streambed	3	2	1	0
20. Macrobenthos (note diversity and abundance)	0	1	2	3
21. Aquatic Mollusks	0	1	2	3
22. Fish	0	0.5	1	1.5
23. Crayfish	0	0.5	1	1.5
24. Amphibians	0	0.5	1	1.5
25. Algae	0	0.5	1	1.5
26. Wetland plants in streambed	FACW = 0.75; OBL = 1.5 Other = 0			

*perennial streams may also be identified using other methods. See p. 35 of manual.

Notes:

Sketch:

Soils = Perennial
USGS = Present

JM 12/ 2

West SF11

NC Division of Water Quality –Methodology for Identification of Intermittent and Perennial Streams and Their Origins v. 4.1

NC DWQ Stream Identification Form Version 4.1

Date: 11/02/2022	Project/Site: Verden	Latitude: 35.697734
Evaluator: JH	County: Warren	Longitude: -78.863691
Total Points: *Stream is at least intermittent if ≥ 19 or perennial if ≥ 30** 21	Stream Determination (circle one) Ephemeral Intermittent Perennial	Other 0 *e.g. Quad Name:* —

A. Geomorphology (Subtotal = 11)	Absent	Weak	Moderate	Strong
1[a] Continuity of channel bed and bank	0	1	2	3
2. Sinuosity of channel along thalweg	0	1	2	3
3. In-channel structure: ex. riffle-pool, step-pool, ripple-pool sequence	0	1	2	3
4. Particle size of stream substrate	0	1	2	3
5. Active/relict floodplain	0	1	2	3
6. Depositional bars or benches	0	1	2	3
7. Recent alluvial deposits	0	1	2	3
8. Headcuts	0	1	2	3
9. Grade control	0	0.5	1	1.5
10. Natural valley	0	0.5	1	1.5
11. Second or greater order channel	No = 0		Yes = 3	

[a] artificial ditches are not rated; see discussions in manual

B. Hydrology (4)				
12. Presence of Baseflow	0	1	2	3
13. Iron oxidizing bacteria	0	1	2	3
14. Leaf litter	1.5	1	0.5	0
15. Sediment on plants or debris	0	0.5	1	1.5
16. Organic debris lines or piles	0	0.5	1	1.5
17. Soil-based evidence of high water table?	No = 0		Yes = 3	

C. Biology (Subtotal = 0)				
18. Fibrous roots in streambed	3	2	1	0
19. Rooted upland plants in streambed	3	2	1	0
20. Macrobenthos (note diversity and abundance)	0	1	2	3
21. Aquatic Mollusks	0	1	2	3
22. Fish	0	0.5	1	1.5
23. Crayfish	0	0.5	1	1.5
24. Amphibians	0	0.5	1	1.5
25. Algae	0	0.5	1	1.5
26. Wetland plants in streambed	FACW = 0.75; OBL = 1.5 Other = 0			

*perennial streams may also be identified using other methods. See p. 35 of manual.

Notes:

Sketch:

Soils = Perennial
USGS = Present

JM 12/13/2022

West SF#9

NC Division of Water Quality –Methodology for Identification of Intermittent and Perennial Streams and Their Origins v. 4.1

NC DWQ Stream Identification Form Version 4.1

Date: 11/02/2022	Project/Site: Vendeen	Latitude: 35.697070°
Evaluator: JH - SEC	County: Carteret	Longitude: -78.86535°
Total Points: *Stream is at least intermittent if ≥ 19 or perennial if ≥ 30** 12.5	Stream Determination (circle one) Ephemeral Intermittent Perennial	Other 0 *e.g. Quad Name:* —

A. Geomorphology (Subtotal = 5)	Absent	Weak	Moderate	Strong
1[a]. Continuity of channel bed and bank	0	1	(2)	3
2. Sinuosity of channel along thalweg	0	1	(2)	3
3. In-channel structure: ex. riffle-pool, step-pool, ripple-pool sequence	(0)	1	2	3
4. Particle size of stream substrate	(0)	1 SM	2	3
5. Active/relict floodplain	0	(1)	2	3
6. Depositional bars or benches	(0)	1	2	3
7. Recent alluvial deposits	(0)	1	2	3
8. Headcuts	(0)	1	2	3
9. Grade control	(0)	0.5	1	1.5
10. Natural valley	0	0.5	(1)	1.5
11. Second or greater order channel	No = 0		Yes = 3	

[a] artificial ditches are not rated; see discussions in manual

B. Hydrology (3.5)				
12. Presence of Baseflow	(0)	1	2	(3) SM
13. Iron oxidizing bacteria	(0)	1	2 SM	3
14. Leaf litter	1.5	SM 1	(0.5)	(0)
15. Sediment on plants or debris	(0)	(0.5)	1	1.5
16. Organic debris lines or piles	0	(0.5)	1	1.5
17. Soil-based evidence of high water table?	No = 0		(Yes = 3)	

C. Biology (Subtotal = 4)				
18. Fibrous roots in streambed	3	(2)	1	0
19. Rooted upland plants in streambed	3	(2)	1	0
20. Macrobenthos (note diversity and abundance)	(0)	1	2	3
21. Aquatic Mollusks	(0)	1	2	3
22. Fish	(0)	0.5	1	1.5
23. Crayfish	(0)	0.5	1	1.5
24. Amphibians	(0)	0.5	1	1.5
25. Algae	(0)	0.5	1	1.5
26. Wetland plants in streambed	FACW = 0.75; OBL = 1.5 Other = 0			

*perennial streams may also be identified using other methods. See p. 35 of manual.

Notes:

Sketch:

Soils = Perennial

USGS = Present

Evest SF8

NC Division of Water Quality –Methodology for Identification of Intermittent and Perennial Streams and Their Origins v. 4.1

NC DWQ Stream Identification Form Version 4.1

Date: 11/02/2022	Project/Site: Verden	Latitude: 35.697098
Evaluator: JH - S+EC	County: ~~mc~~ Wake	Longitude: -78.865711
Total Points: *Stream is at least intermittent if ≥ 19 or perennial if ≥ 30** 21.5	Stream Determination (circle one) Ephemeral Intermittent Perennial	Other O *e.g. Quad Name:*

A. Geomorphology (Subtotal = 11)	Absent	Weak	Moderate	Strong
1[a] Continuity of channel bed and bank	0	1	2	3
2. Sinuosity of channel along thalweg	0	1	2	3
3. In-channel structure: ex. riffle-pool, step-pool, ripple-pool sequence	0	1	2	3
4. Particle size of stream substrate	0	1	2	3
5. Active/relict floodplain	0	1	2	3
6. Depositional bars or benches	0	1	2	3
7. Recent alluvial deposits	0	1	2	3
8. Headcuts	0	1	2	3
9. Grade control	0	0.5	1	1.5
10. Natural valley	0	0.5	1	1.5
11. Second or greater order channel	No = 0		Yes = 3	

[a] artificial ditches are not rated; see discussions in manual

B. Hydrology (4.5)				
12. Presence of Baseflow	0	1	2	3
13. Iron oxidizing bacteria	0	1	2	3
14. Leaf litter	1.5	1	0.5	0
15. Sediment on plants or debris	0	0.5	1	1.5
16. Organic debris lines or piles	0	0.5	1	1.5
17. Soil-based evidence of high water table?	No = 0		Yes = 3	

C. Biology (Subtotal = 10)				
18. Fibrous roots in streambed	3	2	1	0
19. Rooted upland plants in streambed	3	2	1	0
20. Macrobenthos (note diversity and abundance)	0	1	2	3
21. Aquatic Mollusks	0	1	2	3
22. Fish	0	0.5	1	1.5
23. Crayfish	0	0.5	1	1.5
24. Amphibians	0	0.5	1	1.5
25. Algae	0	0.5	1	1.5
26. Wetland plants in streambed	FACW = 0.75; OBL = 1.5 Other = 0			

*perennial streams may also be identified using other methods. See p. 35 of manual.

Notes:

Sketch:

Soils = Perennial
USGS = Present

JM 11/7/2022

WEST SF37

NC Division of Water Quality –Methodology for Identification of Intermittent and Perennial Streams and Their Origins v. 4.1

NC DWQ Stream Identification Form Version 4.1

Date: 11/2/2022	Project/Site: Veridea	Latitude: 35.696[illegible]
Evaluator: SHEC - JOSHUA HARVEY	County: WAKE	Longitude: -78.5[illegible]
Total Points: *Stream is at least intermittent if ≥ 19 or perennial if ≥ 30** 8	Stream Determination (circle one) Ephemeral Intermittent Perennial	Other P *e.g. Quad Name:*

A. Geomorphology (Subtotal = 3.5)	Absent	Weak	Moderate	Strong
1a. Continuity of channel bed and bank	0	(1)	2	3
2. Sinuosity of channel along thalweg	0	(1)	2	3
3. In-channel structure: ex. riffle-pool, step-pool, ripple-pool sequence	(0)	1	2	3
4. Particle size of stream substrate	0	(1)	2	3
5. Active/relict floodplain	(0)	1	2	3
6. Depositional bars or benches	(0)	1	2	3
7. Recent alluvial deposits	(0)	1	2	3
8. Headcuts	(0)	1	2	3
9. Grade control	(0)	0.5	1	1.5
10. Natural valley	0	(0.5)	1	1.5
11. Second or greater order channel ~~artificial ditches are not rated; see discussions in manual~~	(No = 0)		Yes = 3	

B. Hydrology (Subtotal = 0.5)				
12. Presence of Baseflow	(0)	1	2	3
13. Iron oxidizing bacteria	(0)	1	2	3
14. Leaf litter	1.5	1	(0.5)	0
15. Sediment on plants or debris	(0)	0.5	1	1.5
16. Organic debris lines or piles	(0)	(0.5)	1	1.5
17. Soil-based evidence of high water table?	(No = 0)		Yes = 3	

C. Biology (Subtotal = 4)				
18. Fibrous roots in streambed	3	2	(1)	0
19. Rooted upland plants in streambed	(3)	2	1	0
20. Macrobenthos (note diversity and abundance)	(0)	1	2	3
21. Aquatic Mollusks	(0)	1	2	3
22. Fish	(0)	0.5	1	1.5
23. Crayfish	(0)	0.5	1	1.5
24. Amphibians	(0)	0.5	1	1.5
25. Algae	(0)	0.5	1	1.5
26. Wetland plants in streambed	FACW = 0.75; OBL = 1.5 Other = 0			

*perennial streams may also be identified using other methods. See p. 35 of manual.

Notes:

Sketch:

Soils = Intermittent

USGS = Not Present

11/20/2022

Wash SF 7

NC Division of Water Quality –Methodology for Identification of Intermittent and Perennial Streams and Their Origins v. 4.1

NC DWQ Stream Identification Form Version 4.1

Date: 11/07/2022	Project/Site: Verdae	Latitude: 35.699659
Evaluator: SH	County: Wake	Longitude: -78.864028
Total Points: 16 *Stream is at least intermittent if ≥ 19 or perennial if ≥ 30**	Stream Determination (circle one) Ephemeral Intermittent Perennial	Other Q *e.g. Quad Name:*

A. Geomorphology (Subtotal = 6)	Absent	Weak	Moderate	Strong
1[a] Continuity of channel bed and bank	0	1	2	3
2. Sinuosity of channel along thalweg	0	1	2	3
3. In-channel structure: ex. riffle-pool, step-pool, ripple-pool sequence	0	1	2	3
4. Particle size of stream substrate	0	1	2	3
5. Active/relict floodplain	0	1	2	3
6. Depositional bars or benches	0	1	2	3
7. Recent alluvial deposits	0	1	2	3
8. Headcuts	0	1	2	3
9. Grade control	0	0.5	1	1.5
10. Natural valley	0	0.5	1	1.5
11. Second or greater order channel	No = 0		Yes = 3	

[a] artificial ditches are not rated; see discussions in manual

B. Hydrology (5)				
12. Presence of Baseflow	0	1	2	3
13. Iron oxidizing bacteria	0	1	2	3
14. Leaf litter	1.5	1	0.5	0
15. Sediment on plants or debris	0	0.5	1	1.5
16. Organic debris lines or piles	0	0.5	1	1.5
17. Soil-based evidence of high water table?	No = 0		Yes = 3	

C. Biology (Subtotal = 5)				
18. Fibrous roots in streambed	3	2	1	0
19. Rooted upland plants in streambed	3	2	1	0
20. Macrobenthos (note diversity and abundance)	0	1	2	3
21. Aquatic Mollusks	0	1	2	3
22. Fish	0	0.5	1	1.5
23. Crayfish	0	0.5	1	1.5
24. Amphibians	0	0.5	1	1.5
25. Algae	0	0.5	1	1.5
26. Wetland plants in streambed	FACW = 0.75; OBL = 1.5 Other = 0			

*perennial streams may also be identified using other methods. See p. 35 of manual.

Notes:

Sketch:

Soils = Intermittent
USGS = Not Present

12/15/2022

West SF27

NC DWQ Stream Identification Form Version 4.11

Date: 11/2/22	Project/Site: Verides	Latitude: 35.701121
Evaluator: S+EL-JH	County: Wake	Longitude: -78.856460
Total Points: *Stream is at least intermittent if ≥ 19 or perennial if ≥ 30** 9	Stream Determination (circle one) Ephemeral Intermittent Perennial	Other R *e.g. Quad Name:*

A. Geomorphology (Subtotal = 4)	Absent	Weak	Moderate	Strong
1[a]. Continuity of channel bed and bank	0	(1)	2	3
2. Sinuosity of channel along thalweg	0	(1)	2	3
3. In-channel structure: ex. riffle-pool, step-pool, ripple-pool sequence	(0)	1	2	3
4. Particle size of stream substrate	(0)	1	2	3
5. Active/relict floodplain	0	(1)	2	3
6. Depositional bars or benches	(0)	1	2	3
7. Recent alluvial deposits	(0)	1	2	3
8. Headcuts	(0)	1	2	3
9. Grade control	(0)	0.5	1	1.5
10. Natural valley	0	0.5	(1)	1.5
11. Second or greater order channel	No = 0		Yes = 3	

[a] artificial ditches are not rated; see discussions in manual

B. Hydrology (Subtotal = 2)				
12. Presence of Baseflow	(0)	1	2	3
13. Iron oxidizing bacteria	(0)	1	2	3
14. Leaf litter	1.5	(1)	0.5	0
15. Sediment on plants or debris	0	(0.5)	1	1.5
16. Organic debris lines or piles	0	(0.5)	1	1.5
17. Soil-based evidence of high water table?	No = 0		Yes = 3	

C. Biology (Subtotal = 3)				
18. Fibrous roots in streambed	3	(2)	1	0
19. Rooted upland plants in streambed	3	2	(1)	0
20. Macrobenthos (note diversity and abundance)	(0)	1	2	3
21. Aquatic Mollusks	(0)	1	2	3
22. Fish	(0)	0.5	1	1.5
23. Crayfish	(0)	0.5	1	1.5
24. Amphibians	(0)	0.5	1	1.5
25. Algae	(0)	0.5	1	1.5
26. Wetland plants in streambed	FACW = 0.75; OBL = 1.5 Other = (0)			

*perennial streams may also be identified using other methods. See p. 35 of manual.

Notes:

Sketch:

Soils = Intermittent
USGS = Not Present

JM 10/[illegible]/2022

West SF 25

NC DWQ Stream Identification Form Version 4.11

Date: 11/2/22	Project/Site: Verdea	Latitude: 35.702162
Evaluator: SFEC - JH	County: Wake	Longitude: -78.854496
Total Points: *Stream is at least intermittent if ≥ 19 or perennial if ≥ 30** 21.75	Stream Determination (circle one) Ephemeral (Intermittent) Perennial	Other R *e.g. Quad Name:*

A. Geomorphology (Subtotal = 10)	Absent	Weak	Moderate	Strong
1[a]. Continuity of channel bed and bank	0	1	2	(3)
2. Sinuosity of channel along thalweg	0	1	(2)	3
3. In-channel structure: ex. riffle-pool, step-pool, ripple-pool sequence	0	(1)	2	3
4. Particle size of stream substrate	0	(1)	2	3
5. Active/relict floodplain	(0)	1	2	3
6. Depositional bars or benches	0	(1)	(2)	3
7. Recent alluvial deposits	(0)	1	2	3
8. Headcuts	(0)	1	2	3
9. Grade control	(0)	0.5	1	1.5
10. Natural valley	0	0.5	(1)	1.5
11. Second or greater order channel	No = 0		Yes = 3	

[a] artificial ditches are not rated; see discussions in manual

B. Hydrology (Subtotal = 5)				
12. Presence of Baseflow	(0)	1	2	3
13. Iron oxidizing bacteria	(0)	1	2	3
14. Leaf litter	1.5	(1)	0.5	0
15. Sediment on plants or debris	0	(0.5)	1	1.5
16. Organic debris lines or piles	0	(0.5)	1	1.5
17. Soil-based evidence of high water table?	No = 0		Yes = 3	

C. Biology (Subtotal = 6.75)				
18. Fibrous roots in streambed	(3)	2	1	0
19. Rooted upland plants in streambed	(3)	2	1	0
20. Macrobenthos (note diversity and abundance)	(0)	1	2	3
21. Aquatic Mollusks	(0)	1	2	3
22. Fish	(0)	0.5	1	1.5
23. Crayfish	(0)	0.5	1	1.5
24. Amphibians	(0)	0.5	1	1.5
25. Algae	(0)	0.5	1	1.5
26. Wetland plants in streambed	FACW = 0.75; OBL = 1.5 Other = 0			

*perennial streams may also be identified using other methods. See p. 35 of manual.

Notes:

Sketch:

Soils = Intermittent

USGS = Not Present

JH 11/2/2022

West SF26

NC DWQ Stream Identification Form Version 4.11

Date: 11/2/22	Project/Site: Verdea	Latitude: 35.701807
Evaluator: STEC-JH	County: Wake	Longitude: -78.855554
Total Points: *Stream is at least intermittent if ≥ 19 or perennial if ≥ 30** 10.25	Stream Determination (circle one) (Ephemeral) Intermittent Perennial	Other 5 *e.g. Quad Name:*

A. Geomorphology (Subtotal = 2.5)	Absent	Weak	Moderate	Strong
1[a]. Continuity of channel bed and bank	0	(1)	2	3
2. Sinuosity of channel along thalweg	(0)	1	2	3
3. In-channel structure: ex. riffle-pool, step-pool, ripple-pool sequence	(0)	1	2	3
4. Particle size of stream substrate	(0)	1	2	3
5. Active/relict floodplain	(0)	1	2	3
6. Depositional bars or benches	(0)	1	2	3
7. Recent alluvial deposits	(0)	1	2	3
8. Headcuts	0	(1)	2	3
9. Grade control	(0)	0.5	1	1.5
10. Natural valley	0	(0.5)	1	1.5
11. Second or greater order channel	No = 0		Yes = 3	

[a] artificial ditches are not rated; see discussions in manual

B. Hydrology (Subtotal = 3)				
12. Presence of Baseflow	(0)	1	2	3
13. Iron oxidizing bacteria	(0)	1	2	3
14. Leaf litter	1.5	1	0.5	(0)
15. Sediment on plants or debris	(0)	0.5	1	1.5
16. Organic debris lines or piles	(0)	0.5	1	1.5
17. Soil-based evidence of high water table?	No = 0		(Yes = 3)	

C. Biology (Subtotal = 4.75)				
18. Fibrous roots in streambed	3	(2)	1	0
19. Rooted upland plants in streambed	3	(2)	1	0
20. Macrobenthos (note diversity and abundance)	(0)	1	2	3
21. Aquatic Mollusks	(0)	1	2	3
22. Fish	(0)	0.5	1	1.5
23. Crayfish	(0)	0.5	1	1.5
24. Amphibians	(0)	0.5	1	1.5
25. Algae	(0)	0.5	1	1.5
26. Wetland plants in streambed	(FACW = 0.75); OBL = 1.5 Other = 0			

*perennial streams may also be identified using other methods. See p. 35 of manual.

Notes:

Sketch:

Soils = Intermittent

USGS = Not Present

JM 2022

West
SF 24

NC Division of Water Quality –Methodology for Identification of Intermittent and Perennial Streams and Their Origins v. 4.1

NC DWQ Stream Identification Form Version 4.1

Date: 11/2/22	Project/Site: Veridea	Latitude: 35.698569
Evaluator: SHEC - AJK + JH + KM	County: Wake	Longitude: -78.854833
Total Points: *Stream is at least intermittent if ≥ 19 or perennial if ≥ 30** 18	Stream Determination (circle one) (Ephemeral) Intermittent Perennial	Other T *e.g. Quad Name:*

A. Geomorphology (Subtotal = 10)	Absent	Weak	Moderate	Strong
1[a]. Continuity of channel bed and bank	0	1	(2)	3
2. Sinuosity of channel along thalweg	0	1	2	(3)
3. In-channel structure: ex. riffle-pool, step-pool, ripple-pool sequence	0	(1)	2	3
4. Particle size of stream substrate	0	(1)	2	3
5. Active/relict floodplain	0	1	(2)	3
6. Depositional bars or benches	(0)	1	2	3
7. Recent alluvial deposits	(0)	1	2	3
8. Headcuts	(0)	1	2	3
9. Grade control	0	(0.5)	1	1.5
10. Natural valley	0	(0.5)	1	1.5
11. Second or greater order channel	No = 0		Yes = 3	

[a] artificial ditches are not rated; see discussions in manual

B. Hydrology (3)				
12. Presence of Baseflow	(0)	1	2	3
13. Iron oxidizing bacteria	(0)	1	2	3
14. Leaf litter	1.5	1	0.5	(0)
15. Sediment on plants or debris	(0)	0.5	1	1.5
16. Organic debris lines or piles	(0)	0.5	1	1.5
17. Soil-based evidence of high water table?	No = 0		Yes = (3)	

C. Biology (Subtotal = 5)				
18. Fibrous roots in streambed	3	(2)	1	0
19. Rooted upland plants in streambed	(3)	2	1	0
20. Macrobenthos (note diversity and abundance)	(0)	1	2	3
21. Aquatic Mollusks	(0)	1	2	3
22. Fish	(0)	0.5	1	1.5
23. Crayfish	(0)	0.5	1	1.5
24. Amphibians	(0)	0.5	1	1.5
25. Algae	(0)	0.5	1	1.5
26. Wetland plants in streambed	FACW = 0.75; OBL = 1.5 Other = (0)			

*perennial streams may also be identified using other methods. See p. 35 of manual.

Notes:

Sketch:

Soils: Perennial
VSCS = Not Present

12/15/2022

West SF20

NC Division of Water Quality –Methodology for Identification of Intermittent and Perennial Streams and Their Origins v. 4.1

NC DWQ Stream Identification Form Version 4.1

Date: 11/2/22	Project/Site: Verides	Latitude: 35.696709
Evaluator: SH-EC - ASK + JH + KM	County: Wake	Longitude: -78.852141
Total Points: *Stream is at least intermittent if ≥ 19 or perennial if ≥ 30** 19.5	Stream Determination (circle one) Ephemeral (Intermittent) Perennial	Other T *e.g. Quad Name:*

A. Geomorphology (Subtotal = 10.5)	Absent	Weak	Moderate	Strong
1[a]. Continuity of channel bed and bank	0	1	(2) →	3
2. Sinuosity of channel along thalweg	0	1	(2)	3
3. In-channel structure: ex. riffle-pool, step-pool, ripple-pool sequence	0	(1)	2	3
4. Particle size of stream substrate	0	1	(2)	3
5. Active/relict floodplain	0	1	(2)	3
6. Depositional bars or benches	(0)	1	2	3
7. Recent alluvial deposits	(0)	1	2	3
8. Headcuts	(0)	1	2	3
9. Grade control	0	(0.5)	1	1.5
10. Natural valley	0	0.5	(1)	1.5
11. Second or greater order channel	No = (0)		Yes = 3	

[a] artificial ditches are not rated; see discussions in manual

B. Hydrology (4)				
12. Presence of Baseflow	(0)	1	2	3
13. Iron oxidizing bacteria	(0)	1	2	3
14. Leaf litter	1.5	1	0.5	(0)
15. Sediment on plants or debris	0	(0.5)	1	1.5
16. Organic debris lines or piles	0	(0.5)	1	1.5
17. Soil-based evidence of high water table?	No = 0		Yes = (3)	

C. Biology (Subtotal = 5)				
18. Fibrous roots in streambed	3	(2)	1	0
19. Rooted upland plants in streambed	(3)	2	1	0
20. Macrobenthos (note diversity and abundance)	(0)	1	2	3
21. Aquatic Mollusks	(0)	1	2	3
22. Fish	(0)	0.5	1	1.5
23. Crayfish	(0)	0.5	1	1.5
24. Amphibians	(0)	0.5	1	1.5
25. Algae	(0)	0.5	1	1.5
26. Wetland plants in streambed	FACW = 0.75; OBL = 1.5 Other = (0)			

*perennial streams may also be identified using other methods. See p. 35 of manual.

Notes:

Sketch:

Soils = Perennial
USGS = Not Present

JH 10/13/2022

West SF23

NC Division of Water Quality –Methodology for Identification of Intermittent and Perennial Streams and Their Origins v. 4.1

NC DWQ Stream Identification Form Version 4.1

Date: 11/2/22	Project/Site: Veridea	Latitude: 35.698339
Evaluator: StEC – AJK & KM	County: Wake	Longitude: -78.855074
Total Points: Non-Scoreable Feature, *Stream is at least intermittent if ≥ 19 or perennial if ≥ 30**	Stream Determination (circle one) (Ephemeral) Intermittent Perennial	Other U *e.g. Quad Name:*

A. Geomorphology (Subtotal = ____)	Absent	Weak	Moderate	Strong
1[a]. Continuity of channel bed and bank	0	1	2	3
2. Sinuosity of channel along thalweg	0	1	2	3
3. In-channel structure: ex. riffle-pool, step-pool, ripple-pool sequence	0	1	2	3
4. Particle size of stream substrate	0	1	2	3
5. Active/relict floodplain	0	1	2	3
6. Depositional bars or benches	0	1	2	3
7. Recent alluvial deposits	0	1	2	3
8. Headcuts	0	1	2	3
9. Grade control	0	0.5	1	1.5
10. Natural valley	0	0.5	1	1.5
11. Second or greater order channel	No = 0		Yes = 3	

[a] artificial ditches are not rated; see discussions in manual

B. Hydrology (____)				
12. Presence of Baseflow	0	1	2	3
13. Iron oxidizing bacteria	0	1	2	3
14. Leaf litter	1.5	1	0.5	0
15. Sediment on plants or debris	0	0.5	1	1.5
16. Organic debris lines or piles	0	0.5	1	1.5
17. Soil-based evidence of high water table?	No = 0		Yes = 3	

C. Biology (Subtotal = ____)				
18. Fibrous roots in streambed	3	2	1	0
19. Rooted upland plants in streambed	3	2	1	0
20. Macrobenthos (note diversity and abundance)	0	1	2	3
21. Aquatic Mollusks	0	1	2	3
22. Fish	0	0.5	1	1.5
23. Crayfish	0	0.5	1	1.5
24. Amphibians	0	0.5	1	1.5
25. Algae	0	0.5	1	1.5
26. Wetland plants in streambed	FACW = 0.75; OBL = 1.5 Other = 0			

*perennial streams may also be identified using other methods. See p. 35 of manual.

Notes:

Sketch:

Non-Scoreable Feature

Soils = Intermittent
USGS = Not Present

JM 10/7/2022

West SF 35

NC Division of Water Quality –Methodology for Identification of Intermittent and Perennial Streams and Their Origins v. 4.1

NC DWQ Stream Identification Form Version 4.1

Date: 11/3/22	Project/Site: Veridea	Latitude: 35.697154
Evaluator: S+EC - AJK	County: Wake	Longitude: -78.858121
Total Points: *Stream is at least intermittent if ≥ 19 or perennial if ≥ 30** 6	Stream Determination (circle one) (Ephemeral) Intermittent Perennial	Other *e.g. Quad Name:* V

A. Geomorphology (Subtotal = 1)	Absent	Weak	Moderate	Strong
1[a] Continuity of channel bed and bank	0	(1)	2	3
2. Sinuosity of channel along thalweg	(0)	1	2	3
3. In-channel structure: ex. riffle-pool, step-pool, ripple-pool sequence	(0)	1	2	3
4. Particle size of stream substrate	(0)	1	2	3
5. Active/relict floodplain	(0)	1	2	3
6. Depositional bars or benches	(0)	1	2	3
7. Recent alluvial deposits	(0)	1	2	3
8. Headcuts	(0)	1	2	3
9. Grade control	(0)	0.5	1	1.5
10. Natural valley	(0)	0.5	1	1.5
11. Second or greater order channel	No = (0)		Yes = 3	

[a] artificial ditches are not rated; see discussions in manual

B. Hydrology (3)				
12. Presence of Baseflow	(0)	1	2	3
13. Iron oxidizing bacteria	(0)	1	2	3
14. Leaf litter	1.5	1	0.5	(0)
15. Sediment on plants or debris	(0)	0.5	1	1.5
16. Organic debris lines or piles	(0)	0.5	1	1.5
17. Soil-based evidence of high water table?	No = 0		Yes = (3)	

C. Biology (Subtotal = 2)				
18. Fibrous roots in streambed	3	2	(1)	0
19. Rooted upland plants in streambed	3	2	(1)	0
20. Macrobenthos (note diversity and abundance)	(0)	1	2	3
21. Aquatic Mollusks	(0)	1	2	3
22. Fish	(0)	0.5	1	1.5
23. Crayfish	(0)	0.5	1	1.5
24. Amphibians	(0)	0.5	1	1.5
25. Algae	(0)	0.5	1	1.5
26. Wetland plants in streambed	FACW = 0.75; OBL = 1.5 Other = (0)			

*perennial streams may also be identified using other methods. See p. 35 of manual.

Notes:

Sketch:

Soils = Intermittent

USGS = Not Present

JVR 12/20/2022

West SF36

NC Division of Water Quality –Methodology for Identification of Intermittent and Perennial Streams and Their Origins v. 4.1

NC DWQ Stream Identification Form Version 4.1

Date: 11/3/22	Project/Site: Veridea	Latitude: 35.696363
Evaluator: SFEC-AJK	County: Wake	Longitude: -78.858198
Total Points: *Stream is at least intermittent if ≥ 19 or perennial if ≥ 30** 23	Stream Determination (circle one) Ephemeral (Intermittent) Perennial	Other ✓ *e.g. Quad Name:*

A. Geomorphology (Subtotal = 11.5)	Absent	Weak	Moderate	Strong
1[a] Continuity of channel bed and bank	0	1	2	(3)
2. Sinuosity of channel along thalweg	0	1	(2)	3
3. In-channel structure: ex. riffle-pool, step-pool, ripple-pool sequence	0	(1)	2	3
4. Particle size of stream substrate	0	1	(2)	3
5. Active/relict floodplain	(0)	1	2	3
6. Depositional bars or benches	(0)	1	2	3
7. Recent alluvial deposits	0	(1)	2	3
8. Headcuts	0	(1)	2	3
9. Grade control	0	(0.5)	1	1.5
10. Natural valley	0	0.5	(1)	1.5
11. Second or greater order channel [a] artificial ditches are not rated; see discussions in manual	No = 0		Yes = 3	

B. Hydrology (6.5)				
12. Presence of Baseflow	0	(1)	2	3
13 Iron oxidizing bacteria	(0)	1	2	3
14 Leaf litter	1.5	(1)	0.5	0
15 Sediment on plants or debris	0	0.5	(1)	1.5
16. Organic debris lines or piles	0	(0.5)	1	1.5
17 Soil-based evidence of high water table?	No = 0		Yes = 3	

C. Biology (Subtotal = 5)				
18. Fibrous roots in streambed	3	(2)	1	0
19. Rooted upland plants in streambed	(3)	2	1	0
20. Macrobenthos (note diversity and abundance)	(0)	1	2	3
21. Aquatic Mollusks	(0)	1	2	3
22 Fish	(0)	0.5	1	1.5
23. Crayfish	(0)	0.5	1	1.5
24. Amphibians	(0)	0.5	1	1.5
25. Algae	(0)	0.5	1	1.5
26. Wetland plants in streambed	FACW = 0.75; OBL = 1.5 Other = 0			

*perennial streams may also be identified using other methods. See p. 35 of manual

Notes:

Sketch:

Soils = Intermittent
USGS = Not Present

JM 12/20/2022

West SF 34

NC Division of Water Quality –Methodology for Identification of Intermittent and Perennial Streams and Their Origins v. 4.1

NC DWQ Stream Identification Form Version 4.1

Date: 11/3/2022	Project/Site: Verídea	Latitude: 35.694766
Evaluator: S+EC - AJK	County: Wake	Longitude: -78.856375
Total Points: *Stream is at least intermittent if ≥ 19 or perennial if ≥ 30** 32	Stream Determination (circle one) Ephemeral Intermittent (Perennial)	Other *e.g. Quad Name:* ✓

A. Geomorphology (Subtotal = 18)	Absent	Weak	Moderate	Strong
1[a] Continuity of channel bed and bank	0	1	2	(3)
2. Sinuosity of channel along thalweg	0	1	2	(3)
3. In-channel structure: ex. riffle-pool, step-pool, ripple-pool sequence	0	1	2	(3)
4. Particle size of stream substrate	0	1	(2)	3
5. Active/relict floodplain	(0)	1	2	3
6. Depositional bars or benches	0	1	(2)	3
7. Recent alluvial deposits	0	1	(2)	3
8. Headcuts	0	(1)	2	3
9. Grade control	0	0.5	(1)	1.5
10. Natural valley	0	0.5	(1)	1.5
11. Second or greater order channel *artificial ditches are not rated; see discussions in manual*	No = (0)		Yes = 3	

B. Hydrology (8)				
12. Presence of Baseflow	0	1	(2)	3
13. Iron oxidizing bacteria	(0)	1	2	3
14. Leaf litter	1.5	(1)	0.5	0
15. Sediment on plants or debris	0	0.5	(1)	1.5
16. Organic debris lines or piles	0	0.5	(1)	1.5
17. Soil-based evidence of high water table?	No = 0		Yes = (3)	

C. Biology (Subtotal = 6)				
18. Fibrous roots in streambed	3	(2)	1	0
19. Rooted upland plants in streambed	(3)	2	1	0
20. Macrobenthos (note diversity and abundance)	(0)	1	2	3
21. Aquatic Mollusks	(0)	1	2	3
22. Fish	(0)	0.5	1	1.5
23. Crayfish	(0)	0.5	1	1.5
24. Amphibians	0	0.5	(1)	1.5
25. Algae	(0)	0.5	1	1.5
26. Wetland plants in streambed	FACW = 0.75; OBL = 1.5 Other = (0)			

*perennial streams may also be identified using other methods. See p. 35 of manual.

Notes:

Sketch:

Soils = Intermittent

USGS = Not Present

JM 12/20/2022

West
SF17

NC Division of Water Quality –Methodology for Identification of Intermittent and Perennial Streams and Their Origins v. 4.1

NC DWQ Stream Identification Form Version 4.1

Date: 11/2/22	Project/Site: Veridea	Latitude: 35.694829
Evaluator: SFEC - AJK, JH & KM	County: Wake	Longitude: -78.859124
Total Points: *Stream is at least intermittent if ≥ 19 or perennial if ≥ 30** 14	Stream Determination (circle one) (Ephemeral) Intermittent Perennial	Other W *e.g. Quad Name:*

A. Geomorphology (Subtotal = 5.5)	Absent	Weak	Moderate	Strong
1[a]. Continuity of channel bed and bank	0	1	(2)	3
2. Sinuosity of channel along thalweg	0	(1)	2	3
3. In-channel structure: ex. riffle-pool, step-pool, ripple-pool sequence	(0)	1	2	3
4. Particle size of stream substrate	(0)	1	2	3
5. Active/relict floodplain	0	(1)	2	3
6. Depositional bars or benches	(0)	1	2	3
7. Recent alluvial deposits	0	(1)	2	3
8. Headcuts	(0)	1	2	3
9. Grade control	(0)	0.5	1	1.5
10. Natural valley	0	(0.5)	1	1.5
11. Second or greater order channel	No = 0		Yes = 3	

[a] artificial ditches are not rated; see discussions in manual

B. Hydrology (4)				
12. Presence of Baseflow	(0)	1	2	3
13. Iron oxidizing bacteria	(0)	1	2	3
14. Leaf litter	1.5	1	(0.5)	0
15. Sediment on plants or debris	0	(0.5)	1	1.5
16. Organic debris lines or piles	(0)	0.5	1	1.5
17. Soil-based evidence of high water table?	No = 0		Yes = (3)	

C. Biology (Subtotal = 4.5)				
18. Fibrous roots in streambed	3	(2)	1	0
19. Rooted upland plants in streambed	3	2	(1)	0
20. Macrobenthos (note diversity and abundance)	(0)	1	2	3
21. Aquatic Mollusks	(0)	1	2	3
22. Fish	(0)	0.5	1	1.5
23. Crayfish	(0)	0.5	1	1.5
24. Amphibians	(0)	0.5	1	1.5
25. Algae	(0)	0.5	1	1.5
26. Wetland plants in streambed	FACW = 0.75; OBL = (1.5) Other = 0			

*perennial streams may also be identified using other methods. See p. 35 of manual.

Notes:

Sketch:

Soils = Intermittent
USGS = Not Present

JH 12/15/2022

West SF22

NC Division of Water Quality –Methodology for Identification of Intermittent and Perennial Streams and Their Origins v. 4.1

NC DWQ Stream Identification Form Version 4.1

Date: 11/2/22	Project/Site: Veridea	Latitude: 35.696773
Evaluator: SHEC - AJK + JH + km	County: Wake	Longitude: -78.854816
Total Points: *Stream is at least intermittent if ≥ 19 or perennial if ≥ 30** 7	Stream Determination (circle one) (Ephemeral) Intermittent Perennial	Other X *e.g. Quad Name:*

A. Geomorphology (Subtotal = 5)	Absent	Weak	Moderate	Strong
1a. Continuity of channel bed and bank	0	1	2	(3)
2. Sinuosity of channel along thalweg	0	(1)	2	3
3. In-channel structure: ex. riffle-pool, step-pool, ripple-pool sequence	(0)	1	2	3
4. Particle size of stream substrate	(0)	1	2	3
5. Active/relict floodplain	(0)	1	2	3
6. Depositional bars or benches	(0)	1	2	3
7. Recent alluvial deposits	(0)	1	2	3
8. Headcuts	(0)	1	2	3
9. Grade control	(0)	0.5	1	1.5
10. Natural valley	0	0.5	(1)	1.5
11. Second or greater order channel	No = (0)		Yes = 3	

[a] artificial ditches are not rated; see discussions in manual

B. Hydrology (0)				
12. Presence of Baseflow	(0)	1	2	3
13. Iron oxidizing bacteria	(0)	1	2	3
14. Leaf litter	1.5	1	0.5	(0)
15. Sediment on plants or debris	(0)	0.5	1	1.5
16. Organic debris lines or piles	(0)	0.5	1	1.5
17. Soil-based evidence of high water table?	No = (0)		Yes = 3	

C. Biology (Subtotal = 2)				
18. Fibrous roots in streambed	3	2	1	(0)
19. Rooted upland plants in streambed	3	(2)	1	0
20. Macrobenthos (note diversity and abundance)	(0)	1	2	3
21. Aquatic Mollusks	(0)	1	2	3
22. Fish	(0)	0.5	1	1.5
23. Crayfish	(0)	0.5	1	1.5
24. Amphibians	(0)	0.5	1	1.5
25. Algae	(0)	0.5	1	1.5
26. Wetland plants in streambed	FACW = 0.75; OBL = 1.5 Other = (0)			

*perennial streams may also be identified using other methods. See p. 35 of manual.

Notes:

Sketch:

Soils = Intermittent

USGS = Not Present

JM 12/19/2022

West SF21

NC Division of Water Quality –Methodology for Identification of Intermittent and Perennial Streams and Their Origins v. 4.1

NC DWQ Stream Identification Form Version 4.1

Date: 11/2/22	Project/Site: Veridea	Latitude: 35.695789
Evaluator: S+EC - AJK + JH + KM	County: Wake	Longitude: -78.854435
Total Points: *Stream is at least intermittent if ≥ 19 or perennial if ≥ 30** 19.75	Stream Determination (circle one) Ephemeral (Intermittent) Perennial	Other X *e.g. Quad Name:*

A. Geomorphology (Subtotal = 11.5)	Absent	Weak	Moderate	Strong
1[a]. Continuity of channel bed and bank	0	1	2	(3)
2. Sinuosity of channel along thalweg	0	1	2	(3)
3. In-channel structure: ex. riffle-pool, step-pool, ripple-pool sequence	0	(1)	2	3
4. Particle size of stream substrate	0	(1)	2	3
5. Active/relict floodplain	(0)	1	2	3
6. Depositional bars or benches	0	1	(2)	3
7. Recent alluvial deposits	(0)	1	2	3
8. Headcuts	(0)	1	2	3
9. Grade control	0	(0.5)	1	1.5
10. Natural valley	0	0.5	(1)	1.5
11. Second or greater order channel	No = (0)		Yes = 3	

[a] artificial ditches are not rated; see discussions in manual

B. Hydrology (3.5)				
12. Presence of Baseflow	(0)	1	2	3
13. Iron oxidizing bacteria	(0)	1	2	3
14. Leaf litter	1.5	1	0.5	(0)
15. Sediment on plants or debris	0	(0.5)	1	1.5
16. Organic debris lines or piles	(0)	0.5	1	1.5
17. Soil-based evidence of high water table?	No = 0		Yes = (3)	

C. Biology (Subtotal = 4.75)				
18. Fibrous roots in streambed	3	(2)	1	0
19. Rooted upland plants in streambed	3	(2)	1	0
20. Macrobenthos (note diversity and abundance)	(0)	1	2	3
21. Aquatic Mollusks	(0)	1	2	3
22. Fish	(0)	0.5	1	1.5
23. Crayfish	(0)	0.5	1	1.5
24. Amphibians	(0)	0.5	1	1.5
25. Algae	(0)	0.5	1	1.5
26. Wetland plants in streambed	(FACW = 0.75) OBL = 1.5 Other = 0			

*perennial streams may also be identified using other methods. See p. 35 of manual.

Notes:

Sketch:

Soils = Intermittent
USGS = Not Present

JM 12/15/2022

WEST SF41

NC Division of Water Quality –Methodology for Identification of Intermittent and Perennial Streams and Their Origins v. 4.1

NC DWQ Stream Identification Form Version 4.1

Date: 11/02/2022	Project/Site: Verdea	Latitude: 35.6944611
Evaluator: SAFEC - JOSHUA HARVEY	County: Wake	Longitude: -78.854206
Total Points: *Stream is at least intermittent if ≥ 19 or perennial if ≥ 30** 15	Stream Determination (circle one) (Ephemeral) Intermittent Perennial	Other X *e.g. Quad Name:*

A. Geomorphology (Subtotal = 4.5)	Absent	Weak	Moderate	Strong
1[a] Continuity of channel bed and bank	0	(1)	2	3
2. Sinuosity of channel along thalweg	0	(1)	2	3
3. In-channel structure: ex. riffle-pool, step-pool, ripple-pool sequence	(0)	1	2	3
4. Particle size of stream substrate	0	(1)	2	3
5. Active/relict floodplain	0	(1)	2	3
6. Depositional bars or benches	(0)	1	2	3
7. Recent alluvial deposits	(0)	1	2	3
8. Headcuts	(0)	1	2	3
9. Grade control	(0)	0.5	1	1.5
10. Natural valley	0	(0.5)	1	1.5
11. Second or greater order channel *artificial ditches are not rated; see discussions in manual	(No = 0)		Yes = 3	

B. Hydrology (Subtotal = 5.5)				
12. Presence of Baseflow	0	(1)	2	3
13. Iron oxidizing bacteria	(0)	1	2	3
14. Leaf litter	1.5	(1)	0.5	0
15. Sediment on plants or debris	(0)	0.5	1	1.5
16. Organic debris lines or piles	0	(0.5)	1	1.5
17. Soil-based evidence of high water table?	No = 0		(Yes = 3)	

C. Biology (Subtotal = 5)				
18. Fibrous roots in streambed	3	(2)	1	0
19. Rooted upland plants in streambed	(3)	2	1	0
20. Macrobenthos (note diversity and abundance)	(0)	1	2	3
21. Aquatic Mollusks	(0)	1	2	3
22. Fish	(0)	0.5	1	1.5
23. Crayfish	(0)	0.5	1	1.5
24. Amphibians	(0)	0.5	1	1.5
25. Algae	(0)	0.5	1	1.5
26. Wetland plants in streambed	FACW = 0.75; OBL = 1.5 Other = 0			

*perennial streams may also be identified using other methods. See p. 35 of manual.

Notes: Stream originates in wetland complex

Sketch:

Soils = Intermittent
USGS = Not Present

JH 11/10/2022

West SF1B

NC Division of Water Quality –Methodology for Identification of Intermittent and Perennial Streams and Their Origins v. 4.1

NC DWQ Stream Identification Form Version 4.1

Date: 11/2/22	Project/Site: Veridea	Latitude: 35.691433
Evaluator: S+EC - AJK+JH + KM	County: Wake	Longitude: -78.855344
Total Points: *Stream is at least intermittent if ≥ 19 or perennial if ≥ 30** 13.5	Stream Determination (circle one) Ephemeral Intermittent Perennial	Other Y *e.g. Quad Name:*

A. Geomorphology (Subtotal = 6)	Absent	Weak	Moderate	Strong
1a. Continuity of channel bed and bank	0	(1)	2	3
2. Sinuosity of channel along thalweg	0	(1)	2	3
3. In-channel structure: ex. riffle-pool, step-pool, ripple-pool sequence	0	(1)	2	3
4. Particle size of stream substrate	0	(1)	2	3
5. Active/relict floodplain	0	(1)	2	3
6. Depositional bars or benches	(0)	1	2	3
7. Recent alluvial deposits	(0)	1	2	3
8. Headcuts	(0)	1	2	3
9. Grade control	(0)	0.5	1	1.5
10. Natural valley	0	0.5	(1)	1.5
11. Second or greater order channel	No = (0)		Yes = 3	

a artificial ditches are not rated; see discussions in manual

B. Hydrology (4.5)				
12. Presence of Baseflow	(0)	1	2	3
13. Iron oxidizing bacteria	(0)	1	2	3
14. Leaf litter	1.5	1	(0.5)	0
15. Sediment on plants or debris	0	(0.5)	1	1.5
16. Organic debris lines or piles	0	(0.5)	1	1.5
17. Soil-based evidence of high water table?	No = 0		Yes = (3)	

C. Biology (Subtotal = 3)				
18. Fibrous roots in streambed	3	2	(1)	0
19. Rooted upland plants in streambed	3	(2)	1	0
20. Macrobenthos (note diversity and abundance)	(0)	1	2	3
21. Aquatic Mollusks	(0)	1	2	3
22. Fish	(0)	0.5	1	1.5
23. Crayfish	(0)	0.5	1	1.5
24. Amphibians	(0)	0.5	1	1.5
25. Algae	(0)	0.5	1	1.5
26. Wetland plants in streambed	FACW = 0.75; OBL = 1.5 Other = (0)			

*perennial streams may also be identified using other methods. See p. 35 of manual.

Notes:

Sketch:

Soils = Perennial

USGS = Not Present

JMT 12/15/2022

West
SF 19

NC Division of Water Quality –Methodology for Identification of Intermittent and Perennial Streams and Their Origins v. 4.1

NC DWQ Stream Identification Form Version 4.1

Date: 11/2/22	Project/Site: Veridea	Latitude: 35.690966
Evaluator: SHEC – AJK + KM	County: Wake	Longitude: -78.852807
Total Points: *Stream is at least intermittent if ≥ 19 or perennial if ≥ 30** 21.5 23.5 JM	Stream Determination (circle one) Ephemeral (Intermittent) Perennial	Other Y *e.g. Quad Name:*

A. Geomorphology (Subtotal = 12.5)	Absent	Weak	Moderate	Strong
1[a]. Continuity of channel bed and bank	0	1	(2)	3
2. Sinuosity of channel along thalweg	0	1	2	(3)
3. In-channel structure: ex. riffle-pool, step-pool, ripple-pool sequence	0	1	(2)	3
4. Particle size of stream substrate	0	(1)	2	3
5. Active/relict floodplain	0	1	(2)	3
6. Depositional bars or benches	(0)	1	2	3
7. Recent alluvial deposits	0	(1)	2	3
8. Headcuts	(0)	1	2	3
9. Grade control	0	(0.5)	1	1.5
10. Natural valley	0	0.5	(1)	1.5
11. Second or greater order channel	No = (0)		Yes = 3	

[a] artificial ditches are not rated; see discussions in manual

B. Hydrology (6)				
12. Presence of Baseflow	(0)	1	2	3
13. Iron oxidizing bacteria	(0)	1	2	3
14. Leaf litter	1.5	(1)	0.5	0
15. Sediment on plants or debris	0	0.5	(1)	1.5
16. Organic debris lines or piles	0	0.5	(1)	1.5
17. Soil-based evidence of high water table?	No = 0		Yes = (3)	

C. Biology (Subtotal = 5)				
18. Fibrous roots in streambed	3	(2)	1	0
19. Rooted upland plants in streambed	(3)	2	1	0
20. Macrobenthos (note diversity and abundance)	(0)	1	2	3
21. Aquatic Mollusks	(0)	1	2	3
22. Fish	(0)	0.5	1	1.5
23. Crayfish	(0)	0.5	1	1.5
24. Amphibians	(0)	0.5	1	1.5
25. Algae	(0)	0.5	1	1.5
26. Wetland plants in streambed	FACW = 0.75; OBL = 1.5 Other = 0			

*perennial streams may also be identified using other methods. See p. 35 of manual.

Notes:

Sketch:

Soils = Perennial
USGS = Not Present

JM 11/15/2022

WFST SF38 (FEATURE BB)

NC Division of Water Quality –Methodology for Identification of Intermittent and Perennial Streams and Their Origins v. 4.1

NC DWQ Stream Identification Form Version 4.1

Date: 11/2/2022	Project/Site: Veridea	Latitude: 35.688922
Evaluator: SEC - Joshua Harvey	County: WAKE	Longitude: -78.751202
Total Points: *Stream is at least intermittent if ≥ 19 or perennial if ≥ 30** No Scoreable Feature	Stream Determination (circle one) (Ephemeral) Intermittent Perennial	Other BB *e.g. Quad Name:*

A. Geomorphology (Subtotal = /)	Absent	Weak	Moderate	Strong
1a. Continuity of channel bed and bank	0	1	2	3
2. Sinuosity of channel along thalweg	0	1	2	3
3. In-channel structure: ex. riffle-pool, step-pool, ripple-pool sequence	0	1	2	3
4. Particle size of stream substrate	0	1	2	3
5. Active/relict floodplain	0	1	2	3
6. Depositional bars or benches	0	1	2	3
7. Recent alluvial deposits	0	1	2	3
8. Headcuts	0	1	2	3
9. Grade control	0	0.5	1	1.5
10. Natural valley	0	0.5	1	1.5
11. Second or greater order channel artificial ditches are not rated; see discussions in manual	No = 0		Yes = 3	

B. Hydrology (Subtotal = /)				
12. Presence of Baseflow	0	1	2	3
13. Iron oxidizing bacteria	0	1	2	3
14. Leaf litter	1.5	1	0.5	0
15. Sediment on plants or debris	0	0.5	1	1.5
16. Organic debris lines or piles	0	0.5	1	1.5
17. Soil-based evidence of high water table?	No = 0		Yes = 3	

C. Biology (Subtotal = /)				
18. Fibrous roots in streambed	3	2	1	0
19. Rooted upland plants in streambed	3	2	1	0
20. Macrobenthos (note diversity and abundance)	0	1	2	3
21. Aquatic Mollusks	0	1	2	3
22. Fish	0	0.5	1	1.5
23. Crayfish	0	0.5	1	1.5
24. Amphibians	0	0.5	1	1.5
25. Algae	0	0.5	1	1.5
26. Wetland plants in streambed	FACW = 0.75; OBL = 1.5 Other = 0			

*perennial streams may also be identified using other methods. See p. 35 of manual.

Notes:

Sketch:

Soils = Intermittent

USGS = Not Present

JM 11/2022

WEST SF 39 ([redacted]) roadside ditch

NC Division of Water Quality –Methodology for Identification of Intermittent and Perennial Streams and Their Origins v. 4.1

NC DWQ Stream Identification Form Version 4.1

Date: 11/2/2022	Project/Site: Verdea	Latitude: 35.703025
Evaluator: SEC - JOSHUA HARVEY	County: WAKE	Longitude: -78.859370
Total Points: *Stream is at least intermittent if ≥ 19 or perennial if ≥ 30** No Scorable Feature	Stream Determination (circle one) (Ephemeral) Intermittent Perennial	Other CC *e.g. Quad Name:*

A. Geomorphology (Subtotal =)	Absent	Weak	Moderate	Strong
1st. Continuity of channel bed and bank	0	1	2	3
2. Sinuosity of channel along thalweg	0	1	2	3
3. In-channel structure: ex. riffle-pool, step-pool, ripple-pool sequence	0	1	2	3
4. Particle size of stream substrate	0	1	2	3
5. Active/relict floodplain	0	1	2	3
6. Depositional bars or benches	0	1	2	3
7. Recent alluvial deposits	0	1	2	3
8. Headcuts	0	1	2	3
9. Grade control	0	0.5	1	1.5
10. Natural valley	0	0.5	1	1.5
11. Second or greater order channel artificial ditches are not rated; see discussions in manual	No = 0		Yes = 3	

B. Hydrology (Subtotal =)				
12. Presence of Baseflow	0	1	2	3
13. Iron oxidizing bacteria	0	1	2	3
14. Leaf litter	1.5	1	0.5	0
15. Sediment on plants or debris	0	0.5	1	1.5
16. Organic debris lines or piles	0	0.5	1	1.5
17. Soil-based evidence of high water table?	No = 0		Yes = 3	

C. Biology (Subtotal =)				
18. Fibrous roots in streambed	3	2	1	0
19. Rooted upland plants in streambed	3	2	1	0
20. Macrobenthos (note diversity and abundance)	0	1	2	3
21. Aquatic Mollusks	0	1	2	3
22. Fish	0	0.5	1	1.5
23. Crayfish	0	0.5	1	1.5
24. Amphibians	0	0.5	1	1.5
25. Algae	0	0.5	1	1.5
26. Wetland plants in streambed	FACW = 0.75; OBL = 1.5 Other = 0			

*perennial streams may also be identified using other methods. See p. 35 of manual.

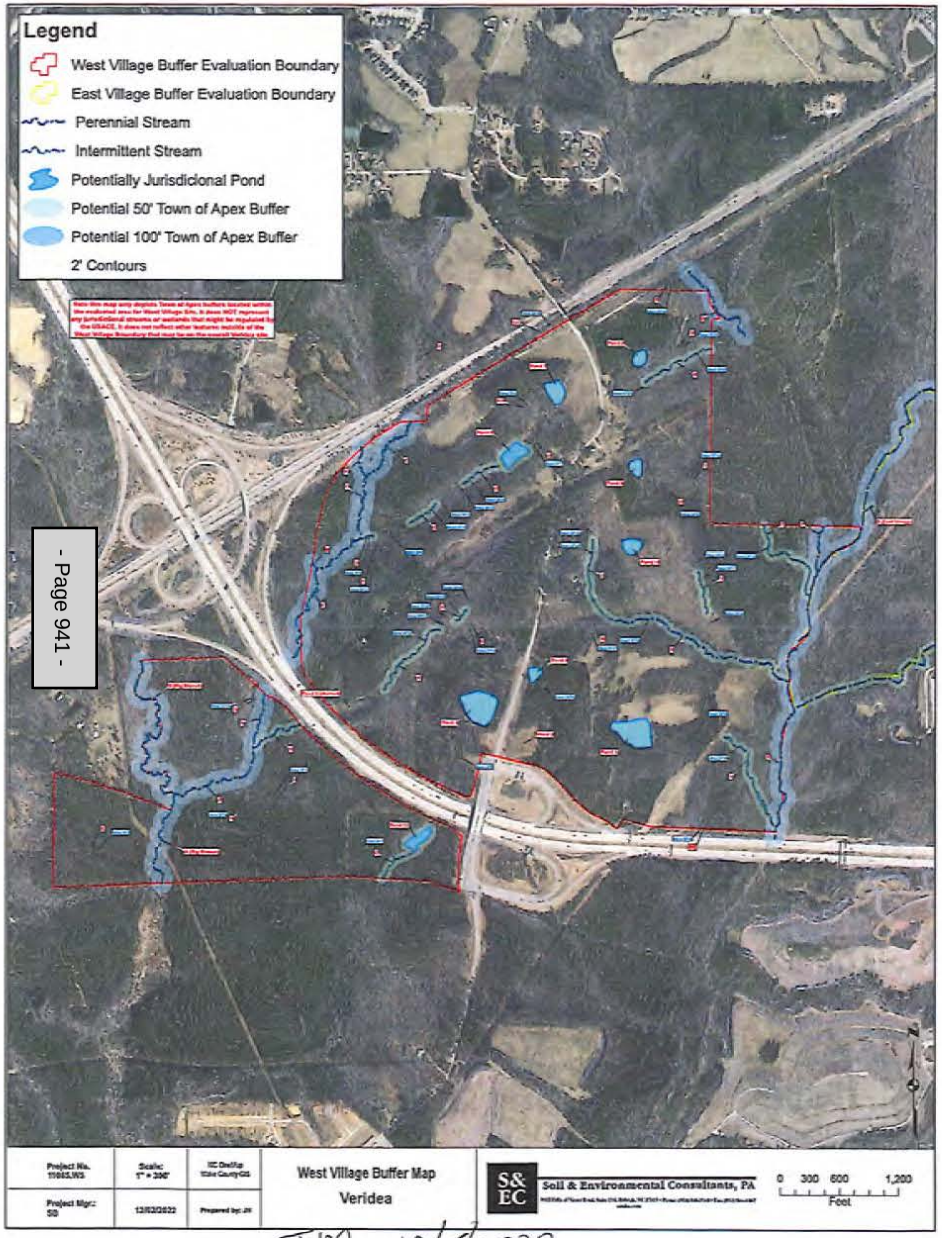
Notes:

Sketch:

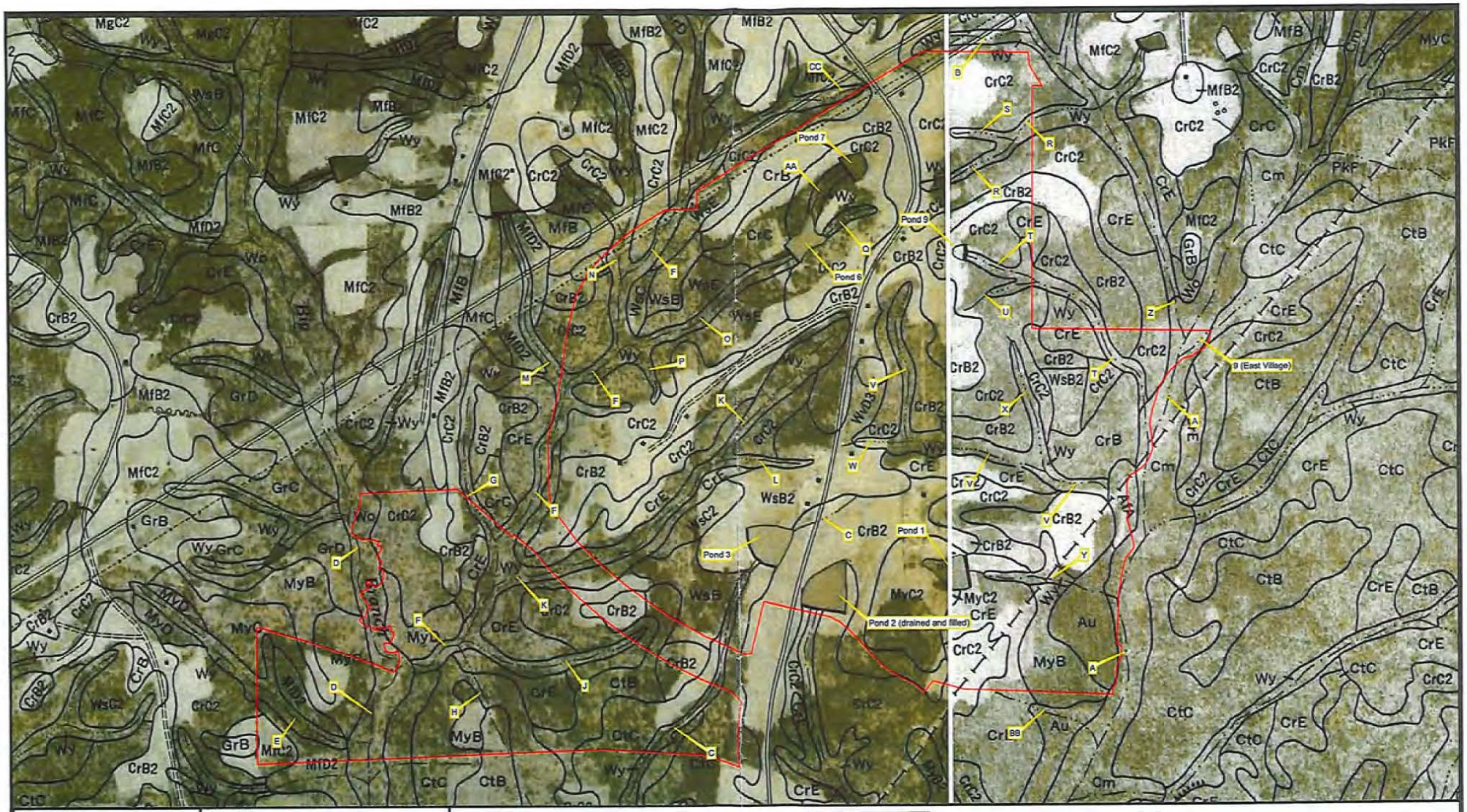
Soils = Intermittent

USGS = Not Present

JM 10/20/2022

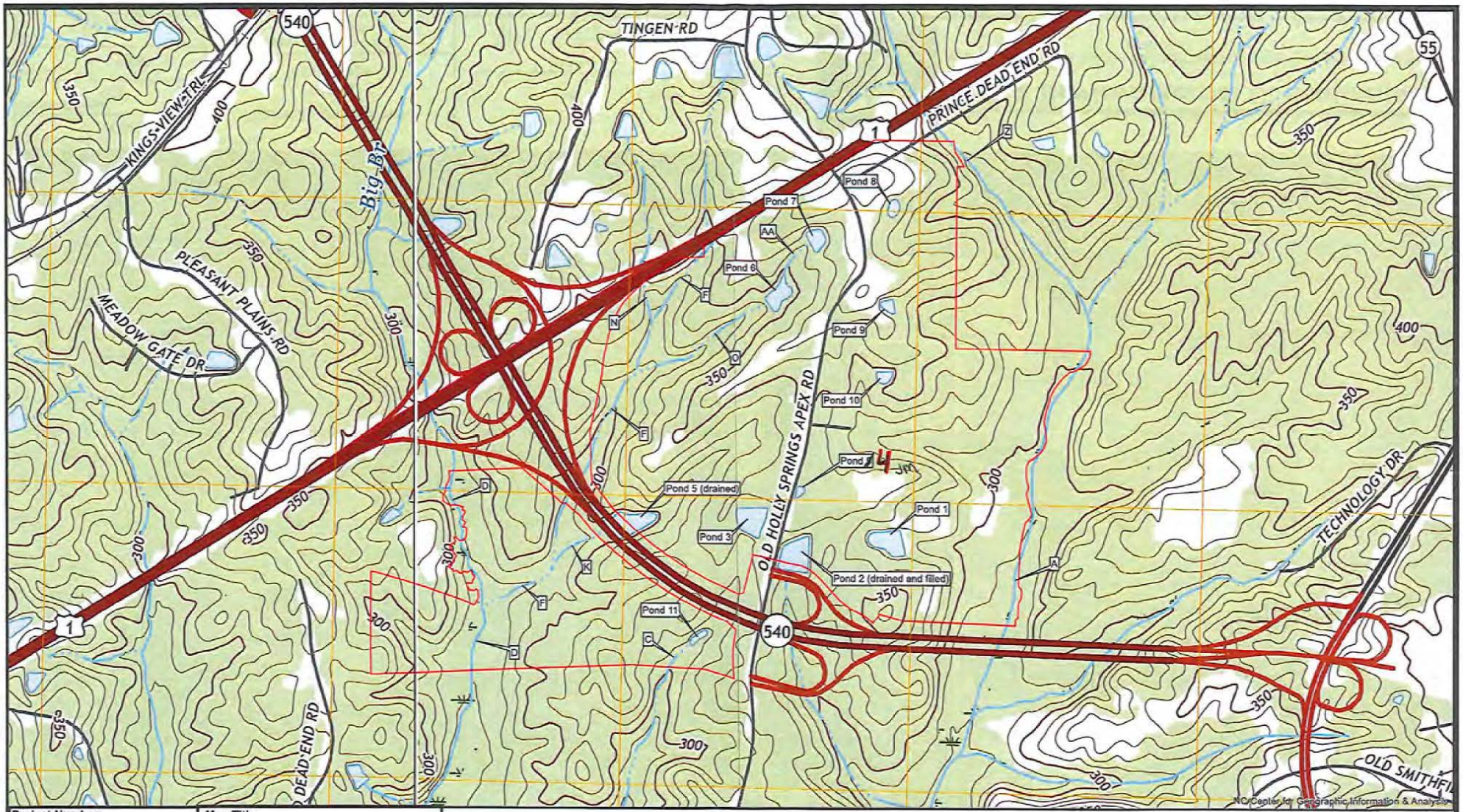

Legend
West Village Buffer Evaluation Boundary
East Village Buffer Evaluation Boundary
Perennial Stream
Intermittent Stream
Potentially Jurisdictional Pond
Potential 50' Town of Apex Buffer
Potential 100' Town of Apex Buffer
2' Contours
West Village Buffer Map
Veridea
Soil & Environmental Consultants, PA
0 300 600 1,200
Feet

JM 12/15/2022



Project Number: 11065.W28	Map Title: Figure 2 - Soil Survey Veridea West Village	0 750 1,500 Feet	N
Project Manager: SB			
Scale: 1" = 750'			
Date: 12/02/2022	Source: Wake County Soil Survey Sheets 74 & 75	JM 12/15/2022	

S&EC
Soil & Environmental Consultants, PA
8412 Falls of Neuse Road, Suite 104, Raleigh, NC 27615 • Phone: (919) 846-5900 • Fax: (919) 846-9467
sandec.com



Project Number:	11065.W28
Project Manager:	SB
Scale:	1" = 1000'
Date:	12/02/2022
Map Title:	Figure 1 - USGS Map Veridea West Village
Source:	2019 NC New Hill & Apex Quads

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Soil & Environmental Consultants, PA
8412 Falls of Neuse Road, Suite 104, Raleigh, NC 27615 • Phone: (919) 846-5900 • Fax: (919) 846-9467
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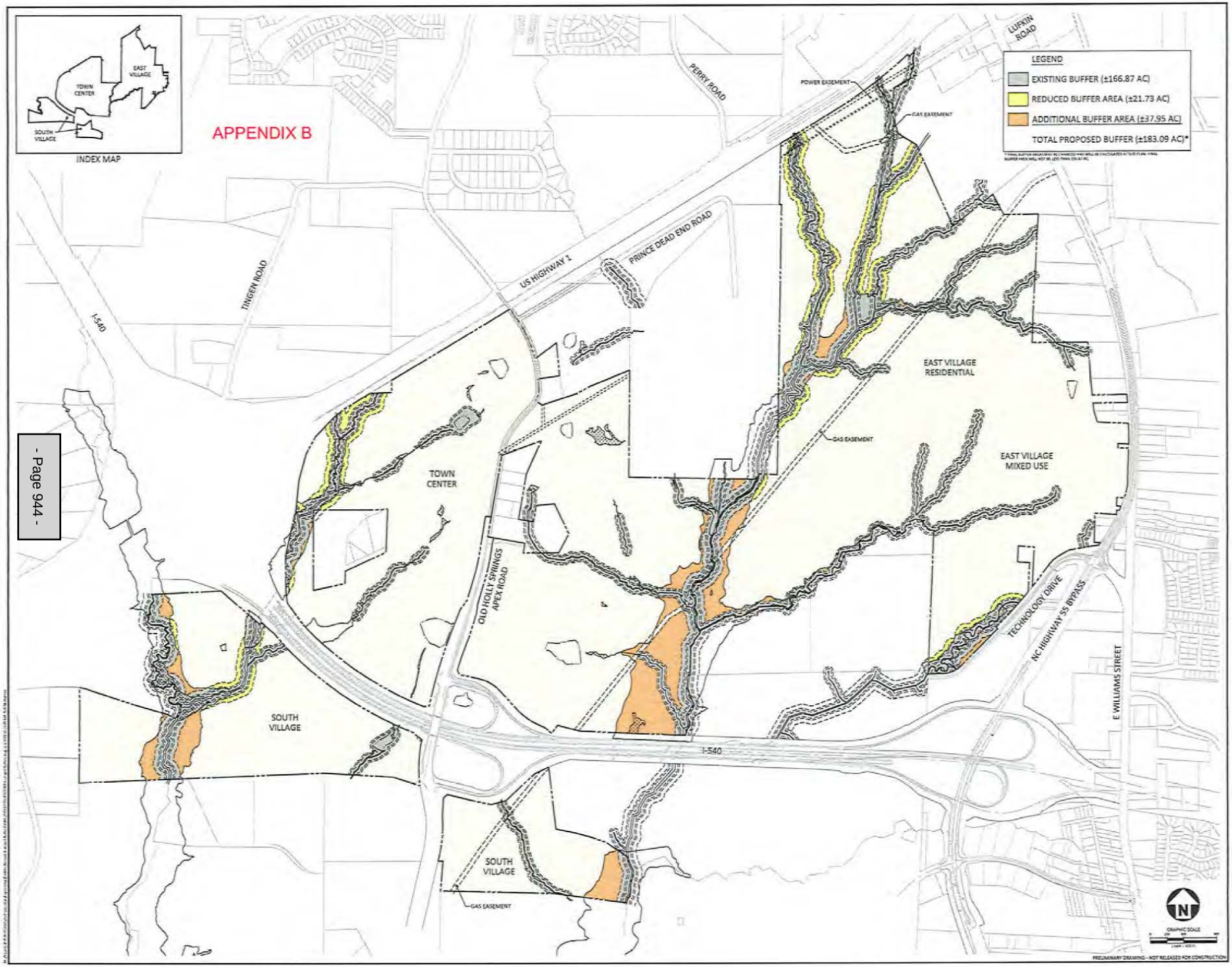

McADAMS

VERIDEA
AVERAGED STREAM BUFFER EXHIBIT
APEX, NORTH CAROLINA

REVISIONS

PLAN INFORMATION

SHEET
AVERAGED STREAM BUFFER EXHIBIT
E1.00

AN ORDINANCE TO ADOPT ADDITIONAL SUSTAINABILITY STANDARDS FOR VERIDEA

BE IT ORDAINED by the Town Council of the Town of Apex as follows:

Section 1. The amendments to the Environmental Enhancement Plan for Veridea are hereby adopted in accordance with Section 2.3.16.F.3 of the Unified Development Ordinance and Section 3.1.2 of the Sustainable Development Plan adopted for Veridea by Rezoning #09CZ07 ("Veridea SD Plan").

Section 2. 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.

Section 3. Pursuant to Section 3.3.4 of the Veridea SD Plan, the amendments to the Environmental Enhancement Plan in Attachment "B" are hereby incorporated into the Veridea SD Plan and is applicable to the land described in Attachment "A" and to any lands subsequently rezoned to be included in the Veridea SD Plan.

Section 4. The ordinance shall be effective upon enactment on the _____ day of _____ 2025.

Introduced by Council Member _____

Seconded by Council Member _____

Attest:

_____
Allen Coleman, CMC, NCCCC
Town Clerk

TOWN OF APEX

_____
Jacques K. Gilbert
Mayor

Approved As To Form:

_____
Laurie L. Hohe
Town Attorney

| Agenda Item | cover sheet

for consideration by the Apex Town Council

Item Type: PUBLIC HEARING

Meeting Date: December 9, 2025

Item Details

Presenter(s): Amanda Bunce, Assistant Planning Director

Department(s): Planning

Requested Motion

Public Hearing and possible motion to approve Rezoning Application No. 25CZ15 Veridea SD Plan Amendments. The applicant, Todd Rechler, RXR Realty seeks to rezone approximately ±1,097.15 acres from Sustainable Development-Conditional Zoning (SD-CZ #09CZ07, #23CZ01, #24CZ01, #25CZ08), Rural Residential (RR), Light Industrial (LI), & Planned Unit Development-Conditional Zoning (PUD-CZ #07CZ01) to Sustainable Development-Conditional Zoning (SD-CZ) for Veridea. The proposed rezoning is located at 0, 0 (portion of), 0 (portion of), & 3220 Old Holly Springs Apex Rd; **0, 0, 0, 0**, 0, 0, 0, 0, 0, 0, 0 (portion of), **3142**, **3138**, **3130**, **3134**, 3200, 3012, 2945, 3009, 2901, 2937 Veridea Pkwy; **0 Technology Dr (portion of)**; **6300 King David Ct**; 0, 0, 0, 0 US 1 Hwy; 0, 0, 0, 0, 1712, 1716 E. Williams St. Note: The Town Council voted on November 13, 2025, to approve Rezoning No. 25CZ15 which included the 10 parcels shown in bold font above and below from RR, LI & PUD-CZ to SD-CZ for Veridea. That rezoning may become official on December 9, 2025, prior to the public hearing for this rezoning.

Approval Recommended?

The Planning Department recommends approval.

The Planning Board will hold a public hearing on December 8, 2025. Their recommendation will be presented at the December 9, 2025 Town Council meeting.

Item Details

The properties to be rezoned are identified as PINs 0730852539, 0730865572, 0730977087, **0730977967**, 0730996270, 0740052449, **0740070950**, **0740078021**, **0740081019**, **0740082199**, **0740082327**, **0740167653**, 0740180091, 0740180331, 0740191376, 0740240814 (portion of), 0740241030 (portion of), 0740241461 (portion of), **0740283126**, 0740287376, 0740293940, 0740360895, 0740289979, 0740489140, 0740586619, 0740783479, 0740888498, 0740990489, **0740558687 (portion of)**, 0740992174, 0740992565, 0740992632, 0741207566, 0741614057, 0741203157, **0741117192**, 0740389302.

Attachments

- PH5-A1: Staff Report - Rezoning Case No. 25CZ18 - Veridea SD Plan Amendments
  - Vicinity Map
  - Application
- PH5-A2: Approved SD Plan (Rezoning #09CZ07) - Rezoning Case No. 25CZ18 - Veridea SD Plan Amendments

ORDINANCE AMENDING THE OFFICIAL ZONING DISTRICT MAP
#09CZ07

WHEREAS, the application of Lookout Ventures, Inc., petitioner, for the rezoning of lands hereinafter described was duly filed with the office of the Planning Director and thereafter public hearings were held hereon on the 13th day of December, 2010 and the 13th day of January, 2011 before the Planning Board and the 18th day of January, 2011, the 1st day and 15th of February, 2011, the 15th day of March, 2011 and the 10th day of May, 2011, before the Town Council, respectively, pursuant to due notice mailed and published pursuant to G.S. § 160A-384. Thereafter, the Planning Board submitted its final report to the Town Council recommending approval of said application for the rezoning of the lands hereinafter described, all in accordance with the requirements of the Town of Apex Unified Development Ordinance and the provisions of Chapter 160A, Article 19, of the North Carolina General Statutes; **NOW, THEREFORE,**

BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF APEX

Section 1: 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 lands hereinafter described from Planned Unit Development Conditional Zoning (PUD-CZ), Light Industrial (LI), Rural Residential (RR) and Residential Agricultural (RA) to SD-CZ (Sustainable Development Conditional Zoning) District, said lands so rezoned being described as follows:

See Attachement "A" (Legal Description)

Section 2: 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 directed by this Ordinance.

Section 3: A request to amend the Official Zoning District Map is granted whereby the previously described property and the subject of the previously mentioned change in zoning classification is subject to the following limitations:

See Attachment "B" (SD Plan and UDO Amendments)

Section 4: This property shall be perpetually bound to 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 5: This ordinance shall be in full force and effect from and after its adoption.

Motion by Council Member Jones

Seconded by Council Member Jensen

With 4 Council Member(s) voting "aye."
With 0 Council Member(s) voting "no."

This the 2nd day of August, 2011.

TOWN OF APEX, NORTH CAROLINA

Mayor

ATTEST:

Georgia A. Evangelista
Town Clerk

APPROVED AS TO FORM:

Town Attorney

STATEMENT OF THE APEX TOWN COUNCIL PURSUANT TO G.S. 160A-383 ADDRESSING ACTION ON ZONING PETITION #09CZ09

Lookout Ventures, Inc., owners/applicants (the "Applicant"), submitted a completed application for a conditional zoning on the 1st day of June, 2009 (the "Application"). The proposed conditional zoning is designated #09CZ07.

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 #09CZ07 before the Planning Board held on the 13th day of December, 2010 and the 13th day of January, 2011.

Pursuant to G.S. §160A-384 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 #09CZ07 before the Town Council on the 18th day of January, 2011, the 1st day and 15th of February, 2011, the 15th day of March, 2011 and the 10th day of May, 2011.

The Apex Planning Board held a public hearing on the 13th day of December, 2010 and the 13th day of January, 2011, gathered facts, received public comments and formulated a recommendation regarding the application for conditional zoning #09CZ07. A motion was made at the Apex Planning Board to recommend approval; the motion passed unanimously for the application for #09CZ07.

The Apex Town Council held a public hearing on the 18th day of January, 2011, the 1st day and 15th of February, 2011, the 15th day of March, 2011 and the 10th day of May, 2011. Dianne Khin presented the Planning Board's recommendation at the public hearing.

All persons who desired to present information relevant to the application for #09CZ07 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.

The Town Council by a vote of 5 and 0 approved Application #09CZ07.

In zoning Application #09CZ07, Applicant seeks to rezone the subject tract located west of NC 55, south of US#1, north and adjacent to proposed 540 from Planned Unit Development Conditional Zoning (PUD-CZ), Light Industrial (LI), Rural Residential (RR) and Residential Agricultural (RA) to SD-CZ (Sustainable Development Conditional Zoning). After public hearing, Town Council approved the rezoning. This Statement will address consistency with the Town's comprehensive and other applicable plans, reasonableness and affect on public interest.

Approval of the rezoning is in line with the mixed use development proposed on the 2025 Land Use Plan. The rezoning request includes amendments to the Unified Development Ordinance, the 2025 Land Use Plan, and the Official Zoning District Map. The changes being made are consistent with the long range vision to create a unified sustainable development in the requested area. The rezoning is compatible with the surrounding area, and should be of no detriment to immediate neighbors and the surrounding community.

Property Description

Tract 1 (Poe):

BEGINNING at a point which is the northeast corner of the 54.650 acre tract shown on Boundary Survey Prepared for Apex Land Assemblage, LLC by Riley Surveying, PA dated February 23, 2006 and recorded in Book of Maps 2006, Page 416, Wake County Registry; thence along the line of said 54.650 acre tract N 89° 54' 34" W 1794.53 feet to a point in the centerline of Big Branch; thence along the centerline of Big Branch, the following courses and distances denoted L87 through L156 on the following table:

CENTERLINE BIG BRANCH

LINE TABLE		
LINE	*BEARING*	*LENGTH*
L87	*N20° 48' 14" E*	*52.19*
L88	*N27° 36' 15" E*	*25.74*
L89	*N62° 55' 07" E*	*26.76*
L90	*N28° 59' 45" W*	*21.84*
L91	*N05° 57' 55" W*	*34.25*
L92	*N49° 54' 20" E*	*15.65*
L93	*N35° 51' 41" E*	*26.00*
L94	*N57° 55' 36" W*	*27.74*
L95	*S77° 58' 08" W*	*70.86*
L96	*N69° 24' 20" W*	*55.42*
L97	*N16° 11' 53" W*	*54.07*
L98	*N47° 25' 48" E*	*30.81*
L99	*S76° 51' 18" E*	*46.52*
L100	*N23° 56' 06" E*	*15.13*
L101	*N10° 54' 23" E*	*79.33*
L102	*N70° 46' 49" W*	*21.80*
L103	*N13° 56' 38" W*	*44.13*
L104	*N54° 44' 36" W*	*48.38*
L105	*S57° 22' 33" W*	*58.59*
L106	*S44° 34' 58" W*	*46.68*
L107	*N46° 23' 02" W*	*39.79*
L108	*N72° 28' 16" W*	*36.60*
L109	*S47° 16' 54" W*	*18.92*
L110	*N74° 34' 40" W*	*21.22*
L111	*N28° 53' 03" W*	*20.74*
L112	*N42° 52' 48" W*	*46.75*
L113	*N06° 56' 21" E*	*26.65*
L114	*N88° 28' 36" E*	*43.87*
L115	*N27° 02' 14" E*	*18.93*
L116	*N01° 17' 25" E*	*31.60*
L117	*N45° 56' 56" E*	*50.02*
L124	*N39° 28' 55" E*	*39.13*
L125	*N15° 03' 15" W*	*20.63*
L126	*N51° 44' 06" W*	*25.88*
L127	*N30° 05' 45" E*	*27.95*
L128	*S60° 15' 59" E*	*30.79*
L129	*S36° 33' 19" E*	*34.28*
L130	*S78° 44' 24" E*	*52.43*
L131	*N41° 37' 38" E*	*15.36*
L132	*N04° 45' 02" E*	*44.44*
L133	*N30° 38' 49" E*	*51.77*
L134	*N05° 02' 00" W*	*35.48*
L135	*S62° 06' 04" W*	*33.82*
L136	*N44° 56' 44" W*	*39.84*
L137	*N44° 38' 21" E*	*21.58*
L138	*N53° 06' 38 E*	*60.88*
L139	*N61° 14' 38" W*	*39.17*
L140	*N50° 48' 06" W*	*23.78*
L141	*N10° 02' 40" W*	*28.54*
L142	*N38° 49' 48" E*	*55.95*
L143	*N43° 06' 48" W*	*60.59*
L144	*N42° 29' 30" E*	*31.74*
L145	*N70° 52' 59" W*	*69.18*
L146	*N86° 33' 59" W*	*111.94*
L147	*N47° 57' 35" W*	*68.58*
L148	*N30° 54' 08" E*	*32.56*
L149	*N21° 23' 37" W*	*54.07*
L150	*N55° 27' 06" E*	*39.27*
L151	*N03° 24' 04" W*	*46.46*
L152	*N31° 43' 23" E*	*54.96*
L153	*N18° 31' 57" E*	*44.10*
L154	*N01° 09' 10" W*	*65.77*
L155	*N22° 16' 37" W*	*29.93*
L156	*N19° 16' 28" E*	*2.52*

L118	*N01° 25' 13" E*	*14.01*
L119	*N65° 15' 45" W*	*42.02*
L120	*N01° 22' 31" E*	*32.19*
L121	*N46° 17' 51" W*	*51.21*
L122	*N06° 49' 21" E*	*35.97*
L123	*N69° 35' 22" E*	*41.13*

Thence leaving the course of Big Branch, N 87° 20' 59" E 1317.72 feet to a point; thence N 00° 20' 59" E 1411.74 feet to a point; thence N 87° 17' 47" E 1396.96 feet to a point; thence S 02° 19' 40" W 527.05 feet to a point; thence S 90° 00' 00" W 750.13 feet to a point; thence S 00° 00' 00" W 967.73 feet to a point; thence N 77° 55' 24" E 389.22 feet to a point; thence N 01° 29' 14" E 148.65 feet to a point; thence N 65° 20' 41" E 538.98 feet to a point; thence S 02° 20' 59" W 179.73 feet to a point; thence S 02° 28' 41" W 1915.88 feet to a point; thence N 89° 11' 33" W 648.01 feet to the point and place of beginning and being all of Tract 3 containing 128.439 acres shown on a survey entitled "Exempt Division Survey – Property of Bobby and Elizabeth Poe" prepared by Riley Surveying, PA dated November 9, 2006.

Tract 2 (Poe):

BEING all of the 1.710 acre tract and the 0.042 acre tract shown as area in the right of way of Old Holly Springs – Apex Road shown on a map entitled "Property of Bobby W. and Elizabeth A. Poe, F.D. Prince, Sr, Trustee" recorded in Book of Maps 2002, Page 109, Wake County Registry, reference to which is hereby made for greater certainty of description and also being more particularly described as follows: Beginning at an existing nail in the northwest corner of the property of E.K. Huang, et. al. as described in Deed Book 6650, Page 866, Wake County Registry, and the southwest corner of the property of F.D. Prince, Sr. as described in Deed Book 8291, page 540, Wake County Registry, runs thence North 05 degrees 23 minutes 24 seconds East 64.21 feet to an iron pipe; thence North 74 degrees 31 minutes 24 seconds East 381.93 feet to an iron pipe; thence South 86 degrees 04 minutes 18 seconds East 863.27 feet to an iron pipe in the west right of way of SR 1153 (Old Holly Springs – Apex Road). Thence South 86 degrees 04 minutes 18 seconds East 30.32 feet to the centerline of SR 1153; thence along the centerline of SR 1153, South 12 degrees, 45 minutes 03 seconds West 60.72 feet to a point; thence with the north line of Huang, et. al., North 86 degrees 04 minutes 18 seconds West 30.32 feet to an existing iron pipe; thence North 86 degrees 04 minutes 18 seconds West 843.70 feet to an existing iron pipe; thence South 74 degrees 31 minutes 24 seconds West 394.54 feet to an existing iron pipe, the point and place of Beginning, and also being Tract 1 containing 1.754 acres shown on a survey entitled "Exempt Division Survey – Property of Bobby and Elizabeth Poe" prepared by Riley Surveying, PA dated November 9, 2006.

Tract 3 (Lyna):

BEGINNING at a point in the centerline of Old Holly Springs Apex Road, said point being calculated as follows: Beginning at a point in the line of Tract A shown on a map entitled "Proposed Subdivision and Recombination of Properties of Wake County" which is recorded in Book of Maps 1998, Page 782, Wake County Registry, said point also being North 45° 03' 47" East 1591.01 feet from the centerline of the intersection of Old Holly Springs Apex Road and

Woods Creek Road; thence North 09° 24' 42" East 362.56 feet to a point; thence North 85° 47' 44" West 162.21 feet to an iron pin in the centerline of Old Holly Springs Apex Road; thence along the centerline of Old Holly Springs Apex Road in an northerly direction along a left hand curve having a radius of 1963.49 feet an arc distance of 423.08 feet and chord bearing and distance of North 12° 12' 26" East 422.26 feet to the POINT AND PLACE OF BEGINNING: thence continuing along the centerline of said Old Holly Springs Apex Road in a northerly direction along a left hand curve having a radius of 1963.49 feet, an arc distance of 259.39 feet and a chord bearing and distance of North 02° 14' 59" East 259.20 feet; thence North 00° 00' 56" East 187.39 feet to a point; thence South 67° 20' 57" East 925.18 feet to a point; thence South 61° 30' 00" East 301.10 feet to a point; thence South 73° 33' 19" East 346.87 feet to a point; thence South 74° 36' 50" East 217.48 feet to a point; thence South 70° 39" 03" East 219.39 feet to a point; thence South 66° 06' 14" East 183.83 feet to a point; thence South 51° 10' 55" East 327.09 feet to a point in the centerline of White Oak Creek a/k/a Falls Branch Creek; thence along the centerline of said creek as follows: South 03° 23' 35" East 31.18 feet to a point; thence South 19° 58' 50" East 138.13 feet to a point; thence South 09° 01' 05" West 63.94 feet to a point; thence South 22° 49' 37" West 94.25 feet to a point; thence South 05° 19' 49" West 65.12 feet to a point; thence leaving the center line of said creek N 67° 48' 05" W 2481.26 feet to the point and place of BEGINNING and being all of Tract 1 containing 23.62 acres as shown on a survey entitled "Exempt Subdivision prepared for Apex Land Assemblage, LLC" by Riley Surveying, P.A. dated May 13, 2005.

Tract 4 (Reeves):

BEGINNING at a point in the line of Tract A shown on a map entitled "Proposed Subdivision and Recombination of Properties of Wake County" which is recorded in Book of Maps 1998, Page 782, Wake County Registry, said point also being North 45° 03' 47" East 1591.01 feet from the centerline of the intersection of Old Holly Springs Apex Road and Woods Creek Road, being the point and place of BEGINNING, thence North 09° 24' 42" East 362.56 feet to a point; thence North 85° 47' 44" West 162.21 feet to a point; thence North 85° 47' 44" West 30.48 feet to an iron pin in the centerline of Old Holly Springs Apex Road; thence along the centerline of Old Holly Springs Apex Road in an northerly direction along a left hand curve having a radius of 1963.49 feet, an arc distance of 423.08 feet and chord bearing and distance of North 12° 12' 26" East 422.26 feet to a point; thence leaving the centerline of said road South 67° 48' 05" East 2481.26 feet to a point in the centerline of White Oak Creek a/k/a Falls Branch Creek; thence along the centerline of said creek as follows South 05° 19' 49" West 39.71 feet to a point; thence South 17° 13' 42" West 52.16 feet to a point; thence South 63° 16' 26" West 25.88 feet to a point; thence South 17° 55' 39" West 68.74 feet to a point; thence leaving the line of said creek North 78° 00' 00" West 876.99 feet to a point; thence North 84° 10' 00" West 1370.01 feet to the point and place of BEGINNING, and being all of Tract 2 containing 23.62 acres as shown on a survey entitled "Exempt Subdivision prepared for Apex Land Assemblage, LLC" by Riley Surveying, P.A. dated May 13, 2005.

Tract 5 (Goodwin/ALAN):

BEING all that certain tract or parcel of land containing 54.650 acres, more or less, as shown on plat of survey entitled "Boundary Survey Prepared for Apex Land Assemblage, LLC" dated February 16, 2006 and revised February 23, 2006, prepared by Phillip W. Riley, professional Land Surveyor, of Riley Surveying, P.A. and recorded in Book of Maps 2006, Page 416, Wake County Registry, which plat is referenced for a more particular description.

Tract 6 (Adams):

BEING all that certain tract or parcel of land containing 86.334 acres as shown on plat of survey entitled "Boundary Survey, Prepared for HH Trinity Apex Investments, LLC, Holly Springs Township, Wake County, NC" dated September 17, 2007, prepared by Phillip W. Riley, Professional Land Surveyor, of Riley Survey, P.A. and recorded in Book of Maps 2007, Page 2469, Wake County Registry, which plat is referenced for a more particular description.

Tract 7 (Cox):

BEING all that certain tract or parcel of land containing 65.210 acres as shown on plat of survey entitled "Boundary Survey, Prepared for HH Trinity Apex Investments, LLC, Holly Springs Township, Wake County, NC" dated September 19, 2007, prepared by Phillip W. Riley, Professional Land Surveyor, of Riley Survey, P.A. and recorded in Book of Maps 2007, Page 2467, Wake County Registry, which plat is referenced for a more particular description.

Tracts 8 - 11 (Raymer):

BEING all those certain tracts or parcels of land designated as Tract I-A, containing 278.521 acres; Tract II, containing 2.134 acres; Tract III, containing 4.333 acres; and Tract 840' x 40', containing 0.626 acres, as shown on plat of survey entitled "Boundary Survey, Prepared for HH Trinity Apex Investments, LLC, Holly Springs Township, Wake County, NC" dated September 20, 2007, prepared by Phillip W. Riley, Professional Land Surveyor, of Riley Surveying, P.A. and recorded in Book of Maps 2007, Page 2468, Wake County Registry, which plat is referenced for a more particular description.

Tract 12 (Apex Town Square):

Being all of that certain tract of land lying in the Town of Apex, Holly Springs Township, Wake County, North Carolina, and being more particularly described as follows:

BEGINNING at an existing iron pipe at the northeastern corner of the now or formerly EMC Corporation property described in Deed recorded Book 2791, Page 428, Wake County Registry, said pipe also being located in the western line of the now or formerly Cash and Maynard Tract 1-A as shown on plat of survey recorded in Book of Maps 2003, Page 398, Wake County Registry (the "Plat"), said pipe being located North 02° 14' 00" East 271.08 feet from a common corner with said Cash and Maynard Tract 1-A and the now or formerly Cor Bregman property in said EMC Corporation's eastern property line as shown on the Plat; thence with said EMC Corporation's northern property line, South 89° 33' 33" West 1,910.66 feet to an existing iron pipe; thence with EMC Corporation's interior eastern property line, North 02° 07' 56" East

543.28 feet to an existing iron pipe, the southeastern corner of the now or formerly Colon Hobby property; thence with the eastern property line of said Colon Hobby property, North 00° 59' 41" East 734.53 feet to a set iron pipe marking the southwest corner of the said Cash and Maynard Tract 1-A; thence with said Cash and Maynard's Tract 1-A's southern property line and passing over an existing iron pipe at a distance of 15.08 feet, South 87° 48' 34" East 1,905.24 feet (total) to an existing iron pipe; thence continuing with said Cash and Maynard's Tract 1-A's interior western property line, South 01° 15' 42" West 1,190.09 feet to the point or place of BEGINNING, containing 53.939 acres, more or less, including any deed/survey gaps that may exist along the western line of the property herein described, as shown on the Plat, which Plat is referenced for a more particular description and being all of the property conveyed to Apex Town Square, LLC, by deed dated January 6, 2006, and recorded in Book 11766, Page 242, Wake County Registry.

Tract 13 (Bregman):

Lying and being in Town of Apex, Holly Springs Township, Wake County, North Carolina, and being more particularly described as follows:

BEGINNING at an existing iron pipe at a corner of the property now or formerly owned by Heartland Raleigh Apex U.S. 1 Limited Partnership (Book 4454, Page 666, Wake County Registry ["WCR"]), said pipe being located at NC Grid Coordinates: N=707,936.09; E2,048,195.68, and also being located South 31° 57' 19" West a distance of 2,292.37 feet (Grid) from NCGS Monument "TANK" (N=709,881.08; E2,049,408.93); from said POINT OF BEGINNING, running thence along and with the western line of the aforesaid Heartland Raleigh property the following courses and distances:

- South 02° 41' 34" West a distance of 537.74 feet to an existing iron pipe;
- South 02° 41' 34" West a distance of 100.28 feet to an existing iron pipe;
- South 02° 41' 34" West a distance of 2.08 feet to an existing iron pipe;
- South 02° 39' 56" West a distance of 37.18 feet to an existing iron pipe in the northern right-of-way of Technology Drive;

running thence along and with the northern right-of-way of Technology Drive the following courses and distances:

- along and with the arc of a curve to the left having a radius of 411.97 feet (Chord Bearing: South 60° 59' 56" West; Chord Distance: 224.57 feet) a distance of 227.45 feet to an existing iron pipe;
- South 45° 37' 55" West a distance of 288.89 feet to an existing iron pipe;
- South 44° 59' 17" West a distance of 549.68 feet to an existing iron pipe;
- South 44° 59' 17" West a distance of 70.66 feet to an existing iron pipe;
- along and with the arc of a curve to the right having a radius of 351.97 feet (Chord Bearing: South 57° 36' 33" West; Chord Distance: 151.96 feet) a distance of 153.17 feet to an existing iron pipe;
- along and with the arc of a curve to the right having a radius of 351.97 feet (Chord Bearing: South 79° 30' 30" West; Chord Distance: 115.27 feet) a distance of 115.79 feet to an existing iron pipe;
- South 88° 51' 29" West a distance of 164.77 feet to a point in the eastern line of property

now or formerly owned by Data General (Book 2791, Page 428, WCR);

leaving the northern right-of-way of Technology Drive and running thence along and with the eastern line of the aforesaid Data General property, North 02° 16' 29" East a distance of 1,200.00 feet to an existing iron pipe; continuing with the eastern line of the Data General property and running thence North 02° 17' 20" East a distance of 416.31 feet to an existing iron pipe in the southern line of the aforesaid Heartland Raleigh property; running thence along and with the southern line of the Heartland Raleigh property, South 86° 16' 48" East a distance of 1,218.14 feet to the POINT AND PLACE OF BEGINNING, containing 34.0763 acres, more or less, and being all of Tract 4 north of the right-of-way of Technology Drive, as shown on that certain survey entitled "Recombination And Minor Subdivision of Technology Drive Property For Thomas H. Byrd, III", dated December 11, 1996, and prepared by Niall W. Gillespie, R.L.S. (No. L-2629) (File Name: BYRDTOPO), to which survey reference is hereby made for a more particular description, and being the same property conveyed to Cor S. Bregman by deed recorded in Book 7409, Page 255, Wake County Registry, and being the same property conveyed to Cornelius S. Bregman and Kandes K. Bregman, as Trustees of the Cornelius and Kandes Bregman Trust, under Agreement dated September 20, 1999 by deed recorded in Book 10856, Page 2786, Wake County Registry, LESS AND EXCEPT (i) the property conveyed to Thomas H. Byrd, IV, and wife Lisa W. Byrd, by deed recorded in Book 10129, Page 491, Wake County Registry, and (ii) the property conveyed to the Department of Transportation by deed recorded in Book 8128, Page 153, Wake County Registry.

Tracts 14 - 15 (EMC):

Being all those certain tracts or parcels of land containing approximately 47.419 acres and identified as portions of parcel identification numbers 0740672147 (containing approximately 46.61 acres) and 0740570471 (containing approximately 77.66 acres), and as generally shown as Tract 2 on the map attached hereto as Schedule 1.

Tract 16 (Whitehouse):

Being all that certain tract or parcel of land containing approximately 27.47 acres and identified as parcel identification number 0740287376 and being the same property conveyed to Brenda P. Whitehouse, individually, a 55% undivided interest, and Brenda P. Whitehouse as Trustee of the Irene F. Prince Family Trust dated February 19, 2004, a 45% undivided interest, by deed recorded in Book 10680, Page 477, Wake County Registry.

Tract 17 (F. Prince):

Being all that certain tract or parcel of land containing approximately 75.63 acres and identified as parcel identification number 0740191376 and being the same property conveyed to F.D. Prince, Sr., sole Trustee, or his successors in trust, under the Frank Dixon Prince, Sr. Living Trust, dated October 20, 1988, and any amendments thereto, by deed recorded in Book 8291, Page 540, Wake County Registry.

Tract 18 (F. Prince):

Being all that certain tract or parcel of land containing approximately 21.36 acres and identified as parcel identification number 0730996270 and being the same property conveyed to F.D. Prince, Sr., sole Trustee, or his successors in trust, under the Frank Dixon Prince, Sr. Living Trust, dated October 20, 1988, and any amendments thereto, by deed recorded in Book 8291, Page 540, Wake County Registry.

Tract 19 (B. Prince):

Being all that certain tract or parcel of land containing approximately 32.06 acres and identified as parcel identification number 0741207566 and being the same property conveyed to William Ira Prince, III, by deed recorded in Book 2673, Page 652, Wake County Registry.

Tract 20 (J. Prince):

Being all that certain tract or parcel of land containing approximately 1.80 acres and identified as parcel identification number 0740293940 and being the same property conveyed to William I. Prince and Jean P. Prince, by deed recorded in Book 6217, Page 146, Wake County Registry.

Tracts 21-38 (Stephens):

Being all of those certain tracts or parcels of land identified as parcel identification numbers 0740886966, 0740991702, 0740992565, 0740991337, 0740991237, 0740990140, 0740980647, 0740982309, 0740982534, 0740982635, 0740982769, 0740982866, 0740982964, 0740982929, 0740992024, 0740992069, 0740992169 and 0740982764.

Tract 39 (Tew):

Being all that certain tract or parcel of land containing approximately 1.84 acres and identified as parcel identification number 0741203157 and being the same property conveyed to Kim Prince Tew, and husband, David Wayne Tew, by deed recorded in Book 10633, Page 1741, Wake County Registry.

Tract 40 (Huang):

Being all that certain tract or parcel of land containing approximately 13.33 acres and identified as parcel identification number 0740180091 and being the same property conveyed to Ruey Shiue Huang, Co-Trustee, and Edward K. Huang, Co-Trustee, of The Huang Family Trust, dated September 30, 2005, by deed recorded in Book 10656, Page 33, Wake County Registry.

Sustainable Development Plan

for

VERIDEA

A Sustainable Mixed-Use Community
Apex, North Carolina

10 MAY 2011

Responsible Person:

Lookout Ventures, Inc.
P. O. Box 1166
Zebulon NC

SUSTAINABLE DEVELOPMENT PLAN

DEVELOPER AND RESPONSIBLE PERSON

Lookout Ventures, Inc.
P. O. Box 1166
Zebulon NC 27597
Contact: Tom Hendrickson
tom@lookoutnc.com

EQUITY PARTNER

Hudson Realty Capital, L.L.C.
250 Park Avenue South, Third Floor
New York NY 10003

MASTER PLANNING • PLACEMAKING

Shook Kelley, Inc.
2151 Hawkins Street, Suite 400
Charlotte NC 28036

CIVIL ENGINEERING

WSP Sells
15401 Weston Parkway, Suite 100
Cary NC 27513

BBM Associates, Inc.
407 Gorman Street, Suite 101
Raleigh NC 27607

TRANSPORTATION

Kimley-Horn and Associates, Inc.
3001 Weston Parkway
Cary NC 27513

ENERGY PLANNING

Sanford Law Office, P.L.L.C
530 North Person Street
Raleigh NC 27604

SUSTAINABILITY AGENDA
BASED ON
PRINCIPLES AND GOALS
DEVELOPED BY

William McDonough + Partners
700 East Jefferson Street
Charlottesville VA 22902

LANDSCAPE ARCHITECTURE

CLH Design, P.A.
400 Regency Forest Drive, Suite 120
Cary NC 27518

ENVIRONMENTAL STRATEGY

RST Engineering, P.L.L.C.
5416 Orchard Oriole Trail
Wake Forest NC 27587

William G. Ross, Jr.
Brooks Pierce
150 Fayetteville Street
Raleigh, North Carolina 27601

LEGAL

K&L Gates, L.L.P.
4350 Lassiter at North Hills Avenue, Suite 300
Raleigh NC 27609

Smith, Anderson, Blount, Dorsett, Mitchell & Jernigan, L.L.P.
150 Fayetteville Street
Raleigh NC 27601

Styers & Kemerait, P.L.L.C.
1101 Haynes Street, Suite 101
Raleigh NC 27604

PUBLIC RELATIONS

Mike Davis Public Relations, Inc.
303 West Jones Street
Raleigh NC 27603

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ARTICLE 1.0 DEFINITIONS OF CAPITALIZED TERMS USED IN THE SUSTAINABLE DEVELOPMENT (SD) PLAN

A-Grid: cumulatively, those Thoroughfares that by virtue of their pedestrian-supportive qualities, and their importance to pedestrian connectivity, are part of multi-modal transportation network that is vehicle tolerant and is linked to the contextual nature of the place. *See B-Grid.*

A-Grid Zones: areas of the Concept Map where A-Grids are required.

Accessory Structures: structures or buildings incidental to and appropriate to support a Function or use (i.e., ticket booths and storage for outdoor amphitheaters, and dugouts and storage for baseball and softball.)

Accessory Unit or Building: a dwelling not greater than 800 square feet sharing ownership and shared or separate utility connections with a Principal Building. *See Table 10 and Table 17.* (Syn: ancillary unit)

Advanced Materials: a broad technology category based on a rapidly evolving area of science, with applications ranging from aircraft to computer chips. Advanced structural materials can make products strong, lighter, and more effective as well as enable the development of totally new products. The materials can increasingly be designed and tailored to specific applications. A material is said to be "advanced" if it is a new material for the application. *See Table 12.*

Agricultural Plot: a parcel of land used for small-scale agricultural purposes such as the raising of agricultural products or poultry. *See Table 12 and Table 19.*

Alleé: a regularly spaced and aligned row or rows of trees usually planted along a Thoroughfare or Path.

Anticipatory Design: a development approach intended to predict and facilitate the use of innovative technology and other best development practices as they evolve and become practically and economically feasible over time.

Arcade: a Private Frontage conventional for Retail use wherein the Facade is a colonnade supporting habitable space that overlaps the Sidewalk, while the Facade at Sidewalk level remains at the Frontage Line.

Avenue ("**AV**"): a Thoroughfare designed for high vehicular capacity and low to moderate speed, acting as a short distance connector between Village Centers, and usually equipped with a landscaped median.

B-Grid: cumulatively, those Thoroughfares that by virtue of their use or location are vehicle supportive and pedestrian tolerant. *See A-Grid.*

B-Grid Zones: areas of the Concept Map where B-Grids are permitted.

Backbuilding: a single-Story structure connecting a Principal Building to an Outbuilding. *See Table 17.*

Bed and Breakfast: an owner or manager controlled Lodging type, permitted to serve breakfast in the mornings to guests in the Neighborhood General (NG) zone and at all times in other Sustainable Zones.

Bicycle Lane ("**BL**"): a dedicated lane for cycling within a moderate-speed vehicular Thoroughfare.

Bicycle Route ("**BR**"): a Thoroughfare suitable for the shared use of bicycles and automobiles moving at low speeds. These routes are signed as "bike route."

Bicycle Trail ("**BT**"): a bicycle and pedestrian way running independently of a vehicular Thoroughfare.

Biotechnology: the science of using living things and components of living things to produce goods and services. It involves manipulating and modifying organisms, often at the molecular level, to create new and practical applications for agriculture, medicine and industry. *See Table 12.*

Block: the aggregate of private Lots, Passages, Rear Alleys and Rear Lanes, circumscribed by Thoroughfares.

Boulevard ("**BV**"): a Thoroughfare designed for high vehicular capacity and moderate speed, traversing an urbanized area. Boulevards are usually equipped with Slip Streets buffering Sidewalks and buildings.

By Right: characterizing a proposal or component of a proposal for the Development that is allowed by the SD Plan.

Civic Building: a building primarily dedicated to public functions such as arts, culture, education, recreation, government, transit, and parking, or for other public purposes. Civic Buildings are primarily operated by public or not-for-profit entities.

Civic Space: land containing a Civic Building and/or an outdoor area dedicated for public use including Parks but not including street rights of way. Civic Space types are defined by the combination of certain physical constants including the relationships among their intended use, their size, their landscaping and their enfronting buildings. *See Table 13.*

Civic Use: Open Space that is designated for Civic Buildings and Civic Space and Public Space.

Commercial: the term collectively defining workplace, Office, Retail, and Lodging Functions.

Common Destination: an area of focused community activity. It may include, without limitation, one or more of the following: a Civic Space, a Civic Building, a Commercial center, or a transit station or stop, and may act as the social center of a neighborhood.

Community Garden: a grouping of garden plots available for small scale cultivation, generally to the residents of apartments and other dwelling types without private gardens, permitting individual storage sheds, and providing a locus of recreation and sociability greater than that of a private yard, thus being a Common Destination.

Concept Map: *See* Veridea **Sustainable Development Concept Map**.

Concessions: a place where food, drinks and incidental retail items are sold or rented.

Conference Center: a facility that is constructed for and devoted to meetings and meeting space. *See Table 12.*

Configuration: the form of a building, based on its massing, Private Frontage, and height or the geographic characteristics of an area of land.

Convention Center: a Facility designed to accommodate multiple groups or large groups and consisting of exhibit halls, meeting rooms, ballrooms or banquet space but not sleeping accommodations. *See Table 12.*

Corridor: a lineal geographic system incorporating transportation and/or Greenway trajectories.

Curb: the edge of the vehicular pavement that may be raised or flush to a Swale. It usually incorporates the drainage system. *See Table 4A and Table 4B.*

Density: the amount of development measured on the basis of a Gross Acre of land area expressed in the number of Dwelling Units Per Acre ("DUA") for residential or Floor Area Ratio ("FAR") for non-residential.

Design Speed: the velocity at which a Thoroughfare tends to be driven without the constraints of signage or enforcement. There are four ranges of speed: Very Low: (below 20 MPH); Low: (20-25 MPH); Moderate: (25-35 MPH); High: (above 35 MPH). Lane width is determined by desired Design Speed. *See Table 3A.*

Design Standards: all of the provisions of the SD Plan, other than authorized Density, related to the development of Veridea, including but not limited to standards, designs, criteria, illustrations and other elements and materials of both a descriptive and proscriptive nature.

Developable Areas: lands other than those in the OS Open Space Zone.

Development: refers to Veridea and the land encompassed by the Veridea Sustainable Development Plan as a whole.

Disposition: the placement of a building on its Lot. *See Table 9 and Table 17.*

Drive ("**DR**"): a Thoroughfare along the boundary between an urbanized and a natural condition, usually along a waterfront or Park. One side has the urban character of a Thoroughfare, with Sidewalk and building, while the other has the qualities of a Road or parkway, with naturalistic planting and rural details.

Dwelling Units Per Acre ("**DUA**"): the number of dwelling units per Gross Acre.

Driveway: a vehicular lane within a Lot, often leading to a garage. *See Article 5.8 and Table 3B.f.*

Effective Parking: the amount of parking required for Mixed Use after adjustment by the Shared Parking Factor. *See Table 11.*

Effective Turning Radius: the measurement of the inside Turning Radius taking parked cars into account. *See Table 17.*

Elevation: an exterior wall of a building not along a Frontage Line. *See Table 17.* See: **Facade.**

Encroach: to break the plane of a vertical or horizontal regulatory limit with a structural element so that it extends into a Setback, into an easement, into the Public Frontage, or above a height limit.

Encroachment: any structural element that breaks the plane of a vertical or horizontal regulatory limit, extending into a Setback, into an easement, into the Public Frontage, or above a height limit.

Environmental Enhancement Plan: additional Sustainability Standards related to environmental enhancement required to be submitted to the Town Council for approval in accordance with UDO 2.3.16 F) 3) b).

Existing Communication Towers: towers that are currently in place within Veridea, including any and all guy wires, anchors, supporting cables, tower assembly, and ancillary buildings.

Expression Line: a line prescribed at a certain level of a building for the major part of the width of a Facade, expressed by a variation in material or by a limited projection such as a molding or balcony. *See Table 8.* (Syn: transition line.)

Facade: the exterior wall of a building that is set along a Frontage Line. *See* **Elevation.**

Farm: an active, usually commercial, agricultural operation, such as the raising of agricultural products, livestock, poultry and dairying at a scale requiring industrial sized machinery and farm buildings, consistent with the requirements and limitations of the UDO. *See Table 12 and Table 19.*

Floor Area Ratio ("**FAR**"): the ratio of total building floor area per Gross Acre.

Forecourt: a Private Frontage wherein a portion of the Facade is close to the Frontage Line and the central portion is set back. *See Table 7.*

Frontage: the area between a building Facade and the vehicular lanes, inclusive of its built and planted components. Frontage is divided into **Private Frontage** and **Public Frontage.** *See Table 4A and Table 7.*

Frontage Line: a Lot Line bordering a Public Frontage. Facades facing

Frontage Lines define the public realm and are therefore more regulated than the Elevations facing other Lot Lines. *See Table 17.*

Function: the use or uses accommodated by a building and its Lot, categorized as *Restricted, Limited,* or *Open*, according to the intensity of the use. *See Table 10 and Table 12.*

Gallery: a Private Frontage conventional for Retail use wherein the Facade is aligned close to the Frontage Line with an attached cantilevered shed or lightweight colonnade overlapping the Sidewalk. *See Table 7.*

Goal(s): the desired result of Veridea's effort to achieve sustainability.

Green: a Civic Space type for unstructured recreation, spatially defined by landscaping rather than building Frontages. *See Table 13.*

Green Roof: a building roof partially or completely covered with vegetation and soil, or some other living medium, over a waterproofing membrane.

Green Technology: a continuously evolving group of methods and materials, including—but not limited to—environmentally-sound techniques for: generating energy, energy efficiency, chemistry, nanotechnology and construction. *See Table 12.*

Greenway: a Corridor in largely natural conditions, which shall include trails for bicycles or pedestrians.

Gross Acre: an acre of land within the Veridea Sustainable Development District used for the purpose of Density calculation.

Guiding Principles: the Principles used to develop Veridea.

High Performance Computing: the use of supercomputers and computer clusters to solve advanced computation problems. *See Table 12.*

Highway ("**HW**"): a rural and suburban Thoroughfare of high vehicular speed and capacity. This type is allocated to the more rural Sustainable Zones (OS and NG).

Home Occupation: non-Retail Commercial enterprises within or closely associated with a dwelling.

Impermeable Surface: surfaces constructed using materials that allow no infiltration of water into the soil. Impermeable surfaces include, but are not limited to, public and private Thoroughfares, sidewalks, driveways, rooftops, parking lots and patios constructed with asphalt, concrete, compacted aggregate base course or other impervious materials. The surface area of bodies of water (natural or man-made) and wooden decks shall be considered permeable and shall not be included in the calculation of built-upon area. Green Roofs, permeable pavements, and other surfaces constructed with uniformly graded gravel, porous materials or pervious materials and designed in accordance with the NC Division of Water Quality Stormwater Best Management Practices Manual to accommodate the infiltration of water shall not be considered impermeable surfaces and shall not be included in the

calculation of the built-upon area.

Independent Living: a Project, or a portion of a Project, consisting of residences of any type or various types primarily accommodating age targeted residents maintaining an independent lifestyle.

Industrial: the term collectively defining Manufacturing, warehousing and storage uses.

Information Technology: the application of computer, communications and software technology to the management, processing and dissemination of information. *See Table 12.*

Internal Trip Capture: a concept used in transportation modeling to define an automobile trip between different land uses within Veridea that would have required an automobile trip external to the site.

Layer: a range of depth of a Lot, measured from the Frontage Line, within which certain elements are permitted. *See Table 17.*

Lightwell: a Private Frontage type that is a below-grade entrance or recess designed to allow light into basements. *See Table 7.* (Syn: light court.)

Liner Building: a building specifically designed to mask a blank building wall, a service area, a parking lot, or a Parking Structure from a Frontage.

Live-Work: a Mixed Use unit consisting of a Commercial and Residential Function. *See Table 10.*

Lodging: premises available for daily and weekly renting of bedrooms. *See Table 10 and Table 12.*

Lot: a parcel of land accommodating a building or buildings of unified design. The size of a Lot is controlled by its width in order to determine the grain (i.e., fine grain, as characterized by a tight-knit Thoroughfare grid, or coarse grain, as characterized by a loose-knit street grid) of the urban fabric.

Lot Line: the boundary that legally and geometrically demarcates a Lot.

Lot Width: the length of the Principal Frontage Line of a Lot.

Manufacturing: all areas of manufacturing, including design, control, fabrication, and assembly for uses where activities are conducted and confined within a building or structure including, but are not limited to: electronics, computers/IT, instrumentation, industrial equipment, medical, pharmaceutical, telecom, aerospace, defense, government, appliances, food, beverage and consumer products.

Medical Devices: products used for medical purposes for patients, in diagnosis, therapy or surgery. *See Table 12.*

Mixed Use: multiple Functions within the same building through vertical integration or adjacency, or in multiple buildings by adjacency.

Mixed Use Block: See Mixed Use and Block. *See Table 12.*

Modular Construction: single-family, multi-family or mixed use building constructed on-site and composed of components substantially assembled in a manufacturing plant and transported to the building site for final assembly that complies with the requirements of the North Carolina State Building Code.

Nanotechnology: is an advanced technology involving the fabrication and use of devices so small that the convenient unit of measurement is the nanometer (one thousand-millionth of a meter); or, is the art of manipulating and exploiting the properties of matter at a molecular level. *See Table 12.*

Natatorium: a building containing a swimming pool. *See Table 12.*

NCDENR: The North Carolina Department of the Environment and Natural Resources, or any successor executive agency or agencies having the powers and authority of such department.

Neighborhood General: A Sustainable Zone. *See* Table 1.

Neighborhood Mixed-Use: A Sustainable Zone. *See* Table 1.

Non-residential Uses: uses and building functions other than residential. Vertically integrated residential and Non-residential uses will be considered non-residential for the purposes of the SD Plan and the UDO. *See Article 4.2.2 and Table 12.*

Office: premises available for the transaction of general business, lab and research uses but excluding Retail uses. *See Table 10.*

Open Space ("**OS**"): A Sustainable Zone. *See* Table 1.

Outbuilding: an Accessory Building, usually located toward the rear of the same Lot as a Principal Building, and sometimes connected to the Principal Building by a Backbuilding. *See Table 17.*

Park: a Civic Space type or type of Open Space used for active and/or passive recreation purposes or natural preserve available for unstructured recreation, including all examples in Table 13.

Parking Garage (deck): See Parking Structure.

Parking Management Plan: a plan setting forth various policies and programs intended to optimize the efficient use of parking resources.

Parking Structure: a building containing one or more Stories of parking at, above and/or below grade. A Parking Structure may be stand alone or may be connected to or integrated with other uses. *See Table 12.*

Passage ("**PS**"): a pedestrian connector, open or roofed, that passes between buildings to provide shortcuts through long Blocks and connect rear parking areas to Frontages.

Path ("**PT**"): a pedestrian and/or bicycle way traversing a Park or rural area, with landscape matching the contiguous Neighborhood General (NG) Zone, ideally connecting directly with the urban sidewalk network.

Pattern Book(s): a book or books of text, diagrams and illustrations setting forth the principles of design for Veridea or some portion thereof in order to provide consistencies in characteristic form, massing, composition, style, method, materials, lighting and signage while simultaneously allowing for architectural and aesthetic diversity.

Planter: the element of the Public Frontage, which accommodates street trees and other vegetation, whether continuous or individual.

Plaza: a Civic Space type designed for Civic purposes and Commercial activities in the more urban Sustainable Zones, generally paved and spatially defined by building Frontages.

Power Facility: A facility for the generation of electric or thermal power. *See Table 12.*

Principal Building: the main building on a Lot, usually located toward the Frontage. *See Table 17.*

Principal Entrance: the main point of access for pedestrians into a building.

Principal Frontage: on corner Lots, the Private Frontage designated to bear the address and Principal Entrance to the building, and the measure of minimum Lot width. *See* **Frontage.**

Principle(s): fundamental positions that serve as the foundation for the creation of Veridea.

Private Frontage: the privately held Layer between the Frontage Line and the Principal Building Facade. *See Table 7 and Table 17.*

Project: individual developments within the Veridea Sustainable Development District to which the Sustainable Development Plan applies.

Public Frontage: the area between the Curb of the vehicular lanes and the Frontage Line, possibly containing utility easements, for walkways. *See Table 4A and Table 4B.*

Public Parking Facility: a parking facility that may include decks, structures or lots that may be publicly or privately owned and contain shared spaces available for public use that are not allocated to other residential or non-residential uses within Veridea.

Public School: A school operated by the Wake County Public Schools System, a charter school, or other type of school sanctioned by the State of North Carolina for public instruction and wholly or partially funded by the State and/or Wake County.

Public Space: land accessible to the general public through dedication or easement, but not including street rights of way.

Rear Alley ("**RA**"): a vehicular way, either public or private, located to the rear of Lots providing access to service areas, parking, and Outbuildings and possibly containing utility easements. *See Table 4A and Table 4C.*

Rear Lane ("**RL**"): a vehicular way, either public or private, located to the rear of Lots providing access to service areas, parking, and Outbuildings and containing utility easements. *See Table 4A and Table 4C.*

Rearyard: a building that occupies the full Frontage Line, leaving the rear of the Lot as the sole yard. *See Table 9.* (Var: Townhouse, Apartment House)

Regional Public Transit System: a transit system operated by a public agency that serves a geographic area that extends beyond the jurisdictional limits of the Town of Apex that includes, as one of its elements, a fixed guideway or comparable transit technology.

Renewable Energy Facility: a facility that either: i) generates thermal and/or electric power primarily by the use of a Renewable Energy Resource; ii) uses heat derived primarily from a Renewable Energy Resource to produce electricity or useful, measurable thermal or mechanical energy; iii) is a solar thermal energy facility; iv) specifically allows for co-firing with non-renewable energy resources as long as non-renewable energy resources are not the primary energy source; or v) provides energy storage capacity.

Renewable Energy Resource: a solar electric, solar thermal, wind, hydropower, geothermal, or ocean current or wave energy resource; a biomass resource, including agricultural waste, animal waste, wood waste, spent pulping liquors, combustible residues, combustible liquids, combustible gases, energy crops, or landfill methane; waste heat derived from a renewable energy resource and used to produce electricity or useful, measurable thermal energy; or hydrogen derived from a renewable energy resource. Renewable Energy Resource does not include peat, a fossil fuel, or nuclear energy resource.

Responsible Person: that person identified in the SD Plan and appointed pursuant to UDO 2.3.16 D), or his successors or assigns, to make certain decisions with respect to the SD Plan and the zoning of Veridea. The Responsible Person is sometimes referred to in this SD Plan as the "Developer."

Retail: the sale, (other than wholesale), rental or repair of goods, merchandise and services and food and beverage service and sales.

Retail Kiosk: a place where merchandise and food and drink may be sold or rented. *See Table 12.*

Retail Storage within Retail Spaces: stock rooms and storage areas located within retail spaces. *See Table 12.*

Road ("**RD**"): a local, rural and suburban Thoroughfare of low-to-moderate vehicular speed and capacity. This type is allocated to the more rural, less dense Sustainable Zones (OS-NG). *See Table 3A and Table 4C.*

School Authority: The Wake County Public Schools System or other entity having state-sanctioned authority for public education.

School Dormitory: an educational building or a group of rooms in a building

used for institutional living and sleeping purposes for students. *See Table 12.*

Secondary Frontage: on corner Lots, the Private Frontage that is not the Principal Frontage. As it affects the public realm, its First Layer is regulated. *See Table 17.*

Setback: the area of a Lot measured from the Lot line to a building Facade or Elevation that is maintained clear of permanent structures, with the exception of Encroachments listed in *Article 5.5. See Table 14.g.* (Var: build-to-line.)

Shared Parking Factor: an accounting for parking spaces that are available to more than one Function. *See Table 11.*

Shopfront: a Private Frontage conventional for Retail use, with substantial glazing and sometimes an awning, wherein the Facade is aligned close to the Frontage Line with the building entrance at Sidewalk grade. *See Table 7.*

Shopping Center: a building or multiple buildings consisting of a complex of shops, with interconnecting walkways along with associated parking. *See Table 12.*

Slip Street: an outer vehicular lane or lanes of a Thoroughfare, designed for slow speeds while inner lanes carry higher speed traffic, and that may be separated from them by a planted median. (Syn: access lane, service lane)

Smart Power: the system of generation, transmission, distribution and use of energy through means that both increase efficiency throughout the system and reduce the environmental impact of the cycle of production, delivery and use. The referenced means include development, manufacture and deployment of information technology, engineering, manufacturing, construction techniques, building science, controls, and HVAC and lighting systems. *See Table 12.*

Square: a Civic Space type designed for unstructured recreation and Civic purposes, spatially defined by building Frontages and consisting of Paths, lawns and trees, formally disposed. S*ee Table 13.*

Stoop: a Private Frontage wherein the Facade is aligned close to the Frontage Line with the first Story elevated from the Sidewalk for privacy, with an exterior stair and landing at the entrance. *See Table 7.*

Story: a habitable level within a building, excluding an attic, mezzanine, or raised basement. *See Table 8.* Regardless of the number of stories, maximum height of a multi-story building shall not exceed 400 feet.

Strategy: general approach to achieve desired goals for Veridea.

Street ("**ST**"): a local urban Thoroughfare of low speed and capacity. *See Table 3B and Table 4B*.

Streetscreen: a freestanding wall or a free standing or attached trellis system for supporting plants along the Frontage Line, or coplanar with the Facade. It may mask a parking lot from the Thoroughfare, provide privacy to a side yard, and/or strengthen the spatial definition of the public realm. (Syn:

streetwall.) *See Article 5.5.5f.*

Sustainability: the process and ultimately the benefits of implementing a sustainable development program.

Sustainable: as used within the context of "sustainable development," and as derived from the 1987 Brundtland report: "development that meets the needs of the present without compromising the ability of future generations to meet their own needs". In practice, to develop sustainably is to integrate the economic, social and environmental dimensions to create human habitats that contribute to a quality life now, and in the future based upon an evolution of society, knowledge and technology.

Sustainable Zone: one of several areas described in the SD Plan and shown on the Sustainable Development Concept Map (and thereafter more clearly delineated in subdivision and site plans) analogous to Zoning Districts established under the UDO. Allowable land uses and development regulations applicable to such zones shall be as provided in the SD Plan.

Swale: a low or slightly depressed natural area for drainage.

Thoroughfare: a way for use, including a street, by vehicular and pedestrian traffic and to provide access to Lots and Open Space, consisting of vehicular lanes and the Public Frontage. *See Table 3A, Table 3B, Table 4C and Table 17a.*

Town Standards: any statement, codification or other document setting forth standards, designs, directives or plans for the construction of roads, utilities, parks, public facilities or infrastructure of any nature adopted by the Town of Apex and regulating the development of property and the construction of improvements and infrastructure within the jurisdiction of the Town. Town Standards shall include, but shall not be limited to, the Town of Apex Code of Ordinances, the Apex Unified Development Ordinance, Apex Comprehensive Plan, Apex Watershed Overlay District, Apex 2025 Land Use Plan, Apex Transportation Plans, NC 540 Land Use Plan, the Apex Standard Specifications and Standard Details, Wastewater Master Plan, Water Distribution Master Plan, and the Apex Parks and Recreation Master Plan.

Townhouse: a building that occupies the full Frontage Line, leaving the rear of the Lot as the sole yard. *See* **Rearyard Building.**

Transit Oriented Development ("**TOD**"): those areas within an average 1/2 mile radius or 2640 feet of a transit stop (bus or rail) present or proposed as a Common Destination, as set forth in *Article 5.7.2d.*

Transportation Demand Management ("**TDM**"): is a general term for strategies that result in more efficient use of transportation resources. The strategies include developing comprehensive plans for bus and rail transit, bike/transit integration, car sharing, flex cars, and park and ride resources.

Turning Radius: the curved edge of a Thoroughfare at an intersection, measured at the inside edge of the vehicular tracking. The smaller the Turning

Radius, the shorter the pedestrian crossing distance and the more slowly the vehicle is forced to make the turn. *See Table 3B and Table 17.*

Unified Development Ordinance ("**UDO**"): The Apex Unified Development Ordinance.

Urban Farm: agricultural land used for the production of fruits and vegetables, livestock, poultry or other agricultural products, or some combination thereof, consistent with the requirements and limitations of the UDO**.** *See Table 12 and Table 19.*

Urbanism: collective term for the condition of a compact, Mixed Use settlement, including the physical form of its development and its environmental, functional, economic, and socio-cultural aspects.

Urban Core ("**UC**"): A Sustainable Zone. *See Table 1.*

Vegetable Garden: private agricultural land dedicated to food production to be locally consumed, restricted to back yards. *See Table 12 and Table 19.*

Veridea Sustainable Development Concept Map: the map or set of maps that depicts a concept for the development of a community and the conceptual location of Sustainable Zones and Thoroughfares within it. *See Table 2.*

Veridea Sustainable Development District: the zoning district as depicted by the Veridea Sustainable Development Concept Map and developed in accordance with this SD Plan.

Vertical Farm: agricultural production in buildings not primarily within yards, but as a part of or incidental to inhabited buildings, or as a stand alone feature, utilizing container gardens or boxes, which may be associated with windows, balconies and terraces, or roof gardens.

Village Center ("**VC**"): A Sustainable Zone. *See Table 1.*

Yield: characterizing a Thoroughfare that has two-way traffic but only one effective travel lane because of parked cars, necessitating slow movement and driver negotiation. Also, characterizing parking on such a Thoroughfare.

ARTICLE 2.0 THE DISTRICT

2.1 INTRODUCTION

This Sustainable Development Plan (the "SD Plan") is submitted by the Responsible Person and approved by the Town Council pursuant to UDO 2.3.16 of the Town of Apex (the "Town" or "Apex") with respect to the proposed rezoning of property within the Town for the Sustainable, mixed-use development to be known as "Veridea." The SD Plan and its standards and applicable provisions of the UDO and other Town Ordinances and Town Standards shall authorize, regulate, and control the development of land within Veridea and shall establish the design and form for such development. To the extent that the SD Plan varies from the provisions of the UDO, other Town Ordinances, Town Standards or any document or policy referenced or incorporated therein as they exist on the date of approval of the SD Plan and as they may be amended from time to time by the Town Council, the SD Plan shall control.

2.2 CHANGE OF THE RESPONSIBLE PERSON

Pursuant to UDO 2.3.16 D), the Petition to Amend the Official Zoning District Map requesting the rezoning of Veridea to Sustainable Development Conditional Zoning District SD-CZ identified and appointed Lookout Ventures, Inc. as the Responsible Person for the district. Any successor corporation to Lookout Ventures, Inc. by way of merger or other reorganization shall become Responsible Person for the district, and written notice of such succession shall be provided to the Planning Director. At any time following the rezoning of Veridea as requested, Lookout Ventures, Inc. (or its successor corporation) may appoint another person as the Responsible Person for the district by providing notice of such change in writing to the Planning Director of the Town. In the event of the death, incapacity or dissolution of the Responsible Person without its appointment of a new Responsible Person, a new Responsible Person shall be appointed by the owners of fifty-one percent (51%) of the land comprising Veridea at the time of such appointment and written notice of such appointment shall be provided to the Planning Director.

2.3 AUTHORIZED DEVELOPMENT

No development shall occur within Veridea, or any parcel added to Veridea, except as is specifically authorized by this SD Plan with reference, when appropriate, to the UDO.

2.4 MASTER PROPERTY OWNERS' ASSOCIATION

Prior to the Developer's conveyance of any of the Properties within Veridea by the Developer or its assigns, a Master Property Owners' Association ("MPOA") will be established. Membership in the MPOA will be mandatory for any property owner. The MPOA will be funded by dues to be established in the Declaration or other duly recorded document. The MPOA will be responsible for the enforcement of recorded restrictive covenants and for the maintenance of certain common areas within Veridea, including private Thoroughfares. Subassociations of property owners may be established for individual development tracts within Veridea, which will be responsible for the maintenance of the common area within that specific tract, unless otherwise provided in documents relating to the respective subassociation. Should any subassociation fail to perform its maintenance obligations, the MPOA shall be responsible for such performance within a commercially reasonable timeframe. The Town will maintain all Thoroughfares and any other real property that is properly dedicated to and accepted by the Town.

2.5 DECLARATION OF RESTRICTIVE COVENANTS

Prior to the Developer's conveyance of any property within Veridea subsequent to its rezoning, the Developer shall record in the Wake County Registry with respect to the Development a Declaration of Restrictive Covenants (the "Declaration"), duly executed by the record owner or owners of each parcel included within the Development, stating that the Development is within the zoning jurisdiction of the Town of Apex and is zoned Sustainable Development Conditional Zoning ("SDCZ") District and that (i) the Development and the use of property therein are therefore subject to regulations applicable to the SDCZ District described in Section 2.3.16 of the UDO and other provisions of such Ordinance, a copy of which is available in the Planning Department of the Town of Apex (the "Planning Department") at the Apex Town Hall, 73 Hunter Street, Apex, North Carolina 27502; (ii) the Development and the use of land within the Development are also subject to the terms and provisions of a Sustainable Development Plan approved upon the rezoning of the Development to SDCZ District, a copy of which is available in the Planning Department; (iii) under applicable provisions of the UDO and the aforementioned SD Plan, the Developer, its successors and assigns, as Responsible Person, has the sole authority to make certain decisions with regard to property comprising the Development; and (iv) upon acceptance and recordation of any deed conveying property within Veridea, the grantee or grantees of such deed shall become a member of the Master Property Owners' Association for Veridea established pursuant to Section 2.4 of this Plan and any subassociation established pursuant to such section that relates to the property conveyed in the respective deed. The Declaration shall further provide that (i) each deed conveying land within Veridea recorded subsequent to the recordation of the Declaration shall state that the respective conveyance is subject to the Declaration, but that the failure to include such statement in a deed shall not affect the enforceability of the Declaration with respect to the property conveyed or invalidate the respective conveyance; and (ii) no rezoning petition shall be submitted or proposed with regard to the Development, or any portion thereof, without the written consent of the Developer.

ARTICLE 3.0 GENERAL SUSTAINABILITY STANDARDS AND FURTHER DEVELOPMENT APPROVALS

3.1 PURPOSE OF THE PLAN

3.1.1 The SD Plan has been adopted to facilitate the development of Veridea as a community of safe, healthy, resource efficient and transit-oriented mixed-use Projects planned and developed in accordance with Principles promoting Sustainability. Accordingly, Veridea will be developed in view of the following Guiding Principles:

a. Create economic value
b. Eliminate the concept of waste
c. Insist on a renewable future
d. Create delightful urban places
e. Integrate nature throughout the community

The Guiding Principles for Veridea have been developed in accordance with The Hannover Principles, Design for Sustainability, which was authored by William McDonough and Michael Braungart. The Hannover Principles are as follows:

1. **Insist on rights of humanity and nature to co-exist** in a healthy, supportive, diverse and Sustainable condition.

2. **Recognize interdependence**. The elements of human design interact with and depend upon the natural world, with broad and diverse implications at every scale. Expand design considerations to recognizing even distant effects.

3. **Respect relationships between spirit and matter**. Consider all aspects of human settlement including community, dwelling, industry and trade in terms of existing and evolving connections between spiritual and material consciousness.

4. **Accept responsibility for the consequences of design** decisions upon human well-being, the viability of natural systems and their right to co-exist.

5. **Create safe objects of long-term value**. Do not burden future generations with requirements for maintenance or vigilant administration of potential danger due to the careless creation of products, processes or standards.

6. **Eliminate the concept of waste**. Evaluate and optimize the full life-cycle of products and processes, to approach the state of natural systems, in which there is no waste.

7. **Rely on natural energy flows**. Human designs should, like the living world, derive their creative forces from perpetual solar income. Incorporate this energy efficiently and safely for responsible use.

8. **Understand the limitations of design**. No human creation lasts forever and design does not solve all problems. Those who create and plan should practice humility in the face of nature. Treat nature as a model and mentor, not as an inconvenience to be evaded or controlled.

9. **Seek constant improvement by the sharing of knowledge**. Encourage direct and open communication between colleagues, patrons, manufacturers and users to link long term Sustainable considerations with ethical responsibility, and re-establish the integral relationship between natural processes and human activity.

In addition, the Guiding Principles are grounded in the belief that they can only be achieved through a flexible development plan which recognizes the reality of the time in which elements of the plan are developed. The Guiding Principles will be pursued in an anticipatory manner, one which acknowledges that Veridea will be developed over a sustained period of time and according to evolving criteria that define accepted and attainable Sustainable development practices. The SD Plan establishes a flexible framework of development standards (collectively, the "Sustainability Standards") that, by its very nature, seeks to anticipate future trends and technologies and acknowledges that future technologies and practices are, by definition, evolutionary. Accordingly, an Anticipatory Design process shall be used in the planning and design of Veridea and in the design of specific Projects within Veridea.

3.1.2 In order to achieve these Guiding Principles, Veridea shall be developed as Sustainable Zones, as described in Table 1, in accordance with the SD Plan and the Sustainability Standards. In accordance with UDO 2.3.16 F) 2), Sustainability Standards include natural and cultural resource standards, transportation infrastructure standards, utility infrastructure standards, energy standards, community design standards, and building standards. Additional, modified or elective Sustainability Standards shall be adopted in accordance with UDO 2.3.16 F) 3). Sustainability Standards contemplated for Veridea shall include an Environmental Enhancement Plan and may include additional plans as follows:

Sustainability Standards	Authority	When Adopted
SD Plan	UDO 2.3.16	Rezoning
Environmental Enhancement Plan	UDO 2.3.16 F) 3) b)	Prior to first site plan or subdivision plan
Pattern Book	UDO 2.3.16 F) 3) a)	With first site plan
Transportation Demand Management Plan	UDO 2.3.16 F) 3) a)	With first site plan that deviates from UDO standards related to parking
Parking Management Plan	UDO 2.3.16 F) 3) a)	With first site plan that deviates from UDO standards related to parking

Additional Sustainability Standards	UDO 2.3.16 F) 3) a)	As appropriate, subsequent to rezoning
Elective Sustainability Standards	UDO 2.3.16 F) 3) c)	

Figure 1. Sustainability Standards in Veridea

3.1.3 In addition to the total authorized development authorized by this SD Plan, a minimum of 250 acres of land, in varying locations and varying scales and forms, shall be designated by the Responsible Person during the site plan and subdivision approval process as follows:

a. 100 acres shall be designated for Resource Conservation Area.
b. Sufficient acreage shall be designated to accommodate the recreation requirements specifically set forth in Article 3.4.2.2; and
c. 150 acres less the acreage sufficient to accommodate the recreation requirements of Article 3.4.2.2 shall be designated for Open Space, Public Space, and Civic Space. Civic Buildings dedicated to government, transit or parking and any portion of the respective lot not routinely accessible to the public shall not be included in the acreage designated pursuant to this subsection. Civic Buildings dedicated to arts, culture, education and social activity and any portion of the respective lot routinely accessible to the public shall be included in the acreage designated pursuant to this subsection. Any privately-owned or operated buildings located in an Open Space zone and any portion of the respective lot not routinely accessible to the public shall not be included in the acreage designated pursuant to this subsection.

3.2 SUSTAINABLE FRAMEWORK

3.2.1 The Veridea Sustainable Development District is utilized for Veridea to create a framework for compact and connected Sustainable Urbanism. In view of its scale and the Guiding Principles, the Veridea Sustainable Development District is distinguished from the other districts within the UDO and offers an additional lifestyle choice to Apex for current and future residents. Because technology and the laws and regulations affecting sustainability are evolutionary, the SD Plan recognizes the need to enable Anticipatory Design and to maintain flexibility in order to incorporate and adapt to future best practices.

3.2.2 In view of the Guiding Principles, the Goals of Veridea are intended to capture the spirit and intent of sustainability in order to achieve the following desired results:

a. Economic Value
    i. Create a model community of Sustainable design.

ii. Create a framework for the next generation version of the Research Triangle Park that is a vibrant, urban, mixed-use transit-oriented community.

b. Energy
   i. Pursue renewably sourced energy supplies.
   ii. Maximize energy efficiency.
   iii. Pursue energy opportunities presented by the evolving regulatory landscape and emerging renewable energy technologies.

c. Water
   i. Release to the ecosystem only water that is clean and healthy.
   ii. Treat water as a precious resource by conserving and reusing it to the maximum extent practicable.

d. Community
   i. Create a world class model of a safe, healthy, delightful, Sustainable mixed-use urban environment that enables the community to live, work and play.
   ii. Facilitate a mix of housing types, sizes and tenure options that allow all members of society to remain part of the community throughout the human life cycle.
   iii. Establish a full-service pedestrian-friendly transit-oriented community that respects and encourages wellness and safety.
   iv. Establish a community that respects the history of Apex and compliments and expands its existing community infrastructure.
   v. Set aside Open Space and Civic Space throughout the community.
   vi. Reduce, re-use and recycle construction and demolition materials whenever practicable.

3.3 DEVELOPMENT APPROVALS

3.3.1 Site Plans

a. The approval of site plans within the Development shall comply with the procedures and standards of UDO 2.3.6 except as modified in the SD Plan.

b. Within the Development, notwithstanding any provision of UDO 2.3.6 D) 2), only those individual site plans that propose 100,000 square feet or more of nonresidential floor area or 200 residential units or more shall be considered Major Site Plans and shall be processed and reviewed in accordance with UDO 2.3.6 D) 3). Notwithstanding UDO 2.3.6 D) 2) a), multiple site plan applications within any three year period for one property, or portions of the same property, or neighboring properties if owned by the same entity, shall be considered as individual site plans for the determination of the existence of a Major Site Plan and shall not be considered cumulatively for any purpose. All other site plans within the Development, shall be considered Minor Site Plans and shall be processed and reviewed in accordance with UDO 2.3.6 D) 1).

3.3.2 Subdivision Plans

The approval of subdivision plans shall comply with the procedures and standards of UDO 2.3.7 except as modified in the SD Plan. A minor Subdivision Plan, for the purposes of UDO 2.3.7 G), shall be defined as a division of a tract or parcel into fewer than 200 lots. In approving a major Subdivision Plan, the Town Council shall find that the area of the proposed subdivision will be adequately served by public fire and law enforcement personnel.

3.3.3 Written Statement from Responsible Person Required; Noncompliance

Any site plan or Subdivision Plan submitted to the Town for approval for a Project to be undertaken by a party other than the Responsible Person must be accompanied by a written statement from the Responsible Person indicating its approval of the Project. Such written statement shall also state the authorized development allocated to the Project (i.e., number of dwelling units and/or square feet of non-residential Retail, Office and/or Industrial Uses) as well as the development fee credits, if any, other credits, and/or liabilities and responsibilities assigned to or assumed by the Project.

Any event of non-compliance with any requirement of this SD Plan or the UDO that relates solely to a Project or Projects within Veridea shall not be attributed to Veridea as a whole, but rather shall be attributed only to that Project or Projects, such that any enforcement action taken by the Town shall be limited to the Project or Projects at issue.

In addition to any other remedy that may be available to the Town, if a violation of this SD Plan, Town Standards, Sustainability Standards applicable to Veridea or the UDO remains in existence with respect to a Project or Projects or a distinct area within Veridea after the Town complies with the procedures of UDO 11.5, the Town may withhold the issuing, approving or granting of grading permits, building permits, certificates of compliance or occupancy, site plans, subdivision plans or plats and other permits or approvals for the Project or Projects or distinct area in issue until the non-compliance is corrected and cured.

In addition to any other remedy that may be available to the Town, if a violation of this SD Plan, Town Standards, Sustainability Standards applicable to Veridea or the UDO which applies to Veridea as a whole remains in existence after the Town complies with the procedures of UDO 11.5, the Town may withhold the issuing, approving or granting of grading permits, site plans and subdivision plans or plats throughout Veridea until the non-compliance is corrected and cured.

3.3.4. Additional, Modified and Elective Sustainability Standards

All of the provisions of the SD Plan, including those related to development approvals, may be affected by any standards applicable to SD-CZ districts that may be adopted at any time or from time to time by the Town Council in accordance with UDO 2.3.16 F) 3). Upon the consent of the Responsible Person, any Sustainability Standards adopted or modified by the Town

Council in accordance with the provisions of UDO 2.3.16 F) 3) a), b) or c) shall apply to subsequent site plans and Subdivision Plans and be incorporated into the SD Plan. The Environmental Enhancement Plan shall be the sole required additional Sustainability Standard under this SD Plan and shall be adopted pursuant to UDO 2.3.16 F) 3) b).

3.3.5. Encroachment Agreements

Notwithstanding any other provision in this SD Plan, any encroachment into a Town of Apex right-of-way or easement requires an encroachment and maintenance agreement with the Town before such encroachment is made.

3.4 RESOURCE CONSERVATION – NATURAL AND CULTURAL RESOURCE STANDARDS

3.4.1 General

The natural and cultural resource standards set forth herein, as a component of the Sustainability Standards, provide certain community resources and conserve and protect natural and cultural resources and the quality of the water, land, and air within Veridea.

As set forth in Article 3.1.1 of the SD Plan, Veridea will be developed in view of the Guiding Principles over time according to evolving criteria that will define accepted and attainable sustainable development practices at the time of site plan or Subdivision Plan submission. As set forth in Article 3.1.2 and elsewhere within the SD Plan, Veridea shall include both Open Space, as an independent zone, and Developable Areas, generally identified as Sustainable Development Zones. Accordingly, Environmental and Natural Resource Protection Standards and Community Resource Standards shall vary as to those that apply within the Open Space zones, and those that apply within the Sustainable Development Zones. Further, due to the different levels of development within each Sustainable Development Zone, the Environmental and Natural Resource Protection Standards and Community Resource Standards shall vary with the level of development intensity within each zone. Also as set forth in Article 3.1.1 of the SD Plan, development standards are intended to be flexible in order to anticipate future trends and technologies, and yet acknowledge that future technologies and practices are unknown.

The provisions of Section 9 (d) of Session Law 2006-246, which provide a landward setback of 30 feet for built upon areas adjacent to certain surface waters, shall be applicable to Veridea except to the extent exceptions are granted by the Town Council in accordance with Section 11 (a) of such Session Law. Otherwise, UDO 6.1 shall apply until the Environmental Enhancement Plan is adopted by Town Council in accordance with UDO 2.3.16. F) 3) b).

3.4.2 Community Resource Standards

Veridea will achieve intensity of development within an environment of Sustainability.

3.4.2.1. Parks, Recreation and Open Space

All of the landscape that comprises Veridea will be purposefully designed to achieve a wide range of Goals to achieve Sustainability. The scale of Veridea's Parks will vary from small urban greens and squares, to active recreation areas with playfields, to natural preserve areas conducive to passive recreation. Within each Park, recreation, and open space site setting, appropriate human activity, from the passive to the most active, will be accommodated. Parks may be publicly or privately owned as determined at the time of site plan or Subdivision Plan approval, however only public parks will count toward recreation requirements. As Veridea is developed, land shall be dedicated for parks, recreation, and open space or fees in-lieu paid with respect thereto as contemplated by UDO 7.3.1 and 7.5.9 B). At any time, the Town Council and the Responsible Person may agree upon a plan or plans that deal with parks, recreation and open space for all or any portion of Veridea.

3.4.2.2. Specific Recreation Requirements

In accordance with the above and consistent with other requirements of the SD Plan, the Developer shall, at a minimum, dedicate land parcels to accommodate the following: i) four (4) lighted regulation softball fields in keeping with the standards of the American Softball Association (ASA) Men's Slow-Pitch Open Division; ii) six (6) lighted tennis courts in keeping with the standards of the United States Tennis Association (USTA); iii) a 22,500 square foot community center consistent with phase 1 of the existing community center at 53 Hunter Street, Apex, North Carolina; and iv) a dog park of at least one (1) acre. The Responsible Person shall have the discretion to disperse items i – iv and any part of items i or ii. No later than at the time 1000 residential units have received building permits, the Responsible Person shall submit to the Town Council for approval a Master Parks Plan depicting the location of the land parcels associated with items i, ii, iii and iv. The land parcels for items i, ii, iii, and iv shall be dedicated to the Town no later than at the time 2000 residential units have received building permits. Once the Master Parks Plan has been approved, any portion of the remaining obligation under Article 3.4.2.1. may be satisfied, at the election of the Responsible Person, by the payment of fees in lieu pursuant to UDO 7.3.1, which shall be utilized by the Town as soon as practicable for the foregoing construction of items i, ii, iii and iv.

The Responsible Person shall receive credits from the Town Council against fees in lieu payable under UDO 7.3.1 for the value of any historic or

cultural resource sites or facilities dedicated to and accepted by the Town and for amounts which it expends in developing and improving land for parks, recreation and open space pursuant to the recommendation of the Parks, Recreation and Cultural Resources Advisory Commission and approval by Town Council. Notwithstanding the foregoing sentence, any dedicated historic or cultural resource sites or facilities for which the Responsible Person receives credits against fees in lieu cannot be credited toward the RCA requirement set forth in Article 3.4.3 hereof.

3.4.2.3. Greenways

The Development will provide easements for Town of Apex greenways generally consistent with the current Parks and Recreation Master Plan. To the extent practicable, greenways will be constructed to Town Standards and located along stream corridors and within Open Space and easements. In cases where greenways generally follow public rights-of-way, greenways may be either constructed as a multi-use trail in lieu of a sidewalk, or when located within more urban areas, as pedestrian-oriented streetscapes containing both hardscape elements (including but not limited to sidewalks, decorative lighting, street furniture, and fountains) and street tree plantings which do not have to meet typical island widths or sizes. Greenways may be located within existing and future utility easements. Greenways may be publicly or privately owned as determined at the time of site plan or Subdivision Plan approval. Greenways may be dedicated to the Town as linear Parks, subject to the Town's approval.

3.4.2.4 Public Schools

The Development shall make available for purchase or lease by a School Authority three (3) Public School sites within Veridea, each having a minimum size of five (5) acres. Unless earlier purchased or leased by a School Authority, one (1) of such school sites shall be reserved by the Responsible Person upon the issuance of the 2,000th residential building permit within Veridea, and a similar reservation shall occur on the issuance of each of the 4,000th and 6,000th residential building permit within Veridea. Each area reserved should meet site design standards of a School Authority. Each such reservation shall exist for a period of ten (10) years, and during such period no permanent construction shall occur within the area reserved. The Public Schools constructed upon the areas so reserved shall be of a compact urban form and design appropriate for Veridea and meeting the standards of the State or the School Authority. There may be arrangements with the Town for the shared use of recreational facilities.

3.4.3 Resource Conservation – Environmental and Natural Resource Protection Standards

3.4.3.1 Resource Conservation Area ("RCA")

UDO 8.1, Resource Conservation, and other provisions of the UDO dealing with RCA not otherwise specifically dealt with in this SD Plan shall apply to the Development until the Environmental Enhancement Plan is adopted by Town Council in accordance with UDO 2.3.16.F) 3) b), except as follows:

a. UDO 8.1.2 A) shall apply to the Development as a whole as opposed to individual site plans or Subdivision Plans.

b. UDO 8.1.2 B) 2) f) shall not apply.

c. The maximum impermeable surface area shall be as listed in Table 14.

d. Notwithstanding UDO 8.1.3, Tree and Vegetation Conservation, the requirements for conservation of existing trees and vegetation and new landscaping requirements are set forth in Article 5.9 of the SD Plan.

e. Not including the land parcels to be dedicated to the Town pursuant to SD Plan 3.4.2.2, both: i) Open Space, excluding Civic Buildings and all associated parking, municipal parking lots, and parking associated with Open Space that exceeds the direct needs of such Open Space; and ii) recreation area provided in Public Space or Civic Space within the Development including, but not limited to, open space, pools, tennis courts, tot lots, ball fields, and village greens shall be allowed to be counted as partial credit toward the RCA requirement. The credit for such area shall be 50% of the area provided. (For example, 1 acre of area shall count as 0.5 acres of RCA) In order to qualify as RCA, the area must be located on a lot 0.5 acre or larger in size.

f. Notwithstanding UDO 8.1.2 A) 1) d), the provision of off-site RCA shall be provided at the same rate as the on-site RCA, and off-site RCA may be provided in lieu of on-site RCA.

3.4.3.2 Water

a. Stormwater Management

The Goals of Stormwater Management within Veridea are as follows:

i. Reducing pollutants to protect surface water bodies;
ii. Promoting recharge of ground water resources;
iii. Eliminating flooding within the Development and downstream;
iv. Enhancing safety and aesthetics for the public; and
v. Creating wildlife habitats and educational opportunities.

Specific stormwater management standards, technologies, devices and control structures for the Development shall work interdependently and holistically with the built and natural environment both on-site and off-site. The standards for Veridea's stormwater management shall be in

accordance with Town Standards. Further, to the extent practicable, low impact development ("LID") techniques such as bio-swales, vegetated channels, pervious pavement where appropriate, rainwater harvesting and "green" roofs to convey and treat runoff, may be used within the Development to the maximum extent practicable, based on the best available technology and research at the time of site plan and/or Subdivision Plan submission.

b. Water Conservation

The Goals of water conservation within Veridea are as follows:

i. Reducing per capita water use while retaining attractive landscapes;
ii. Protecting ground and surface water supplies from unsustainable depletion;
iii. Eliminating unnecessary waste in water use practices;
iv. Reducing wastewater treatment volume and associated municipal expenditures; and
v. Promoting the increased use of re-use water for irrigation.

Water conservation standards within the Development shall be in accordance with the Town of Apex Water Conservation Ordinance. Landscape plant materials shall be in accordance with NCDENR or North Carolina Cooperative Extension standards for drought tolerant, native species. Only re-use water, where practicably available, shall be used for landscape irrigation; however, where re-use water is not available, potable water use for landscape irrigation shall be used in accordance with the Town of Apex Water Conservation Ordinance.

c. Surface Water Enhancement

Encroachment on streams and associated riparian buffers will be unavoidable in some places in order to accomplish the Goals in light of the Guiding Principles. However, the Environmental Enhancement Plan, in accordance with 3.4.1 of the SD Plan, will be developed to provide for the protection and enhancement of the aquatic function of the surface water resources within the Development.

The Environmental Enhancement Plan will address surface water enhancement with the following objectives:

i. Maintaining water quality by capturing or controlling sediment, nutrients, and other pollutants to an extent that is equal to or better than would be the case if the encroachments did not occur;
ii. Maintaining the hydraulic conditions downstream to ensure that post-development peak flows do not exceed pre-development flows for the 1-year, 24-hour and 10-year, 24-hour storms, stream

channel stability is maintained or improved, increased sedimentation of the stream bed is avoided, and no increase in downstream flooding occurs;

iii. Maintaining or enhancing the aquatic ecosystem in order to restore or improve biodiversity;
iv. Augmenting low flow in order to improve downstream aquatic habitat;
v. Providing space and ecological conditions that maintain or enhance wildlife habitat and travel corridors;
vi. Constructing wetlands or enhancing naturally occurring wetlands; and
vii. Enhancing public use and enjoyment of the natural systems will be considered during the planning process.

3.4.3.3 Land

a. Sedimentation and Erosion Control

The Goals for sedimentation and erosion control are as follows:

i. Minimize disturbance to vegetation and soils;
ii. Minimize runoff and diversion;
iii. Minimize the need for additional storm drainage facilities;
iv. Reduce sedimentation; and
v. Prompt restoration after land clearing and grading.

Land disturbing activity within the Development shall comply with the Town of Apex Soil Erosion and Sedimentation Control Ordinance, as amended from time to time. The Town's standards related to the design of erosion and sedimentation collection devices for the 25-year storm and for the provision for 3,600 cubic feet per disturbed acre in sediment basins shall be implemented in the Development unless alternative design standards that are the functional equivalent or better are proposed by the Developer and approved by the TRC.

b. Waste Minimization

The Goals of waste minimization within Veridea are as follows:

i. Minimize the volume of demolition and construction waste generated in the Development;
ii. Distinguish between useful or reusable resources in demolition materials and waste materials from demolished buildings; and
iii. Expand the market for recycled construction and demolition materials.

The waste minimization standards shall support the following solid waste goals identified in the Wake County Environmental Stewardship Agenda, adopted by the Wake County Board of Commissioners February 21, 2005

and as may be amended from time to time:

i. Ensuring a solid waste management system for waste reduction, reuse and recycling to the maximum extent practicable;
ii. Providing convenient opportunities for residents, institutions, and businesses to recycle a full range of marketable materials (including yard debris), and to properly dispose of waste requiring special handling (e.g., used motor oil, household hazardous wastes, pesticide containers, automobile batteries, electronic waste, and others);
iii. Offering incentives, disincentives, and policies that motivate residents, businesses, and institutions to reduce and recycle waste, including institution of a countywide construction and demolition debris mandatory recycling ordinance;
iv. Devising an efficient recovery and processing infrastructure with the capacity to collect and divert from disposal all recyclable materials that have reliable market outlets;
v. Supplying accessible, user-friendly information to all citizens on how to reduce and recycle waste in their homes, places of work, and places of learning;
vi. Devising an expanded recycled products purchasing program with formal policies on procurement of products with recycled content and other "green" products by participating Wake local governments; and
vii. Working with Environmental Education and Environmental Information Providers to develop effective programs and services for a variety of County audiences on the importance of reducing, reusing, and recycling solid waste; buying recycled products and creating new and local markets; and reducing personal consumption and/or disposal of material goods and/or packaging.

Specifications of building and site work material may include recycled content requirements consistent with industry standards, including but not limited to, aggregate base and sub-base materials, asphalt, concrete, and finishes.

3.4.3.4 Air

The SD Plan for Veridea is grounded in the belief that the most effective planning Strategy to reduce greenhouse gas emissions is the pursuit of a dense, mixed-use, walkable and ultimately transit-oriented development. Greenhouse gas emissions are associated with both transportation and the total energy demands of the built environment. By targeting the expected growth within an area that can be served best by the municipality's ability to provide and afford municipal services, by balancing the land uses within the community, and by designing the community in conjunction with multi-modal transportation, a walkable, livable community such as Veridea can be created as a model of Sustainability.

Further, the creation of such a community concentrates development and attracts development that otherwise would occur outside of Veridea in a

sprawl-like manner that is inherently less Sustainable.

The SD Plan recognizes that the technologies and practices associated with the reduction of greenhouse gas emissions are evolving. Accordingly, in recognition of the impacts of greenhouse gas emissions and in an effort to minimize such emissions, transportation planning at all scales shall be approached and implemented in a manner that encourages the pattern of development defined within the Sustainable Development Plan.

The Goals for Air Quality within Veridea are as follows:

a. Establish a connected circulation plan that uses an integrated network of Thoroughfares, sidewalks, and paths linked to land uses with convenient access to alternative modes of travel including rail, bus, and walking to increase community internal trip capture and reduce vehicular trip generation and vehicle miles traveled in order to lower overall emissions and traffic congestion in otherwise heavily traveled areas.

b. Incorporate Transit Oriented Development in conjunction with a parking management Strategy within a mixed-use community, linked to a growth area to increase pedestrian and bicycle traffic, and transit share while reducing vehicle miles traveled.

c. Provide open space and landscaping within the Development to maintain a significant carbon absorbing medium.

d. To the extent practicable, comply with applicable EPA emission goals for the operation of non-road diesel engines.

3.5 TRANSPORTATION INFRASTRUCTURE STANDARDS

3.5.1 General

The transportation infrastructure standards set forth herein, a component of the Sustainability Standards, shall adhere to the Principles described and depicted throughout this Sustainable Development Plan.

Transit Oriented Development in conjunction with a parking management Strategy within a mixed-use community, linked to a growth area, has been proven to be very effective in increasing pedestrian and bicycle traffic and transit share while reducing vehicle trips and vehicle miles traveled. By establishing a connected circulation plan that uses an integrated network of Thoroughfares, sidewalks, and paths linked to land uses with convenient access to alternative modes of travel including rail, bus, and walking, community internal trip capture is significantly increased. One significant advantage of Sustainable Urbanism is that it reduces sprawl and the need to drive. Reduction in vehicular trip

generation and vehicle miles traveled lowers overall emissions and limits traffic congestion in otherwise heavily traveled areas. A second significant advantage of a connected circulation plan is that public safety is enhanced when the plan is based upon an integrated network of Thoroughfares that provides alternative routes from one destination to another, and that is designed to industry recognized criteria to reduce the performance speed of Thoroughfares and provides enhanced pedestrian safety.

a. Transportation Demand Management Plan

The SD Plan incorporates TDM strategies into the plan. The SD Plan provides for a compact mixed-use development with an efficient, connected multi-modal transportation network, key components of any TDM plan. The integration of land use and transportation decisions increases travel efficiencies and change travel behavior. This results in less auto dependence and an increase in use of other modes of transportation. TDM strategies will be applied to all levels of the land development process including long-range actions implemented after the land is developed. The Responsible Person shall prepare a Transportation Demand Management Plan outlining transportation options and incentives to be reviewed and, if feasible, developed, and setting the strategic framework for implementation. The options to be reviewed include:

i) Ridesharing;

ii) Telecommuting/flex time;

iii) Bicycle and pedestrian planning;

iv) Park and ride facilities;

v) Parking management;

vi) Shuttle bus;

vii) Bus/bus rapid transit;

viii) Car sharing; and

ix) Regional public transit.

The TDM Plan shall be submitted by the Responsible Person for approval by the Town, in accordance with UDO 2.3.16 F) 3) a) prior to or concurrent with the submittal of the first site plan that varies any standards related to parking set forth in the UDO. In accordance with UDO 2.3.16 F) 3) a) and the provisions of UDO 2.3.2 applicable to amendment to text, the TDM Plan may be updated or modified as the build-out of the Development occurs. Because preparation of the TDM Plan is triggered by the occurrence of development within Veridea, the TDM Plan is not required for the purposes of UDO 2.3.16 F) 3) b).

Parking planning and management refers to various policies and programs that result in more efficient use of parking resources. It recognizes that too much parking supply can be as damaging as too little and seeks to provide an optimal parking supply. A Parking Management Plan will be utilized in the B-Grid and

NG Zones. The plan shall address spillover parking for Commercial uses when located near single family development. The plan shall be submitted or updated as needed for site plans in the B-Grid and NG Zones.

3.5.2 Alternative Thoroughfare Standards

a. Thoroughfares shall conform to the *Apex Transportation Plan* to provide for the appropriate projection of principal streets in surrounding areas to permit reasonable access for surrounding properties. The exact placement of the streets and Thoroughfares within the plan may be adjusted. In areas within the Development, Thoroughfares shall be designed and located in proper relation to existing and proposed streets, to the topography of the area, and to natural features.
b. Thoroughfares in their construction shall conform to Town Standards except as noted within the SD Plan. Exceptions to Town Standards set forth in the SD Plan may be used by right, as an alternative to the Town Standards available. Exceptions are as listed hereafter or as provided elsewhere in this SD Plan:

    i. Section 3 *Streets of the Standard Specifications* shall apply except for the dimensional and other standards of 3.02b *Pavement & Right-of-Way Widths*, 3.02d *Radii of Curvature* and 3.02e Tangents, all of which shall be modified by the SD Plan, including but not limited to Tables 3A, 3B, 4A, 4B, and 4C, subject to TRC review and approval as to their application within the site plans or Subdivision Plans.
    ii. The dimensional standards of Standard Detail Number 3.01 *Street Typical Sections*, Sheets 1 through 4 shall be modified by this Sustainable Development Plan and Tables 3A, subject to TRC review and approval as to their application within the site plans or Subdivision Plans.
    iii. The location of utilities as shown on Standard Detail Number 3.10 *Standard Street Cross Section Showing Utility Locations* may be adjusted to permit street trees and utility locations in the Rear Alleys and Rear Lanes. Due to the anticipatory nature of the design of the Development, additional utilities, both public and private, may be incorporated into the right-of-way as the technology becomes available. Regulated utilities shall be permitted within the Thoroughfare right-of-way to include the District Utility Zone as illustrated in Table 4D.
c. In the event that Thoroughfares as identified in Table 4C do not meet the approval of the North Carolina Department of Transportation (“NCDOT”) for the design of thoroughfares under NCDOT’s jurisdiction, an alternative acceptable to the Responsible Person, the TRC and NCDOT may be utilized.
d. Thoroughfares shall be included as part of each Sustainable Zone.

e. Thoroughfares should be laid out in such manner as to encourage the flow of vehicle traffic at very low to low design speed, except upon major Thoroughfares, and to encourage pedestrian circulation. Public Sidewalks shall be required along all public streets except when the TRC approves an alternative plan during the site plan and construction plan review process upon its determination that the alternative plan, viewed in the context of surrounding development, adequately accommodates pedestrian connectivity. The street classifications shown on Tables 4B and 4C shall be used as guidance for sidewalk placement when possible. If determined by the TRC to provide an equal or better pedestrian system, Bicycle Trails may be allowed in lieu of some sidewalks within the Development. In addition to the requirements of Articles 3.5.1 and 3.5.2.b, the layout of thoroughfares and intersections will reasonably allow for emergency vehicle access. This may require an evaluation of emergency routes and turning radii during the site and construction plan review process. The TRC may consider alternative design elements and refer to third party published sources of information in order to minimize impacts to the intended character of the Development while accommodating emergency vehicles.

f. Private Thoroughfares and sidewalks may be allowed for Commercial, Manufacturing, and multi-family residential uses that conform to widths shown in Tables 4B and 4C, provided however that a five (5) foot public access easement will be provided on all private sidewalks fronting public Thoroughfares.

g. Rear Alleys and Rear Lanes shall be allowed that conform to widths shown in Tables 4B and 4C. Where required for public access and public utilities, continuous and/or crossing easements shall be provided for private Thoroughfares and/or sidewalks.

h. Right-of-way widths may be adjusted to the back of curbs during the site plan and construction plan review process. If the right-of-way does not extend beyond the back of curbs, public access and utility easements shall be provided to cover areas along the public street and Thoroughfare that allow for safe and adequate pedestrian flow and maintenance areas.

i. Design Standards for thoroughfare assemblies with reverse curves shall comply with the AASHTO Policy on Geometric Design of Highways and Streets, latest edition.

j. Thoroughfare standards may, at the election of the Responsible Person, include additional or elective regulations and standards, if any, adopted at any time and from time to time by Town Council in accordance with UDO 2.3.16 F) 3) a) or 2.3.16 F) 3) c).

3.5.3 Traffic

a. The Development and each Project will be designed to:
    i. Reduce vehicle miles traveled;
    ii. Increase share of alternative modes of transportation;
    iii. Reduce external trips; and

iv. Facilitate and encourage pedestrian and bicycle traffic.

b. Master Traffic Impact Analysis: A Master Traffic Impact Analysis ("Master TIA") will be prepared for Veridea. The Master TIA will address the maximum densities and allowable building square footage of various uses in the SD Plan along with recommended off-site thoroughfare improvements at the build-out of Veridea. Thoroughfare and associated improvements beyond those recommended in the Master TIA that are outside of the study area will be the responsibility of other developers or entities. Thoroughfare and associated improvements required as a direct result of other developments or background growth outside the scope of the Master TIA shall not be the responsibility of the Developer. However, internal improvements needed to serve site plans within Veridea will be identified when additional analyses are conducted.

The Developer shall provide Thoroughfare and associated improvements as recommended in the Master TIA. Additional traffic impact analyses ("TIAs") will be conducted for each major site plan or major Subdivision Plan required to serve Veridea, and Section 13.19 of the UDO shall be used as a guide for preparing the TIAs. TIAs shall be performed only for projects meeting the major site or subdivision plan threshold set forth in Article 3.3.1.b hereof. The study area of each TIA shall encompass all necessary street intersections internal to the Development but shall rely on the Master TIA for improvements along NC 55 and the proposed interchanges on the Triangle Expressway and US 1 external to the Development.

The Town shall have no obligation to provide financial assistance for the planning, design, permitting, acquisition of right of way, or construction of the following roadway improvements: i) those identified in the Master TIA; ii) those identified in the Article 3.5.5.a-g hereof; and iii) those identified in subsequent TIAs for each major site plan or major Subdivision Plan. Notwithstanding the foregoing, it is acknowledged that the Town may provide right of way that it currently owns for the new US 1 Interchange identified in the Master TIA and shown on the Town's Thoroughfare Plan.

c. Public Transit: A Regional Public Transit System may be accommodated and encouraged within the Development. Bus circulation shall be accommodated and encouraged within the Development. Optimally, the pedestrian network will provide direct pedestrian links from the proposed residential units, Offices and other commercial buildings to designated transit stops. Triangle Transit standards for bus stop amenities shall serve as a guideline. Access to the Regional Public Transit System by the adjacent pedestrian and bicycle network and park and ride facilities is an important component of the transit system. As noted in SD Plan 3.5.1.a, the TDM Plan will address bicycle and pedestrian planning as well as park and ride facilities.

d. Land Reservation: Land shall be reserved for the future Regional Public Transit System within Veridea. With regard to the Regional Public Transit System alignment and associated rights of way ("ROW") outside of Veridea, the location along Veridea's perimeter where the Regional Public Transit System will enter and exit Veridea in the vicinity of the interchange of US 1 with the Triangle Expressway will be determined by Triangle Transit, and/or other regional transit organization, and/or the Town. As Veridea is developed, site plans and Subdivision Plans will be shared with Triangle Transit, and/or other relevant regional transit organization, to assist such entities in the planning for and selection of the final alignment of the Regional Public Transit System.

The reservation of land to accommodate the Regional Public Transit System will be made as follows:

i. Land shall be reserved in a manner consistent with the development pattern of the Sustainability Zone in which it resides, and may overlap dedications made for other public uses such as Thoroughfares and utilities as long as the overlap is not contrary to sound planning and engineering practice that ensures that the reservation and dedication are sufficient for all planned infrastructure;
ii. Reservation shall include an area for transit station functions which shall be located within a UC zone, and shall be reserved in a manner that is in keeping with an urban development pattern of that zone as defined by the SD Plan, and may overlap reservations and, dedications made for other public uses such as Thoroughfares and utilities as long as the overlap is not contrary to sound planning and engineering practice that ensures that the reservation and dedication are sufficient for all planned infrastructure;
iii. Determination of the form, character, location, and relationship to adjacent development, relationship to other reservations and/or dedications and dimensions shall occur during site planning jointly by the Responsible Person, the TRC or Town Council, as appropriate.
iv. The reservation of land will prohibit permanent development within the designated reserve area until 2035 at which time, if there are no plans that financially commit the Triangle Transit, and/or other regional transit organization, and/or the Town to implement a regional rail plan that includes the Development, the Responsible Person may consider the reservation null and void.
v. Land reserved hereunder will be dedicated to Triangle Transit, and/or other regional transit organization, and/or the Town once the applicable entity secures funding and commits to construct the Regional Public Transit System within the Development.

vi. Buildout of any of single land use of the three (3) uses identified in Article 4.2.2.b.i-iii shall not exceed 85% of the total authorized development for the respective use, unless Town Council otherwise approves in accordance with UDO 2.3.16 F) 3) a), until the commencement of a Regional Public Transit System that will serve Veridea.

3.5.4 Schedule of Installation

Transportation infrastructure shall be completed in accordance with UDO 7.5.9. For the purposes of UDO 7.5.9, vertically-integrated residential and non-residential uses will be considered non-residential.

3.5.5 Phasing of Traffic Infrastructure

Traffic infrastructure shall be developed as build-out of Veridea occurs, as set forth herein. Percent build-out of "any single land use" refers to a percentage of building permits for residential dwelling units or certificates of occupancy for non-residential uses for the three (3) different uses identified in Article 4.2.2.b.i– iii hereof.

a. NC 55 at US 1 Northbound Ramps

Veridea shall not exceed 10% build-out of any single land use until the northbound inside right turn lane on NC 55 at US 1 is extended back to the intersection with Lufkin Road.

b. NC 55 at Lufkin Road

Veridea shall not exceed 10% build-out of any single land use until the third (3rd) northbound through lane on NC 55, starting at least 500 feet in advance of Lufkin Road, is constructed.

c. NC 55 at Lufkin Road Connector (Pristine Water Drive)/Site Access 1

Access shall not be granted to NC 55 through the fourth leg of the intersection across from the Lufkin Road Connector/Pristine Water Drive (Site Access 1) until the Lufkin Road Connector and Pristine Water Drive are complete and open to traffic. The Lufkin Road Connector includes a new location extension to Lufkin Rd and paving of Pristine Water Dr with improvements according to the Master Traffic Impact Analysis (Master TIA) including a landscaped median-divided cross section on NC 55 with a traffic signal.

d. Site Access 2, 3, 4, 5, 6, and 7

Access shall not be granted to NC 55 through Site Access 2, 3, 4, 5, 6, or 7 until improvements according to the Master TIA at the corresponding access are constructed including a landscaped median-divided cross section on NC 55.

e. NC 55 at Jessie Drive Extension

Access shall not be granted to NC 55 through Jessie Drive extension until improvements for Veridea according to the Master TIA are constructed including a landscaped median-divided cross section on NC 55 and a traffic signal.

f. NC 55 at Technology Drive

Access shall not be granted to NC 55 through Technology Drive until Technology Drive is widened to four-lane divided roadway and the departing second (2nd) eastbound through lane along NC 55 Business is constructed for a minimum of 1000 feet prior to the lane drop. In addition, access shall not be granted to NC 55 through Technology Drive until a second (2nd) northbound left turn lane and second (2nd) southbound left turn lane on NC 55 is open to traffic.

g. Perry Road at US 1 Interchange and Old Holly Springs Apex Road at Triangle Expressway Interchange

i. Veridea shall not exceed 15% build-out of any single land use until either the interchange of Perry Road at US 1 or the interchange of Old Holly Springs Apex Road at Triangle Expressway is open to traffic.

ii. Veridea shall not exceed 50% build-out of any single land use until both the interchange of Perry Road at US 1 and the interchange of Old Holly Springs Apex Road at Triangle Expressway are open to traffic.

iii. The Responsible Person shall coordinate with the NC Department of Transportation (NCDOT) and the Town of Apex to determine the appropriate phasing of completion of the ultimate lane geometry and signalization at the ramp termini as recommended in the Master TIA. The phasing plan for the ultimate build-out of improvements shall be determined through subsequent site plan and subdivision plan TIAs referenced by 3.5.3.b.

3.6 UTILITY INFRASTRUCTURE STANDARDS

3.6.1 General

Water and sanitary sewer lines with connections to municipal systems, adequate drainage system for the proper drainage of all surface water, and dry utilities, including but not limited to, electrical distribution, natural gas, and telecommunication lines shall be provided in accordance with the Town Standards, unless otherwise noted in Article 3.6.2. Dry utilities, wherever practicable, shall be installed underground.

3.6.2 Alternative Utility Standards

a. At the election of the Responsible Person, standards and requirements applicable to utilities in the Development may include any additional Sustainability Standards adopted by the Town Council in accordance with UDO 2.3.16 F) 3) a) or 2.3.16 F) 3) c).
b. Easement encroachments and shared use easements shall be allowed with the approval of the Town Council to minimize land disturbance and Thoroughfare sections, to encourage joint trenching agreements, and to maximize the beneficial use of easements for greenway trails at the time of site plan and Subdivision Plan submittal.

3.6.3 Schedule of Installation

Utility infrastructure shall be completed in accordance UDO 7.5.9. For the purposes of UDO 7.5.9, vertically-integrated residential and non-residential uses will be considered non-residential.

3.6.4 Regional Utility Standards

a. Potable Water
It is anticipated that off-site extension of existing potable water mains will be required. Within the Development, a network of potable water mains will be required. Potable water infrastructure for the Development shall be in accordance with the Town's Water Distribution System Master Plan and Cross Connection Control Ordinance (Sec. 12-156 through 166), as amended from time to time.
b. Reclaimed Water
The Developer may request that the Town apply to NCDENR for conjunctive systems permit in order to modify the Middle Creek Water Reclamation Facility ("WRF") to provide a source of reclaimed water for use within the Development. If such permit is issued, then water re-use distribution infrastructure may be provided within the Development to provide a circulation network of water for non-potable uses, including fire suppression. Standards and specifications related to reclaimed water shall comply with rules and regulations as promulgated, established and interpreted by NCDENR and Town Standards, if any. It is anticipated that any reclaimed water that is not consumed in the reuse options available will be discharged within the Development in accordance with applicable law and regulation.

If and when the Town adopts standards for the permitting, construction, modification and operation of reclaimed water distribution lines, the Town shall work cooperatively with Veridea to ensure that the standards allow for all actual or planned for uses within the Development. Should public reuse water become available to the Development through the Town of Apex, the Town specifications and details will be the authority for design, ownership and maintenance issues within Town right-of-way.

c. Sanitary Sewer
In all cases, Veridea shall follow the Town's Wastewater Master Plan, as may be amended from time to time. If a conjunctive systems permit is issued for the Middle Creek WRF as set forth in 3.6.4.b hereof, then the Town's Wastewater Master Plan may be amended to allow for wastewater generated within the Development to discharge to the Middle Creek WRF. If a conjunctive systems permit is not issued for the Middle Creek WRF, then wastewater generated within the Development shall be treated in accordance with the Town's Wastewater Master Plan.

d. Electric and Thermal
If a Renewable Energy Facility is available, distribution lines may be provided to provide an alternate source to meet power and thermal demands within the Development.

3.7 ENERGY STANDARDS

3.7.1 Renewable Energy

The Goals for the use of Renewable Energy Facilities and Renewable Energy Resources within Veridea are as follows:

i. Removing regulatory obstacles and adopting streamlined processes for the installation and safe interconnection of renewable energy technologies;
ii. Creating a receptive environment for innovative uses of Renewable Energy Facilities;
iii. Providing for use of shared non-polluting Renewable Energy Resources to reduce climate change and greenhouse gas emissions; and,
iv. Enhancing the opportunity for increased development of Renewable Energy Facilities and Renewable Energy Resources in the future to increase energy independence;

The use of Renewable Energy Facilities shall be allowed. Renewable energy standards, a component of the Sustainability Standards, shall be consistent with generally accepted industry standards and best practices, recognizing that relevant technology and standards are evolving. Such standards include, but are not limited to, priorities, standards, and practices developed by entities such as the American Society of Heating, Refrigerating and Air-Conditioning Engineers ("ASHRAE"), Environmental Protection Agency ("EPA"), and the Department of Energy ("DOE"), and requirements for interconnection and other associated safety metrics.

3.7.2 Energy Efficiency

The goals for energy efficiency within Veridea are as follows:

i. Encourage the use of energy efficient technologies and design to fully maximize the use of existing generation capacity;
ii. Encourage environmental stewardship through reduction in energy use;
iii. Encourage local investment in efficiency as a substitute for out-of-state resources;
iv. Promote an overall reduction in energy demand to ensure reliability of supply in the face of increased population and to preserve affordability in the face of rising costs imposed by carbon constraints; and
v. The improvement of energy performance by 20% compared to baseline building performance ratings per ASHRAE/ IESNA Standard 90.1-2004.

The use of technologies and designs intended to maximize energy efficiency shall be consistent with generally accepted industry standards and best practices, recognizing that relevant technology and standards are evolving. Such standards include, but are not limited to guidelines developed by the US Green Building Council (USGBC), ASHRAE, EPA, and DOE.

3.8 NO OBLIGATION

3.8.1 No Obligation

Nothing in this SD Plan obligates the Town to provide any financial assistance with respect to any infrastructure or improvements referenced herein, nor shall it prohibit the Town from doing so.

ARTICLE 4.0 COMMUNITY DESIGN STANDARDS

4.1 GENERAL

4.1.1 Development shall comply with the community design standards, a component of the Sustainability Standards, set forth in this Article.

4.1.2 Subdivision Plans and site plans shall be prepared in accordance with the SD Plan.

4.1.3 Site plans and Subdivision Plans shall designate areas and elements as follows:

a. Sustainable Zones:
   i. **OS** Open Space
   ii. **NG** Neighborhood General
   iii. **NM** Neighborhood Mixed-Use
   iv. **VC** Village Center
   v. **UC** Urban Core
b. Civic Uses; and
c. Thoroughfares.

The respective Sustainable Zones are described in Table 1.

4.1.4 It is possible that as the build out of the Development occurs, the Town Council may adopt elective regulations and standards applicable to SD-CZ districts pursuant to UDO 2.3.16 F) 3) c).

4.1.5 Open Space is one of the Sustainable Zones, and will exist both as an independent Zone as well as being integrated into and completely surrounded by other Sustainable Zones.

4.2 VERIDEA SUSTAINABLE DEVELOPMENT CONCEPT MAP

4.2.1 Veridea Sustainable Development Concept Map

Table 2 contains the Veridea Sustainable Development Concept Map (Concept Map), which depicts a concept for the development of Veridea and the conceptual location of its Sustainable Zones. The Concept Map depicts the configuration of land uses believed to be appropriate for Veridea. However, based on future planning, market and demographic conditions, the Sustainable Zones may be located anywhere within the Development as determined by the Responsible Person. The Responsible Person may revise the Concept Map from time to time and shall provide the TRC with a copy of each revision. The development of Veridea shall include the following minimum acreages with respect to the Sustainable Zones noted:

NG	Neighborhood General	75 acres
NM	Neighborhood Mixed-Use	50 acres
VC	Village Center	215 acres
UC	Urban Core	135 acres

The VC and UC Zones shall contain a minimum of 150 acres allocated as A-Grid Zones. Further, a minimum of 250 acres within Veridea shall be designated as provided in Article 3.1.3 hereof.

4.2.2 Land Use Locations and Densities

a. Land uses and Densities allowed in each Sustainable Zone are set forth in Article 7 Tables. Such land uses can be located anywhere within the respective Sustainable Zones.
b. For purposes of the SD Plan, Density is expressed in terms of housing units per acre for residential uses and as FAR for other uses as specified for the area of each respective Sustainable Zone in Table 14. The FAR for each Sustainable Zone is set as an average Density for the zone. Areas designated for Open Space, utilities infrastructure, Thoroughfares and other transportation infrastructure, such as a Regional Public Transit System, may be allocated from time to time by the Responsible Person to any other area or areas for the purpose of calculating authorized Density for the area or areas receiving the allocation. The Responsible Person shall have the authority to reallocate the authorized square footage numbers of the Non-residential Uses within Article 4.2.2.b.ii and iii on a square foot-for-square foot basis; provided, however, that the Responsible Person may only increase or decrease the Retail square footage by up to 20% subject to the limitation that the reallocation shall not result in a total daily vehicular trip generation for Veridea that exceeds the maximum daily vehicular trip generation that served as the basis for the Master TIA. Any further increase related to retail must be approved by Town Council in accordance with UDO 2.3.16 F) 3) a. In addition to the total authorized development provided below, Public, Civic, Utilities, Recreational and Lodging Uses are authorized to support the total authorized development set forth in Article 4.2.2.b.i, ii, and iii. In the event that additional parcels are incorporated into the Veridea Sustainable Development District, the total authorized development hereinafter provided shall be adjusted in accordance with UDO 2.3.16 D).

The total authorized development for the Development shall be as follows:

i.	Authorized Number of Dwelling Units (all types)	8,000
ii.	Authorized Retail Uses (gross leasable area)	3,500,000 Square Feet
iii.	Authorized Office and Industrial Uses (gross floor area)	12,000,000 Square Feet

4.2.3 The Sustainable Development Concept Map designates VC and UC zones as being either A-Grid or B-Grid. Subsequent approved site plans and Subdivision Plans shall confirm or modify such zones as called for in the SD Plan, and shall designate Thoroughfares within the VC and UC zones as being either A-Grid or B-Grid.

a. Buildings and frontages along the A-Grids shall reflect multi-modal and pedestrian standards of the SD Plan supporting pedestrian activity.

Thoroughfares within an A-Grid Zone may be developed according to B-Grid standards subject to the following special and limiting conditions:

i. Transition conditions within A-Grid Zones to adjacent B- Grid Zones; and

ii. Small internal Thoroughfares of limited length to respond to a specific condition of the site or a use. Notwithstanding these special and limiting conditions, no more than 15% of the aggregate length of Thoroughfares within an A-Grid Zone may be designated as a B-Grid and follow B-Grid standards. Location and other specifics of such B-Grid Thoroughfares shall be addressed within site plans.

b. Buildings and frontages along the B-Grids may reflect automobile- oriented standards. B-Grids may be developed in whole or in part to A-Grid standards. It is the goal that B-Grid zones eventually become redeveloped as A-Grids. Therefore, site plans for B-Grids shall reflect in their planning and site engineering this goal by:

i. Establishing a B-Grid Thoroughfare grid and therefore a block layout that can be redeveloped into smaller blocks exhibiting the characteristics of an A-Grid;
ii. Establishing the B-Grid Thoroughfares in such a manner that they can be redeveloped into A-Grid Thoroughfares and frontages; and
iii. Locating utilities and site features so that they will not prohibit the establishment of an A-Grid development pattern, and do so without significant redesign or cost impacts. Site plans for B- Grid zones shall depict both the B-Grid configuration, and conceptually reflect how the B-Grid configuration may be redeveloped into an A-Grid.

4.2.4. Development Thresholds

In order to create and maintain a mix of uses as the buildout of Veridea occurs, the following requirements shall be applicable to development within Veridea, unless otherwise provided by the Town Council at the request of the Responsible Person:

Threshold 1: Certificates of Occupancy shall not be issued for more than 10% (1,200,000 sf) of the total authorized Office and/or Industrial square footage or more than 20% (700,000 sf) of the total authorized Retail square footage unless and until building permits have been issued for dwelling units. Similarly, building permits for no more than 20% (1,600 units) of the total authorized dwelling units can be issued until Certificates of Occupancy have been issued for at least 2% (70,000 sf) of the total authorized retail square footage and 2% (240,000 sf) of the total authorized Office and/or Industrial square footage.

Threshold 2: Certificates of Occupancy shall not be issued for more than 25% (3,000,000 sf) of the total authorized Office and/or Industrial square footage or more than 50% (1,750,000 sf) of the total authorized Retail square footage until building permits have been issued for at least 5% (400 units) of the total authorized dwelling units. Similarly, building permits for no more than 37.5%(3,000 units) of the total authorized dwelling units can be issued until Certificates of Occupancy have been issued for at least 10% (350,000 sf) of the total authorized Retail square footage and 5% (600,000 sf) of the total authorized Office and/or Industrial square footage.

Threshold 3: Certificates of Occupancy shall not be issued for more than 50% (6,000,000 sf) of the total authorized Office and/or Industrial square footage or more than 60% (2,100,000 sf) of the total authorized Retail square footage until building permits have been issued for at least 15% (1,200 units) of the total authorized dwelling units. Similarly, building permits for no more than 60% (4,800 units) of the total authorized dwelling units can be issued until Certificates of Occupancy have been issued for at least 25% (875,000 sf) of the total authorized Retail square footage and 10% (1,200,000 sf) of the total authorized Office and/or Industrial square footage.

Threshold 4: Certificates of Occupancy shall not be issued for more than 70% (8,400,000 sf) of the total authorized Office and/or Industrial square footage or more than 80% (2,800,000 sf) of the total authorized Retail square footage until building permits have been issued for at least 40% (3,200 units) of the total authorized dwelling units. Similarly, building permits for no more than 80% (6,400 units) of the total authorized dwelling units can be issued until Certificates of Occupancy have been issued for at least 40% (1,400,000 sf) of the total authorized Retail square footage and 25% (3,000,000 sf) of the total authorized Office and/or Industrial square footage.

Threshold 5: Certificates of Occupancy shall not be issued for more than 85% (10,200,000 sf) of the total authorized Office and/or Industrial square footage (or more than 85% (2,975,000 sf) of the total authorized Retail square footage until building permits have been issued for at least 50% (4,000 units) of the total authorized dwelling units. Similarly, building permits for no more than 85% (6,800 units) of the total authorized dwelling units can be issued until Certificates of Occupancy have been issued for at least 50% (1,750,000 sf) of the total authorized Retail square footage and 40% (4,800,000 sf) of the total authorized Office and/or Industrial square footage.

Threshold 6: See the requirements set forth in SD Plan 3.5.3.d.vi and 4.2.2.b.

The foregoing requirements are illustrated by the tables below:

RESIDENTIAL CONTROL

	Minimum Required	
DU BP's	**Retail SF C/O's**	**O&I SF C/O's**
1 - 1,600	0	0
1,601 - 3,000	70,000	240,000
3,001 - 4,800	350,000	600,000
4,801 - 6,400	875,000	1,200,000
6,401 - 6,800	1,400,000	3,000,000
6,801 - 8,000	1,750,000	4,800,000

RETAIL CONTROL

	Minimum Required	
Retail SF C/O's	**DU BP's**	**O&I SF C/O's**
0 - 700,000	0	0
700,001 - 1,750,000	1	0
1,750,001 - 2,100,000	400	0
2,100,001 - 2,800,000	1,200	0
2,800,001 - 2,975,000	3,200	240,000
2,975,001 - 3,500,000	4,000	240,000

O&I CONTROL

	Minimum Required	
O&I SF C/O's	**DU BP's**	**Retail SF C/O's**
0 - 1,200,000	0	0
1,200,001 - 3,000,000	1	0
3,000,001 - 6,000,000	400	0
6,000,001 - 8,400,000	1,200	0
8,400,001 - 10,200,000	3,200	70,000
10,200,001 - 12,000,000	4,000	70,000

Although the foregoing tables are intended to illustrate the preceding text, the text shall control the construction of this Article 4.2.4.

4.3 SUSTAINABLE ZONES

4.3.1 Sustainable Zones, as shown on the Sustainable Development Concept Map shall have the character described in Table 1.

4.3.2 Open Space (OS) consists of lands approximating or reverting to a natural condition and farmland, parks, greenways, Civic Uses, utility corridors and easements, and waterways or water bodies, including lands unsuitable for development due to topography, hydrology and/or vegetation.

a. Open Space includes areas protected by law or regulation, as well as land designated for conservation.
b. Open Space shall be identified in site and Subdivision Plans approved for the Development. Upon the approval of a subdivision or site plan designating an area Open Space, such area may be conveyed in fee or by easement to (i) an entity created by law to hold interests in property designated for conservation purposes, or (ii) to a property owners association formed, in part, for such purpose, or (iii) to a public entity.
c. Land area within Open Space may be used in calculating the Density of a Project.
d. Open Space is an independent Sustainable Zone and will also be integrated into other Sustainable Zones.

4.3.3 Neighborhood General (NG) consists of low Density residential areas, adjacent to higher Density zones that consist of some Mixed Use. Home occupations and Outbuildings are allowed. Planting is naturalistic and Setbacks are relatively deep. Blocks may be large and the Thoroughfares irregular to accommodate natural conditions.

4.3.4 Neighborhood Mixed-Use (NM) consists of Mixed Uses within a medium to high Density residential urban fabric. It may have a wide range of building types: single, sideyard, rowhouses, and apartments. Setbacks and landscaping are variable. Thoroughfares with curbs and sidewalks define medium-sized blocks.

4.3.5 Village Center – A-Grid (VC A-Grid) consists of higher Density Mixed Use buildings that accommodate retail, Office, rowhouses and apartments. It has a tight network of Thoroughfares, with wide sidewalks, steady street tree planting and buildings set close to the sidewalks.

4.3.6 Village Center – B-Grid (VC B-Grid) consists of larger block sizes, and larger format uses supporting regional users. It has a coarse network of Thoroughfares, with sidewalks and steady street tree planting.

4.3.7 Urban Core – A-Grid (UC A-Grid) consists of the highest Density and height, with the greatest variety of uses, and civic buildings of regional importance. It may have larger blocks; Thoroughfares have steady street tree planting and buildings are set close to wide sidewalks.

4.3.8 Urban Core – B-Grid (UC B-Grid) consists of the highest Density and height, with predominantly Office, lab, and research uses. It may have larger blocks; streets have steady street tree planting and buildings may be set back from the sidewalks.

4.4 CIVIC USES

4.4.1 General

a. Space for Civic Uses shall be designated on the Sustainable Development Concept Map as Civic Space (CS) and Civic Building (CB) as Subdivision Plans and site plans are approved for the Development.
b. Civic Space (CS) shall denote public sites supportive of or ancillary to Civic Buildings or sites permanently dedicated to Open Space.
c. Civic Building (CB) shall denote sites for buildings primarily operated by governmental or not-for-profit organizations dedicated to Functions such as culture, education, religion, government, transit and municipal parking.

4.4.2 Civic Space (CS) Specific to NG, NM, VC, and UC Zones

a. Civic Spaces shall be designed as generally described in Table 13 and distributed throughout Sustainable Zones as described in Table 14e.

4.5 THOROUGHFARE STANDARDS

4.5.1 General

a. Thoroughfares are intended for use by vehicular and pedestrian traffic and to provide access throughout the Development.
b. Thoroughfares shall consist of vehicular lanes and Public Frontages. Walkways shall be in accordance with Table 4B.
c. Thoroughfares shall be designed in context with the desired vehicular design speed of the Sustainable Zones through which they pass. The Public Frontages of Thoroughfares that pass from one Sustainable Zone to another shall be adjusted accordingly or, alternatively, the Sustainable Zone may follow the alignment of the Thoroughfare to the depth of one Lot, retaining a single Public Frontage throughout its course.
d. Within areas designated as B-Grid Zones, pedestrian use shall be a secondary consideration of the Thoroughfare. Design conflict(s) between vehicular and pedestrian traffic generally shall be decided in favor of the vehicle. Within the more urban A-Grid Zones, pedestrian use shall be a primary consideration of the Thoroughfare. Design conflict(s) between vehicular and pedestrian movement generally shall be decided in favor of the pedestrian.
e. The Thoroughfare network shall be designed to define Blocks not exceeding the size indicated in Table 14. The perimeter shall be measured as the sum of Lot Frontage Lines.

f. Street trees shall satisfy traffic calming measures required within the Development.
g. Thoroughfares shall terminate at other Thoroughfares, forming a network. Internal Thoroughfares shall connect wherever practicable to those on adjacent sites. Cul-de-sacs may be permitted to accommodate unusual site conditions subject to UDO 7.2.1 G).
h. Each Lot shall be bounded by a vehicular Thoroughfare, except that 20% of the Lots within each Sustainable Zone may be bounded by a Passage, so long as the Thoroughfare assembly behind such Lots is constructed to Rear Alley standards, will meet emergency vehicle access requirements and is public.
i. Thoroughfares within designated B-Grid Zones and designated as B-Grid Thoroughfares may follow the specified B-Grid Public Frontage and Private Frontage requirements in Tables 4A and 4B, and Table 7.
j. B-Grid Thoroughfares are permitted within A-Grid Zones for Thoroughfares necessary to support vehicular traffic and that enhance the pedestrian network per Article 4.2.3. These Thoroughfares shall be addressed on the individual site plans and may follow the standards for B-Grid.
k. The B-Grid Zones may abut freeways and conventional commercial arteries that are pedestrian intolerant. B-Grid Zones are used to transition into the more multi-modal and pedestrian supportive environments. B-Grid Zones may be developed in whole or in part to A-Grid standards and may evolve into A-Grid Zones over time.

4.5.2 Vehicular lanes

a. The standards for vehicular lanes shall follow the guidance in Table 3A or the Town Standards, or may follow other additional or elective regulations and standards adopted by the Town Council in accordance with UDO 2.3.16 F) 3) a) or 2.3.16 F) 3) c).
b. A bicycle network consisting of Bicycle Trails, Bicycle Routes and Bicycle Lanes shall be permitted as set forth in Table 14d.

4.5.3 Public Frontages

a. General to all zones OS, NG, NM, VC, UC
    i. The Public Frontage contributes to the character of the Sustainable Zone, and includes the requisite types of Sidewalk, Curb, Planter, bicycle parking, and street trees.
    ii. Public Frontages shall be designed as shown in Table 4A and Table 4B and allocated within Sustainable Zones as specified in Table 14d.
    iii. Within the Public Frontages, the types of Public Planting and Public Lighting shall be as shown in Table 4A, Table 4B, Table 5 and Table 6.
b. Specific to OS and NG Zones
    i. The Public Frontage may include trees of various species, naturalistically clustered, as well as understory.
    ii. The landscape may consist primarily of native species requiring minimal irrigation, fertilization and maintenance.

c. Specific to NM, VC and UC Zone
   i. The landscape shall consist primarily of durable species tolerant of soil compaction.
d. Specific to NM Zone
   i. The Public Frontage shall include trees planted in a regularly-spaced and aligned pattern of single or alternated species with shade canopies of a height that, at maturity, clears at least one Story. Various street tree species shall be used within the NM Zone.
e. Specific to VC and UC Zone
   i. The Public Frontage shall include trees planted in a regularly-spaced and aligned pattern of single species with shade canopies of a height that, at maturity, clears at least one Story. Various street tree species shall be used within the VC and UC Zones. At Retail Frontages, the spacing of the trees may be irregular, to avoid visually obscuring the Shopfronts.
   ii. Streetscape solar panels as shown in Table 18 may be used in the place of street trees where required. This section shall provide design flexibility in the creation of a public statement in the form of either art or symbolic statements of sustainability, but shall not allow the wholesale replacement of mandatory street trees with solar-powered streetlights or prohibit the installation of larger solar panel assemblages elsewhere within the Development.
   iii. Thoroughfares with Galleries, Arcades, or a right-of-way width of 40 feet or less shall be exempt from the tree planting requirement.

ARTICLE 5.0 BUILDING STANDARDS

5.1 TABLES AND PLAN

5.1.1 It is possible that the evolution of technology, building materials and lifestyle may result in the future in the Town Council's adoption of elective Sustainability Standards for SD-CZ districts pursuant to UDO 2.3.16 F) 3) c).

5.1.2 B-Grid Zones within the Development shall comply with UDO 9.2 and 9.3, except that the requirements of UDO 9.2 and 9.3 may be varied, in accordance with UDO 2.3.16 F) 3) a), by the standards set forth in the Pattern Book.

5.2 CIVIC BUILDINGS

5.2.1 Civic Buildings ("CB")

a. Civic Buildings shall be subject to the requirements of this Article.

5.3 OPEN SPACE ("OS") ZONES

5.3.1 Buildings shall not be allowed in an OS Zone, except as listed in Table 12 and for accessory structures incidental to and necessary to support the permitted Functions and uses.

5.4 BUILDING DISPOSITION

5.4.1 Specific to OS, NG, NM, VC and UC Zones

a. Newly platted Lots shall be dimensioned according to Table 14f and Table 15.
b. Building Disposition shall be as shown in Table 9 and Table 14i.
c. Buildings shall be disposed in relation to the boundaries of their Lots according to Table 14g, Table 14h, and Table 15.
d. One Principal Building at the Frontage and one Outbuilding to the rear of the Principal Building may be built on each Lot as shown in Table 17c.
e. Lot coverage by buildings shall not exceed that specified in Table 14f and Table 15.
f. Facades shall be built parallel to a rectilinear Principal Frontage Line or to the tangent of a curved Principal Frontage Line, and along a minimum percentage of the Frontage width at the Setback, as specified as Frontage Buildout on Table 14g and Table 15.
g. Setbacks for Principal Buildings shall be as shown in Table 14g and Table 15.
h. Adequate access to and clearance around utilities and HVAC units shall be provided.

5.4.2 Specific to UC Zone

a. The Principal Entrance shall be on a Frontage Line.

5.4.3 Specific to NM, VC and UC Zones

a. Farmers Markets may be located on unbuffered Lots of any size.
b. Diagonal parking on commercial streets shall be as set forth in the SD Plan.

5.5 BUILDING CONFIGURATION

5.5.1 General to OS, NG, NM, VC and UC Zones
a. The Private Frontage of buildings shall conform to and be allocated in accordance with Table 7 and Table 14j.
b. Buildings on corner Lots shall have two Private Frontages as shown in Table 17. Prescriptions for the second and third Layers pertain only to the Principal Frontage. Prescriptions for the first Layer pertain to both Frontages.
c. All Facades shall be glazed with clear glass no less than 30% of the first Story, however glazing shall be no less than 50% in the VC Zone A-Grid and UC Zone A-Grid areas.
d. Building stories, Stepbacks, and Expression Lines shall conform to Table 8 and Table 14j.
e. In a Parking Structure or garage, each above-ground level counts as a single Story regardless of its relationship to habitable Stories.
f. Story limits do not apply to attics or raised basements, masts, belfries, clock towers, chimney flues, water tanks, cupolas or elevator bulkheads.
g. Prescriptions for the parking Layers pertain only to the Principal Frontage. Prescriptions for the first Layer pertain to both Frontages of a corner Lot.
h. Public access requirements shall comply with UDO 7.5.4 E) except that the requirements of UDO 7.5.4 E) may be varied in accordance with UDO 2.3.16 F) 3) a), by the standards set forth in the Pattern Book.

5.5.2 Specific to NG, NM and VC Zones
a. The habitable area of an Accessory Unit within a Principal Building or an Outbuilding shall not exceed 800 square feet, excluding any enclosed parking area.

5.5.3 Specific to NG Zone
a. No portion of the Private Frontage may Encroach into the Sidewalk.
b. Open porches may Encroach into the first Layer 50% of its depth. (Table 17d)
c. Balconies, cantilevers, and bay windows may Encroach into the first Layer up to 25% of the depth defined for the first Layer. In addition, porches including balconies on porch roofs may Encroach into the first Layer up to 50% of the depth defined for the first Layer.
d. A first level Residential or Lodging Function shall be raised a minimum of three steps from average Sidewalk grade, except as required for accessibility under applicable federal and state laws or to accommodate single-family senior housing units.

5.5.4 Specific to NM Zone
a. Balconies, open porches, cantilevers and bay windows may Encroach into the first Layer 50% of its depth. (Table 17d)

5.5.5 Specific to OS, VC and UC Zones

a. Arcades, awnings, and Galleries may Encroach into the Sidewalk to within 2 feet of the Curb but must clear the Sidewalk vertically by at least 9 feet. Arcades and Galleries within public rights-of-way require encroachment and maintenance agreements with the Town.
b. Maximum Encroachments for Arcades shall be as shown on Table 8.
c. Stoops, Lightwells, balconies, bay windows, cantilevers and terraces may Encroach into the first Layer for 100% of its depth. (Table 17d)
d. Loading docks and service areas shall be permitted along/within Frontages.
e. In the absence of a building Facade along any part of a Frontage Line, a Streetscreen may be built co-planar with the Facade or adjacent Facades.
f. Streetscreens shall be between 3.5 and 8 feet in height. The Streetscreen may be in the form of a hedge, fence or wall. Walls may be constructed of masonry, stone, stucco, EIFS or may match the building materials of the adjacent buildings. Fences shall be constructed of wood or wrought iron (or products created to resemble these materials) and shall be finished on the side facing the public right-of way. Streetscreens shall have openings no larger than reasonably necessary to allow vehicular and pedestrian access.
g. Arena, auditorium or stadium uses shall be located a minimum of 500 feet from any NG or NM Zone and may be located in Mixed Use Blocks, in Mixed Use buildings or on Lots of sufficient size and with sufficient Frontage to support the use and comply with the egress requirements of the North Carolina State Building Code.
h. Outdoor entertainment areas such as small amphitheaters may be incorporated without enclosure into Open Space, Public Space, or Civic Space or on an individual Lot as long as there is sufficient Frontage to support the use and comply with the egress requirements of the North Carolina State Building Code.
i. Drive-through facilities associated with financial institutions and pharmacies may be integrated into multi-story buildings.

5.5.6 Specific to NM, VC and UC Zones

a. Lodging Functions may be located in Mixed Use Blocks, in Mixed Use buildings or on Lots of any size to support the use and comply with the egress requirements of the North Carolina State Building Code when the use is located 100 feet or more from NG Zones.

5.6 BUILDING FUNCTION

5.6.1 General to OS, NG, NM, VC and UC Zones

a. Buildings in each Sustainable Zone shall comply with Article 7 Tables.
b. Historic Sites may be used for residential, lodging, food and beverage, Office or retail sales and service use.

5.6.2 Specific to NG Zone

a. Accessory Functions of Lodging or Office shall be permitted within an Accessory Building. See Table 10.

5.6.3 Specific to NM Zones

a. Commercial Functions shall be permitted.

5.6.4 Specific to VC and UC Zones

a. Commercial Functions shall be permitted.
b. Manufacturing Functions may be permitted.
c. Utilities such as communication towers and water towers may be integrated into building structures without the need for screening. See Article 5.5.2 for existing cell towers.
d. Electrical Power Facilities shall be set back a minimum of 20 feet from property lines or easement lines and may be screened or buffered by architectural means or located internally within a block to permit integration into an urban fabric.

5.7 PARKING AND DENSITY STANDARDS

5.7.1 Specific to NG Zone

a. Buildable Density on a Lot shall be determined by the actual parking provided as applied to the Functions permitted in Table 10 and Table 11.

5.7.2 Specific to OS, NM, NG, VC and UC Zones

a. As provided in Tables 10 and 11, buildable Density on a Lot shall be determined by the sum of the actual parking calculated as that provided (1) within the Lot (2) along the parking lane corresponding to the Lot Frontage, and (3) by purchase, lease, allocation, dedication, reservation or assignment from a public or private parking structure or lot within 1,200 feet of any entrance for customer, patron, or resident parking and within 1,200 feet of any entrance of the principal use for employee parking, if available.
b. The actual parking may be adjusted downward according to the Shared Parking Factor of Table 11 to determine the Effective Parking. The Shared Parking Factor is available for any two Functions within any block, any pair of adjacent Blocks or within any area contained within a single site plan submittal. Further adjustment is permitted for areas controlled by a comprehensive parking plan in accordance with Article 5.7.3.
c. Based on the Effective Parking available, the Density of the projected Function may be determined according to Table 10.
d. Within the area of a Transit Oriented Development (“TOD”) the Effective Parking may be further adjusted downward by 30% and the distances listed in 5.7.2.a are permitted to be increased by 20%.
e. Accessory Units do not factor into Density calculations.
f. Liner Buildings less than 30 feet deep and up to the first two Stories shall be exempt from parking requirements.
g. Retail spaces of 1,500 square feet or less of net floor area shall be exempt from the parking requirements.
h. In accordance with SD Plan 3.1.2, a Parking Management Plan, subject to review and approval by the Town Council in accordance with UDO 2.3.16 F) 3) a), shall be submitted with the first site plan that deviates from applicable UDO standards related to parking and shall be updated as necessary for subsequent site plans.

5.7.3 Off-Street Parking: Further reduction in off-street parking beyond those otherwise allowed by the SD Plan is permitted for the Veridea Sustainable Development District or portions thereof within the area of a TOD in conjunction with a TDM plan.

5.7.4 Off-Street and On-Street Loading: The Veridea Sustainable Development District or portions thereof are permitted to have comprehensive loading plans to include on-street loading in Thoroughfares during non-peak hours, on side streets and/or in non-dedicated parking areas of parking lots for all or portions of the site.

5.7.5 A portion of the parking spaces provided in any public or private parking lots or parking deck may be compact spaces if such spaces are: a) assigned and/or private spaces; b) assigned to a car-share program; c) specifically designated for electric cars; or d) approved by the TRC upon its determination that then current market data support the use by compact vehicles of the number of compact spaces proposed. A compact space will be a space of at least 8.5 feet by 14 feet, and a compact vehicle shall be a vehicle that can safely park in the area of the compact space proposed.

5.8 PARKING LOCATION STANDARDS

5.8.1 General to OS, NG, NM, VC and UC Zones

a. Parking shall be accessed by Rear Alleys or Rear Lanes, when available.
b. Open parking areas and Parking Structures shall be masked from the Frontage by a Building or Streetscreen.
c. For buildings on B-Grids, open parking areas and Parking Structures are allowed unmasked on the Frontage in the front Layer, except for corner Lots at intersections with the A-Grid.
d. Bicycle parking locations at Common Destinations shall be determined at the time of site plan approval for all Sustainable Zones including OS Zones.
e. Commercial Parking Garages may be incorporated into Mixed Use Blocks or in Mixed Use buildings on the same Lot to allow for internal block parking.

5.8.2 Specific to NG Zone

a. Open parking areas shall be located at the second and third Lot Layers, except that Driveways, drop-offs and unpaved parking areas may be located at the first Lot Layer. (Table 17d)
b. Garages shall be located at the second or third Layer except that side- or rear-entry types may be allowed in the first Layer by the TRC.
c. Driveways at Frontages shall be no wider than 24 feet in the first Layer. (Table 3B.f)

5.8.3 Specific to NM Zone

a. All parking areas and garages shall be located at the second or third Layer except for lots located on designated B-Grids. (Table 17d)
b. Driveways at Frontages shall be no wider than 24 feet in the first Layer. (Table 3B.f)

5.8.4 Specific to VC and UC Zones

a. All parking lots, garages, and Parking Structures shall be located at the second or third Layer except along B-Grids where parking may be located in the first layer. (Table 17d)
b. Vehicular entrances to parking lots, garages, and Parking Structures shall be no wider than 24 feet at the Frontage for A-Grid Thoroughfares. Driveways at Frontages for B-Grid Thoroughfares shall be no wider than necessary to accommodate the straight and turn lanes in the first Layer. (Table 3B.f)
c. Parking Structures on the A-Grid shall have Liner Buildings lining the first and second Stories.

5.9 LANDSCAPE STANDARDS

5.9.1 General to OS, NG, NM, VC and UC Zones

a. The landscape plantings shall consist of native or naturalized species requiring minimal irrigation, fertilization and maintenance as shown on Table 6.
b. Street trees and landscape planted in public rights-of-way shall require maintenance agreements with the Town.
c. Public utility locations, placement and accessibility shall be laid out and engineered so that trees and landscaping and utility conflicts are eliminated or substantially minimized.
d. Trees shall not be required in the first Layer where Setbacks are less than 12 feet.
e. Planting selection in the first Layer shall be appropriate for the scale of the space and located so as to avoid conflicts with buildings, walls and utilities.
f. Street trees shall be planted within the Public Frontage as illustrated in Table 7 and listed in Table 4C. Street trees may be shifted or eliminated along any Thoroughfares as long as the average number of trees based upon the Public Frontage is met for the site plan or Subdivision Plan. Tree preservation areas located in Open Space Zones shall be exempt from the street tree planting requirements. Public Frontages on Thoroughfares that are exempt from the tree planting requirement and Thoroughfare Assemblies for Rear Lanes, Rear Alleys, or where the landscape type is listed as trees clustered shall not be used in the calculation of the average number of trees.
g. In order to accommodate the intended density, connectivity and integration of uses, the landscape requirements set forth in UDO 7.2.5 C) 9) and UDO 7.2.5 C) 12) through UDO 7.2.5. C) 14) shall not apply within the Development.
h. Screening shall comply with UDO 8.2.8. Notwithstanding the foregoing, HVAC and other mechanical units shall not be required to be screened from adjacent properties when not visible from the public street.
i. Veridea shall comply with UDO 8.2.1, 8.2.2 and 8.2.3, except that, in order to accommodate the intended density, connectivity and integration of uses, the landscape buffer requirements of UDO 8.2 shall not apply.

j. Fences, walls and berms shall comply with UDO 8.2.7, except to the extent modified by Articles 5.5.5.e, 5.5.5.f. and 5.8.1.b. hereof.

5.9.2 Specific to NG and NM Zones

a. The first Layer may not be paved, with the exception of Driveways as specified in Article 5.8. (Table 17d)

5.9.3 Specific to NG Zone

a. One appropriately sized tree at maturity per Lot shall be planted within the first Layer. (Table 17d)
b. Trees shall be of single or multiple native or naturalized species as shown on Table 6.
c. Trees shall be naturalistically clustered.
d. Lawn shall be permitted upon site plan approval. Only re-use water, where available, may be used for Lawn irrigation.

5.9.4 Specific to NM Zone

a. One appropriately sized tree at maturity per Lot shall be planted within the first Layer. (Table 17d)
b. Trees should not be of a single species throughout large areas. Tree species selected are permitted to alternate along blocks. Selection of plant material shall be appropriate for the scale of the space.
c. Lawn shall be permitted. Only re-use water, where available, may be used for Lawn irrigation.

5.9.5 Specific to VC and UC Zones

a. Trees shall not be required in the first Layer.
b. The first Layer may be paved to match the pavement of the Public Frontage.
c. A minimum of one shade tree is required for every two thousand (2,000) square feet of vehicular surface area located within or adjacent to the parking area. Parking Structures are excluded from this requirement.
d. A minimum of 1 shrub is required for every five hundred (500) square feet of vehicular surface area. Selection of the plant material shall be appropriate for the scale of the space. Parking Structures are excluded from this requirement.
e. All vehicular surface areas within fifty (50) feet of any right-of-way that are visible from a Thoroughfare (street) are required to be screened from off-site view to a minimum height of thirty-six (36) inches. Plants, closed fences, walls, earthen berms or a combination thereof may be used to satisfy this requirement. Plants must be a minimum of thirty-six (36) inches at maturity or used in combination with earthen berms to satisfy this requirement. Screening material other than plants and earthen berms shall be harmonious with surrounding architecture and shall accommodate pedestrian and vehicular ingress and egress where applicable.
f. No vehicular parking space shall be located farther than fifty (50) feet from the back of curb in a planting area with one shade tree, or seventy five (75) feet from the back of curb in a planting area with two or more shade trees. Parking Structures are excluded from this requirement.

5.10 SIGNAGE

5.10.1 General to All Sustainable Zones

Signage shall comply with UDO 8.6, Signs, except that the requirements of UDO 8.6 may be varied by the standards set forth in the Pattern Book(s).

5.11 COMMUNICATION TOWERS

5.11.1 General to All Sustainable Zones

a. Communication Towers are exempt from the standards set forth in UDO 4.4.3 B).
b. Existing Communication Towers will be contained on a Lot.
c. Existing Communication Towers may be located a Lot that contains other uses.
d. Existing Communication Towers, or a portion thereof, may occupy a leased parcel on the Lot in which it is located.
e. New or relocated Communication Towers shall be located in accordance with Table 12.
f. New rooftop communication towers and devices may be allowed within UC and VC Zones.

5.12 EXTERIOR LIGHTING

5.12.1 General to All Sustainable Zones

Exterior lighting shall comply with UDO 8.7, Exterior Lighting, except that the requirements of UDO 8.7 may be varied by the standards set forth in the Pattern Book(s).

5.13 PATTERN BOOK(S)

A Pattern Book(s) may be submitted for approval from time to time in accordance with UDO 2.3.16 F) 3) a). Each site plan submitted with respect to Veridea shall designate the existing Pattern Book, or portion thereof, which shall be applicable to the site plan, or a Pattern Book applicable thereto shall be submitted with the site plan for approval pursuant to UDO 2.3.16 F) 3) a).

ARTICLE 6.0 TABLES

6.1 TABLES

6.1.1. The Tables which follow shall establish, together with the foregoing provisions of the SD Plan and applicable provisions of the UDO, other Town Ordinances and Town Standards, the standards and regulations which shall govern all development and land use within the Development.

6.1.2. If the Responsible Person so determines, as with the other provisions of the SD Plan, specific portions of the Tables may be affected by additional or elective regulations and standards hereafter adopted by the Town Council in accordance with UDO 2.3.16 F) 3) a) or 2.3.16 F) 3) c).

6.1.3. Design Standards contained in one or more of the Articles, Sections, or Tables of the Plan that pertain to the same aspect of development may be implemented independently or in conjunction with one another.

6.1.4. The text and numerical descriptions in the Tables are an integral part of this SD Plan. However, the graphics that accompany them represent guidelines. Where in conflict, the text and numerical descriptions shall take precedence over graphics.

6.2 TOWN STANDARDS

6.2.1 The Town and the Responsible Person may enter into a Development Agreement providing that the Town Standards applicable to the Development shall be those in existence as of the date of the adoption of this SD Plan. However, notwithstanding the foregoing, the Apex Standard Specifications and Standard Details, as modified and amended from time to time, shall be applicable to the Development, except to the extent otherwise specifically provided in this SD Plan or where the modified Apex Standard Specifications and Standard Details are specifically inapplicable to Veridea.

TABLE 1. SUSTAINABLE ZONE DESCRIPTIONS

TABLE 1A: Sustainable Zone Descriptions. This table provides descriptions of the character of each Sustainable Zone.

OS



OS - OPEN SPACE

OS Open Space Zone consists of lands approximating or reverting to a natural condition and farmland, parks, Civic Uses, RCA, utility corridors, non-street easements, greenways, waterways or water bodies, including lands unsuitable for settlement due to topography, hydrology or vegetation.

General Character:	Natural landscape and parkland (active and passive parks) with some civic and agricultural use
Building Placement:	Variable front and side setbacks for park structures, civic structures, agricultural and maintenance buildings
Frontage Types:	Variable
Building Height:	1- to 2-Story
Type of Civic Space:	Parks, Greenways, Civic Buildings

NG



NG - NEIGHBORHOOD GENERAL

NG Neighborhood General Zone consists of low density residential areas, adjacent to higher zones that consists of some mixed use. Home occupations and outbuildings are allowed. Planting is naturalistic and setbacks are relatively deep. Blocks may be large and the Thoroughfares irregular to accommodate natural conditions.

General Character:	Lawns, and landscaped yards surrounding predominantly detached single-family houses with some mix of Townhouses; pedestrians occasionally
Building Placement:	Medium and variable front and side yard Setbacks
Frontage Types:	Porches, fences, naturalistic tree planting
Building Height:	1- to 3-Story with some 4-Story
Type of Civic Space:	Parks, Greenways

NM

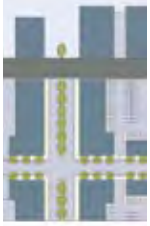


NM - NEIGHBORHOOD MIXED-USE

NM Neighborhood Mixed-Use Zone consists of mixed uses within a medium to high density residential urban fabric. It may have a wide range of building types: single, sideyard, rowhouses, and apartments. Setbacks and landscaping are variable. Thoroughfares with curbs and sidewalks define medium-sized blocks.

General Character:	Mix of Houses, Townhouses & Apartment buildings, with moderate Commercial activity; balance between landscape and buildings; presence of pedestrians
Building Placement:	Shallow to medium front and side yard Setbacks
Frontage Types:	Porches, fences, Dooryards
Building Height:	1- to 4-Story with a few taller Mixed Use buildings up to 7 stories adjacent to Village Center Zones and major transportation corridors
Type of Civic Space:	Squares, Greens

VC A-GRID



VC - VILLAGE CENTER - A-GRID

VC Village Center Zone consists of higher density mixed use buildings that accommodate retail, offices, rowhouses and apartments. It has a tight network of Thoroughfares, with wide sidewalks, steady street tree planting and buildings set close to the sidewalks.

General Character:	Shops mixed with Townhouses, larger Apartment houses, Offices, workplace, and Civic buildings; predominantly attached buildings; trees within the public right-of-way; substantial pedestrian activity
Building Placement:	Shallow Setbacks or none; buildings oriented to the street defining a street wall. See the Concept Map for locations
Frontage Types:	Stoops, Shopfronts, Galleries
Building Height:	1- to 10-Story with some variation up to 15 stories adjacent to Urban Center Zones,
Type of Civic Space:	Parks, Plazas and Squares, median landscaping

UC A-GRID



UC - URBAN CORE - A-GRID

UC Urban Core Zone consists of the highest density and height, with the greatest variety of uses, and civic buildings of regional importance. It may have larger blocks; Thoroughfares have steady street tree planting and buildings are set close to wide sidewalks.

General Character:	Medium-high to high-Density Mixed Use buildings, entertainment, Civic and cultural uses. Attached buildings forming a continuous street wall; trees within the public right-of-way; highest pedestrian and transit activity
Building Placement:	Shallow Setbacks or none; buildings oriented to street, defining a street wall.
Frontage Types:	Stoops, Dooryards, Forecourts, Shopfronts, Galleries, and Arcades
Building Height:	4- to 20-Story with a few shorter buildings including some 1 story uses
Type of Civic Space:	Parks, Plazas and Squares; median landscaping

TABLE 1. SUSTAINABLE ZONE DESCRIPTIONS

VC B-GRID



VC - VILLAGE CENTER - B-GRID

VC Village Center Zone consisting of larger block sizes, and larger format uses supporting regional users. It has a coarse network of Thoroughfares, with sidewalks, regular street tree planting.

General Character:	Larger single-use retail, office, and manufacturing formats with out-parcels permitted, transitioning to shops mixed with Townhouses, and larger Apartment houses towards A-Grid Zones; trees within the public right-of-way; substantial automobile activity
Building Placement:	Larger setbacks with parking permitted in the setback for any Layer except along adjacent A-Grids
Frontage Types:	Common Yard, Shopfronts,
Building Height:	Predominantly 1- to 4-Story with some increased variation up to 7 stories
Type of Civic Space:	Not required

UC B-GRID



UC - URBAN CORE - B-GRID

UC Urban Core Zone consists of the highest density and height, with predominantly office, lab, and research uses. It may have larger blocks; a coarse network of Thoroughfares, regular street tree planting and may have buildings set back from the sidewalks.

General Character:	High-density single and Mixed Use buildings. Attached and detached buildings forming a continuous street wall or set-back from the street; trees within the public right-of-way; highest pedestrian activity near the building and substantial automobile activity at the parking
Building Placement:	Shallow setbacks or none along A-Grid Thoroughfares with buildings oriented to streets transitioning to larger setbacks with parking permitted in the setback for any Layer
Frontage Types:	Common Yards, Stoops, Dooryards, Forecourts, Shopfronts, Galleries, and Arcades
Building Height:	1- to 20-Story with a few shorter buildings including some 1 story uses
Type of Civic Space:	None required

TABLE 2. VERIDEA SUSTAINABLE DEVELOPMENT CONCEPT MAP

Sustainable Zones

OS	Open Space and Civic Use
NG	Neighborhood General
NM	Neighborhood Mixed Use
VC-A	Village Center - A Grid
VC-B	Village Center - B Grid
UC-A	Urban Core - A Grid
UC-B	Urban Core - B Grid

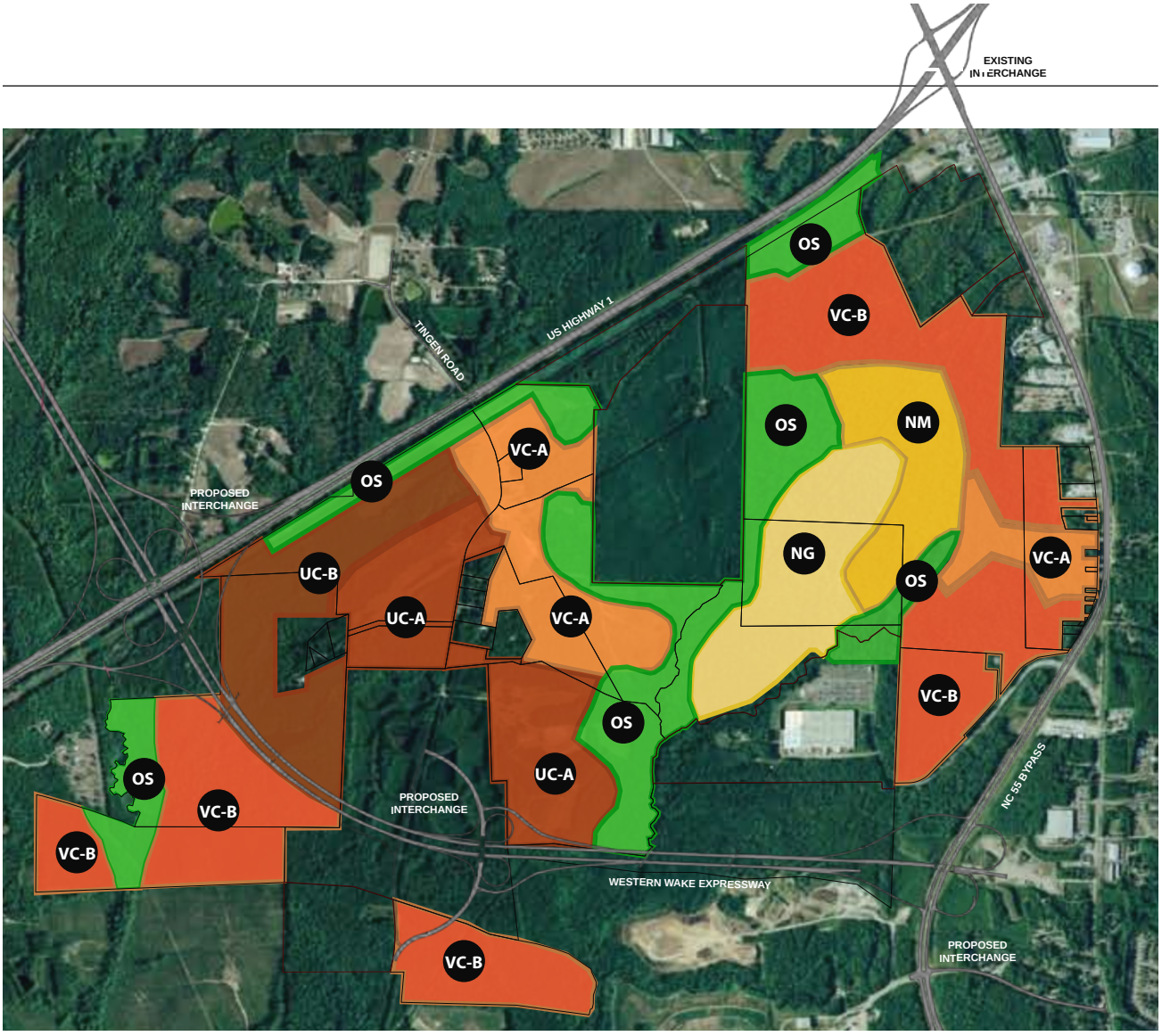


TABLE 3A. VEHICULAR LANE DIMENSIONS

TABLE 3A: Vehicular Lane Dimensions. This table assigns lane widths to Sustainable Zones. The Design ADT (Average Daily Traffic) is the determinant for each of these sections. The assemblies are shown in Table 3B. Design Speeds shown in these Tables represent desired speeds for traffic flow based on typical sections. Thoroughfare alignments (excluding Rear Lanes and Rear Alleys) shall be based on a minimum 25 mile per hour design speed. Design exceptions to otherwise posted regulatory speed, if approved by the TRC will require warning signs.

DESIGN SPEED	TRAVEL LANE WIDTH	OS	NG	NM	VC	UC
Below 20 mph	10 feet	■	■	▫		
20-25 mph	10 feet	■	■	■	▫	▫
25-35 mph	10 feet	■	■	■	■	■
25-35 mph	11 feet	■			■	■
Above 35 mph	12 feet	■			■	■

DESIGN SPEED	PARKING LANE WIDTH					
20-25 mph	(Angle) 16 to18 feet				■	■
20-25 mph	(Parallel) 7 to 8 feet		■	■	■	
25-35 mph	(Parallel) 8 feet		■	■	■	■
Above 35 mph	(Parallel) 9 feet				■	■

DESIGN SPEED	EFFECTIVE TURNING RADIUS					(See Table 17b)
Below 20 mph	5-10 feet		■	■	■	■
20-25 mph	10-15 feet	■	■	■	■	■
25-35 mph	15-20 feet	■	■	■	■	■
Above 35 mph	20-30 feet	■			▫	▫

■ BY RIGHT

▫ BY THE TRC

TABLE 3B. VEHICULAR LANE & PARKING ASSEMBLIES

TABLE 3B: Vehicular Lane/Parking Assemblies. The projected design speeds determine the dimensions of the vehicular lanes and Turning Radii assembled for Thoroughfares. All dimensions listed are minimums. Design Speeds shown in these Tables represent desired speeds for traffic flow based on typical sections. Thoroughfare alignments (excluding Rear Lanes and Rear Alleys) shall be based on a minimum 25 mile per hour design speed. Design exceptions to otherwise posted regulatory speed, if approved by the TRC will require warning signs.

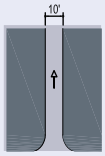
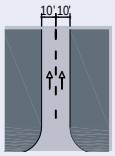
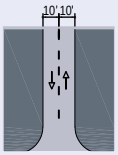
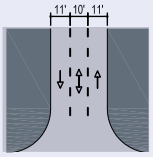
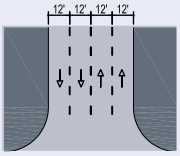
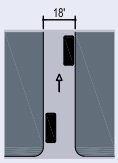
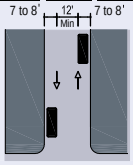
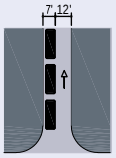
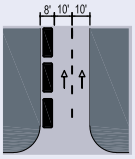
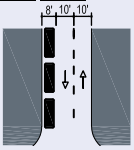
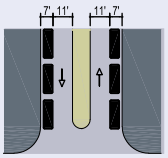
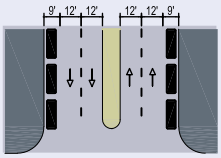
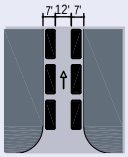
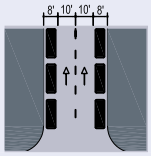
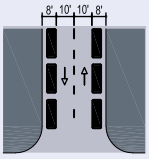
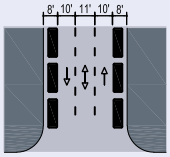
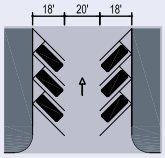
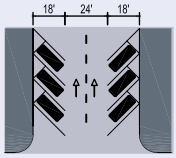
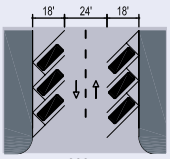
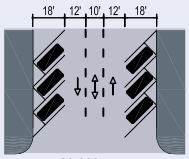
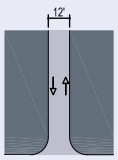
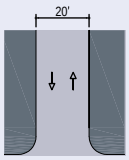
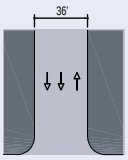
	ONE WAY MOVEMENT →		TWO WAY MOVEMENT →		
a. NO PARKING	OS NG 	OS 	OS NG 	OS 	OS 
Design ADT	300 VPD	600 VPD	2,500 VPD	22,000 VPD	36,000 VPD
Pedestrian Crossing	3 Seconds	5 Seconds	5 Seconds	9 Seconds	13 Seconds
Design Speed	20 - 30 MPH	Below 20 MPH	20-25 MPH		35 MPH and above
b. YIELD PARKING	OS NM 		NG NM VC UC 		
Design ADT	1,000 VPD		1,000 VPD		
Pedestrian Crossing	5 Seconds		7 Seconds		
Design Speed					
c. PARKING ONE SIDE PARALLEL	OS NG NM VC NG NM VC 		NG NM VC 	NG NM VC UC 	NG NM VC UC 
Design ADT	5,000 VPD	18,000 VPD	16,000 VPD	15,000 VPD	32,000 VPD
Pedestrian Crossing	5 Seconds	8 Seconds	8 Seconds	11 Seconds	13 Seconds
Design Speed	20-30 MPH		25-30 MPH	25-30 MPH	
d. PARKING BOTH SIDES PARALLEL	NG NM VC UC NM VC UC 		NM VC UC 	VC UC 	
Design ADT	8,000 VPD	20,000 VPD	15,000 VPD	22,000 VPD	
Pedestrian Crossing	7 Seconds	10 Seconds	10 Seconds	13 Seconds	
Design Speed	Below 20 MPH	25-30 MPH	25-30 MPH	25-30 MPH	
e. PARKING BOTH SIDES DIAGONAL	VC UC 	VC UC 	VC UC 	VC UC 	
Design ADT	18,000 VPD	20,000 VPD	15,000 VPD	22,000 VPD	
Pedestrian Crossing	15 Seconds	17 Seconds	17 Seconds	20 Seconds	
Design Speed	Below 20 MPH	20-25 MPH	20-25 MPH	25-30 MPH	
f. PARKING ACCESS			NG NM 	NG NM VC UC 	NM VC UC 
Design ADT					
Pedestrian Crossing			3 Seconds	6 Seconds	10 Seconds
Design Speed					

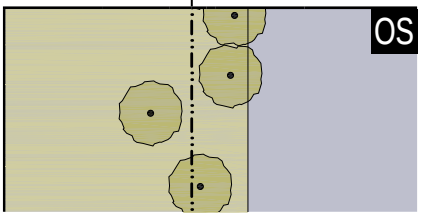
TABLE 4A. PUBLIC FRONTAGES - GENERAL

TABLE 4A: Public Frontages - General. The Public Frontage is the area between the private Lot line and the edge of the vehicular lanes. Dimensions are given in Table 4B. Note:

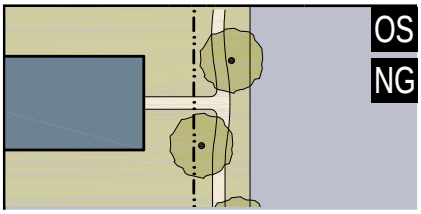
PLAN

LOT ▶ ◀ R.O.W.
PRIVATE FRONTAGE ▶ ◀ PUBLIC FRONTAGE

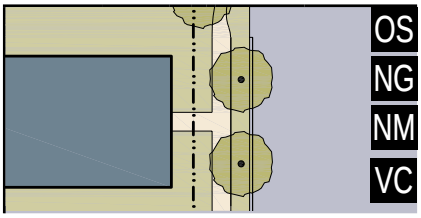
a. (HW) Highway: This Frontage has open Swales, Bicycle Trails and no parking. The landscaping consists of the natural condition or multiple species arrayed in naturalistic clusters. Buildings are buffered by distance or berms.



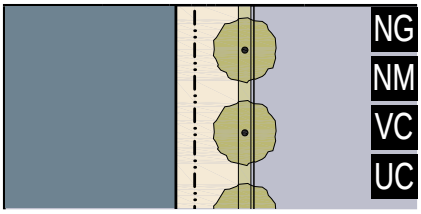
b. (RD) Road: This Frontage has open Swales and a Sidewalk walking Path or Bicycle Trail and Yield parking. The landscaping consists of multiple species arrayed in naturalistic clusters.



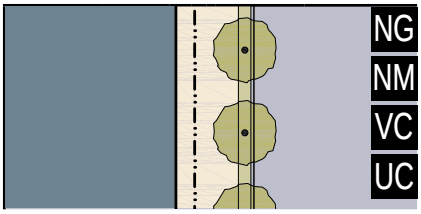
c. (ST) Street: This Frontage has raised Curbs drained by inlets and Sidewalks separated from the vehicular lanes by individual or continuous Planters, with parking on one or both sides. The landscaping consists of street trees of a single or alternating species aligned in a regularly spaced Allee, with the exception that Streets with a right-of-way (R.O.W.) width of 40 feet or less are exempt from tree requirements.



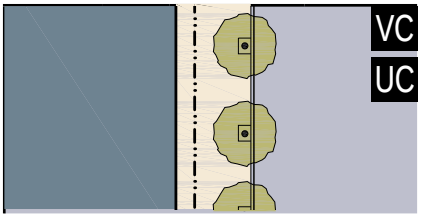
d. (DR) Drive: This Frontage has raised Curbs drained by inlets and a wide Sidewalk or paved Path along one side, related to a Greenway or waterfront. It is separated from the vehicular lanes by individual or continuous Planters. The landscaping consists of street trees of a single or alternating species aligned in a regularly spaced Allee.



e. (AV) Avenue: This Frontage has raised Curbs drained by inlets and wide Sidewalks separated from the vehicular lanes by a narrow continuous Planter with parking on both sides. The landscaping consists of a single tree species aligned in a regularly spaced Allee.



f. (CS) (AV) Commercial Street or Avenue: This Frontage has raised Curbs drained by inlets and very wide Sidewalks along both sides separated from the vehicular lanes by separate tree wells and parking on both sides. The landscaping consists of a single tree species aligned with regular spacing where possible, but clears the storefront entrances.



g. (BV) Boulevard: This Frontage may have Slip Streets on both sides. It consists of raised Curbs drained by inlets and Sidewalks along both sides, separated from the vehicular lanes by Planters. The landscaping consists of double rows of a single tree species aligned in a regularly spaced Allee.

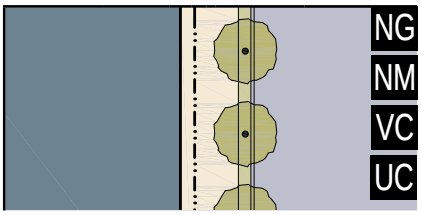


TABLE 4B. PUBLIC FRONTAGES - SPECIFIC

Table 4B: Public Frontages - Specific. This table assembles prescriptions and dimensions for the Public Frontage elements - Curbs, walkways and Planters – relative to specific Thoroughfare types within Sustainable Zones. Table 4B-a assembles all of the elements for the various street types. Public Frontages also include bicycle parking where applicable.

R U R A L I I I I I I I I I I I I I I I I I Z O N E S I I I I I I I I I I I I I I I I I U R B A N

B - G R I D I I I I I I I I I I I I A - G R I D

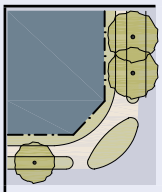
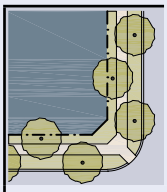
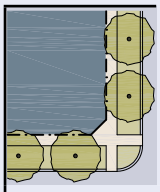
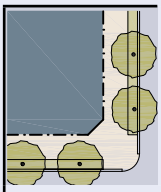
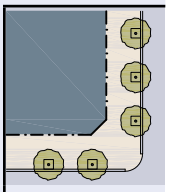
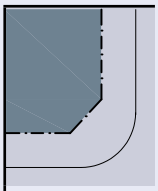
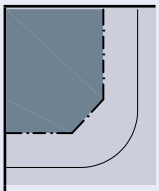
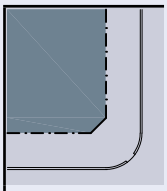
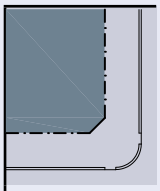
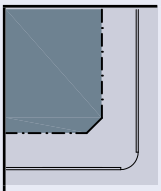
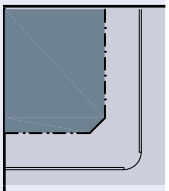
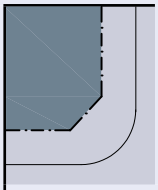
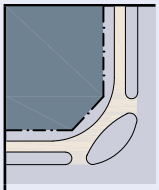
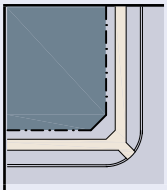
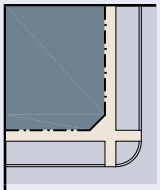
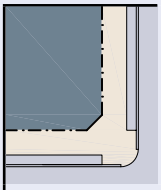
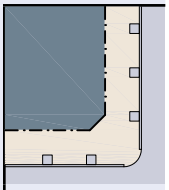
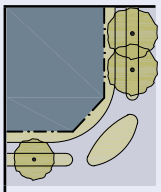
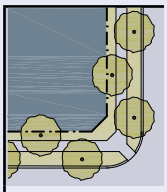
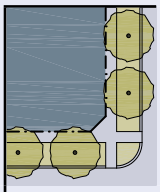
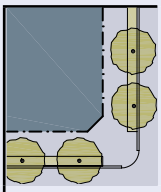
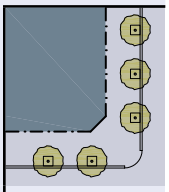
SUSTAINABLE ZONE Public Frontage Type	OS HW	OS NG RD & ST	NG NM VC ST-DR-AV	NM VC UC ST-DR-AV-BV	VC UC CS-DR-AV-BV	VC UC CS-DR-AV-BV
a. **Assembly:** The principal variables are the type and dimension of Curbs, walkways, Planters and landscape. Total Width	 16-24 feet	 12-24 feet	 12-18 feet	 12-18 feet	 18-24 feet	 18-30 feet
b. **Curb:** The detailing of the edge of the vehicular pavement, incorporating drainage. Type Radius	 Open Swale 10-30 feet	 Open Swale or Curb 10-30 feet	 Raised Curb 5-20 feet	 Raised Curb 5-20 feet	 Raised Curb 5-20 feet	 Raised Curb 5-20 feet
c. **Walkway:** The pavement dedicated exclusively to pedestrian activity. Type Width	 Path Optional n/a	 Path, Sidewalk, or BT 5-8 feet	 Sidewalk 5-8 feet	 Sidewalk 5-8 feet	 Sidewalk 12-20 feet	 Sidewalk 12-30 feet
d. **Planter:** The layer which accommodates street trees and other landscape. Arrangement Species Planter Type Planter Width	 Clustered Multiple Continuous Swale 8 feet-16 feet	 Clustered Multiple Continuous Swale 8 feet-16 feet	 Regular Alternating Continuous Planter 8 feet-12 feet	 Regular Single Continuous Planter 8 feet-12 feet	 Regular Single Continuous Planter 4 feet-6 feet	 Opportunistic Single Tree Well 4 feet-6 feet
e. **Landscape:** The recommended plant species. (See Table 6)						
f. **Lighting:** The recommended Public Lighting. (See Table 5)						

TABLE 4C. THOROUGHFARE ASSEMBLIES

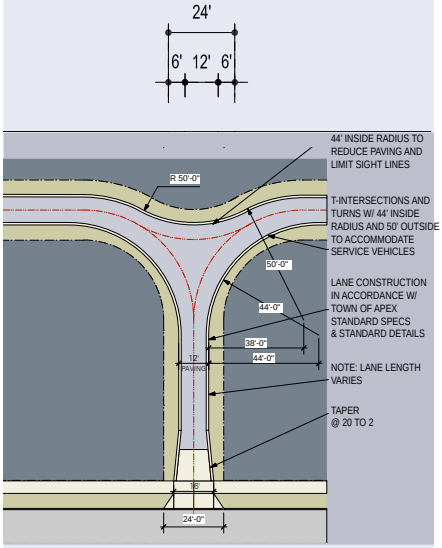
TABLE 4C: Thoroughfare Assemblies. These Thoroughfares are assembled from the elements that appear in Tables 3A and 3B and incorporate the Public Frontages of Table 4A. The key gives the Thoroughfare type followed by the right-of-way width, followed by the pavement width, and in some instances followed by specialized transportation capability. All dimensions listed are minimums. Design Speeds shown in these Tables represent desired speeds for traffic flow based on typical sections. Thoroughfare alignments (excluding Rear Lanes and Rear Alleys) shall be based on a minimum 25 mile per hour design speed. Design exceptions to otherwise posted regulatory speed, if approved by the TRC will require warning signs.

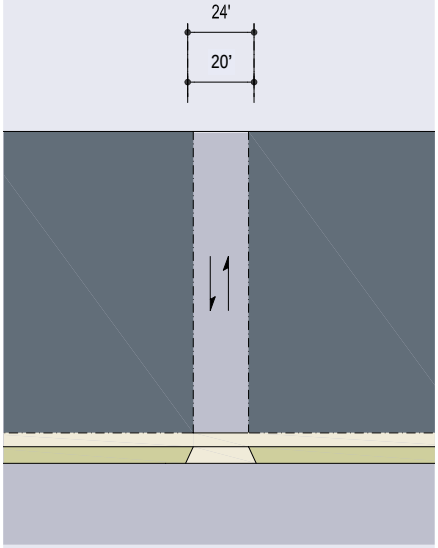
KEY ST-57-20-BL

- Thoroughfare Type
- Right of Way Width
- Pavement Width
- Transportation Provisions

THOROUGHFARE TYPES

Highway:	HW
Boulevard:	BV
Avenue:	AV
Commercial Street:	CS
Drive:	DR
Street:	ST
Road:	RD
Rear Alley:	RA
Rear Lane:	RL
Bicycle Trail:	BT
Bicycle Lane:	BL
Bicycle Route:	BR
Path:	PT
Passage:	PS
Transit Route:	TR





KEY	RL-24-12	RA-24-20
Thoroughfare Type	Rear Lane	Rear Alley
Sustainable Zone Assignment	OS, NG, NM	NG, NM, VC, UC
Right-of-Way Width	24 feet	24 feet min
Pavement Width	12 feet	20 feet min
Movement	Yield Movement	Slow Movement
Design Speed	10 MPH	10 MPH
Pedestrian Crossing Time	3.5 seconds	7 seconds
Traffic Lanes	n/a	n/a
Parking Lanes	None	None
Curb Radius	Flared section with driveway apron	Driveway apron
Walkway Type	None	None
Planter Type	None	None
Curb Type		
Landscape Type	None	None
Transportation Provision	None	None

Note: Rear Lanes may be public or private. If Rear Lanes are public, the minimum pavement width shall be 16 feet. Private maintenance shall be required for private Rear Lanes and the maintenance shall be adequately funded by a Veridea property owners' association.

Note: Rear Alleys may be public or private. If Rear Alleys are private, then private maintenance shall be required and the maintenance shall be adequately funded by a Veridea property owners' association.

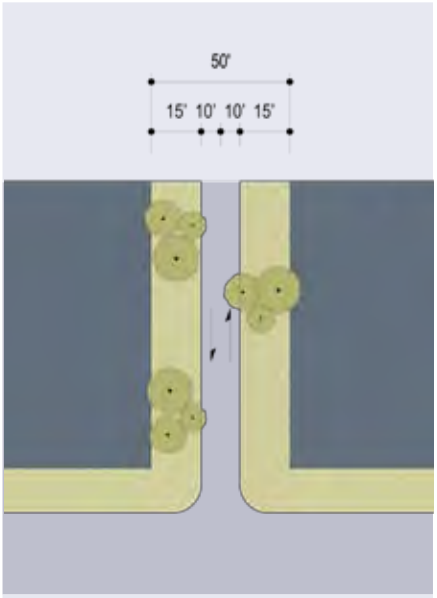
TABLE 4C THOROUGHFARE ASSEMBLIES

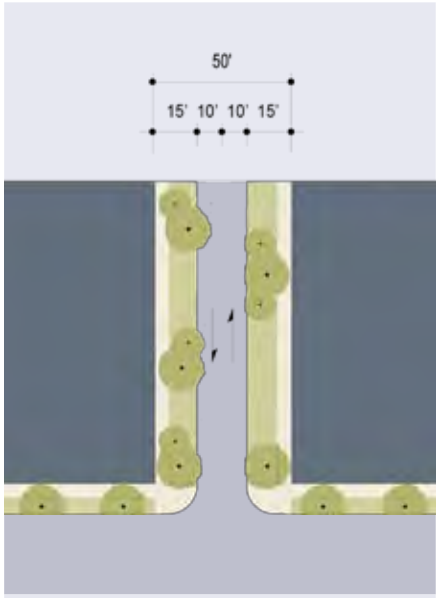
KEY ST-57-20-BL

- Thoroughfare Type
- Right of Way Width
- Pavement Width
- Transportation Provisions

THOROUGHFARE TYPES

Highway:	HW
Boulevard:	BV
Avenue:	AV
Commercial Street:	CS
Drive:	DR
Street:	ST
Road:	RD
Rear Alley:	RA
Rear Lane:	RL
Bicycle Trail:	BT
Bicycle Lane:	BL
Bicycle Route:	BR
Path:	PT
Passage:	PS
Transit Route:	TR





KEY	RDOS-50-20	RD-50-20
Thoroughfare Type	Road	Road
Sustainable Zone Assignment	OS	OS, NG
Right-of-Way Width	50 feet	50 feet
Pavement Width	16 feet	18 feet
Movement	Slow Movement	Slow Movement
Design Speed	15 MPH	15 MPH
Pedestrian Crossing Time	5.1 seconds	5.1 seconds
Traffic Lanes	2 lanes	2 lanes
Parking Lanes	None	None
Curb Radius	25 feet	25 feet
Walkway Type	Path, Sidewalk or BT	Path, Sidewalk or BT
Planter Type	Continuous Swale	Continuous Swale
Curb Type	Swale or Curb	Swale or Curb
Landscape Type	Trees clustered	Trees clustered
Transportation Provision	BT	BT

Note: Requires approval of TRC

Note: Curb radius to be high-strength / reinforced

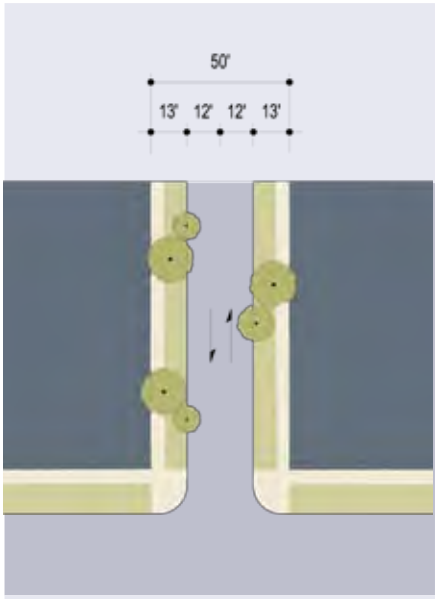
TABLE 4C THOROUGHFARE ASSEMBLIES

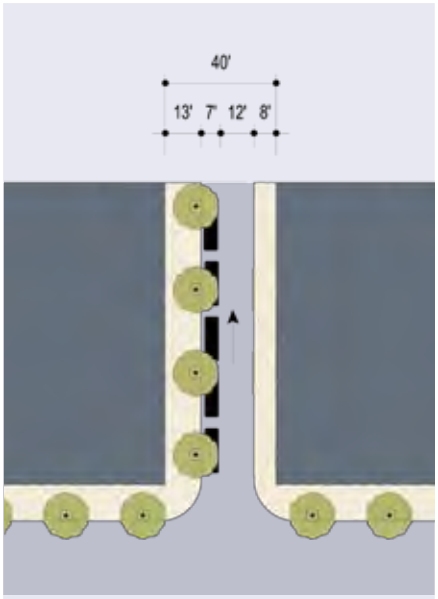
KEY ST-57-20-BL

- Thoroughfare Type
- Right of Way Width
- Pavement Width
- Transportation Provisions

THOROUGHFARE TYPES

Highway:	HW
Boulevard:	BV
Avenue:	AV
Commercial Street:	CS
Drive:	DR
Street:	ST
Road:	RD
Rear Alley:	RA
Rear Lane:	RL
Bicycle Trail:	BT
Bicycle Lane:	BL
Bicycle Route:	BR
Path:	PT
Passage:	PS
Transit Route:	TR





KEY	RD-50-24	ST-40-19
Thoroughfare Type	Road	Street
Sustainable Zone Assignment	OS, NG	OS, NG, NM, VC
Right-of-Way Width	50 feet	40 feet
Pavement Width	24 feet	19 feet
Movement	Slow Movement	Slow Movement
Design Speed	20 MPH	20 MPH
Pedestrian Crossing Time	6.8 seconds	5.4 seconds
Traffic Lanes	2 lanes	1 lane
Parking Lanes	None	One side @ 7 feet marked
Curb Radius	25 feet	15 feet
Walkway Type	Path, Sidewalk or BT	13/8 foot Sidewalk
Planter Type	Continuous Swale	Tree well (Permitted but not required per 4.5.3 e. ii.)
Curb Type	Swale or Curb	Curb
Landscape Type	Trees clustered	Trees at 50' o.c. Avg. (Permitted but not required per 4.5.3 e. ii.)
Transportation Provision	BL optional, BT optional	

Note: Requires approval of TRC
Note: Curb radius to be high-strength / reinforced

Note: Curb radius to be high-strength / reinforced

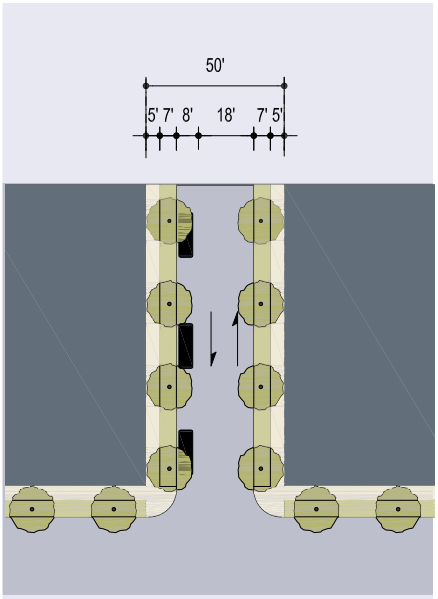
TABLE 4C THOROUGHFARE ASSEMBLIES

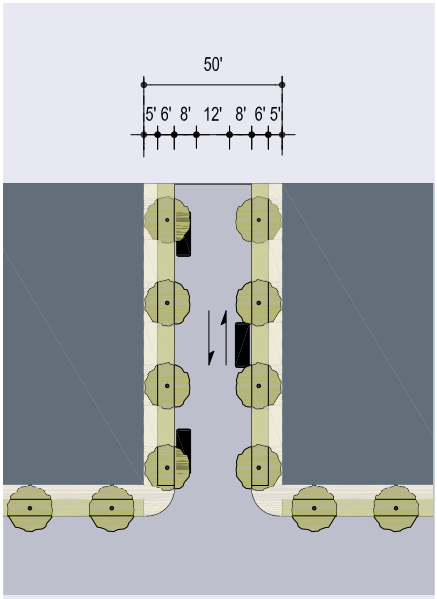
KEY ST-57-20-BL

- Thoroughfare Type
- Right of Way Width
- Pavement Width
- Transportation Provisions

THOROUGHFARE TYPES

Highway:	HW
Boulevard:	BV
Avenue:	AV
Commercial Street:	CS
Drive:	DR
Street:	ST
Road:	RD
Rear Alley:	RA
Rear Lane:	RL
Bicycle Trail:	BT
Bicycle Lane:	BL
Bicycle Route:	BR
Path:	PT
Passage:	PS
Transit Route:	TR





KEY	ST-50-26	ST-50-28
Thoroughfare Type	Street	Street
Sustainable Zone Assignment	NG, NM, VC, UC	NG, NM, VC, UC
Right-of-Way Width	50 feet	50 feet
Pavement Width	26 feet	28 feet
Movement	Free Movement	Yield Movement
Design Speed	20 MPH	20 MPH
Pedestrian Crossing Time	7.4 seconds	7.6 seconds
Traffic Lanes	2 lanes	2 lane
Parking Lanes	One side @ 8 feet marked	Both sides @ 8 feet unmarked
Curb Radius	10 feet	10 feet
Walkway Type	5 foot Sidewalk	5 foot Sidewalk
Planter Type	7 foot continuous Planter	6 foot continuous Planter
Curb Type	Curb	Curb
Landscape Type	Trees at 50' o.c. Avg.	Trees at 50' o.c. Avg.
Transportation Provision	BL optional	BL optional

Note: Curb radius to be high-strength / reinforced

Note: Curb radius to be high-strength / reinforced

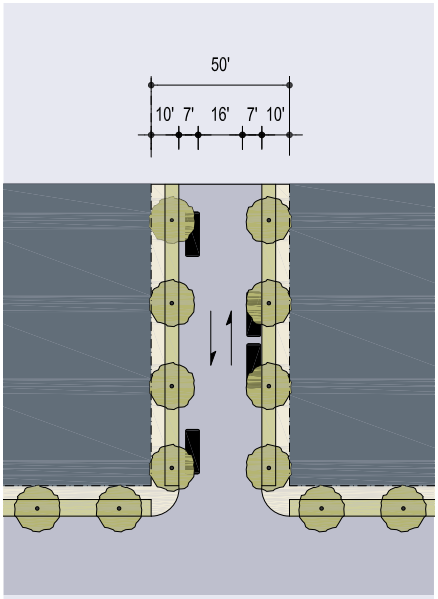
TABLE 4C THOROUGHFARE ASSEMBLIES

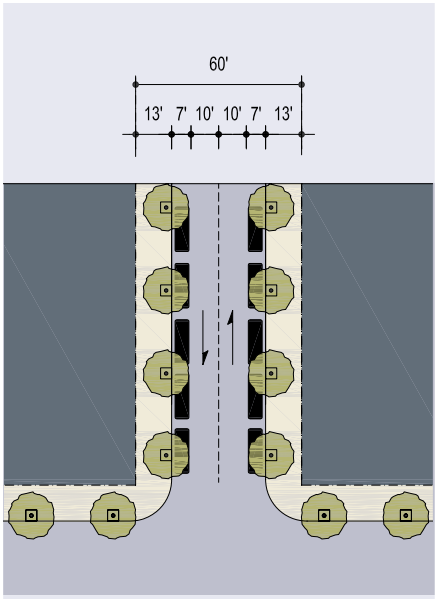
KEY ST-57-20-BL

- Thoroughfare Type
- Right of Way Width
- Pavement Width
- Transportation Provisions

THOROUGHFARE TYPES

Highway:	HW
Boulevard:	BV
Avenue:	AV
Commercial Street:	CS
Drive:	DR
Street:	ST
Road:	RD
Rear Alley:	RA
Rear Lane:	RL
Bicycle Trail:	BT
Bicycle Lane:	BL
Bicycle Route:	BR
Path:	PT
Passage:	PS
Transit Route:	TR





KEY	ST-50-30	ST-60-34
Thoroughfare Type	Street	Street
Sustainable Zone Assignment	NG, NM, VC	NG, NM, VC, UC
Right-of-Way Width	50 feet	60 feet
Pavement Width	30 feet	34 feet
Movement	Slow Movement	Slow Movement
Design Speed	20 MPH	20 MPH
Pedestrian Crossing Time	8.5 seconds	9.7 seconds
Traffic Lanes	2 lanes	2 lanes
Parking Lanes	Both sides @ 7 feet unmarked	Both Sides @ 7 feet marked
Curb Radius	10 feet	15 feet
Walkway Type	5 foot Sidewalk	6 foot Sidewalk
Planter Type	5 foot continuous Planter	Tree well or 7 foot continuous Planter
Curb Type	Curb	Curb
Landscape Type	Trees at 50' o.c. Avg.	Trees at 50' o.c. Avg.
Transportation Provision	BL optional	BR

Note: Curb radius to be high-strength / reinforced

Note: Curb radius to be high-strength / reinforced

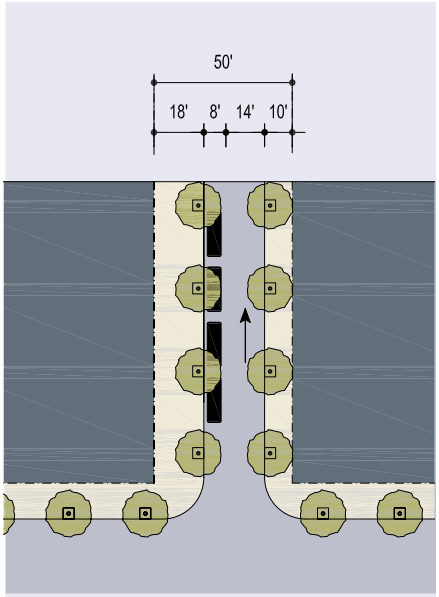
TABLE 4C THOROUGHFARE ASSEMBLIES

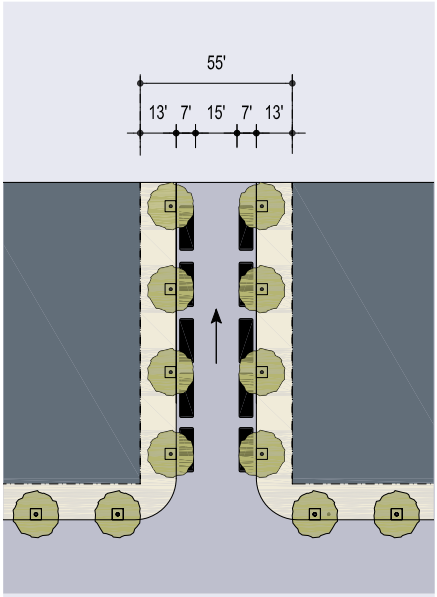
KEY ST-57-20-BL

- Thoroughfare Type
- Right of Way Width
- Pavement Width
- Transportation Provisions

THOROUGHFARE TYPES

Highway:	HW
Boulevard:	BV
Avenue:	AV
Commercial Street:	CS
Drive:	DR
Street:	ST
Road:	RD
Rear Alley:	RA
Rear Lane:	RL
Bicycle Trail:	BT
Bicycle Lane:	BL
Bicycle Route:	BR
Path:	PT
Passage:	PS
Transit Route:	TR





KEY	CS-50-22	CS-55-29
Thoroughfare Type	Commercial Street	Commercial Street
Sustainable Zone Assignment	NG, NM, VC, UC	NG, NM, VC, UC
Right-of-Way Width	50 feet	55 feet
Pavement Width	22 feet	29 feet
Movement	Slow Movement	Slow Movement
Design Speed	20 MPH	20 MPH
Pedestrian Crossing Time	6.2 seconds	8.2 seconds
Traffic Lanes	1 lane	1 lane
Parking Lanes	One side @ 8 feet marked	Both sides @ 7 feet marked
Curb Radius	15 feet	15 feet
Walkway Type	18/10 foot Sidewalk	13 foot Sidewalk
Planter Type	Tree well	Tree well
Curb Type	Curb	Curb
Landscape Type	Trees at 50' o.c. Avg.	Trees at 50' o.c. Avg.
Transportation Provision		

Note: Curb radius to be high-strength / reinforced

Note: Curb radius to be high-strength / reinforced

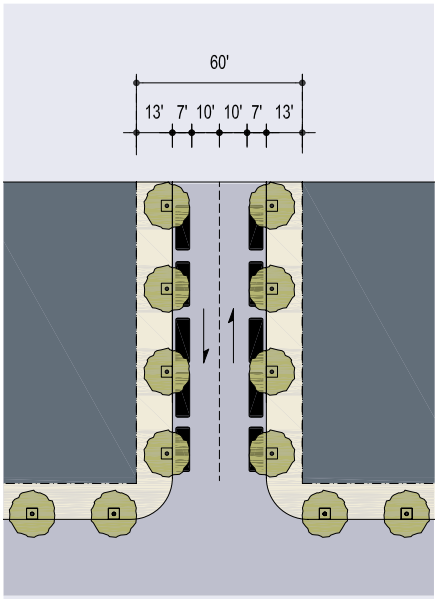
TABLE 4C THOROUGHFARE ASSEMBLIES

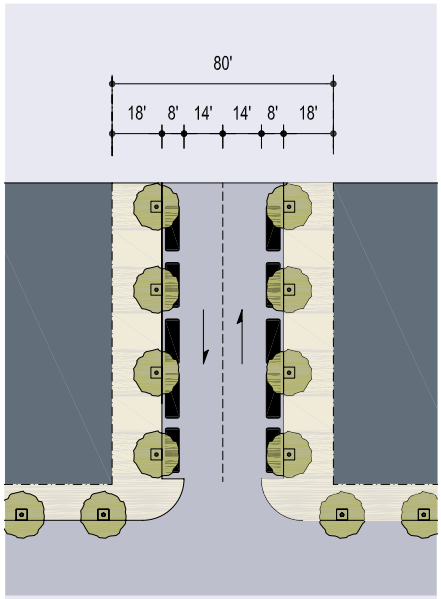
KEY ST-57-20-BL

- Thoroughfare Type
- Right of Way Width
- Pavement Width
- Transportation Provisions

THOROUGHFARE TYPES

Highway:	HW
Boulevard:	BV
Avenue:	AV
Commercial Street:	CS
Drive:	DR
Street:	ST
Road:	RD
Rear Alley:	RA
Rear Lane:	RL
Bicycle Trail:	BT
Bicycle Lane:	BL
Bicycle Route:	BR
Path:	PT
Passage:	PS
Transit Route:	TR





KEY	CS-60-34	CS-80-44
Thoroughfare Type	Commercial Street	Commercial Street
Sustainable Zone Assignment	NM, VC, UC	VC, UC
Right-of-Way Width	60 feet	80 feet
Pavement Width	34 feet	44 feet
Movement	Slow Movement	Free Movement
Design Speed	20 MPH	25 MPH
Pedestrian Crossing Time	9.7 seconds	8 seconds at corners
Traffic Lanes	2 lanes	2 lanes
Parking Lanes	Both sides @ 7 feet marked	Both sides @ 8 feet marked
Curb Radius	10 feet	10 feet
Walkway Type	13 foot Sidewalk	18 foot Sidewalk
Planter Type	Tree well	Tree well
Curb Type	Curb	Curb
Landscape Type	Trees at 50' o.c. Avg.	Trees at 50' o.c. Avg.
Transportation Provision		

Note: Curb radius to be high-strength / reinforced

Note: Curb radius to be high-strength / reinforced

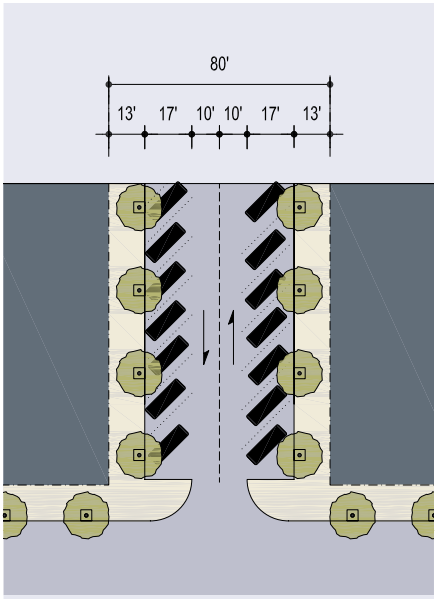
TABLE 4C THOROUGHFARE ASSEMBLIES

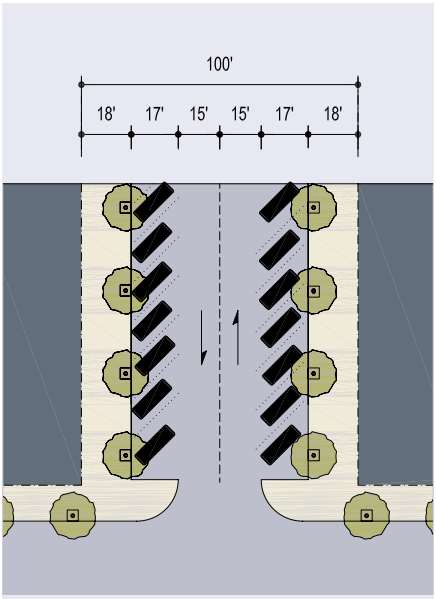
KEY ST-57-20-BL

- Thoroughfare Type
- Right of Way Width
- Pavement Width
- Transportation Provisions

THOROUGHFARE TYPES

Highway:	HW
Boulevard:	BV
Avenue:	AV
Commercial Street:	CS
Drive:	DR
Street:	ST
Road:	RD
Rear Alley:	RA
Rear Lane:	RL
Bicycle Trail:	BT
Bicycle Lane:	BL
Bicycle Route:	BR
Path:	PT
Passage:	PS
Transit Route:	TR





KEY	CS-80-54	CS-100-64
Thoroughfare Type	Commercial Street	Commercial Street
Sustainable Zone Assignment	VC, UC	VC, UC
Right-of-Way Width	80 feet	100 feet
Pavement Width	54 feet	64 feet
Movement	Slow Movement	Slow Movement
Design Speed	25 MPH	25 MPH
Pedestrian Crossing Time	5.7 seconds at corners	8.5 seconds at corners
Traffic Lanes	2 lanes	2 lanes
Parking Lanes	Both sides angled @ 17 feet marked	Both sides angled @ 17 feet marked
Curb Radius	10 feet	10 feet
Walkway Type	13 foot Sidewalk	18 foot Sidewalk
Planter Type	Tree well	Tree well
Curb Type	Curb	Curb
Landscape Type	Trees at 50' o.c. Avg.	Trees at 50' o.c. Avg.
Transportation Provision		

Note: Curb radius to be high-strength / reinforced

Note: Curb radius to be high-strength / reinforced

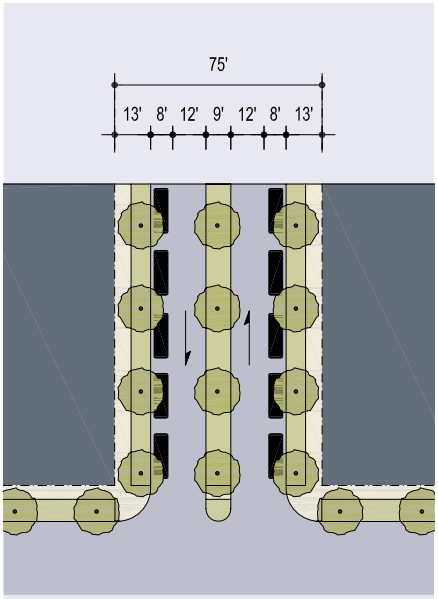
TABLE 4C THOROUGHFARE ASSEMBLIES

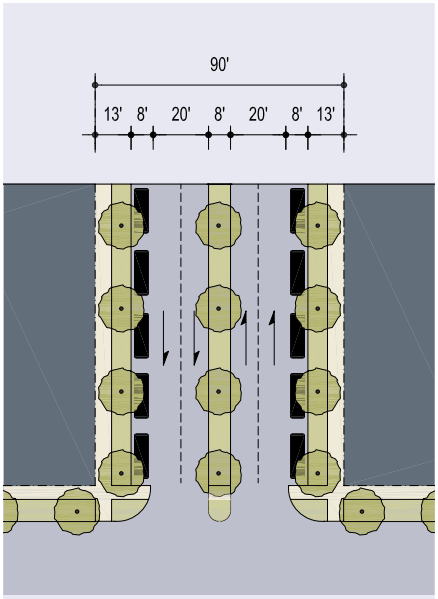
KEY ST-57-20-BL

- Thoroughfare Type
- Right of Way Width
- Pavement Width
- Transportation Provisions

THOROUGHFARE TYPES

Highway:	HW
Boulevard:	BV
Avenue:	AV
Commercial Street:	CS
Drive:	DR
Street:	ST
Road:	RD
Rear Alley:	RA
Rear Lane:	RL
Bicycle Trail:	BT
Bicycle Lane:	BL
Bicycle Route:	BR
Path:	PT
Passage:	PS
Transit Route:	TR





KEY	AV-75-40	AV-90-56
Thoroughfare Type	Avenue	Avenue
Sustainable Zone Assignment	NG, NM, VC, UC	NG, NM, VC, UC
Right-of-Way Width	75 feet	90 feet
Pavement Width	40 feet total	56 feet total
Movement	Slow Movement	Slow Movement
Design Speed	25 MPH	25 MPH
Pedestrian Crossing Time	5.7 seconds - 5.7 seconds	5.7 seconds - 5.7 seconds at corners
Traffic Lanes	2 lanes	4 lanes
Parking Lanes	Both sides @ 8 feet marked	Both sides @ 8 feet marked
Curb Radius	10 feet	10 feet
Walkway Type	6 foot Sidewalk	6 foot Sidewalk
Planter Type	7 foot continuous Planter	7 foot continuous Planter
Curb Type	Curb or Swale	Curb or Swale
Landscape Type	Trees at 50' o.c. Avg.	Trees at 50' o.c. Avg.
Transportation Provision	BR, TR	BR, TR

Note: Curb radius to be high-strength / reinforced

Note: Curb radius to be high-strength / reinforced

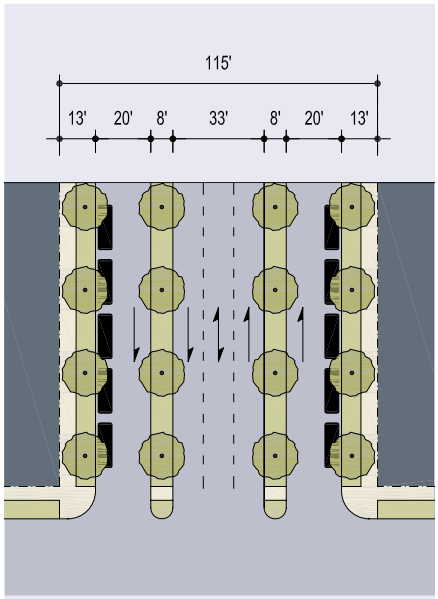
TABLE 4C THOROUGHFARE ASSEMBLIES

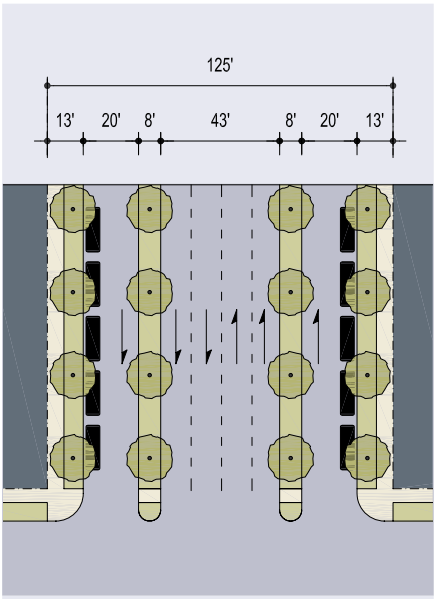
KEY ST-57-20-BL

- Thoroughfare Type
- Right of Way Width
- Pavement Width
- Transportation Provisions

THOROUGHFARE TYPES

Highway:	HW
Boulevard:	BV
Avenue:	AV
Commercial Street:	CS
Drive:	DR
Street:	ST
Road:	RD
Rear Alley:	RA
Rear Lane:	RL
Bicycle Trail:	BT
Bicycle Lane:	BL
Bicycle Route:	BR
Path:	PT
Passage:	PS
Transit Route:	TR





KEY	BV-115-33	BV-125-43
Thoroughfare Type	Boulevard	Boulevard
Sustainable Zone Assignment	VC, UC	VC, UC
Right-of-Way Width	115 feet	125 feet
Pavement Width	20 feet - 33 feet - 20 feet	20 feet - 43 feet - 20 feet
Movement	Free Movement (inner lanes)	Free Movement (inner lanes)
Design Speed	35 MPH	35 MPH
Pedestrian Crossing Time	5.7 seconds - 9.4 seconds - 5.7 seconds	5.7 seconds - 12.2 seconds - 5.7 seconds
Traffic Lanes	3 lanes, one turning lane & two one-way slip roads	4 lanes & two one-way slip roads
Parking Lanes	8 feet	8 feet
Curb Radius	10 feet	10 feet
Walkway Type	6 foot Sidewalk	6 foot Sidewalk
Planter Type	7 foot continuous Planter	7 foot continuous Planter
Curb Type	Curb	Curb
Landscape Type	Trees at 50' o.c. Avg.	Trees at 50' o.c. Avg.
Transportation Provision	BR, TR	BR, TR

Note: Curb radius to be high-strength / reinforced

Note: Curb radius to be high-strength / reinforced

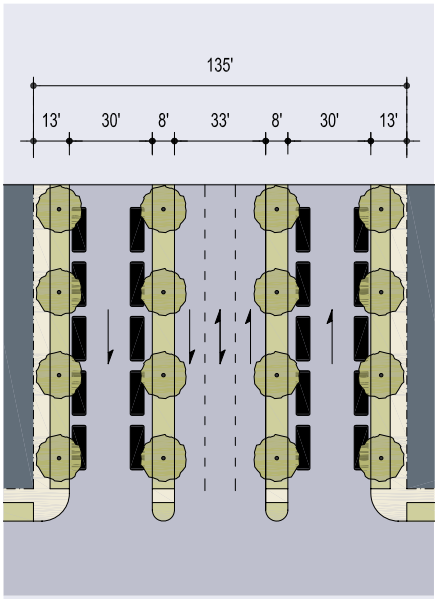
TABLE 4C THOROUGHFARE ASSEMBLIES

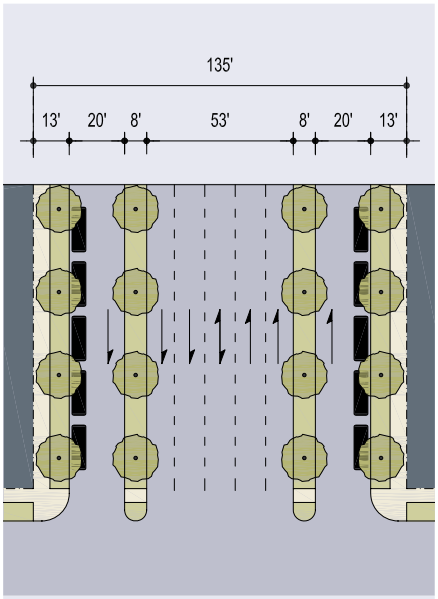
KEY ST-57-20-BL

- Thoroughfare Type
- Right of Way Width
- Pavement Width
- Transportation Provisions

THOROUGHFARE TYPES

Highway:	HW
Boulevard:	BV
Avenue:	AV
Commercial Street:	CS
Drive:	DR
Street:	ST
Road:	RD
Rear Alley:	RA
Rear Lane:	RL
Bicycle Trail:	BT
Bicycle Lane:	BL
Bicycle Route:	BR
Path:	PT
Passage:	PS
Transit Route:	TR





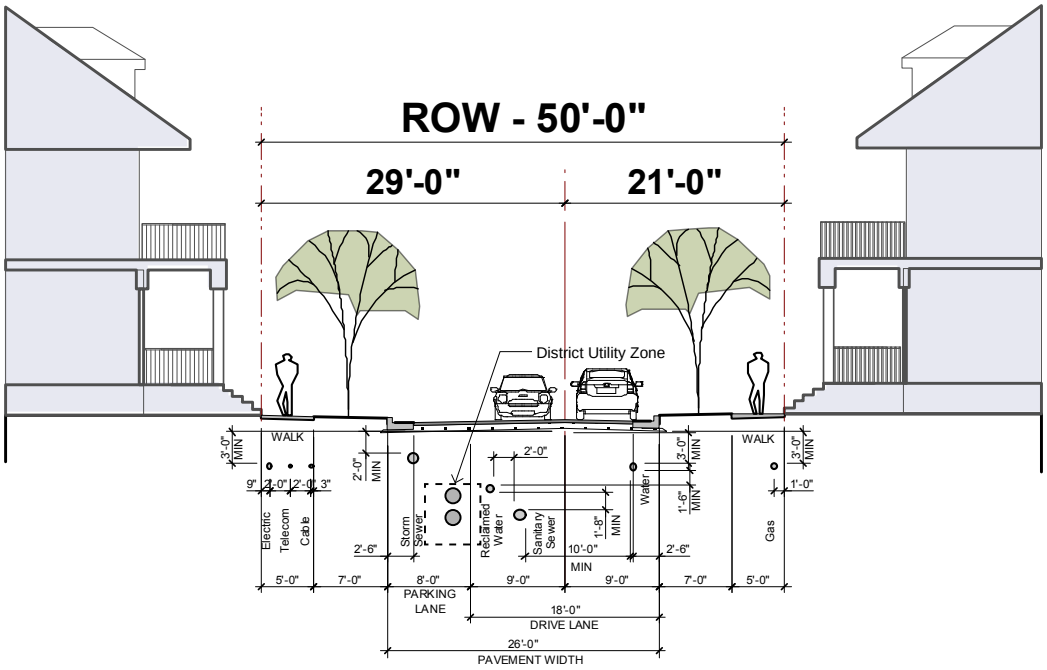
KEY	BV-135-33	BV-135-53
Thoroughfare Type	Boulevard	Boulevard
Sustainable Zone Assignment	VC, UC	VC, UC
Right-of-Way Width	135 feet	135 feet
Pavement Width	30 feet - 33 feet - 30 feet	20 feet - 53 feet - 20 feet
Movement	Free Movement	Free Movement
Design Speed	35 MPH	35 MPH
Pedestrian Crossing Time	8.5 seconds - 9.4 seconds - 8.5 seconds	5.7 seconds - 15.1 seconds - 5.7 seconds
Traffic Lanes	3 lanes, one turning lane & two one-way slip roads	5 Lanes, one turning lane & two one-way slip roads
Parking Lanes	8 feet	8 feet
Curb Radius	10 feet	10 feet
Walkway Type	6 foot Sidewalk	6 foot Sidewalk
Planter Type	7 foot continuous Planter	7 foot continuous Planter
Curb Type	Curb	Curb
Landscape Type	Trees at 50' o.c. Avg.	Trees at 50' o.c. Avg.
Transportation Provision	BR, TR	BR, TR

Note: Curb radius to be high-strength / reinforced

Note: Curb radius to be high-strength / reinforced

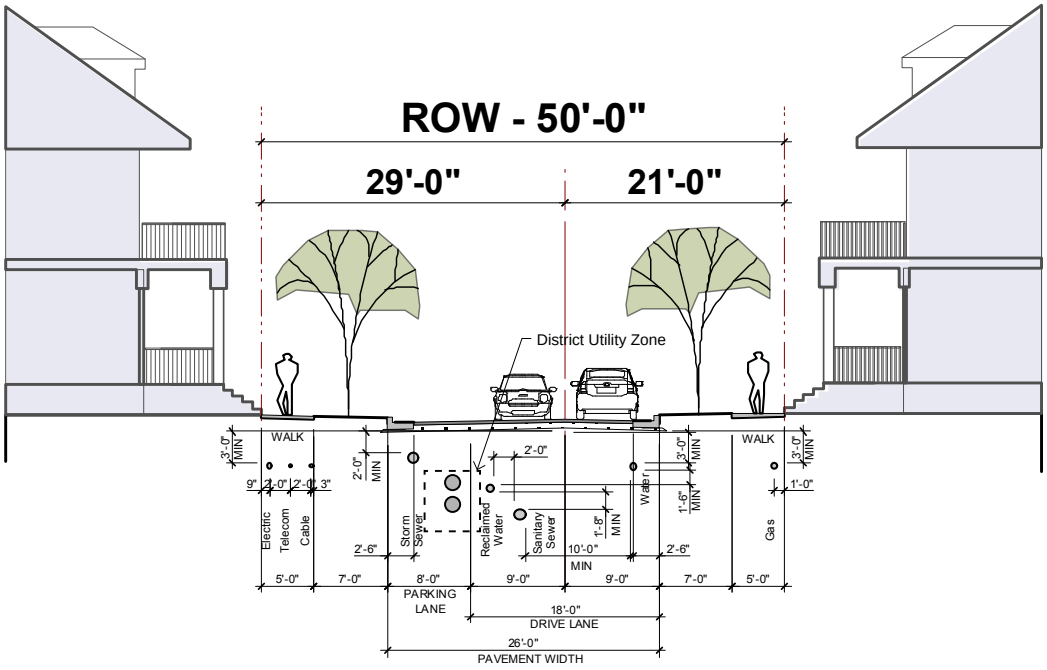
TABLE 4D. THOROUGHFARE CROSS SECTIONS

TABLE 4D: Thoroughfare Cross Sections. These Thoroughfares Cross Sections are assembled from the some of the typical Thoroughfares that appear in Table 4C and represent Standard Street Cross Sections Showing Utilities.



ST-50-26 without Rear Lane

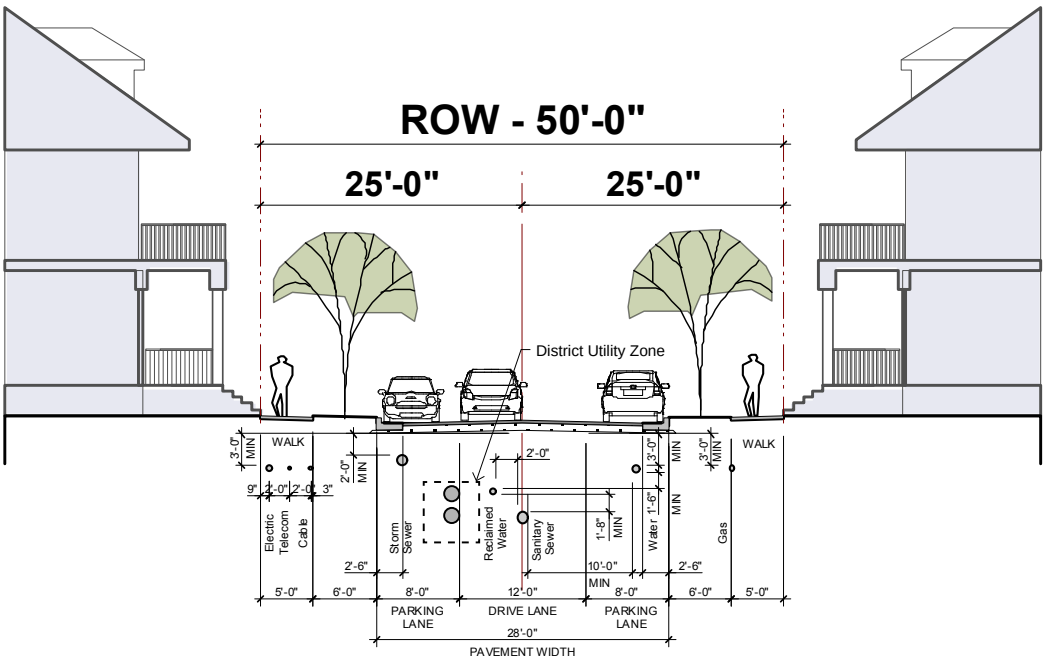
Thoroughfare Sections with Utilities



ST-50-26 with Rear Lane

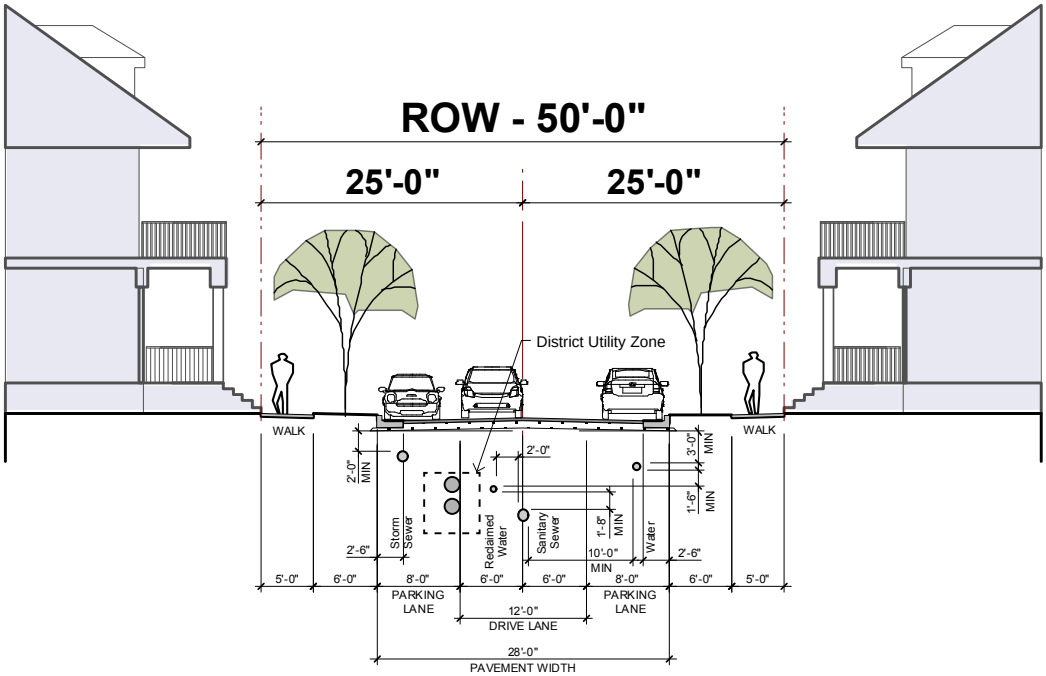
Thoroughfare Sections with Utilities

TABLE 4D. THOROUGHFARE CROSS SECTIONS



ST-50-28 without Rear Lane

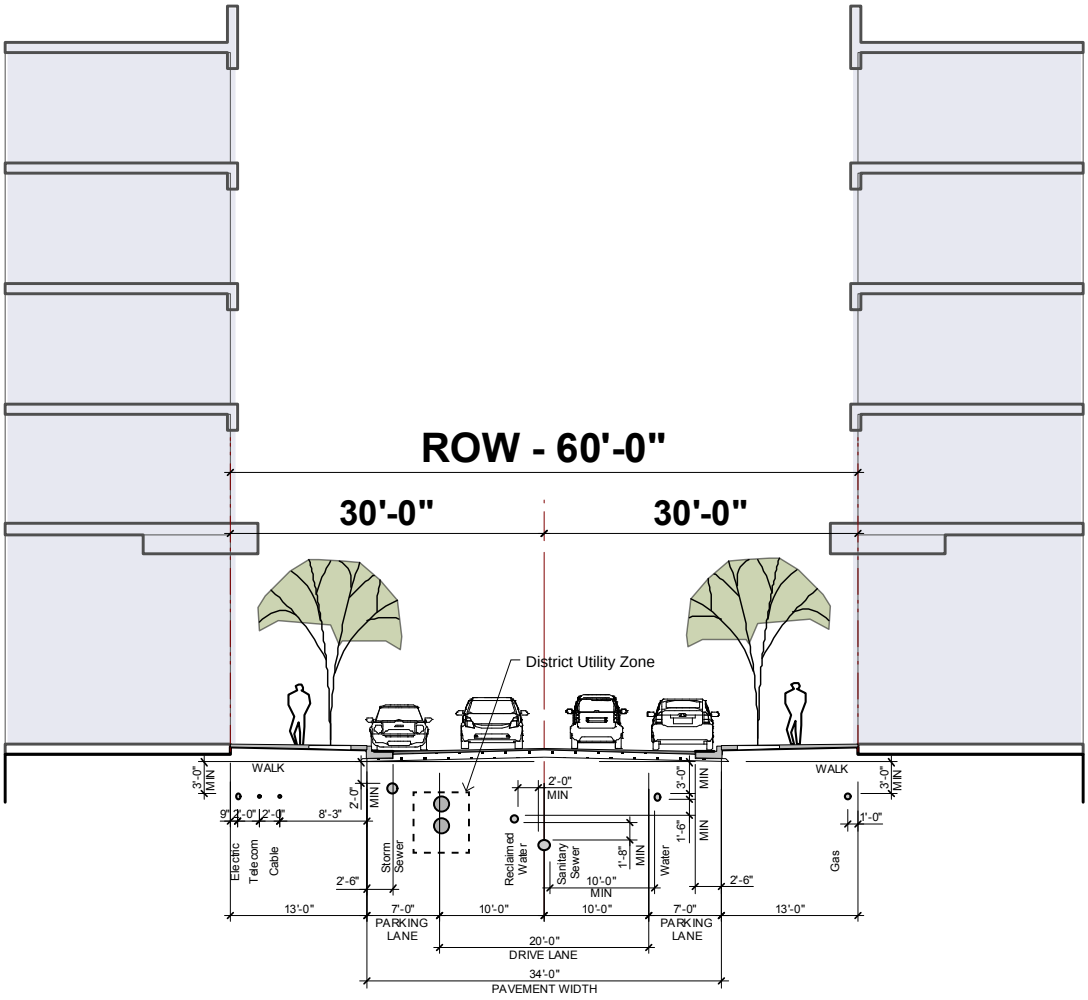
Thoroughfare Sections with Utilities



ST-50-28 with Rear Lane

Thoroughfare Sections with Utilities

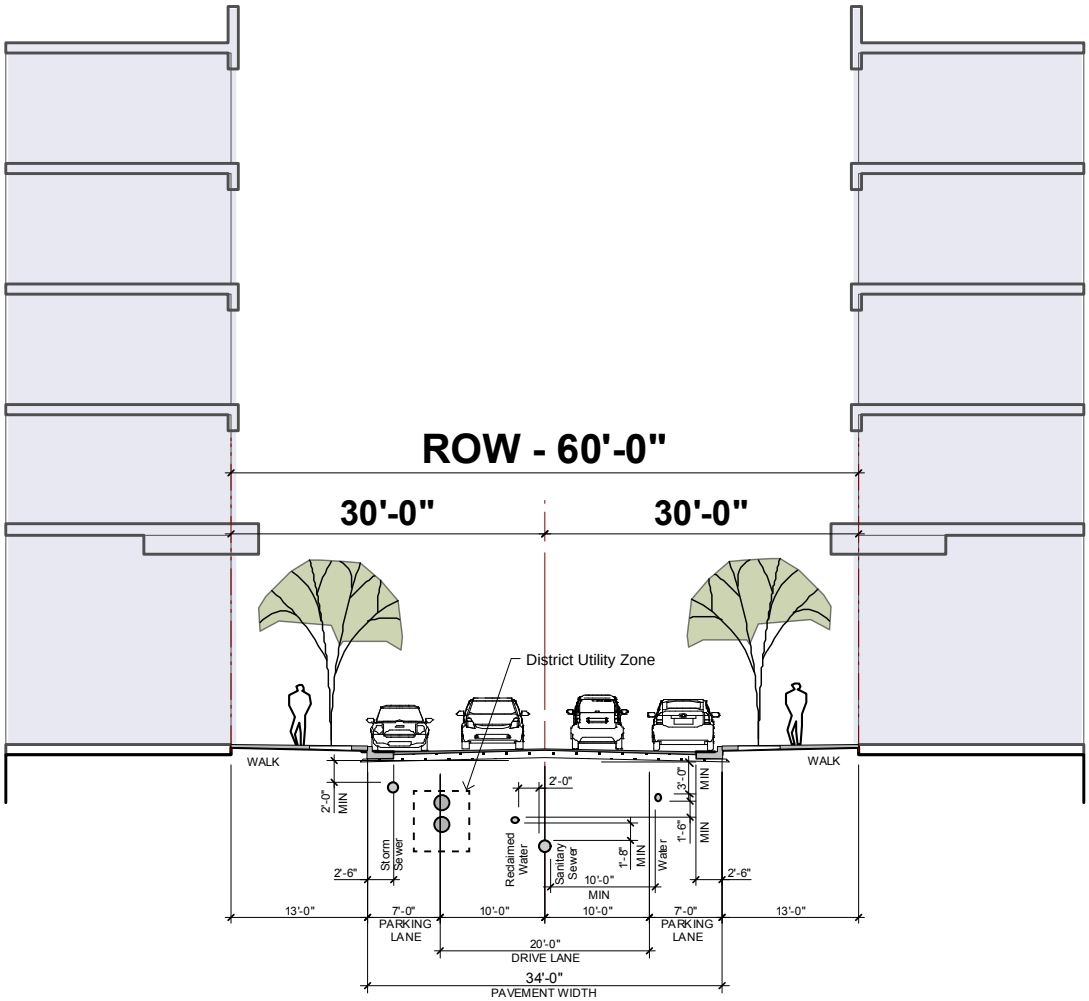
TABLE 4D. THOROUGHFARE CROSS SECTIONS



CS-60-34 without Rear Alley

Thoroughfare Sections with Utilities

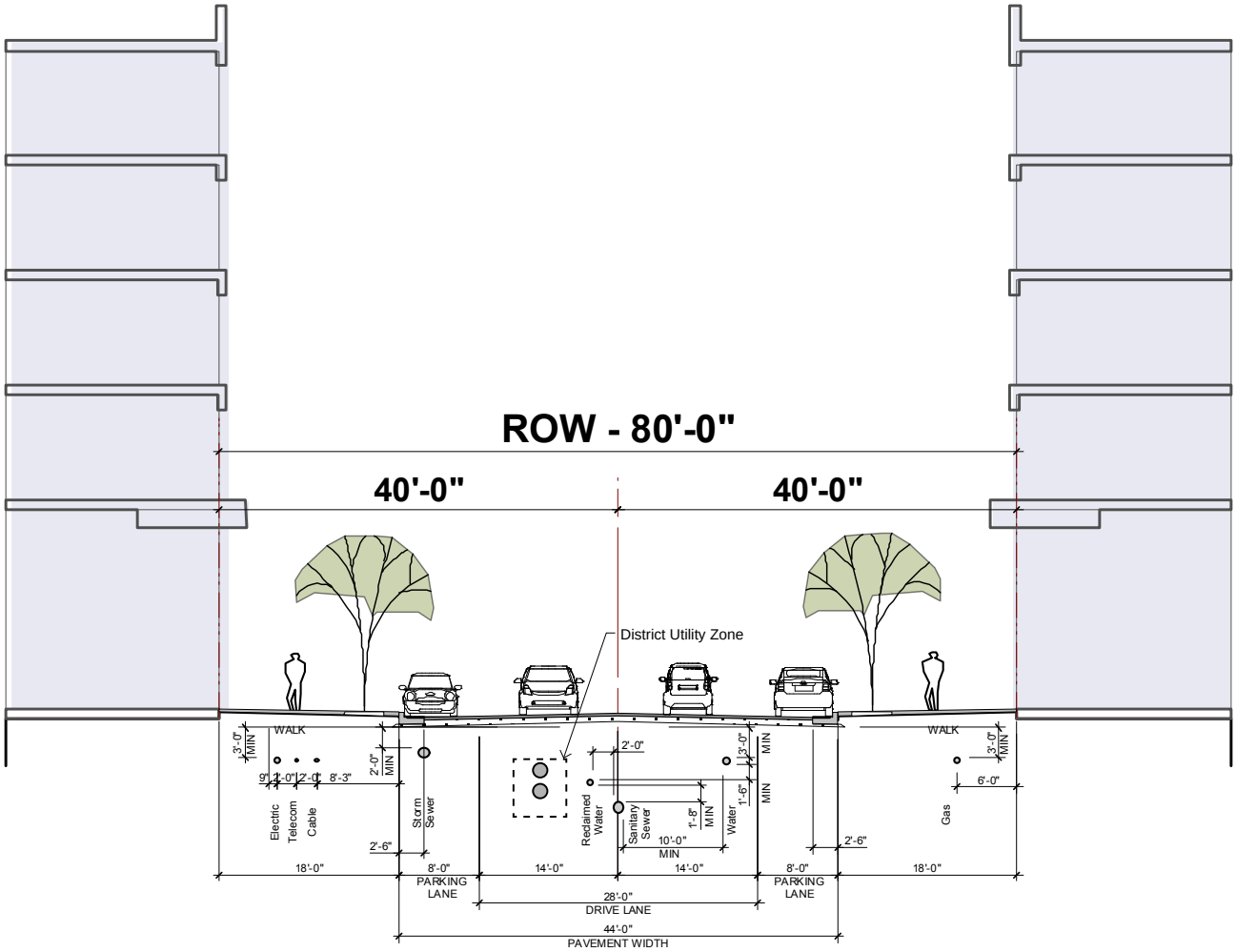
TABLE 4D. THOROUGHFARE CROSS SECTIONS



CS-60-34 with Rear Alley

Thoroughfare Sections with Utilities

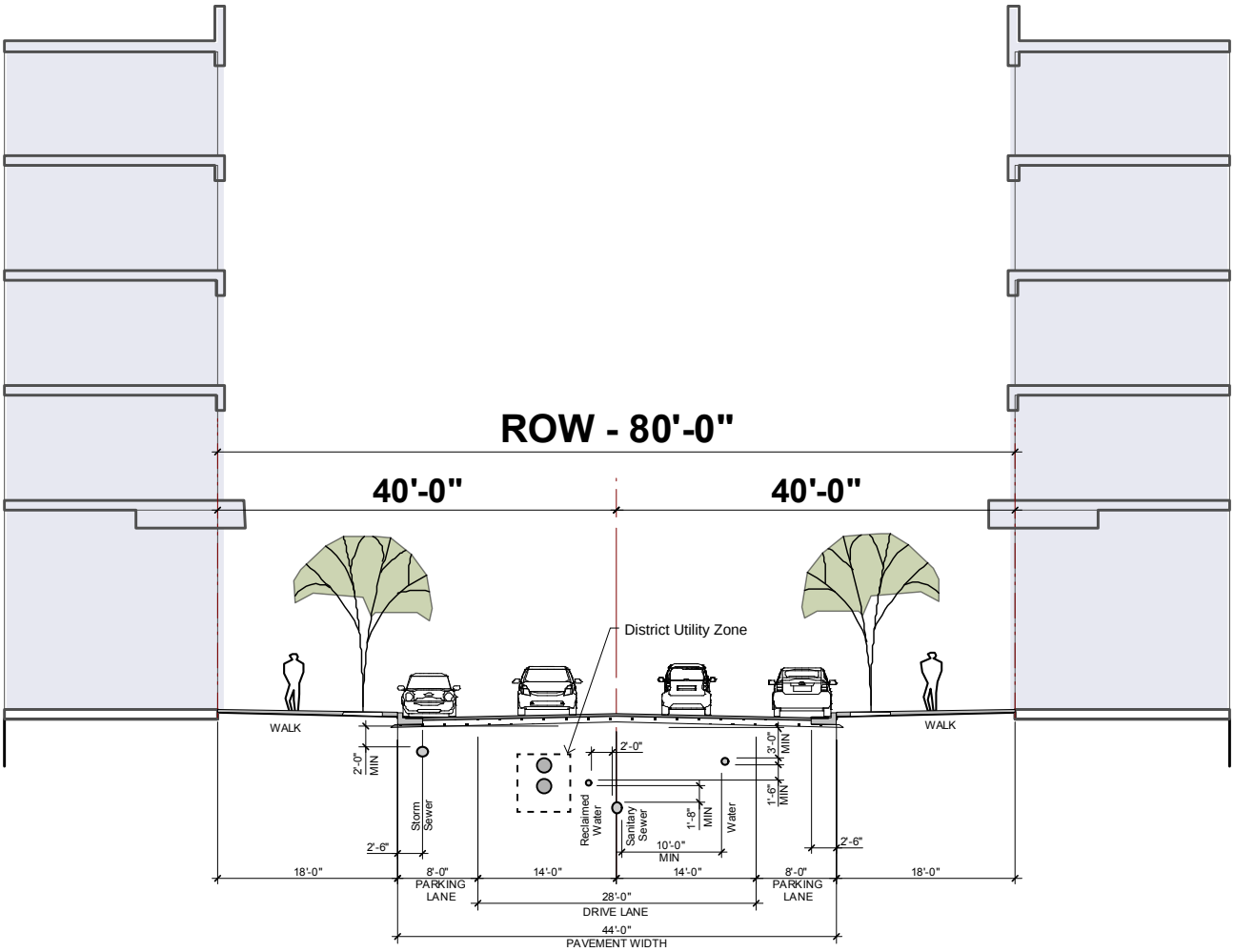
TABLE 4D. THOROUGHFARE CROSS SECTIONS



CS-80-44 without Rear Alley

Thoroughfare Sections with Utilities

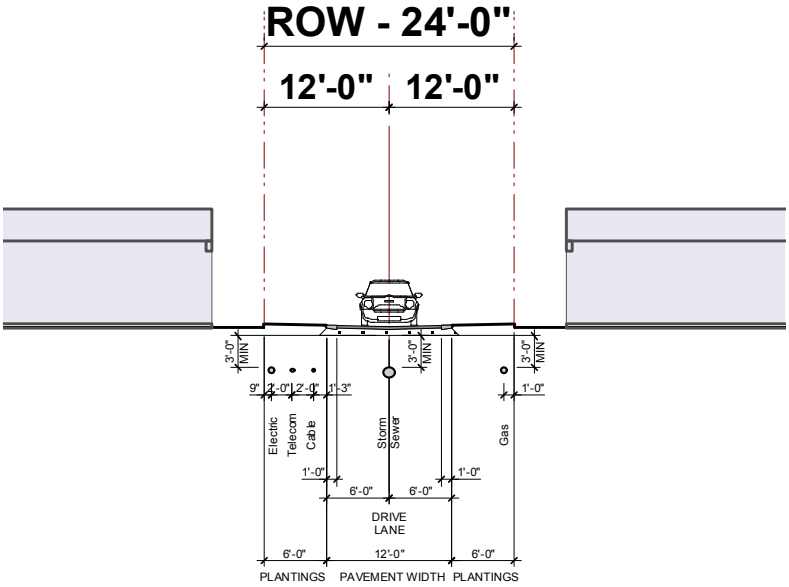
TABLE 4D. THOROUGHFARE CROSS SECTIONS



CS-80-44 with Rear Alley

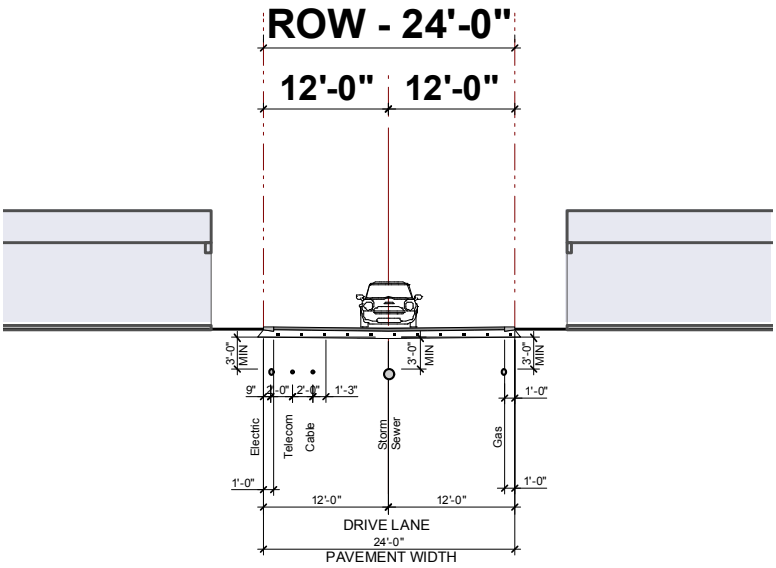
Thoroughfare Sections with Utilities

TABLE 4D. THOROUGHFARE CROSS SECTIONS



RL-12-24 Rear Lane

Thoroughfare Sections with Utilities



RA-24-24 Rear Alley

Thoroughfare Sections with Utilities

TABLE 6. PUBLIC PLANTING

TABLE 6: Public Planting. This table shows five common types of street tree shapes and their appropriateness within the Sustainable Zones. Provide adequate soil volumes for street trees set within hardscape. A registered professional shall prepare a landscape plan and provide planting details to ensure adequate soil preparation for the size and species proposed on the plan.

	OS	NG	NM	VC	UC	Native and Naturalized Plant List Table Page 27
Oval 	▪	▪	▪	▪	▪	
Ball 	▪	▪	▪	▪	▪	
Pyramid 	▪	▪	▪	▪	▪	
Umbrella 	▪	▪	▪	▪	▪	
Vase 	▪	▪	▪	▪	▪	

TABLE 6. PUBLIC PLANTING

TABLE 6: Public Planting. This table shows a list of native and naturalized trees divided in five common types of street tree shapes and their appropriateness within the Sustainable Zones. Other types of hardy plant material are allowed with TRC approval.

Oval Shape (OS, NG, NM, VC, UC)		Tree Size*
Acer campestre	Hedge Maple	L
Acer truncatum	Purpleblow Maple	M
Carpinus caroliniana	American Hornbeam	M
Pistacia chinensis cultivar “Keith Davey”	Chinese Pistache	M
Tilia americana	American Linden	L
Tilia cordata	Littleleaf Linden	M
Ball Shape (OS, NG, NM, VC, UC)		
Acer barbatum	Southern Sugar Maple	M
Acer buergeranum	Trident Maple	S
Acer ginnala	Amur Maple	M
Amelanchier arborea	Downy Serviceberry	M
Platanus X acerifolia	London Planetree	L
Quercus coccinea	Scarlet Oak	L
Quercus lyrata	Overcup Oak	L
Quercus phellos	Willow Oak	L
Qurcus shumardii	Shumard Oak	L
Quercus virginiana	Live Oak	L
Pyramid Shape (OS, NG, NM)		
Carpinus betulus	European Hornbeam	M
Cryptomeria japonica	Japanese Cryptomeria	M
Ginkgo biloba (Male only)	Ginkgo	L
Ilex opaca	American Holly	L
Juniperus virginiana	Eastern Redcedar	L
Magnolia grandifolia	Southern Magnolia	L
Metasequoia glyptostroboides	Dawn Redwood	L
Nyssa sylvatica	Black Gum	L
Umbrella Shape (OS, NG, NM)		
Celtis laevigata	Sugar Hackberry	L
Cornus florida	Flowering Dogwood	S
Gleditsia triacanthos var.inermis	Thornless Honey Locust	M
Koelreuteria paniculata	Golden Rain Tree	M
Ostrya virginiana	Ironwood	L
Ulmus parvifolia	Lacebark Elm	L
Vitex agnus-castus	Chaste Tree	S
Zelkova serrata	Japanese Zelkova	L
Vase Shape (OS, NG, NM)		
Acer ginnala	Amur Maple	M
Cercis canadensis	Eastern Redbud	S
Chionanthus virginicus	Fringetree	S
Lagerstroemia indica	Crape Myrtle	S/M
Styrax japonica	Japanese Snowbell	S

* Tree Size

Small Tree (S): Trees with a mature height of less than 20 feet tall. Small trees shall be planted in permeable areas no less than 6’ x 8’ and 3’ minimum depth of soil preparation per Town of Apex standards.

Medium Tree (M): Trees with mature height between 20 and 30 feet tall. Medium trees shall be planted in permeable areas no less than 6’ x 8’ and 3’ minimum depth of soil preparation per Town of Apex standards

Large Trees (L): Trees with mature height above 30 feet tall. Large trees shall be planted in permeable areas no less than 10’ x 12’ and 3’ minimum depth of soil preparation per Town of Apex standards

TABLE 7. PRIVATE FRONTAGES

TABLE 7: Private Frontages. The Private Frontage is the area between the building Facade and the Lot line. Note that buildings in B-Grid Zones reflect automobile-oriented standards with parking permitted in front and larger building setbacks.

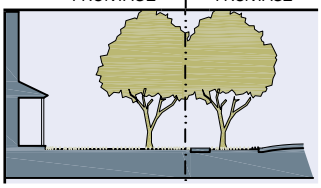
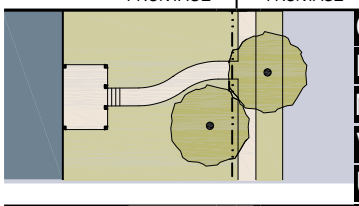
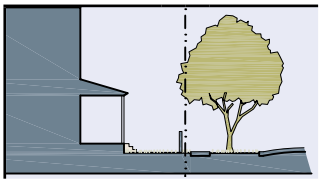
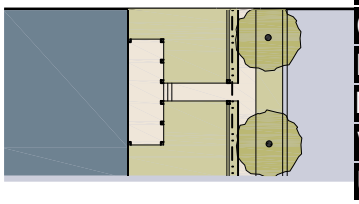
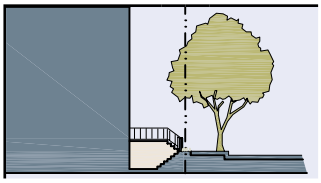
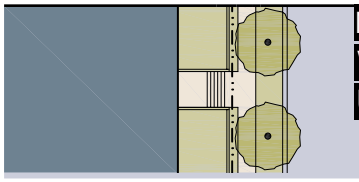
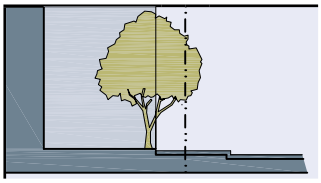
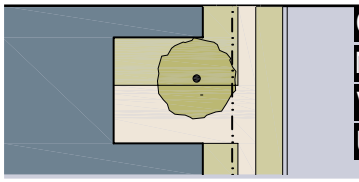
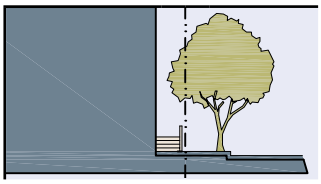
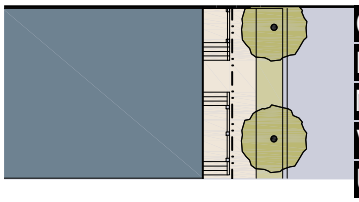
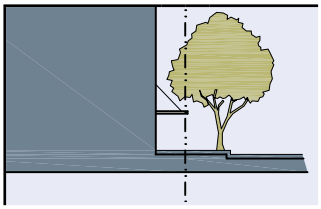
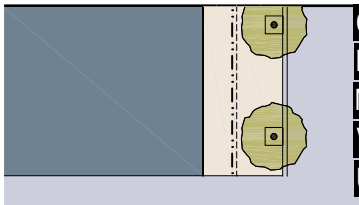
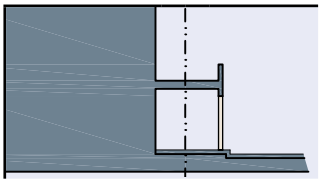
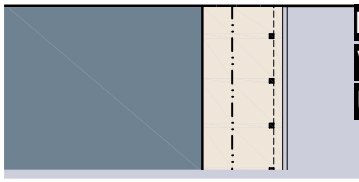
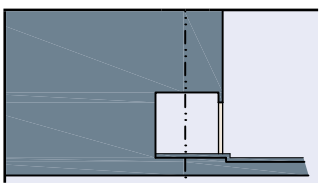
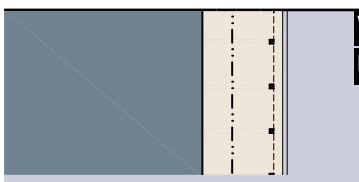
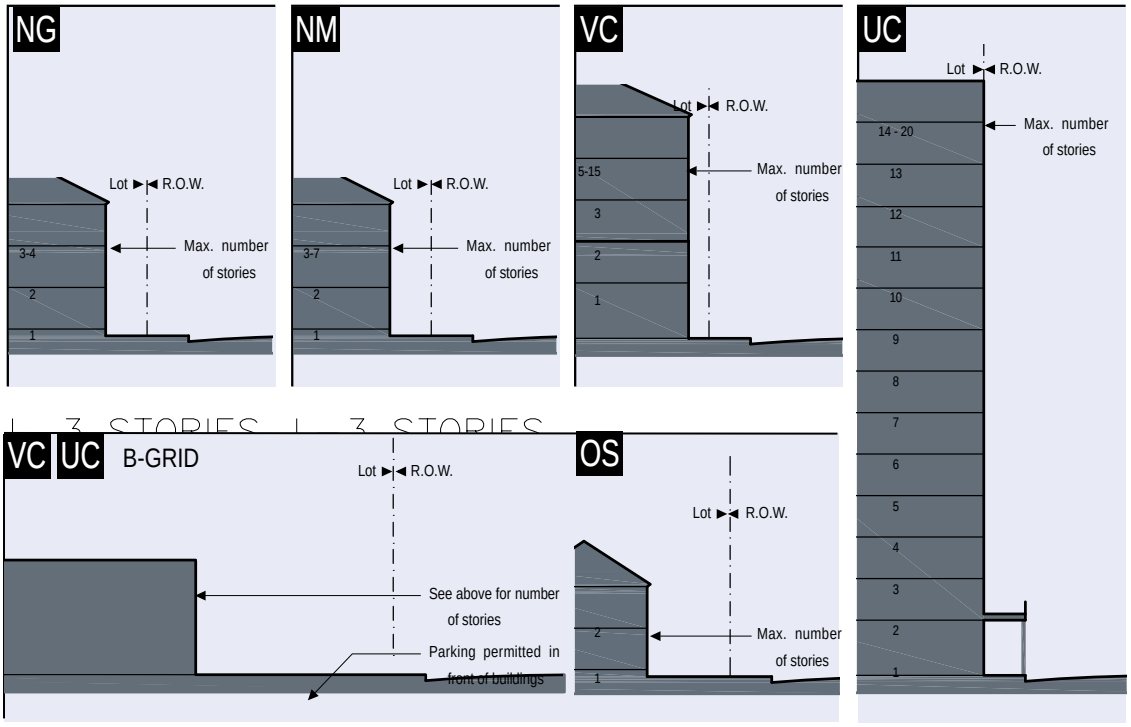
	SECTION	PLAN	
	LOT ► PRIVATE ► FRONTAGE ◄ R.O.W. ◄ PUBLIC FRONTAGE	LOT ► PRIVATE ► FRONTAGE ◄ R.O.W. ◄ PUBLIC FRONTAGE	
a. Common Yard - A-Grid: a planted Frontage wherein the Facade is set back from the Frontage Line. The front yard created remains unfenced and is visually continuous with adjacent yards, supporting a common landscape. Common Yard - B-Grid: a Frontage that permits parking in the front Layer with perimeter landscaping			OS NG NM VC UC
b. Porch: a planted Frontage wherein the Facade is set back from the Frontage Line with an attached porch permitted to Encroach. A fence, low wall or slope at the Frontage Line may be used to maintain street spatial definition. Porches shall be no less than 8 feet deep.			OS NG NM VC UC
c. Terrace or Lightwell: a Frontage wherein the Facade is set back from the Frontage line by an elevated terrace and/or a sunken Lightwell. This type buffers Residential use from urban Sidewalks and removes the private yard from public Encroachment. Terraces are suitable for conversion to outdoor cafes. Syn: Dooryard.			NM VC UC
d. Forecourt: a Frontage wherein a portion of the Facade is close to the Frontage Line and the central portion is set back. The Forecourt created is suitable for vehicular drop-offs. This type should be allocated in conjunction with other Frontage types. Large trees within the Forecourts may overhang the Sidewalks.			OS NM VC UC
e. Stoop: a Frontage wherein the Facade is aligned close to the Frontage Line with the first Story elevated from the Sidewalk sufficiently to secure privacy for the windows. The entrance is usually an exterior stair and landing. This type is recommended for ground-floor Residential use.			OS NG NM VC UC
f. Shopfront - A-Grid: a Frontage wherein the Facade is aligned close to the Frontage Line with the building entrance at Sidewalk grade. This type is conventional for Retail use. It has a substantial glazing on the Sidewalk level and may have awning or canopies that may overlap the Sidewalk to within 2 feet of the Curb. Syn: Retail Frontage. Shopfront- B-Grid: a Frontage that permits parking in the front Layer with perimeter landscaping			OS NG NM VC UC
g. Gallery: a Frontage wherein the Facade is aligned close to the Frontage line with an attached cantilevered shed or a lightweight colonnade overlapping the Sidewalk. This type is conventional for Retail use. The Gallery shall be no less than 10 feet wide (clear) and should overlap the Sidewalk to within 2 feet of the Curb.			NM VC UC
h. Arcade: a colonnade supporting habitable space that overlaps the Sidewalk, while the Facade at Sidewalk level remains at or behind the Frontage Line. This type is conventional for Retail use. The Arcade shall be no less than 12 feet wide (clear) and should overlap the Sidewalk to within 2 feet of the Curb. See Table 8.			VC UC

TABLE 8. BUILDING CONFIGURATION

TABLE 8: Building Configuration. This table shows the Configurations for different building heights for each Sustainable Zone. Maximum number of stories specified in Table 14k. Regardless of the number of stories, maximum height of a multi-story building shall not exceed 400 feet.



* UC not in excess of 20 stories without specific site plan review and approval by Council.

Stepbacks/Arcade/Gallery Heights. The diagrams below show Arcade and Gallery Frontages. Diagrams above apply to all other Frontages.

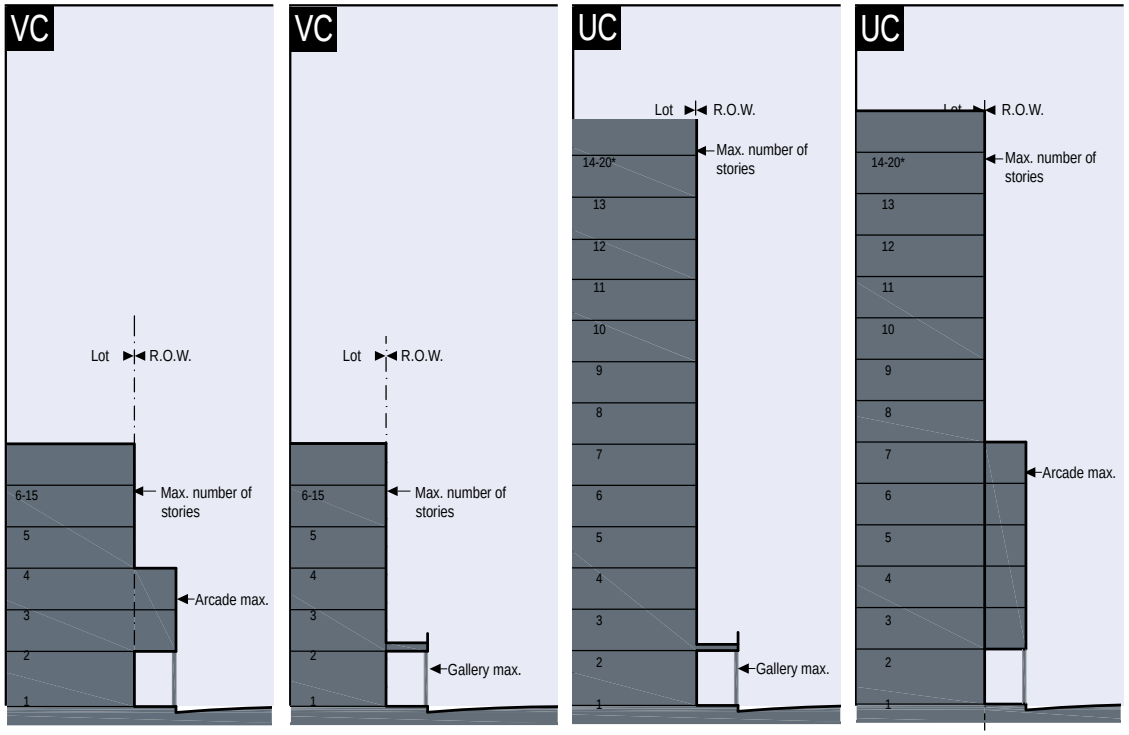
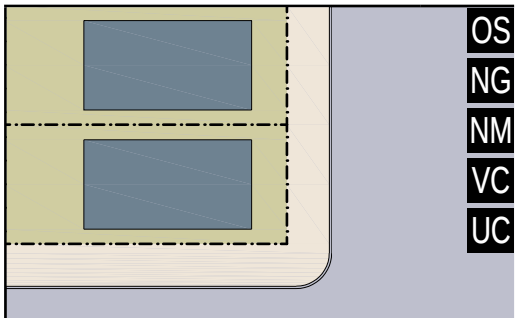


TABLE 9. BUILDING DISPOSITION

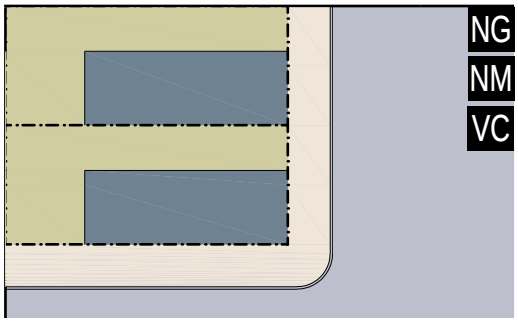
TABLE 9: Building Disposition. This table depicts the location of the structure relative to the boundaries of each individual Lot, establishing suitable basic building types for each Sustainable Zone.

a. Edgeyard - A-Grid: A building that occupies the center of its Lot with Setbacks on all sides. The front yard is visually continuous with the yards of adjacent buildings. The rear yard can be secured for privacy by fences and a well-placed Backbuilding and/or Outbuilding.

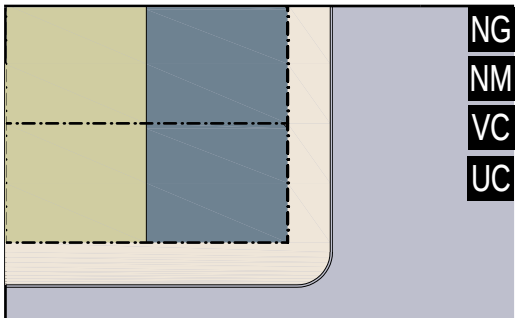
Edgeyard - B-Grid (VC & UC Zones): A building that occupies the center of its Lot with Setbacks on all sides. The front Layer side and rear yards may be used for parking. This is the least urban of types as the building Facade sets back from the Frontage. The rear yard can be used for truck access and may secured for privacy by fences.



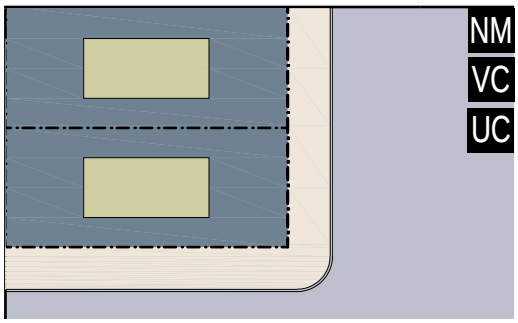
b. Sideyard: A building that occupies one side of the Lot with the Setback to the other side. A shallow Frontage Setback defines a more urban condition. If the adjacent building is similar with a blank side wall, the yard can be quite private. This type permits systematic climatic orientation in response to the sun or the breeze.



c. Rearyard: A building that occupies the full Frontage, leaving the rear of the Lot as the sole yard for residential and as building, sole yard or structured parking for other uses. This is a very urban type as the continuous Facade steadily defines the public Thoroughfare. The rear Elevations may be articulated for functional purposes. In its Residential form, this type is the Townhouse. For its Commercial form, the rear yard can accommodate substantial parking.



d. Courtyard: A building that occupies the boundaries of its Lot while internally defining one or more private spaces. This is the most urban of types, as it is able to shield the private realm from all sides while strongly defining the public Thoroughfare. Because of its ability to accommodate incompatible activities, masking them from all sides.



TABLES 10 & 11. BUILDING FUNCTION & PARKING CALCULATIONS

TABLE 10: Building Function. This table categorizes Building Functions within Sustainable Zones. Parking requirements are correlated to functional intensity. For Specific Function and Use permitted By Right or by Administrative Approval, see Table 12. The Commercial Function of a Live-Work unit may be anywhere in the unit. It may be occupied by a business operator who lives in the same structure that contains the Commercial activity or industry.

	OS NG	NM	VC UC
a. RESIDENTIAL	Residential: The number of single family dwellings on each Lot is restricted to one within a Principal Building and one within an Accessory Building. Both dwellings shall be under single ownership. The habitable area of the Accessory Unit shall not exceed 800 sf, excluding the enclosed parking area. See Table 11A for required parking.	Residential: The number of dwellings on each Lot is calculated by the minimum requirement of parking places for each dwelling, a ratio which may be reduced according to the shared parking standards (See Table 11). See Table 11A for required parking.	Residential: The number of dwellings on each Lot is calculated by the minimum requirement of 1.0 parking places per dwelling, a ratio which may be reduced according to the shared parking standards (See Table 11). Parking requirements may be satisfied off-site per Section 5.7. Parking is calculated by the minimum requirement of 0.75 parking places per dwelling for Independent Living.
b. LODGING	Lodging: The number of bedrooms available on each Lot for lodging is calculated by the requirement of 1.0 assigned parking place for each bedroom, up to five, in addition to the parking requirement for the dwelling. Food service may be provided in the a.m. Not applicable for OS.	Lodging: The number of bedrooms available on each Lot for lodging is calculated by the minimum requirement of 1.0 assigned parking places for each bedroom, up to twelve, in addition to the parking requirement for the dwelling. Food service may be provided at all times.	Lodging: The number of bedrooms available on each Lot for lodging is calculated by the minimum requirement of 0.5 assigned parking places for each bedroom. Food service may be provided at all times. The area allocated for food service shall be calculated and provided with parking according to Retail Function. Parking requirements may be satisfied off-site per Section 5.7.
c. OFFICE / MANUFACTURING	**Office/Manufacturing:** The building area available for office use on each Lot is restricted to the first Story of the Principal or the Accessory Building and by the minimum requirement of 3.0 assigned parking places per 1000 square feet of gross office space in addition to the parking requirement for any dwellings. The specific use shall be further limited to 8,000 SF for any single tenant use. Not applicable for OS.	Office/Manufacturing: The building area available for office may include the Accessory building, and by the minimum requirement of 3.0 assigned parking places per 1000 square feet of gross office space in addition to any parking requirement for other uses.	**Office/Manufacturing:** The building area available for office use on each Lot is calculated by the minimum requirement of 1.6 assigned parking places per 1000 square feet of gross office space. Parking requirements may be satisfied off-site per Section 5.7.
d. RETAIL	Retail: The building area available for Retail use is calculated by the minimum requirement of 3.0 assigned parking places per 1000 square feet of gross Retail space in addition to the parking requirement of any dwellings. The specific use shall be further limited to 8,000 SF for any single tenant use, or food service seating no more than 100.	Retail: The building area available for Retail use is calculated by the minimum requirement of 3.0 assigned parking places per 1000 square feet of gross Retail space in addition to any parking requirement for other uses. The specific use shall be further limited by Table 12 to include, but not be limited to neighborhood stores, or food service seating no more than 120.	Retail: The building area available for Retail use is calculated by the minimum requirement of 2.5 assigned parking places per 1000 square feet of gross Retail space. Retail spaces under 1500 square feet are exempt from parking requirements. Parking requirements may be satisfied off-site per Section 5.7.
e. CIVIC	See Table 12	See Table 12	See Table 12
f. OTHER	See Table 12	See Table 12	See Table 12

TABLE 11: Parking Calculations. The Shared Parking Factor for two Functions, when divided into the sum of the two amounts as listed on the Required Parking table below, produces the Effective Parking needed for each site involved in sharing. Conversely, if the Sharing Factor is used as a multiplier, it indicates the amount of building allowed on each site given the parking available. Within the overlay area of a Transit Oriented Development (TOD) the Effective Parking may be further adjusted downward by 30%.

REQUIRED PARKING (See Table 10)

	OS NG	NM	VC UC
RESIDENTIAL	See Table 11A	See Table 11A	1.0 / dwelling
LODGING	1.0 / bedroom	1.0 / bedroom	0.5 / bedroom
OFFICE	3.0 / 1000 sq. ft.	3.0 / 1000 sq. ft.	1.6 / 1000 sq. ft.
RETAIL	3.0 / 1000 sq. ft.	3.0 / 1000 sq. ft.	2.5 / 1000 sq. ft.
CIVIC	Determined by the Planning Director or Planning Director's designee		
OTHER	Determined by the Planning Director or Planning Director's designee		

SHARED PARKING FACTOR

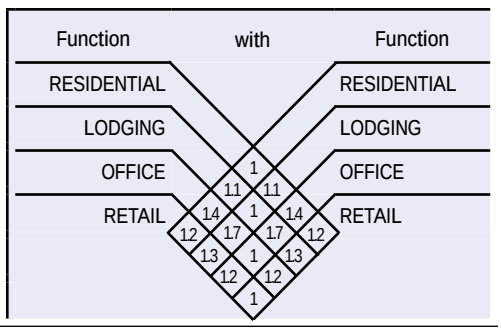


TABLE 11A. PARKING

Single Family Residential Building Types. This parking diagram illustrates the parking locations for on and off street parking for the various residential building types within the Neighborhood General and Neighborhood Mixed-Use Zones. Parking is calculated by the minimum requirement of 0.75 parking places per dwelling for Independent Living.

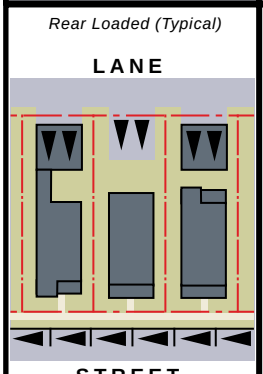
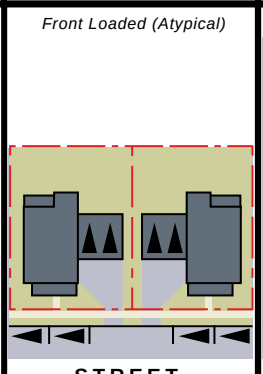
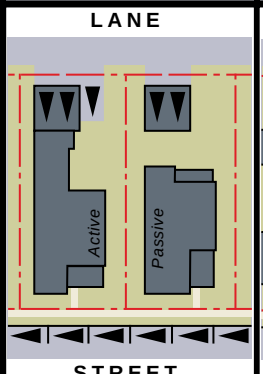
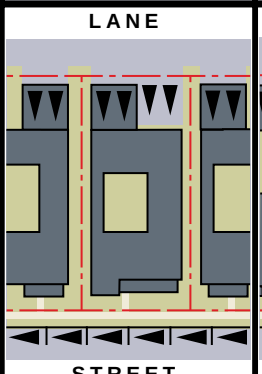
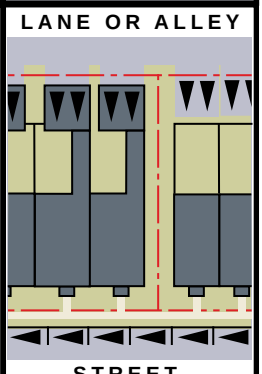
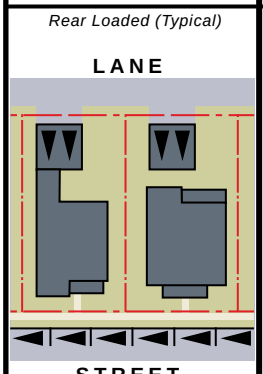
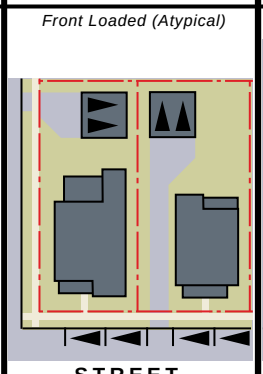
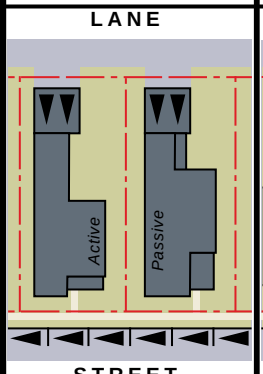
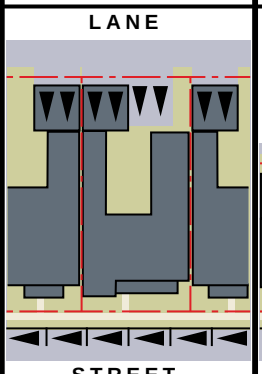
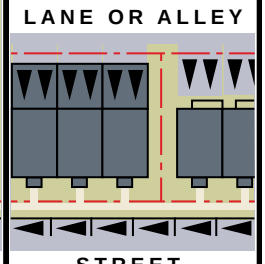
NG NM	NG NM	NG NM	NM	NG NM
Detached House	Detached House	Sideyard House	Courtyard House	Townhouse
				
				
Detached House: an edge yard building type. A single-family dwelling on small to large lots, shared with an accessory building in the rear yard.	**Detached House:** an edge yard building type. A single-family dwelling on medium to large lots, shared with an accessory building in the rear yard and front or side driveway where alley is not available (atypical condition).	**Sideyard House:** a sideyard building type. A single-family dwelling which occupies one side of the lot, with the primary yard to the other side, shared with ancillary building in the rear yard.	**Courtyard House:** a courtyard building type which surrounds one or more private yards. This is a functionally flexible type as it is able to shield the private open space from a public realm of great intensity.	**Townhouse:** a rear yard building type. A single family dwelling with common walls on the side lot lines, the facades forming a continuous frontage line. Rowhouses are the highest density type able to provide private yards..
NG **Required Parking:** 2 Off-Street	NG **Required Parking:** 2 Off-Street	NG **Required Parking:** 2 Off-Street	NM **Required Parking:** 2 Off-Street	NG **Required Parking:** 2 Off-Street
NM **Required Parking:** 2 Off-Street Table 11 Shared Parking Factor does not apply to this use.	NM **Required Parking:** 2 Off-Street Table 11 Shared Parking Factor does not apply to this use.	NM **Required Parking:** 2 Off-Street Table 11 Shared Parking Factor does not apply to this use.	NM **Required Parking:** 2 Off-Street Table 11 Shared Parking Factor does not apply to this use.	NM **Required Parking:** 2 Off-Street Table 11 Shared Parking Factor does not apply to this use.

TABLE 11A. PARKING

Townhome and Multi-Family Residential Building Types. This parking diagram illustrates the parking locations for on and off street parking for the various residential building types within the Neighborhood General and Neighborhood Mixed-Use Zones. Parking is calculated by the minimum requirement of 0.75 parking places per dwelling for Independent Living.

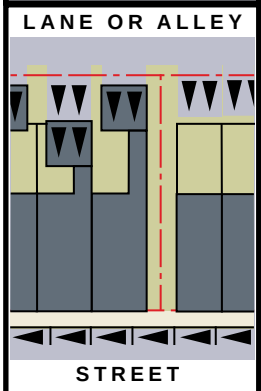
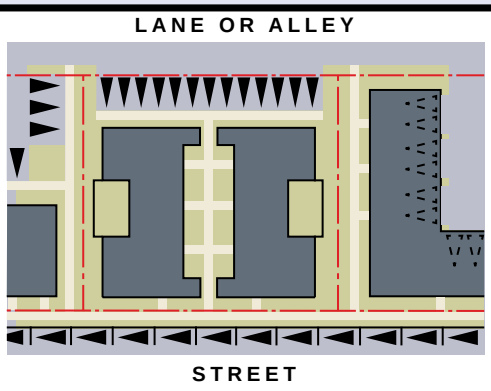
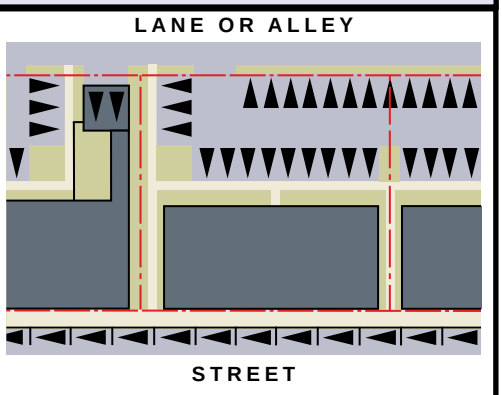
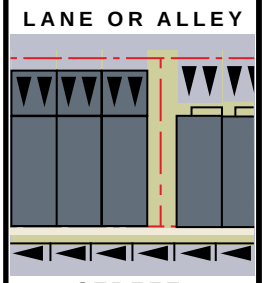
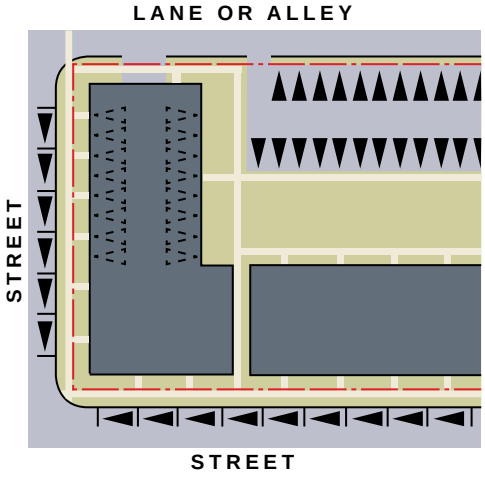
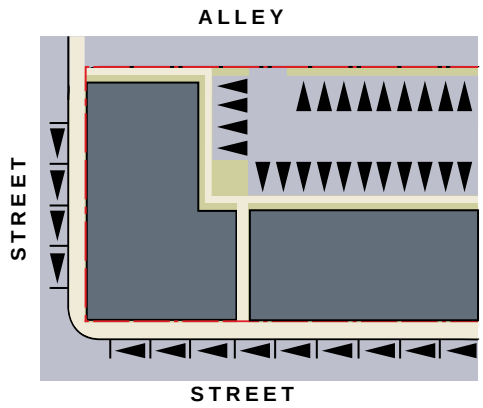
NG NM	NM	NG NM
Live-Work	Multi-Family or Apartment	Mixed Use
		
		
Live-Work: a rear yard, fully mixed use building type with one dwelling above or behind a commercial space. NG **Required Parking:** 2 Off-Street 1 On-Street NM **Required Parking:** 2 Off-Street 1 On-Street Table 11 Shared Parking Factor does not apply to this use.	**Multi-Family or Apartment:** a rear yard residential building type accommodating multiple dwellings disposed above and beside each other, with individual or sharing entries. Parking may be on the surface, structured or underground. NM **Required Parking:** 1.25 Parking Spaces per Unit	**Mixed Use Building or Mixed Use Block:** a rear yard, flexible commercial building type with residential uses above. Commercial buildings may have floor plates deeper than residential ones. NG **Required Parking (Residential):** 1.50 Off-Street Spaces per Unit NM **Required Parking (Residential):** 1.25 Off-Street Spaces per Unit

TABLE 12. SPECIFIC FUNCTION & USE

TABLE 12: Specific Function & Use. This table expands the categories of Table 10 to delegate specific Functions and uses within Sustainable Zones. Table 12 has been customized for local character and requirements. The Sustainable Development District provides for the following uses to be permitted within the Sustainable Zones.

Permitted (P): The permitted uses for the District

Permitted (b): The permitted uses for the District on B-Grid Thoroughfares and within B-Grid Zones only

SUSTAINABLE ZONE	OS	NG	NM	VC	UC
a. RESIDENTIAL					
Accessory Unit or Building		P	P	P	
Condominium			P	P	P
Congregate living facility *			P	P	P
Duplex		P	P		
Family care home *		P	P		
Farm residence	P	P	P		
Historic Site, Adaptive Use	P	P	P	P	P
Independent living		P	P	P	P
Multi-family or apartment			P	P	P
Nursing or convalescent facility *			P	P	P
Single-family		P	P	P	
Townhouse		P	P	P	P
Townhouse, detached		P			
Triplexes or quadplexes			P	P	
Live-Work		P	P	P	P
Modular Construction		P	P	P	P
Mixed Use Block		P	P	P	P
b. PUBLIC/CIVIC USES					
Ambulatory healthcare facility				P	P
Amphitheater **	P	P	P	P	P
Assembly hall, nonprofit			P	P	P
Church, or place of worship		P	P	P	P
Cemetery	P	P	P	P	P
Day care facility		P	P	P	P
Government service		P	P	P	P
Heliport or helipad	P		P	P	P
Hospital				P	P
Natatorium **	P		P	P	P
Restrooms	P	P	P	P	P
Picnic Shelter **	P	P	P	P	P
School, public or private **		P	P	P	P
Transportation facility				P	P
Veterinary clinic or hospital			P	P	P
c. UTILITIES					
Communication tower, (Commercial; Stealth)	P	P	P	P	P
Communication or water tower Integrated Into building or structure (Camouflage Stealth)	P	P	P	P	P
Utility, Minor	P			P	P
Power facility	P			P	P
Renewable Energy Facilities	P	P	P	P	P
d. RECREATIONAL USES					
Arena, auditorium, or stadium **	P			P	P
Entertainment, indoor **				P	P
Entertainment, outdoor **	P		P	P	P
Greenway	P	P	P	P	P
Horse boarding and riding stable **	P				
Park, active	P	P	P	P	P
Park, passive	P	P	P	P	P
Recreation facility, private	P	P	P	P	P
e. COMMUNICATIONS					
Broadcast station (radio and television)				b	P
Radio and television recording studio				b	P

TABLE 12. SPECIFIC FUNCTION & USE

SUSTAINABLE ZONE	OS	NG	NM	VC	UC
f. FOOD AND BEVERAGE SERVICE					
Concessions	P		P	P	P
Restaurant, drive-through				P	b
Restaurant, general	P		P	P	P
Bar or nightclub			P	P	P
g. OFFICE LAB AND RESEARCH					
Dispatching office				P	P
Historic site – adaptive use	P	P	P	P	P
Medical or dental clinic or office			P	P	P
Medical or dental laboratory				P	P
Office, business or professional			P	P	P
Publishing office			P	P	P
Research facility				P	P
h. PARKING, COMMERCIAL					
Parking Garage (deck), commercial			P	P	P
Parking Garage (deck) private			P	P	P
Parking lot, commercial				P	P
Parking lot, surface	P	P	P	P	P
i. LODGING					
Bed and breakfast (up to 5 rooms)		P	P	P	P
Bed and breakfast (up to 12 rooms)			P	P	P
Hotel or motel			P	P	P
Conference Center				P	P
Convention Center					P
School Dormitory				P	P
j. RETAIL SALES AND SERVICE					
Barber and beauty shop		P	P	P	P
Bookstore		P	P	P	P
Building Supplies, Retail				b	b
Convenience store			P	P	P
Convenience store with gas sales			P	P	P
Dry cleaners and laundry service		P	P	P	P
Farmer's market	P	P	P	P	P
Financial institution			P	P	P
Floral shop		P	P	P	P
Funeral home			P	P	P
Gas and fuel, retail				P	P
Greenhouse or nursery, retail			P	P	P
Grocery, general				P	P
Grocery, specialty		P	P	P	P
Health/fitness center or spa			P	P	P
Kennel, indoor				P	P
Laundromat			P	P	P
Newsstand or gift shop		P	P	P	P
Personal service			P	P	P
Pharmacy			P	P	P
Printing and copying service			P	P	P
Real estate sales		P	P	P	P
Retail Kiosk	P		P	P	P
Retail sales, bulky goods				b	b
Retail sales, general		P	P	P	P
Studio for art		P	P	P	P
Tailor shop		P	P	P	P
Theater				P	P
Shopping Center				P	P
k. VEHICLE REPAIR AND SERVICE					
Automotive paint or body shop					
Automotive parts				P	P
Automotive service station				P	P
Car wash or auto detailing				P	P
Repair services limited				P	P
Vehicle inspection center				P	P

TABLE 12. SPECIFIC FUNCTION & USE

SUSTAINABLE ZONE	OS	NG	NM	VC	UC
l. INDUSTRY, MANUFACTURING, STORAGE					
Biotechnology and Medical Devices				P	P
Information Technology and High					
Performance Computing				P	P
Manufacturing				P	P
Nanotechnology and Advanced Materials				P	P
Retail Storage within Retail spaces		P	P	P	P
Smart Power and Green Technology	P			P	P
Self-service storage			P	P	P
Warehousing				b	b
m. FOOD PRODUCTION (SEE TABLE 19)					
Farm	P				
Agricultural plots	P	P			
Vegetable gardens		P	P	P	P
Urban farms	P	P	P	P	
Community gardens	P	P	P	P	P
Green roofs		P	P	P	P
Vertical farms			P	P	P

If an application is submitted for a use type that is not permitted by Table 12 in one or more of the Sustainable Zones and the use type is not one prohibited by the UDO, the Planning Director shall be authorized to make a similar use interpretation based on the use categories Listed in Table 12. If the Planning Director determines that the proposed use does not fit any of the use categories, no similar use interpretation shall be made and the use shall not be permitted.

Any land uses not specially dealt with in this Table but otherwise permitted by the UDO and not excluded by any provision of this SD Plan are subject to a similar use interpretation by the Planning Director and if found to be similar to a use permitted by this Table shall be allowed within all sustainable zones in which the similar use is allowed.

* For the purposes of density and parking, dwelling rooms shall be treated as 0.2 dwelling units with parking per the multi-family requirements.

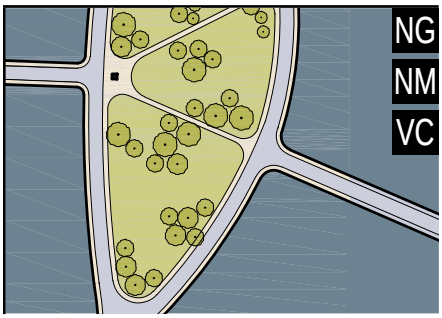
** The building and any portion of the lot routinely accessible to the public shall be included in the acreage designated pursuant to SD Plan 3.1.3.c.

TABLE 13. CIVIC SPACE

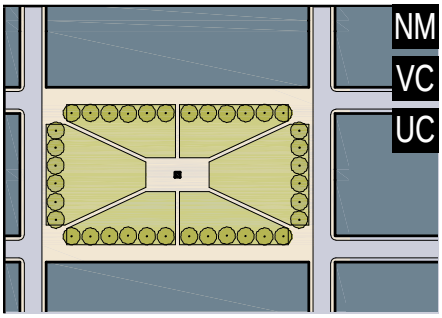
a. Park: A natural preserve available for unstructured recreation or a park for active recreation. A park may be independent of surrounding building Frontages. Its landscape shall consist of Paths and trails, meadows, waterbodies, woodland and open shelters, all naturalistically disposed. Parks may be lineal, following the trajectories of natural corridors.



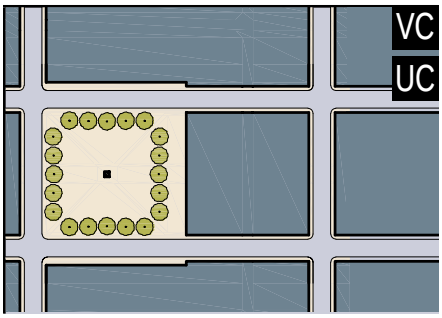
b. Green: An Open Space, available for unstructured recreation. A Green may be spatially defined by landscaping rather than building Frontages. Its landscape shall consist of lawn and trees, naturalistically disposed. The minimum size shall be 1/4 acre and the maximum shall be 8 acres.



c. Square: An Open Space available for unstructured recreation and Civic purposes. A Square is spatially defined by building Frontages. Its landscape shall consist of paths, lawns and trees, formally disposed. Squares shall be located at the intersection of important Thoroughfares. The minimum size shall be 1/2 acre and the maximum shall be 5 acres.



d. Plaza: A public or private Open Space available for Civic purposes and Commercial activities. A Plaza shall be spatially defined by building Frontages. Its landscape shall consist primarily of pavement. Trees are optional. Plazas should be located at the intersection of important streets. The minimum size shall be 1/8 acre and the maximum shall be 2 acres.



e. Playground: An Open Space designed and equipped for the recreation of children. A playground may be fenced and may include an open shelter. Playgrounds shall be interspersed within Residential areas and may be placed within a Block. Playgrounds may be included within Parks and Greens. There shall be no minimum or maximum size.

Dog Parks: An Open Space designed as a safe place where dogs may play and get exercise while not on a leash. Dog Parks shall be fenced and may be interspersed within Residential areas. They may be placed within a Block or included within Parks and Greens. There shall be no minimum or maximum size.

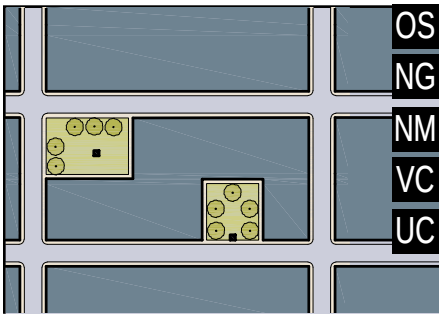
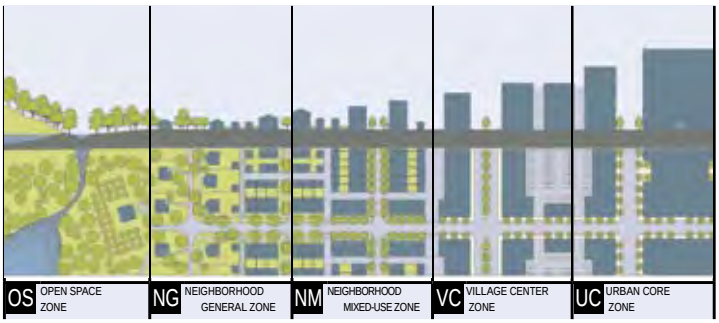


TABLE 14. FORM-BASED CODE SUMMARY



OS OPEN SPACE ZONE	NG NEIGHBORHOOD GENERAL ZONE	NM NEIGHBORHOOD MIXED-USE ZONE	VC VILLAGE CENTER ZONE	UC URBAN CORE ZONE

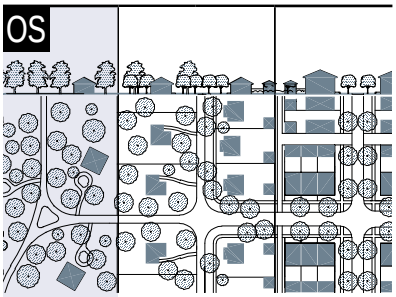
a. ALLOCATION OF ZONES						
Minimum Acres	not applicable	75 acres	50 acres	215 acres	135 acres	
Min Acres for Non-Residential	variable	3 acres	7 acres	120 acres	75 acres	
b. DENSITY (see Sustainable Development Concept Map						
By Right - DUA	not applicable	20 units / ac. gross	40 units / ac. gross	80 units / ac. gross	100 units / ac. gross	
By Right - Other Uses - FAR	permitted	2.00 / ac. gross	4.00 / ac. gross	6.00 / ac. gross	12.00 / ac. gross	
Maximum Impermeable Surface	30%	65%	75%	90%	100%	
c. BLOCK SIZE						
Block Perimeter: A-Grids	no maximum	3000 ft. max	2400 ft. max	2000 ft. max *	2000 ft. max *	
Block Perimeter: B-Grids	not applicable	not applicable	not applicable	* 3500 ft max with parking structures		
d. THOROUGHFARES (see Table 3 and Table 4)						
Highway (HW)	permitted	permitted	not permitted	not permitted	not permitted	
Boulevard (BV)	not permitted	not permitted	not permitted	permitted	permitted	
Avenue (AV)	not permitted	permitted	permitted	permitted	permitted	
Commercial Street (CS)	not permitted	not permitted	not permitted	permitted	permitted	
Drive (DR)	not permitted	permitted	permitted	permitted	permitted	
Street (ST)	permitted	permitted	permitted	permitted	not permitted	
Road (RD)	permitted	permitted	not permitted	not permitted	not permitted	
Rear Lane (RL)	permitted	permitted	permitted	not permitted	not permitted	
Rear Alley (RA)	not permitted	permitted	required	required	required	
Path (PT)	permitted	permitted	permitted	not permitted	not permitted	
Passage (PS)	not permitted	permitted	permitted	permitted	permitted	
Bicycle Trail (BT)	permitted	permitted	not permitted *	not permitted *	not permitted *	
Bicycle Lane (BL)	permitted	permitted	permitted	permitted	permitted	
Bicycle Route (BR)	permitted	permitted	permitted	permitted	permitted	
e. CIVIC SPACES (see Table 13)					* permitted within Open Spaces	
Park	permitted	permitted	permitted	permitted	permitted	
Green	not permitted	permitted	permitted	permitted	permitted	
Square	not permitted	not permitted	permitted	permitted	permitted	
Plaza	not permitted	not permitted	not permitted	permitted	permitted	
Playground	permitted	permitted	permitted	permitted	permitted	
f. LOT OCCUPATION						
Lot Width: A-Grids	variable	25 ft. min 120 ft. max	18 ft. min 400 ft. max	18 ft. min 600 ft. max	18 ft. min 700 ft. max	
Lot Width: B-Grids	not applicable	not applicable	not applicable	no max	no max	
g. SETBACKS - PRINCIPAL BUILDING (see Table 15)						
(g.1) Front Setback (Principal)	10 ft. min	15 ft. min	6 ft. min	0 ft. min	0 ft. min	
(g.2) Front Setback (Secondary)	5 ft. min	12 ft. min	6 ft. min	0 ft. min	0 ft. min	
(g.3) Side Setback	5 ft. min	0 ft. min.	0 ft. min	0 ft. min	0 ft. min	
(g.4) Rear Setback	5 ft. min	12 ft. min	3 ft. min	3 ft. min	0 ft. min	
h. SETBACKS - OUTBUILDING (see Table 15)						
(h.1) Front Setback	not applicable	20 ft. min +bldg setback	20 ft. min +bldg setback	40 ft. max from rear prop	not applicable	
(h.2) Side Setback	not applicable	0 ft. or 3 ft. min	0 ft. or 3 ft. min	0 ft. min	not applicable	
(h.3) Rear Setback	not applicable	3 ft. min	3 ft. min	3 ft. min	not applicable	
i. BUILDING DISPOSITION (see Table 9)						
Edgeyard	permitted	permitted	permitted	permitted	permitted	
Sideyard	not permitted	permitted	permitted	permitted	not permitted	
Rearyard	not permitted	permitted	permitted	permitted	permitted	
Courtyard	not permitted	not permitted	permitted	permitted	permitted	
j. PRIVATE FRONTAGES (see Table 7)						
Common Yard	permitted	permitted	permitted	permitted	permitted	
Porch & Fence	permitted	permitted	permitted	permitted	permitted	
Terrace or Lightwell	not permitted	not permitted	permitted	permitted	permitted	
Forecourt	permitted	not permitted	permitted	permitted	permitted	
Stoop	permitted	permitted	permitted	permitted	permitted	
Shopfront	permitted	permitted	permitted	permitted	permitted	
Gallery	not permitted	permitted	permitted	permitted	permitted	
Arcade	not permitted	not permitted	permitted	permitted	permitted	
k. BUILDING CONFIGURATION (see Table 8)						
Principal Building	1 to 2 Stories	4 Stories max	7 Stories max, 1 min	15 Stories, Note 2, 1 min	20 Stories, Note 1, 1 min	
Outbuilding	not applicable	2 Stories max	2 Stories max	2 Stories max	not applicable	

ZONE
LOT
DISPOSITION
CONFIGURATION
ARTICLE 5
ARTICLE 2, 3, 4

Note 1: Not in excess of 20 stories without specific site plan review and approval by Town Council.
Note 2: Not in excess of 15 stories without specific site plan review and approval by Town Council.
Note 3: Accessory Structures shall be treated as Principal Buildings.

TABLE 15A. FORM-BASED CODE GRAPHICS - OS - OPEN SPACE

OS



(see Table 1)

k. BUILDING CONFIGURATION (see Table 8)	
Principal Building	2 stories max.
Outbuilding	not applicable.
f. LOT OCCUPATION (see Table 14f)	
Lot Width	variable
i. BUILDING DISPOSITION (see Table 9)	
Edgeyard	permitted
Sideyard	not permitted
Rearyard	not permitted
Courtyard	not permitted
g. SETBACKS - PRINCIPAL BUILDING (see Table 14g)	
(g.1) Front Setback Principal	10 ft. min
(g.2) Front Setback Secondary	5 ft. min
(g.3) Side Setback	5 ft. min
(g.4) Rear Setback	5 ft. min
h. SETBACKS - OUTBUILDING (see Table 14h)	
(h.1) Front Setback	not applicable
(h.2) Side Setback	not applicable
(h.3) Rear Setback	not applicable
j. PRIVATE FRONTAGES (see Table 7)	
Common Lawn	permitted
Porch	permitted
Terrace or Lightwell.	not permitted
Forecourt	permitted
Stoop	permitted
Shopfront	permitted
Gallery	not permitted
Arcade	not permitted

Refer to Summary Table 14

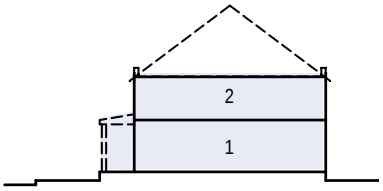
PARKING PROVISIONS
See Table 10 & Table 11

*or 15 ft. from center line of alley

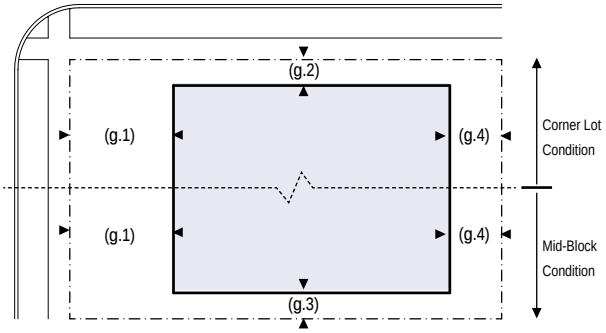
"N" stands for any Stories above those shown, up to the maximum. Refer to metrics for exact minimums and maximums

Vinyl Siding Notes:
1. Vinyl exterior material may be used in areas not in view of the public, such as service areas.
2. Elements such as vinyl trim, vinyl windows, decorative vents, and the like are permitted.

BUILDING CONFIGURATION
1. Stories exclude Attics and raised basements.



SETBACKS - PRINCIPAL BLDG
1. The Facades and Elevations of Principal Buildings shall be distanced from the Lot lines as shown.
2. Facades shall be built along the Principal Frontage.
3. Accessory Structures shall be treated as Principal Buildings.



SETBACKS - OUTBUILDING
1. Not applicable

PARKING PLACEMENT
1. Uncovered parking spaces may be provided within the second and third Layer as shown in the diagram (see Table 17d).
2. Covered parking shall be provided within the second or third Layer as shown in the diagram (see Table 17d). .
3. Trash containers shall be stored within the third Layer.

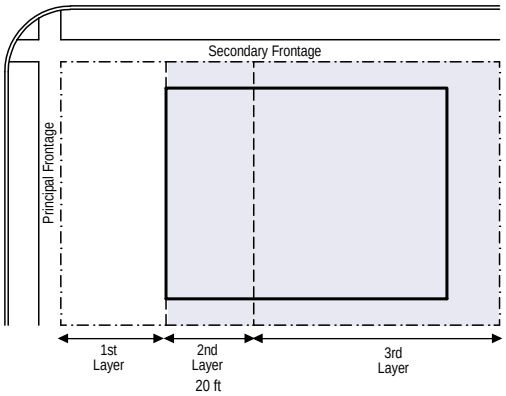
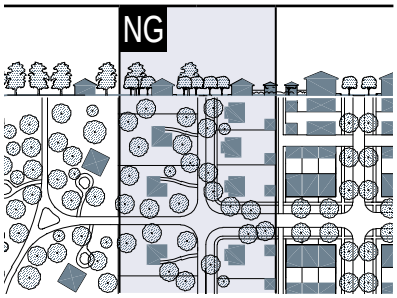


TABLE 15B. FORM-BASED CODE GRAPHICS - NG - NEIGHBORHOOD GENERAL



(see Table 1)

k. BUILDING CONFIGURATION (see Table 8)	
Principal Building	4 stories max.
Outbuilding	2 stories max.
f. LOT OCCUPATION (see Table 14f)	
Lot Width (Note 1)	25 ft. min 120 ft. max
i. BUILDING DISPOSITION (see Table 9)	
Edgeyard	permitted
Sideyard	permitted
Rearyard	permitted
Courtyard	not permitted
g. SETBACKS - PRINCIPAL BUILDING (see Table 14g)	
(g.1) Front Setback Principal	15 ft. min
(g.2) Front Setback Secondary	12 ft min.
(g.3) Side Setback	0 ft min.
(g.4) Rear Setback	12 ft min.
h. SETBACKS - OUTBUILDING (see Table 14h)	
(h.1) Front Setback	20 ft. min. + bldg setback
(h.2) Side Setback	0 ft. or 3 ft at corner
(h.3) Rear Setback	3 ft. min
j. PRIVATE FRONTAGES (see Table 7)	
Common Lawn	permitted
Porch	permitted
Terrace or Lightwell.	not permitted
Forecourt	not permitted
Stoop	permitted
Shopfront	permitted
Gallery	permitted
Arcade	not permitted

Refer to Summary Table 14

PARKING PROVISIONS
See Table 10 & Table 11

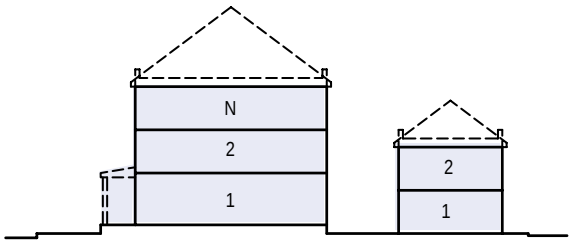
*or 15 ft. from center line of alley

"N" stands for any Stories above those shown, up to the maximum. Refer to metrics for exact minimums and maximums

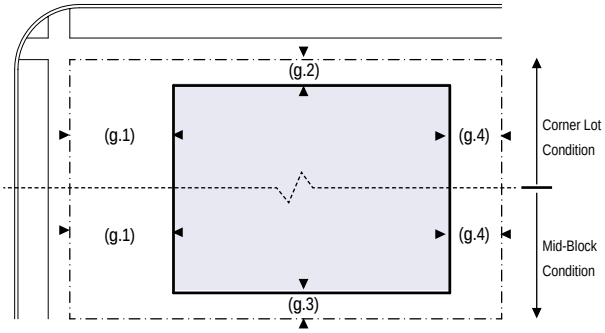
Note 1: Lot width reductions to 20' for single family and 18' for townhomes require specific site plan review and approval by Town Council.

Vinyl Siding Notes:
1. Vinyl siding is not permitted on single family homes and Townhouses except as permitted in vinyl siding note 3 below.
2. Vinyl exterior material may be used above the second story of an apartment, condominium or Mixed Use buildings and in areas not in view of the public, such as service areas.
3. Elements such as vinyl trim, vinyl windows, decorative vents, and the like are permitted.

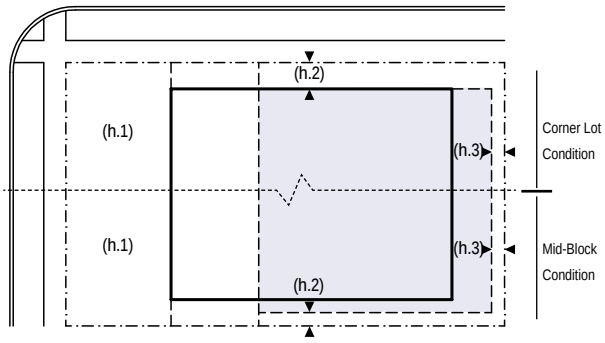
BUILDING CONFIGURATION
1. Stories exclude Attics and raised basements.



SETBACKS - PRINCIPAL BLDG
1. The Facades and Elevations of Principal Buildings shall be distanced from the Lot lines as shown.
2. Facades shall be built along the Principal Frontage



SETBACKS - OUTBUILDING
1. The Elevation of the Outbuilding shall be distanced from the Lot lines as shown.



PARKING PLACEMENT
1. Uncovered parking spaces may be provided within the second and third Layer as shown in the diagram (see Table 17d).
2. Covered parking shall be provided within the second or third Layer as shown in the diagram (see Table 17d). Side-entry garages are permitted on corner lots and front-entry garages may be allowed.
3. Trash containers shall be stored within the third Layer.

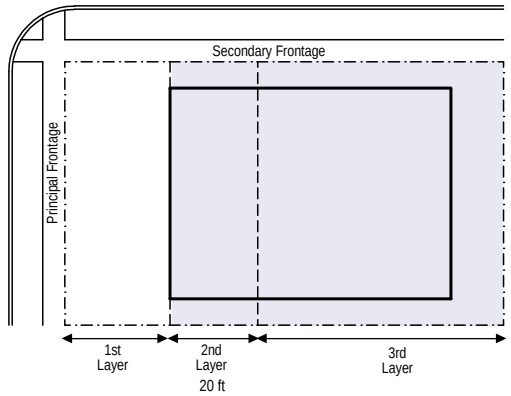
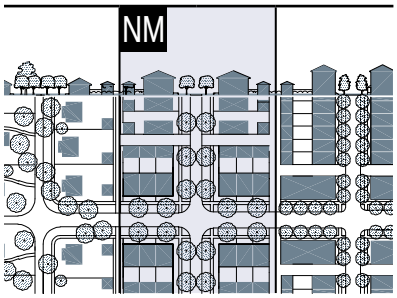


TABLE 15C. FORM-BASED CODE GRAPHICS - NM - NEIGHBORHOOD MIXED-USE



(see Table 1)

k. BUILDING CONFIGURATION (see Table 8)	
Principal Building	7 stories max, 1 min
Outbuilding	2 stories max.
f. LOT OCCUPATION (see Table 14f)	
Lot Width	18 ft min 400 ft max
i. BUILDING DISPOSITION (see Table 9)	
Edgeyard	permitted
Sideyard	permitted
Rearyard	permitted
Courtyard	permitted
g. SETBACKS - PRINCIPAL BUILDING (see Table 14g)	
(g.1) Front Setback Principal	6 ft. min.
(g.2) Front Setback Secondary	6 ft. min.
(g.3) Side Setback	0 ft. min.
(g.4) Rear Setback	3 ft. min.*
h. SETBACKS - OUTBUILDING (see Table 14h)	
(h.1) Front Setback	20 ft. min. + bldg. setback
(h.2) Side Setback	0 ft. min. or 3 ft at corner
(h.3) Rear Setback	3 ft. min
j. PRIVATE FRONTAGES (see Table 7)	
Common Lawn	permitted
Porch & Fence	permitted
Terrace or Lightwell.	permitted
Forecourt	permitted
Stoop	permitted
Shopfront	permitted
Gallery	permitted
Arcade	permitted
	Refer to Summary Table 14
PARKING PROVISIONS	
See Table 10 & Table 11	

*or 15 ft. from center line of alley

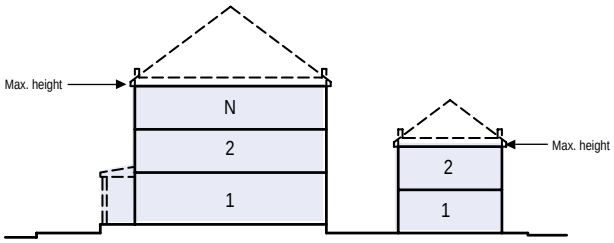
"N" stands for any Stories above those shown, up to the maximum. Refer to metrics for exact minimums and maximums

Vinyl Siding Notes:

1. Vinyl siding is not permitted on single family homes and Townhouses except as permitted in vinyl siding note 3 below.
2. Vinyl exterior material may be used above the second story of an apartment, condominium or Mixed Use buildings and in areas not in view of the public, such as service areas.
3. Elements such as vinyl trim, vinyl windows, decorative vents, and the like are permitted.

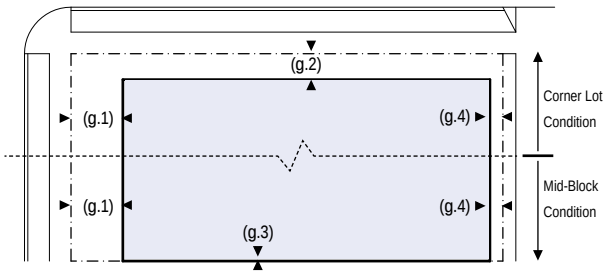
BUILDING CONFIGURATION

1. Stories exclude Attics and raised basements.



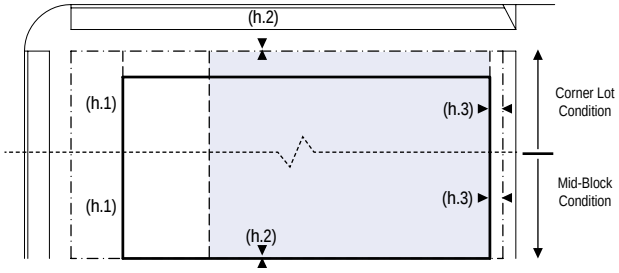
SETBACKS - PRINCIPAL BLDG

1. The Facades and Elevations of Principal Buildings shall be distanced from the Lot lines as shown.
2. Facades shall be built along the Principal Frontage.



SETBACKS - OUTBUILDING

1. The Elevations of the Outbuilding shall be distanced from the Lot lines as shown.



PARKING PLACEMENT

1. Uncovered parking spaces may be provided within the third Layer as shown in the diagram (see Table 17d).
2. Covered parking shall be provided within the third Layer as shown in the diagram (see Table 17d).
3. Trash containers shall be stored within the third Layer.

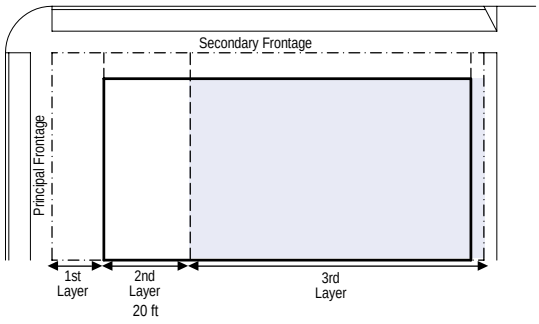
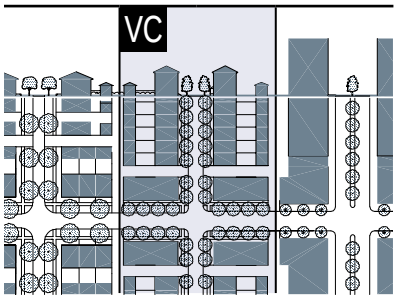


TABLE 15D. FORM-BASED CODE GRAPHICS - VC - VILLAGE CENTER



(see Table 1)

k. BUILDING CONFIGURATION (see Table 8)	
Principal Building	15 stories, Note 2, 1 min.
Outbuilding	2 stories max.
f. LOT OCCUPATION (see Table 14f)	
Lot Width: A-Grids	18 ft min 700 ft max
Lot Width: B-Grids	no max
i. BUILDING DISPOSITION (see Table 9)	
Edgeyard	permitted
Sideyard	permitted
Rearyard	permitted
Courtyard	permitted
g. SETBACKS - PRINCIPAL BUILDING (see Table 14g)	
(g.1) Front Setback Principal	0 ft. min.
(g.2) Front Setback Secondary	0 ft. min.
(g.3) Side Setback	0 ft. min.
(g.4) Rear Setback	3 ft. min.*
h. SETBACKS - OUTBUILDING (see Table 14h)	
(h.1) Front Setback	40 ft. max. from rear prop.
(h.1) Front Setback	40 ft. max. from rear prop.
(h.2) Side Setback	0 ft. min. or 2 ft at corner
(h.3) Rear Setback	3 ft. max.
j. PRIVATE FRONTAGES (see Table 7)	
Common Lawn	permitted
Porch	permitted
Terrace or Lightwell	permitted
Forecourt	permitted
Stoop	permitted
Shopfront	permitted
Gallery	permitted
Arcade	permitted
	Refer to Summary Table 14
PARKING PROVISIONS	
See Table 10 & Table 11	

*or 15 ft. from center line of alley

"N" stands for any Stories above those shown, up to the maximum. Refer to metrics for exact minimums and maximums.

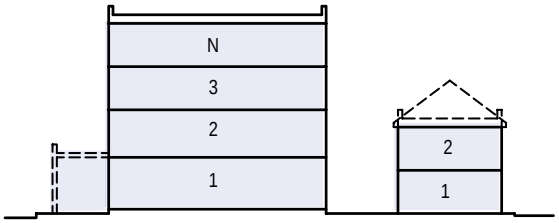
Note 2: Not in excess of 15 stories without specific site plan review and approval by Town Council.

Vinyl Siding Notes:

1. Vinyl siding is not permitted on single family homes and Townhouses except as permitted in vinyl siding note 3 below.
2. Vinyl exterior material may be used above the second story of an apartment, condominium or Mixed Use buildings and in areas not in view of the public, such as service areas.
3. Elements such as vinyl trim, vinyl windows, decorative vents, and the like are permitted.

BUILDING CONFIGURATION

1. Stories, exclude Attics mezzanines and basements.



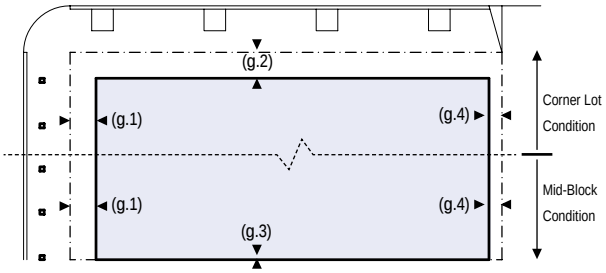
SETBACKS - PRINCIPAL BLDG

A-GRIDS

1. The Facades and Elevations of Principal Buildings shall be distanced from the Lot lines as shown.
2. Facades shall be built along the Principal Frontage.

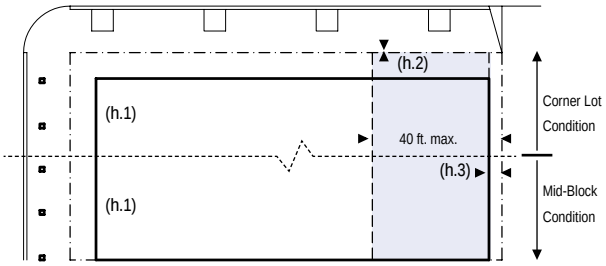
B-GRIDS

1. Multiple Buildings may be located on the same Lot.



SETBACKS - OUTBUILDING

1. The Elevations of the Outbuilding shall be distanced from the Lot lines as shown.



PARKING PLACEMENT

A-GRIDS

1. Uncovered parking spaces may be provided within the third Layer as shown in the diagram (see Table 17d).
2. Covered parking shall be provided within the third Layer as shown in the diagram (see Table 17d) except as noted above.
3. Trash containers shall be stored within the third Layer.

B-GRIDS

1. Uncovered parking spaces may be provided within any Layer as shown in the diagram (see Table 17d).
2. Trash containers shall be stored within the third Layer.

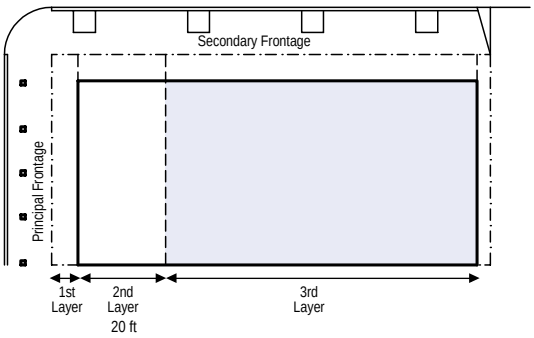
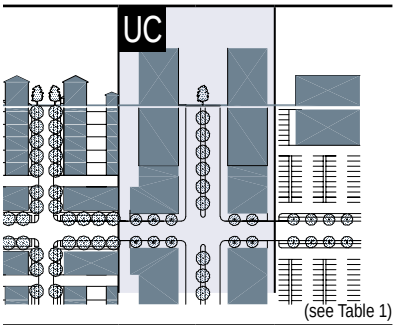


TABLE 15E. FORM-BASED CODE GRAPHICS - UC - URBAN CORE



k. BUILDING CONFIGURATION (see Table 8)	
Principal Building	20 stories, Note 1, 1 min.
Outbuilding	N/A
f. LOT OCCUPATION (see Table 14f)	
Lot Width: A-Grids	18 ft. min 700 ft. max
Lot Width: B-Grids	no max
i. BUILDING DISPOSITION (see Table 9)	
Edgeyard	permitted
Sideyard	not permitted
Rearyard	permitted
Courtyard	permitted
g. SETBACKS - PRINCIPAL BUILDING (see Table 14g)	
(g.1) Front Setback Principal	0 ft. min.
(g.2) Front Setback Secondary	0 ft. min.
(g.3) Side Setback	0 ft. min.
(g.4) Rear Setback	0 ft. min.
h. SETBACKS - OUTBUILDING (see Table 14h)	
Front Setback	N/A
Side Setback	N/A
Rear Setback	N/A
j. PRIVATE FRONTAGES (see Table 7)	
Common Lawn	permitted
Porch	permitted
Terrace or Lightwell	permitted
Forecourt	permitted
Stoop	permitted
Shopfront	permitted
Gallery	permitted
Arcade	permitted
	Refer to Summary Table 14
PARKING PROVISIONS	
See Table 10 & Table 11	

*or 15 ft. from center line of alley

"N" stands for any Stories above those shown, up to the maximum. Refer to metrics for exact minimums and maximums

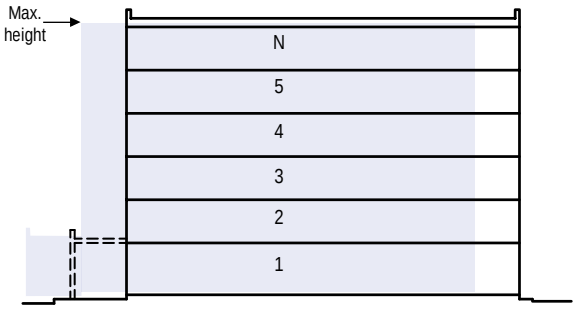
Note 1: Not in excess of 20 stories without specific site plan review and approval by Town Council.

Vinyl Siding Notes:

1. Vinyl siding is not permitted on single family homes and Townhouses except as permitted in vinyl siding note 3 below.
2. Vinyl exterior material may be used above the second story of an apartment, condominium or Mixed Use buildings and in areas not in view of the public, such as service areas.
3. Elements such as vinyl trim, vinyl windows, decorative vents, and the like are permitted.

BUILDING CONFIGURATION

1. Stories, exclude Attics mezzanines and basements.



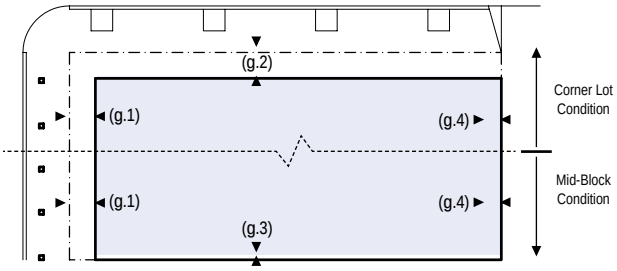
SETBACKS - PRINCIPAL BLDG

A-GRIDS

1. The Facades and Elevations of Principal Buildings shall be distanced from the Lot lines as shown.
2. Facades shall be built along the Principal Frontage.

B-GRIDS

1. Multiple Buildings may be located on the same Lot



PARKING PLACEMENT

A-GRIDS

1. Uncovered parking spaces may be provided within the third Layer as shown in the diagram (see Table 17d).
2. Covered parking shall be provided within the third Layer as shown in the diagram (see Table 17d) except as noted above.
3. Trash containers shall be stored within the third Layer.

B-GRIDS

1. Uncovered parking spaces may be provided within any Layer as shown in the diagram (see Table 17d).
2. Trash containers shall be stored within the third Layer.

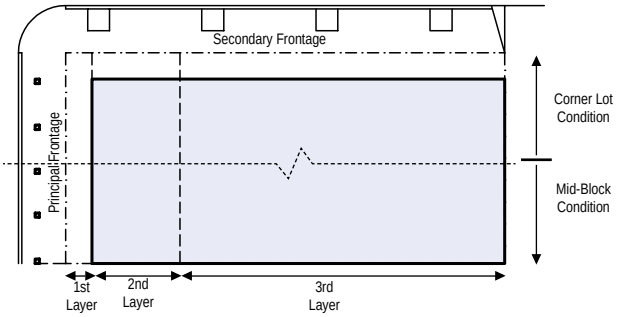
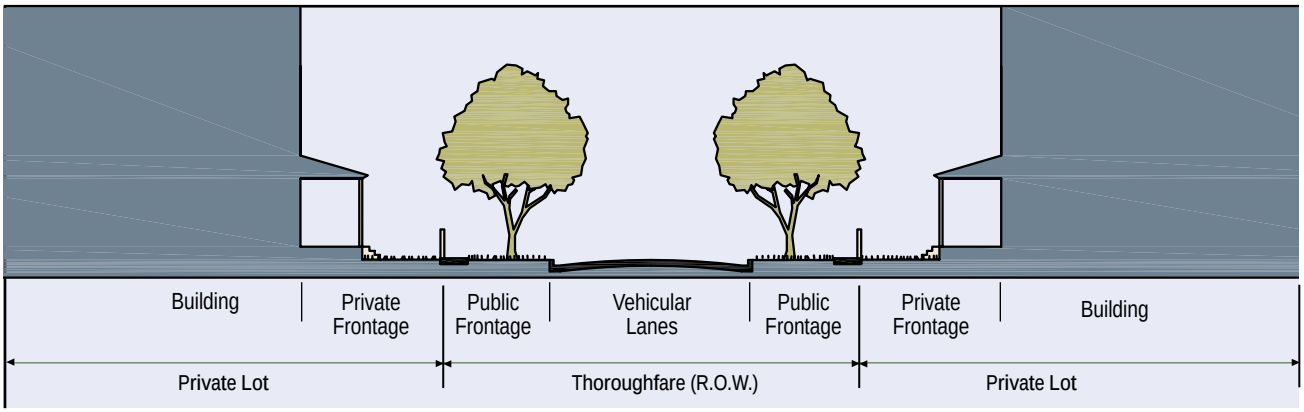
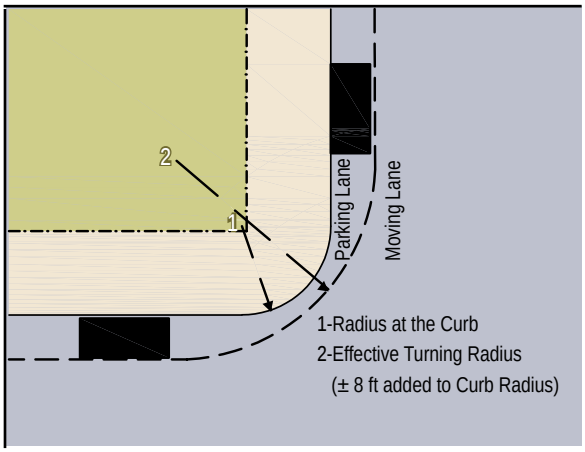


TABLE 17. DEFINITIONS ILLUSTRATED

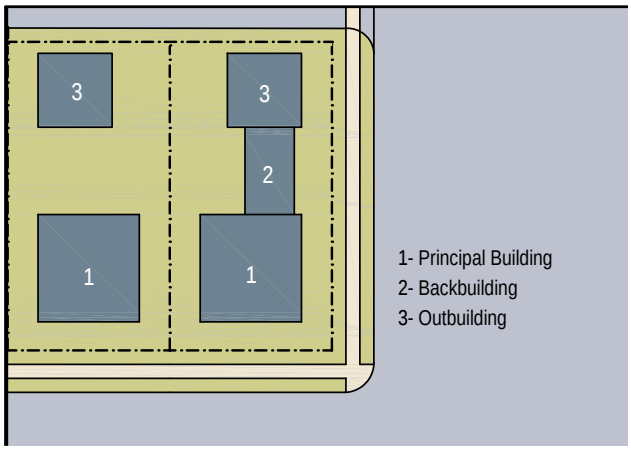
a. THOROUGHFARE & FRONTAGES



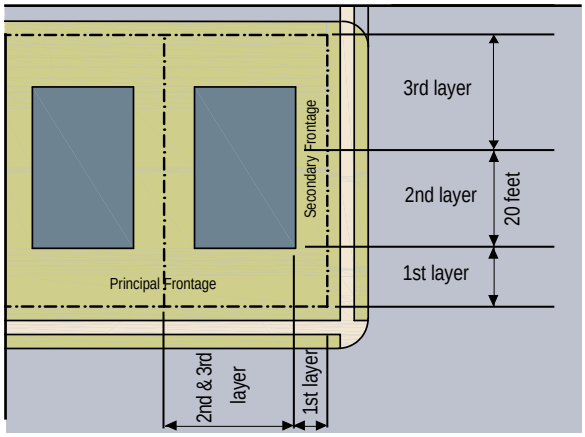
b. TURNING RADIUS



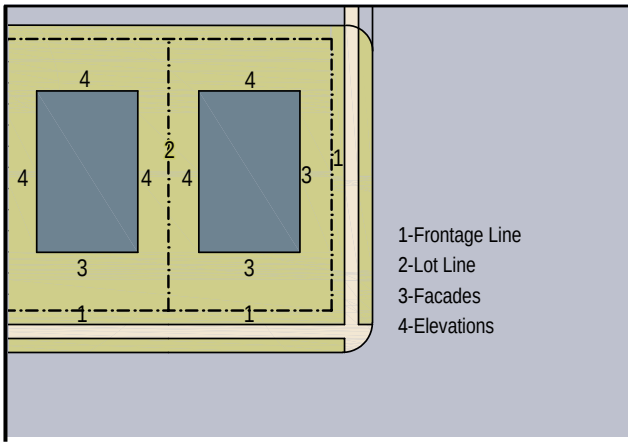
c. BUILDING DISPOSITION



d. LOT LAYERS



e. FRONTAGE & LOT LINES



f. SETBACK DESIGNATIONS

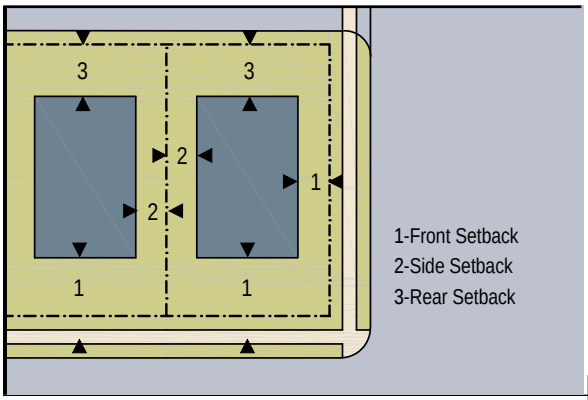


TABLE 18. SUSTAINABILITY - SOLAR ENERGY

Sustainability - Solar Energy. This table shows opportunities for the placement of types of solar-powered devices within the Sustainable Zones.

	OS	NG	NM	VC	UC	Specifics
Solar Farm 	.		.	.	.	
Roof Mounted Solar Panels 	.	.	.	.	.	
Streetscape Solar Panels 	.	.	.	.	.	Streetscape solar panels may be used in place of street trees

TABLE 19. SUSTAINABILITY - FOOD PRODUCTION

Sustainability - Food Production. This table shows ways of incorporating types of food production along the Sustainable Zones.

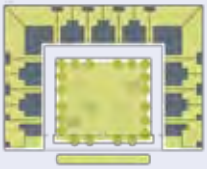
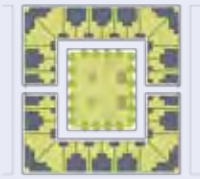
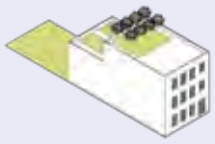
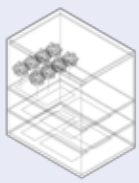
	OS	NG	NM	VC	UC	Specific
Farm 	▪					
Agricultural Plots 	▪	▪				
Vegetable Garden 		▪	▪	▪	▪	
Urban Farm 	▪	▪	▪	▪		
Community Garden 	▪	▪	▪	▪	▪	
Green Roof 		▪	▪	▪	▪	
Vertical Farm 			▪	▪	▪	

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TABLE 20. SUSTAINABILITY - COMPOSTING AND RECYCLING

	OS	NG	NM	VC	UC
On-Site Organics Processing	▪	▪			
Self-Drop Collection Systems					
Optional/Competitive Collection		▪			
Mandatory Curbside Collection			▪	▪	▪
Centralized Composting Systems	▪				
Smaller Regional Composting	▪	▪			
On-Site Processing		▪			
Re-Use Centers		▪	▪	▪	▪
Recycling Processing Centers		▪	▪	▪	▪
Once-Used Materials Storage		▪			
Transfer Stations		▪	▪	▪	▪
Disposal Facilities	Prohibited				

I. Article 2 / Administration
Sec. 2.3 / DEVELOPMENT APPROVALS

2.3.16 Sustainable Development Conditional Zoning District

A) ***General***

This Section establishes the procedures and standards applicable to the Town's Sustainable Development Conditional Zoning District SD-CZ.

B) ***General Applicability***

Before any development shall be designated as a Sustainable Development Conditional Zoning District SD-CZ on the Official Zoning District Map, it shall receive approval pursuant to the terms of this Section and Section 2.3.3 of this Ordinance.

C) ***Location***

A Sustainable Development Conditional Zoning District SD-CZ designation may be established on any land located in the Town and its ETJ that complies with all of the applicable standards of this Section and Section 3.3.4B), including the requirement that a Sustainable Development Conditional Zoning District SD-CZ include a minimum of 500 contiguous acres. An SD-CZ District may include other parcels of any size within 2000 feet of such parcel of at least 500 contiguous acres.

D) ***Unified Ownership or Control***

One person shall have all the responsibility and authority to make all the developer land use planning decisions for all land that is part of a Sustainable Development Conditional Zoning District SD-CZ. A person shall be considered to have such responsibility and authority for all lands in the Sustainable Development Conditional Zoning District SD-CZ either through ownership or by written agreement by and between such person and each owner of parcels comprising said lands agreeing to the conditions and standards of the adopting ordinance and the Sustainable Development Conditional Zoning District SD-CZ and granting the person such responsibility and authority. This one person, who shall be identified in the Sustainable Development Conditional Zoning District SD-CZ Re-Zoning Application as the "Responsible Person," will be the sole person from whom the Town will accept decisions regarding the Sustainable Development (SD) Plan and Sustainable Development Conditional Zoning District SD-CZ, including amendments, modifications or supplements thereof or the addition of lands thereto. The SD Plan shall provide the process for effecting a change or succession of Responsible Person for the purposes of a specific district. A parcel or parcels (the "Parcel") of any size may be added to an existing Sustainable Development Conditional Zoning District if (i) any portion of the Parcel is within two thousand (2000) feet of such existing district, (ii) the

Responsible Person of the existing district consents in writing and (iii) the Town Council approves a rezoning of the Parcel to Sustainable Development Conditional Zoning District SD-CZ in accordance with Sections 2.3.3 and 2.3.16. In such event the SD Plan approved for the existing SD-CZ District shall be applicable to the Parcel(s) added to such existing district, and the development densities authorized in the existing SD Plan (including number of residential units and authorized square footage of other land uses) shall be increased on a pro-rata basis based on the size of the Parcel(s) added to the district, unless the Town Council provides otherwise with the consent of the Responsible Person.

E) ***Procedures***

1) *Overview.* Approval of a Sustainable Development Conditional Zoning District SD-CZ shall constitute an amendment to the Official Zoning District Map. It shall be controlled by an SD Plan that is approved as part of the Sustainable Development Conditional Zoning District SD-CZ designation and that designates the appropriate form and scale of development within the Sustainable Development Conditional Zoning District SD-CZ. The procedure requires review and recommendation of approval or disapproval by the Planning Board and approval, approval with conditions, or disapproval by the Town Council.

2) *General.* The procedures for initiation of the application, the application contents, fees, submission and review by Town staff and/or consulting firms on retainer, public notification, review by the Planning Board and then approval, approval with conditions, or disapproval by the Town Council at a public hearing(s) shall comply with the requirements of Sec. 2.2 *Common Review Procedures,* Sec 2.2.7 *Neighborhood Meeting* and Sec. 2.3.16 (F) *Sustainability Standards*.

F) ***Standards***

1) In return for greater flexibility in site design requirements, the Sustainable Development Conditional Zoning District SD-CZ is expected to deliver exceptional quality designs on a large-scale basis that:

a) facilitate the integration of a broad array of uses;

b) preserve and enhance critical environmental and natural resources, including water resources and ecosystem services in the stream network flowing through the district;

c) incorporate creativity in the design and configuration of buildings, roads, public space and infrastructure; and

d) employ innovative techniques and practices aimed at maximizing efficiency in the use of energy and materials.

In short, the Sustainable Development Conditional Zoning District SD-CZ is expected to provide a high quality of life through the creation of a healthy, living landscape within a high-intensity mixed-used community.

2) The purpose, intent and scale of the Sustainable Development Conditional Zoning District SD-CZ are unique from the other districts established in Sec. 3.2. Thus, the unique nature of the Sustainable Development Conditional Zoning District SD-CZ necessitates alternative standards, regulations, specifications, details, designs, and criteria (the "Sustainability Standards") to meet the spirit and intent of this Ordinance. These Sustainability Standards, which shall be set forth in the SD Plan and may be established pursuant to paragraph 3) hereafter, may:

a) specify the nature, density, maximums on development, minimums on development, development thresholds, and design characteristics proposed for the Sustainable Development Conditional Zoning District SD-CZ;

b) address the relationship between building facades and the public realm, the form and mass of buildings in relation to one another, and the scale and types of streets and blocks;

c) facilitate a full diversity of building types, thoroughfare types, and public space types with appropriate characteristics for their respective locations;

d) facilitate the restoration and enhancement of the environment and natural resources through both accepted practice and innovative practices; and

e) modify and supersede the provisions of this Ordinance or any land development document referenced or incorporated therein, or other land development ordinances or policies of the Town. However, an SD Plan and development pursuant thereto shall conform to all applicable Town ordinances and policies, including the UDO, except to the extent that ordinances or policies, including the UDO, are varied in the approved SD Plan or in Sustainability Standards adopted pursuant to paragraph 3) hereafter. An SD Plan and the Sustainability Standards may not modify the requirements that an SD-CZ District include a minimum of 500 contiguous acres.

3) The Sustainability Standards and other provisions of the SD Plan, as well as Sustainability Standards established pursuant to this paragraph F) 3), shall form the basis for a development of exceptional quality and innovation that is an

enhancement to the welfare of the Town's citizens. At any time, and from time to time:

a) with the consent of the Responsible Person, the Town Council may adopt additional or modified Sustainability Standards for an approved SD-CZ District following review and recommendation by the Planning Board;

b) where an SD Plan requires additional or modified Sustainability Standards for an approved SD-CZ District, site plan approval, subdivision approval, construction or grading shall not commence within such SD-CZ District unless and until the required Sustainability Standards are adopted as provided in the SD Plan; with the consent of the Responsible Person, the Town Council shall review and consider and may adopt such additional and modified Sustainability Standards following review and recommendation by the Planning Board;

c) as an amendment to this Ordinance, the Town Council may adopt elective Sustainability Standards for SD-CZ districts, which may, at the election of a Responsible Person, (i) be incorporated, in whole or in part, into an approved SD Plan for an existing SD-CZ district or (ii) be included within an SD Plan for a proposed SD-CZ district. In the case of an approved SD Plan, the elective Sustainability Standards so incorporated may provide that they serve as a supplement to the provisions of the SD Plan and serve as an alternative to the application of any inconsistent provisions of the Plan;

d) actions by the Town Council under the foregoing subsections 2.3.16 F) 3) a), b) and c) shall be taken in accordance with the provisions of Sec. 2.3.2 applicable to Amendments to the Text of this Ordinance. It is provided, however, that such actions may be proposed only by the Town Council, the Planning Director, or the Responsible Person; and

e) this Subsection 2.3.16 does not reduce any authority that the Town otherwise has to amend its UDO or an approved SD-CZ rezoning and SD Plan; the vested rights applicable to a SD-CZ rezoning and SD Plan shall be determined by other applicable law and by the provisions of a developer agreement if any.

G) ***SD Plan***

To the degree necessary and appropriate, the SD Plan and the Sustainability Standards shall include, but shall not be limited to, requirements related to:

1) standards a) through d) set forth in the foregoing Section 2.3.16 F) 1);

2) design guidelines;

3) parks, open space and greenways;

4) water resources and ecosystem services;

5) comprehensive signage;

6) landscaping conditions;

7) parking requirements; and

8) public infrastructure improvements and public facilities.

The SD Plan shall also include a map depicting the concept for the development of the property. To the extent that provisions of the SD Plan or Sustainability Standards vary the provisions of this Ordinance, or other ordinances or policies of the Town, the provisions of the SD Plan or Sustainability Standards shall be applicable.

H) ***Placement of Sustainable Development Conditional Zoning District SD-CZ Designation on Official Zoning District Map***

After final approval of the adopting ordinance for the Sustainable Development Conditional Zoning District SD-CZ designation and the SD Plan, the Planning Director shall amend the Official Zoning District Map to show a Sustainable Development Conditional Zoning District SD-CZ designation.

I) ***Effect***

Approval of an adopting ordinance for Sustainable Development Conditional Zoning District SD-CZ designation and the SD Plan shall constitute an Official Zoning District Map designation and recognition by the Town that the landowner may proceed, consistent with the SD Plan, to develop the land. The next appropriate development approval for the land is a site plan or subdivision plan.

J) ***Deviation to SD Plan***

When appropriate to further the goals of an approved SD-CZ District and its SD Plan, the Planning Director may approve deviations of up to ten percent (10%) with respect to any standard, design, configuration, disposition, or matter established or quantified in an SD Plan or the Sustainability Standards, except that this authority shall not apply to density, maximums on development minimums on development or thresholds. Any other modification, revision or supplementation of an SD Plan or the Sustainability Standards shall require the approval of the Town Council following review by the Planning Board.

K) ***Amendment to Sustainable Development Conditional Zoning District SD-CZ***

An amendment to the Official Zoning District Map for a Sustainable Development Conditional Zoning District SD-CZ may be made only pursuant to the procedures and standards for its original approval, and specifically Sec. 2.3.16 (D) *Unified Ownership or Control*.

II. Article 3 / Zoning Districts
Sec. 3.2 / ZONING DISTRICTS ESTABLISHED

3.2.8 Conditional Zoning Other Districts

A) *CB-CZ Conservation Buffer District; and*

B) *SD-CZ Sustainable Development Conditional Zoning District.*

III. Article 3 / Zoning Districts
Sec. 3.3 / DISTRICT PURPOSES

3.3.4 Other Districts

B) ***Sustainable Development Conditional Zoning District***
The purpose and intent of the Sustainable Development Conditional Zoning District SD-CZ is to encourage the design of a sustainable community through the application of design approaches that allow and encourage flexibility, an intensity of uses, integration among uses, restoration and enhancement of the environment and natural resources, transit-oriented development, pedestrian-oriented development and the efficient use of resources, energy and materials. This shall be accomplished by allowing design flexibility and innovative approaches to environmental stewardship incorporated in a plan for development that:

1) addresses the relationship between building facades and the public realm, the form and mass of buildings in relation to one another, and the scale and types of streets and blocks;

2) facilitates a full diversity of building types, thoroughfare types, and public space types with appropriate characteristics for their respective locations; and

3) facilitates the restoration and enhancement of the environment and natural resources.

Further, because the aforementioned design standards are best implemented on a large-scale basis, a purpose and intent of the Sustainable Development Conditional Zoning District SD-CZ is to provide sufficient lands for such implementation. To this end, the Sustainable Development Conditional Zoning District SD-CZ must include a minimum of 500 contiguous acres. An SD-CZ

District may include other parcels of any size within 2000 feet of such parcel of at least 500 contiguous acres.

The unique purpose and intent, and the scale and standards to which the development plan must adhere, distinguish the Sustainable Development Conditional Zoning District SD-CZ from the other districts established in Sec. 3.2. Therefore, the specific procedures and standards for the review of the Sustainable Development Conditional Zoning District SD-CZ are found in Sec. 2.3.16, *Sustainable Development Conditional Zoning District SD-CZ.*

IV. Article 4 / Use Regulations
Sec.4.2 / USE TABLE
Sec.4.2.2 / Use Table

The Use Table in Section 4.2.2 shall be amended to include among the Zoning Districts shown at the top of the table "SD" to denote the **Sustainable Development Conditional Zoning District** as a Zoning District in the "Other" category and to place a double asterisk (**) in the block under SD for each use listed within all of the Use Types, with the exception of the following uses: Adult Establishment; Airplane Landing Strip; Airport; Sanitary Landfill; Land Clearing and Inert Debris Landfill; Mobile Homes; and Asphalt or Concrete Plant. Further, the following shall be inserted below the table:

"**Uses allowed as a matter-of-right in a Sustainable Development Conditional Zoning District shall be those uses authorized in the Sustainable Development Plan approved for such district. Standards applicable to each such use shall be as provided in this Use Table unless modified by the respective Sustainable Development Plan."

V. Article 4 / Use Regulations
Sec.4.3 / Use Classifications
Sec.4.3.1 / Residential Uses

A) ***Accessory Apartment***

A secondary dwelling unit either (1) inside of or added to an existing single-family dwelling, (2) in an accessory structure on the same lot as the principal single-family dwelling, (3) on any floor except for the ground floor of a commercial use in the B1 Neighborhood Business District, B2 Downtown Business District, MEC-CZ Major Employment Center District, TND-CZ Traditional Neighborhood District, PUD-CZ Planned Unit Development District, or (4) on any floor of a commercial use in the SD-CZ Sustainable Development Conditional Zoning District. An accessory apartment is a complete, independent living facility equipped with a kitchen and with provisions for sanitation and sleeping. An accessory structure may include a loft.

VI. Article 5 / Measurements

Sec.5.1 / TABLE OF INTENSITY AND DIMENSIONAL STANDARDS
Sec.5.1.4 / Other Development Districts

The table for "Other Development Districts" in Section 5.1.4 shall be amended to include "SD" to denote the **Sustainable Development Conditional Zoning District** under "Use" and below "*See Sec. 6.1, Watershed Protection Overlay Districts." "All uses" shall be inserted below "SD" and to the right thereof shall be inserted "All Intensity and Dimensional Standards shall be as set forth in the Sustainable Development Plan approved for the respective Sustainable Development Conditional Zoning District."

VII. TECHNICAL AMENDMENTS

A) Each of the following Sections shall be amended to insert "SD-CZ" immediately after "PUD-CZ" at each place in the respective Section at which "PUD-CZ" appears:

2.1.1 A) 2) b)
2.1.2 A) 2) b)
2.1.7 A) 2)
2.2.11 E)
2.3.15 B)
4.1.2 A)
4.5.6
4.5.6 A)
4.5.6 D)
4.5.6 F)
4.6.1 C) 1) a)
5.2.2 A) 2)
8.2.6
8.3.6 B) 5)
8.4.2
9.1.2

B) Section 2.3.1 shall be amended to insert within the Table under "Development Permit" and following "Traditional Neighborhood District (TND-CZ) (Sec. 2.3.4)" the words "Sustainable Development Conditional Zoning District (SD-CZ) (Sec. 2.3.16)"; to place the letter "R" under each of "Planning Director/Technical Review Committee" and "Planning Board"; and to place the letter "D" under "Town Council."

C) Section 2.3.3 J) 2) shall be amended to insert "or Section 2.3.16 J) *Minor Deviation to a SD Plan* or Section 2.3.16 K) *Modification of SD Plan*" following "2.3.4(M) *Minor Deviations*".

D) Section 2.3.16, **Site Work Prior to Development Approvals**, shall be re-numbered to "Section 2.3.17".

E) Section 2.3.17, **Utility Service**, shall be re-numbered to "Section 2.3.18".

F) Sections 4.3.1 A), 4.4.5 F), and 4.6.1 C) 3) shall each be amended to insert ", SD-CZ Sustainable Development Conditional Zoning District," immediately following "TND-CZ Traditional Neighborhood District" at each place where "TND-CZ Traditional Neighborhood District" appears.

G) Section 5.2.2 F) shall be amended to insert at the beginning of the paragraph "Except in Sustainable Development Conditional Zoning District (SD-CZ)," and to replace "I" with "i" in "internal."

H) Section 8.3.6 B) 5) shall be amended to substitute "Section 8.4.4" for "Section 8.5.3."

I. Article 2 / Administration
Sec. 2.3 / DEVELOPMENT APPROVALS

2.3.16 Sustainable Development Conditional Zoning District

A) ***General***

This Section establishes the procedures and standards applicable to the Town's Sustainable Development Conditional Zoning District SD-CZ.

B) ***General Applicability***

Before any development shall be designated as a Sustainable Development Conditional Zoning District SD-CZ on the Official Zoning District Map, it shall receive approval pursuant to the terms of this Section and Section 2.3.3 of this Ordinance.

C) ***Location***

A Sustainable Development Conditional Zoning District SD-CZ designation may be established on any land located in the Town and its ETJ that complies with all of the applicable standards of this Section and Section 3.3.4B), including the requirement that a Sustainable Development Conditional Zoning District SD-CZ include a minimum of 500 contiguous acres. An SD-CZ District may include other parcels of any size within 2000 feet of such parcel of at least 500 contiguous acres.

D) ***Unified Ownership or Control***

One person shall have all the responsibility and authority to make all the developer land use planning decisions for all land that is part of a Sustainable Development Conditional Zoning District SD-CZ. A person shall be considered to have such responsibility and authority for all lands in the Sustainable Development Conditional Zoning District SD-CZ either through ownership or by written agreement by and between such person and each owner of parcels comprising said lands agreeing to the conditions and standards of the adopting ordinance and the Sustainable Development Conditional Zoning District SD-CZ and granting the person such responsibility and authority. This one person, who shall be identified in the Sustainable Development Conditional Zoning District SD-CZ Re-Zoning Application as the "Responsible Person," will be the sole person from whom the Town will accept decisions regarding the Sustainable Development (SD) Plan and Sustainable Development Conditional Zoning District SD-CZ, including amendments, modifications or supplements thereof or the addition of lands thereto. The SD Plan shall provide the process for effecting a change or succession of Responsible Person for the purposes of a specific district. A parcel or parcels (the "Parcel") of any size may be added to an existing Sustainable Development Conditional Zoning District if (i) any portion of the Parcel is within two thousand (2000) feet of such existing district, (ii) the

Responsible Person of the existing district consents in writing and (iii) the Town Council approves a rezoning of the Parcel to Sustainable Development Conditional Zoning District SD-CZ in accordance with Sections 2.3.3 and 2.3.16. In such event the SD Plan approved for the existing SD-CZ District shall be applicable to the Parcel(s) added to such existing district, and the development densities authorized in the existing SD Plan (including number of residential units and authorized square footage of other land uses) shall be increased on a pro-rata basis based on the size of the Parcel(s) added to the district, unless the Town Council provides otherwise with the consent of the Responsible Person.

E) ***Procedures***

1) *Overview.* Approval of a Sustainable Development Conditional Zoning District SD-CZ shall constitute an amendment to the Official Zoning District Map. It shall be controlled by an SD Plan that is approved as part of the Sustainable Development Conditional Zoning District SD-CZ designation and that designates the appropriate form and scale of development within the Sustainable Development Conditional Zoning District SD-CZ. The procedure requires review and recommendation of approval or disapproval by the Planning Board and approval, approval with conditions, or disapproval by the Town Council.

2) *General.* The procedures for initiation of the application, the application contents, fees, submission and review by Town staff and/or consulting firms on retainer, public notification, review by the Planning Board and then approval, approval with conditions, or disapproval by the Town Council at a public hearing(s) shall comply with the requirements of Sec. 2.2 *Common Review Procedures,* Sec 2.2.7 *Neighborhood Meeting* and Sec. 2.3.16 (F) *Sustainability Standards*.

F) ***Standards***

1) In return for greater flexibility in site design requirements, the Sustainable Development Conditional Zoning District SD-CZ is expected to deliver exceptional quality designs on a large-scale basis that:

a) facilitate the integration of a broad array of uses;

b) preserve and enhance critical environmental and natural resources, including water resources and ecosystem services in the stream network flowing through the district;

c) incorporate creativity in the design and configuration of buildings, roads, public space and infrastructure; and

d) employ innovative techniques and practices aimed at maximizing efficiency in the use of energy and materials.

In short, the Sustainable Development Conditional Zoning District SD-CZ is expected to provide a high quality of life through the creation of a healthy, living landscape within a high-intensity mixed-used community.

2) The purpose, intent and scale of the Sustainable Development Conditional Zoning District SD-CZ are unique from the other districts established in Sec. 3.2. Thus, the unique nature of the Sustainable Development Conditional Zoning District SD-CZ necessitates alternative standards, regulations, specifications, details, designs, and criteria (the "Sustainability Standards") to meet the spirit and intent of this Ordinance. These Sustainability Standards, which shall be set forth in the SD Plan and may be established pursuant to paragraph 3) hereafter, may:

a) specify the nature, density, maximums on development, minimums on development, development thresholds, and design characteristics proposed for the Sustainable Development Conditional Zoning District SD-CZ;

b) address the relationship between building facades and the public realm, the form and mass of buildings in relation to one another, and the scale and types of streets and blocks;

c) facilitate a full diversity of building types, thoroughfare types, and public space types with appropriate characteristics for their respective locations;

d) facilitate the restoration and enhancement of the environment and natural resources through both accepted practice and innovative practices; and

e) modify and supersede the provisions of this Ordinance or any land development document referenced or incorporated therein, or other land development ordinances or policies of the Town. However, an SD Plan and development pursuant thereto shall conform to all applicable Town ordinances and policies, including the UDO, except to the extent that ordinances or policies, including the UDO, are varied in the approved SD Plan or in Sustainability Standards adopted pursuant to paragraph 3) hereafter. An SD Plan and the Sustainability Standards may not modify the requirements that an SD-CZ District include a minimum of 500 contiguous acres.

3) The Sustainability Standards and other provisions of the SD Plan, as well as Sustainability Standards established pursuant to this paragraph F) 3), shall form the basis for a development of exceptional quality and innovation that is an

enhancement to the welfare of the Town's citizens. At any time, and from time to time:

a) with the consent of the Responsible Person, the Town Council may adopt additional or modified Sustainability Standards for an approved SD-CZ District following review and recommendation by the Planning Board;

b) where an SD Plan requires additional or modified Sustainability Standards for an approved SD-CZ District, site plan approval, subdivision approval, construction or grading shall not commence within such SD-CZ District unless and until the required Sustainability Standards are adopted as provided in the SD Plan; with the consent of the Responsible Person, the Town Council shall review and consider and may adopt such additional and modified Sustainability Standards following review and recommendation by the Planning Board;

c) as an amendment to this Ordinance, the Town Council may adopt elective Sustainability Standards for SD-CZ districts, which may, at the election of a Responsible Person, (i) be incorporated, in whole or in part, into an approved SD Plan for an existing SD-CZ district or (ii) be included within an SD Plan for a proposed SD-CZ district. In the case of an approved SD Plan, the elective Sustainability Standards so incorporated may provide that they serve as a supplement to the provisions of the SD Plan and serve as an alternative to the application of any inconsistent provisions of the Plan;

d) actions by the Town Council under the foregoing subsections 2.3.16 F) 3) a), b) and c) shall be taken in accordance with the provisions of Sec. 2.3.2 applicable to Amendments to the Text of this Ordinance. It is provided, however, that such actions may be proposed only by the Town Council, the Planning Director, or the Responsible Person; and

e) this Subsection 2.3.16 does not reduce any authority that the Town otherwise has to amend its UDO or an approved SD-CZ rezoning and SD Plan; the vested rights applicable to a SD-CZ rezoning and SD Plan shall be determined by other applicable law and by the provisions of a developer agreement if any.

G) ***SD Plan***

To the degree necessary and appropriate, the SD Plan and the Sustainability Standards shall include, but shall not be limited to, requirements related to:

1) standards a) through d) set forth in the foregoing Section 2.3.16 F) 1);

2) design guidelines;

3) parks, open space and greenways;

4) water resources and ecosystem services;

5) comprehensive signage;

6) landscaping conditions;

7) parking requirements; and

8) public infrastructure improvements and public facilities.

The SD Plan shall also include a map depicting the concept for the development of the property. To the extent that provisions of the SD Plan or Sustainability Standards vary the provisions of this Ordinance, or other ordinances or policies of the Town, the provisions of the SD Plan or Sustainability Standards shall be applicable.

H) ***Placement of Sustainable Development Conditional Zoning District SD-CZ Designation on Official Zoning District Map***

After final approval of the adopting ordinance for the Sustainable Development Conditional Zoning District SD-CZ designation and the SD Plan, the Planning Director shall amend the Official Zoning District Map to show a Sustainable Development Conditional Zoning District SD-CZ designation.

I) ***Effect***

Approval of an adopting ordinance for Sustainable Development Conditional Zoning District SD-CZ designation and the SD Plan shall constitute an Official Zoning District Map designation and recognition by the Town that the landowner may proceed, consistent with the SD Plan, to develop the land. The next appropriate development approval for the land is a site plan or subdivision plan.

J) ***Deviation to SD Plan***

When appropriate to further the goals of an approved SD-CZ District and its SD Plan, the Planning Director may approve deviations of up to ten percent (10%) with respect to any standard, design, configuration, disposition, or matter established or quantified in an SD Plan or the Sustainability Standards, except that this authority shall not apply to density, maximums on development minimums on development or thresholds. Any other modification, revision or supplementation of an SD Plan or the Sustainability Standards shall require the approval of the Town Council following review by the Planning Board.

K) ***Amendment to Sustainable Development Conditional Zoning District SD-CZ***

An amendment to the Official Zoning District Map for a Sustainable Development Conditional Zoning District SD-CZ may be made only pursuant to the procedures and standards for its original approval, and specifically Sec. 2.3.16 (D) *Unified Ownership or Control*.

II. Article 3 / Zoning Districts
Sec. 3.2 / ZONING DISTRICTS ESTABLISHED

3.2.8 Conditional Zoning Other Districts

A) *CB-CZ Conservation Buffer District; and*

B) *SD-CZ Sustainable Development Conditional Zoning District.*

III. Article 3 / Zoning Districts
Sec. 3.3 / DISTRICT PURPOSES

3.3.4 Other Districts

B) ***Sustainable Development Conditional Zoning District***
The purpose and intent of the Sustainable Development Conditional Zoning District SD-CZ is to encourage the design of a sustainable community through the application of design approaches that allow and encourage flexibility, an intensity of uses, integration among uses, restoration and enhancement of the environment and natural resources, transit-oriented development, pedestrian-oriented development and the efficient use of resources, energy and materials. This shall be accomplished by allowing design flexibility and innovative approaches to environmental stewardship incorporated in a plan for development that:

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Sec.4.2 / USE TABLE
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Sec.4.3 / Use Classifications
Sec.4.3.1 / Residential Uses

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VI. Article 5 / Measurements

Sec.5.1 / TABLE OF INTENSITY AND DIMENSIONAL STANDARDS
Sec.5.1.4 / Other Development Districts

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VII. TECHNICAL AMENDMENTS

A) Each of the following Sections shall be amended to insert "SD-CZ" immediately after "PUD-CZ" at each place in the respective Section at which "PUD-CZ" appears:

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4.5.6 F)
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C) Section 2.3.3 J) 2) shall be amended to insert "or Section 2.3.16 J) *Minor Deviation to a SD Plan* or Section 2.3.16 K) *Modification of SD Plan*" following "2.3.4(M) *Minor Deviations*".

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F) Sections 4.3.1 A), 4.4.5 F), and 4.6.1 C) 3) shall each be amended to insert ", SD-CZ Sustainable Development Conditional Zoning District," immediately following "TND-CZ Traditional Neighborhood District" at each place where "TND-CZ Traditional Neighborhood District" appears.

G) Section 5.2.2 F) shall be amended to insert at the beginning of the paragraph "Except in Sustainable Development Conditional Zoning District (SD-CZ)," and to replace "I" with "i" in "internal."

H) Section 8.3.6 B) 5) shall be amended to substitute "Section 8.4.4" for "Section 8.5.3."

All property owners, tenants, and neighborhood associations within 500 feet of this rezoning have been notified per UDO Sec. 2.2.11 *Public Notification*.

BACKGROUND INFORMATION:

Location: 0, 0 (portion of), 0 (portion of) Old Holly Springs Apex Rd; **0**, **0**, **0**, **0**, 0, 0, 0, 0, 0, 0, 0 (portion of), 2901, 2937, 2945, 3009, 3012, **3130**, **3134**, **3138**, **3142**, 3200, 3229 Veridea Pkwy; **0 Technology Dr (portion of)**; **6300 King David Ct**; 0, 0, 0, 0 US 1 Hwy; 0, 0, 0, 0, 1712, 1716 E. Williams St

Applicant: Todd Rechler, RXR Realty

Owners: RXR LEN Apex Owner, LLC; RXR MTF Apex Vehicle. LLC; Yifei Wang & Hua Mei; APA Veridea Investments, LLC; Wake County Board of Education; Greenway Waste Solutions of Apex, LLC

PROJECT DESCRIPTION:

Acreage: ±1,097.15

PINs: 0730852539, 0730865572, 0730977087, **0730977967**, 0730996270, 0740052449, **0740070950**, **0740078021**, **0740081019**, **0740082199**, **0740082327**, **0740167653**, 0740180091, 0740180331, 0740191376, 0740240814 (portion of), 0740241030 (portion of), 0740241461 (portion of), **0740283126**, 0740287376, 0740293940, 0740360895, 0740289979, 0740489140, 0740586619, 0740783479, 0740888498, 0740990489, **0740558687 (portion of)**, 0740992174, 0740992565, 0740992632, 0741207566, 0741614057, 0741203157, **0741117192**, 0740389302

Current Zoning: Sustainable Development-Conditional Zoning (SD-CZ #09CZ07, #23CZ01, #24CZ01, #25CZ08), Rural Residential (RR), Light Industrial (LI), & Planned Unit Development-Conditional Zoning (PUD-CZ #07CZ01)

Note: The Town Council voted on November 13, 2025, to approve Rezoning #25CZ15 which included the 10 parcels shown in bold font above from RR, LI & PUD-CZ to SD-CZ for Veridea. That rezoning may become official on December 9, 2025, prior to the public hearing for this rezoning.

Proposed Zoning: Sustainable Development-Conditional Zoning (SD-CZ) for Veridea

2045 Land Use Map: Regional Mixed Use: Medium Density Residential/High Density Residential/Office Employment/Commercial Services/Industrial Employment

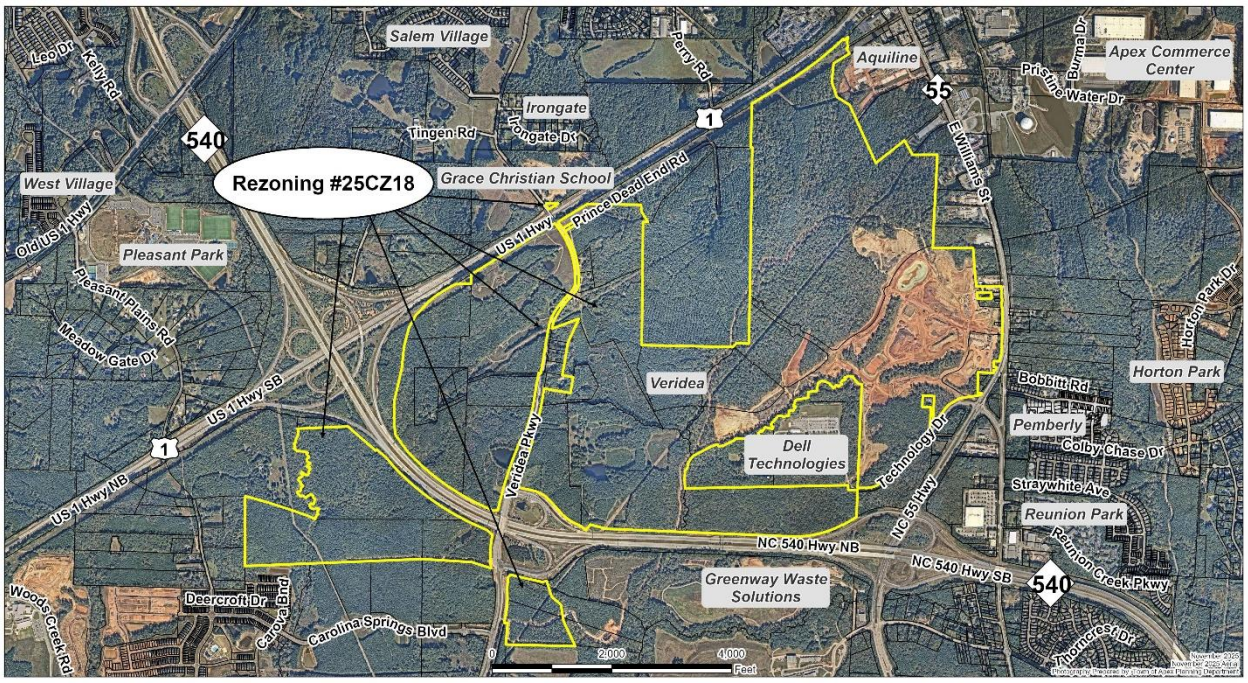
Town Limits: Corporate Limits and ETJ

Adjacent Zoning & Land Uses:

	Zoning	Land Use
North:	Rural Residential (RR); Light Industrial-Conditional Zoning (LI-CZ #24CZ08); Planned Unit Development-Conditional Zoning (#10CZ10 & #07CZ01)	US 1 Hwy; Vacant; Future school (GRACE Christian); Town facility; Multi-family (Broadstone Apartments)
South:	Rural Residential (RR); Light Industrial-Conditional Zoning (LI-CZ #24CZ23); Light Industrial (LI); Planned Unit Development-Conditional Use (#02CU07); Holly Springs Rural Residential (RR); Holly Springs Planned Unit Development (PUD)	Townhomes; Vacant; Closed Feltonville Landfill; NC 540 Hwy; Dell Technologies; Technology Dr; Vacant

	Zoning	Land Use
East:	Planned Commercial (PC); Planned Unit Development-Conditional Zoning (PUD-CZ #14CZ16, #16CZ32, #07CZ01); Light Industrial (LI); Planned Commercial-Conditional Zoning (PC-CZ #10CZ12); Residential Agricultural (RA); Rural Residential (RR)	E Williams St; Hotel; Multi-family (under construction); Self-service storage; Vacant; Veterinary hospital; Propane truck & tank sales; Auto salvage; Kenan Transport; Propane distribution; Manufactured Home
West:	Rural Residential (RR); Holly Springs Rural Residential (RR)	US 1 Hwy/NC 540 Hwy interchange; Single-family residential (large lot)

Existing Conditions:
The 37 properties proposed to be rezoned total ±1,097.15 acres and are generally located between US 1 Highway, NC 540 Highway, and E. Williams Street. Veridea Parkway and Big Branch bisect the assemblage from north to south. Development is well underway in the eastern portion of the area to be rezoned.



Neighborhood Meetings:
The applicant conducted neighborhood meetings on September 29, 2025 and November 10, 2025. The neighborhood meeting reports are attached.

2045 Land Use Map:
The 2045 Land Use Map classifies the subject properties as Regional Mixed Use: Medium Density Residential/High Density Residential/Office Employment/Commercial Services/Industrial Employment. The proposed rezoning to Sustainable Development-Conditional Zoning (SD-CZ) is consistent with that land use classification.

WCPSS COORDINATION:
A Letter of Impact from Wake County Public School System (WCPSS) was not requested for this rezoning as no additional residential units are requested as part of this rezoning.

VERIDEA SD PLAN HISTORY:

The Sustainable Development-Conditional Zoning (SD-CZ) district and the rezoning for Veridea were both approved in May 2011. The adopted Sustainable Development Plan (SD Plan) allows for the development of an efficient, transit-oriented mixed-use development in an urban context that also seeks to integrate nature throughout the community.

As required by the SD Plan, an Environmental Enhancement Plan was adopted in February 2023 and a Pattern Book was adopted in August 2024 before development commenced.

There have been four rezonings since the initial approval to add properties to the assemblage. The current maximum permitted development density maximums are as follows:

- Residential dwelling units: 8,000
- Retail: 4,122,424.55 sq ft
- Office/Industrial: 14,131,483 sq ft

The full SD Plan is attached to this report.

PROPOSED AMENDMENTS:

After the announcement that Veridea was selected as the site for the proposed North Carolina Children's (NCC) hospital campus, the SD Plan was evaluated to determine amendments necessary to accommodate a large hospital campus and provide desired flexibility to certain standards throughout the remainder of Veridea.

Summary of amendments:

The modifications to and exemptions from certain standards in the SD Plan are divided into two parts. Part 1 addresses changes that are applicable only to the NCC hospital campus and Part 2 addresses changes that are applicable anywhere within Veridea (see Figure 1). Where an exemption is granted from the SD-CZ plan, the development will default to the current UDO standards effective at the date of approval of this amendment.

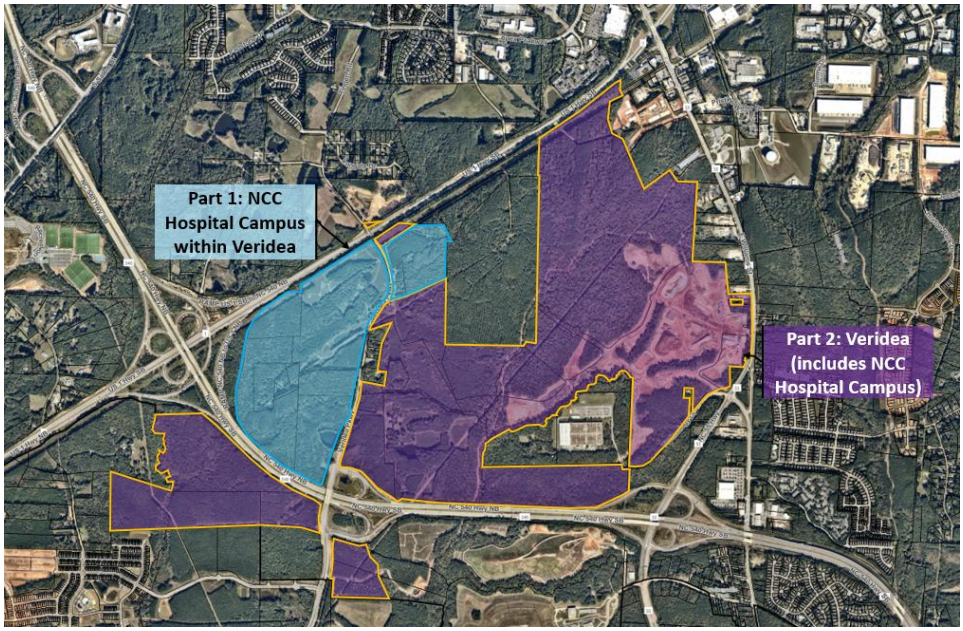


Figure 1: Illustration of Part 1 and Part 2 of the SD Plan Amendments

The following is a general summary of the proposed changes. The full text of the proposed amendments is in the attached SD Plan amendment letter.

Part 1: NCC Hospital Campus

Modifications and exemption requested for the hospital campus relate to standards for the following:

1. Responsible Party does not have to provide a written statement indicating approval of any site plan or subdivision plan submitted on the NCC hospital campus;
2. Exemption from the energy efficiency goal;
3. Exemptions or modifications to design standards including limitations on A-Grid and B-Grid Zones, treatment of street frontages, glazing, lot width, block perimeter, build-to/maximum setbacks, rear loading, building disposition, and location of parking and entrances; and
4. Addition of four (4) bus stops with certain amenities located west of Veridea Parkway and within ¼-mile of a healthcare building.

Part 2: Veridea

Modifications and exemptions requested for the remainder of Veridea relate to the following:

1. Elimination of references to rail and the land reservation for future rail land dedication;
2. Addition of a requirement to construct a Bus Transit Center;
3. Modification to the specific recreation requirements in Section 3.4.2.2;
4. Modification to the standard related to Perry Rd at US 1 to change the requirement from an interchange to an overpass consistent with the Apex Transportation Plan;
5. Exemption of any hospital and hospital related use from the maximum development thresholds in Section 4.2.2.b (Staff Note: the hospital use and its accessory uses are classified as Civic in the SD Plan and would not be interpreted as being Office/Industrial or Retail. This exemption codifies that interpretation.); and
6. Exemption from the development thresholds in Section 4.2.4 upon commencement of development work on the NCC hospital campus.

STAFF REVIEW AND ANALYSIS

PLANNING STAFF ANALYSIS:

Part 1 changes:

The original design intent for Veridea was for a dense, urban style development and did not envision large, campus style development as is proposed for the NCC hospital campus. Planning staff supports the proposed changes in Part 1 as they are necessary for type and scale of development proposed for the NCC hospital campus. The applicant has included a commitment to provide bus stops as a means to ensure the campus can be supported by transit.

Part 2 changes:

Planning staff supports the proposed changes in Part 2.

Transit:
Regarding the transit related changes, it has been determined that rail to Veridea is not likely to occur within the reservation timeline of 2035 set forth in the SD Plan. Therefore, Planning staff has proposed Transportation Plan amendments to the Transit Plan map to remove the rail spur and Rail/Bus Transit Center and add a Bus Transit Center location. The applicant has agreed to replace the requirement to reserve land for rail with a requirement that the developer construct a Bus Transit Center to be located near the future Wake Tech Community College campus in Veridea's East Village.

Recreation:
Planning staff support the proposed changes to the recreation requirements. See Parks, Recreation, & Cultural Resources Staff analysis below.

Perry Road:
The Transportation Plan was recently amended to change the future interchange at Perry Rd and US 1 to a future overpass. This change was based on feedback from NCDOT that an interchange could not be supported in that location due to its proximity to the interchange at Hwy 55 and US 1. The proposed amendment simply recognizes that change.

Development Thresholds:
When Veridea was proposed, staff and Town Council wanted to ensure that a mix of uses would be constructed, which led to the thresholds in Section 4.2.4. To date, plans for over 1,300 residential units and over 200,000 sq ft of industrial space have been approved. In addition, plans for more than 125,000 sq ft of retail and office space are in review. Considering this, and the size of the future Wake Tech campus and NCC hospital campus, staff can support the removal of the current thresholds.

PARKS, RECREATION, & CULTURAL RESOURCES STAFF ANALYSIS:
Section 3.4.2.1 of the Veridea SD Plan states, "The scale of Veridea's Parks will vary from small urban greens and squares, to active recreation areas with playfields, to natural preserve areas conducive to passive recreation."

The current recreation requirements for Veridea were approved based on the recreation needs of the Town in 2011. Those requirements can be found in Section 3.4.2.2 of the SD Plan and are as follows:

> "In accordance with the above and consistent with other requirements of the SD Plan, the Developer shall, at a minimum, dedicate land parcels to accommodate the following:
>
> i) four (4) lighted regulation softball fields in keeping with the standards of the American Softball Association (ASA) Men's Slow-Pitch Open Division
> ii) six (6) lighted tennis courts in keeping with the standards of the United States Tennis Association (USTA) Page 8 of 18
> iii) a 22,500 square foot community center consistent with phase 1 of the existing community center at 53 Hunter Street, Apex, North Carolina
> iv) a dog park of at least one (1) acre (SPECS based on past issues at dog parks).
>
> In addition, a variety of park typologies, both public and private, shall be spread throughout Veridea. These park typologies can be categorized as active or passive open spaces. Descriptions of these typologies is found in Sections 4.2 and 4.3."

The proposed NCC hospital campus encompasses approximately 230 acres of land within Veridea, thereby limiting the land area available for certain recreation related commitments. In addition, the Town has developed Pleasant Park which contains multi-purpose fields, pickleball courts, tennis courts, basketball courts, shelter, splash pad, and future baseball/softball fields and cross country course.

Therefore, the applicant is proposing the following:

(i) Developer shall grant to the Town a public access easement over the stormwater and linear parks areas shown generally on the attached **Exhibit A-1**. Developer shall work collaboratively with the Town to program the space within this easement. The Town, in its sole discretion, shall approve all uses of the space within the easement and Developer and Town shall execute an agreement detailing scheduled uses of the easement space prior to approval of the Master Subdivision Final Plat that contains said easement;

(ii) Developer shall construct a 25,000 sq ft programmable recreation center at its sole cost and expense to be designed with interior finishes consistent with other Town of Apex recreation center facilities. This recreation center shall be located south of Adesso Way and north of Forest Light Way as shown generally on the attached **Exhibit A-1.** The programmable recreational facility may include but is not limited to gymnasium, adaptive classroom/program/ camp spaces, and associated support spaces such as restrooms, offices and storage to be determined in agreement with PRCR staff and as part of the developer agreement. Prior to construction of the recreation center, Town must approve the design, construction schedule, construction cost, and location of the recreation center. Construction will not begin until Town and the Developer have executed a Development Agreement outlining the roles and obligations associated with the design and construction of the recreation center;

(iii) A site plan for this recreation center shall be submitted to the Town of Apex prior to issuance of a building permit for the 1,000th dwelling unit within Veridea. Construction of this recreation center shall be completed within three (3) years of Developer's receipt of building permit approval. In the event construction has not been completed within this time, including the issuance of a Certificate of Occupancy, no building permits will be issued for any additional dwelling units within the Veridea Development until construction of the recreation center is complete.

(iv) The costs and expenses incurred by Developer in construction of the recreation facility required by subsection (iii) hereof shall be credited against parks and recreation fees due for residential development within Veridea and shall be outlined in the Development Agreement. This credit shall be in favor of Developer exclusively and may be applied by Developer from time-to-time for the permitting of residential dwellings constructed by third parties. Further, any parks and recreation fees paid for any development within Veridea prior to construction of the recreation center shall be paid over to Developer on an agreed upon schedule as construction of the recreation center progresses. In the event that parks and recreation fees-in-lieu received by the Town prior to commencement of the recreation center exceed the cost of the recreation center, such excess amounts shall be retained by the Town and all residential development within Veridea thereafter shall be required to pay applicable Parks and Recreation fees-in-lieu in accordance with Town and state requirements for the same.

(v) Subject to the foregoing, all development within Veridea shall be subject to all applicable Parks and Recreation fees-in-lieu in accordance with Town and state requirements for the same.

(vi) These Developer commitments related to the construction of the recreation center shall be reduced to a development agreement between the Town and Developer which shall be executed prior to the issuance of the 750th building permit. In addition to the foregoing terms, the Development Agreement shall include an agreed upon construction schedule for the recreation center and shall provide the Town a remedy to take over construction in the event that Developer fails to comply with said construction schedule beyond any applicable cure periods.

Exhibit A-1:



PARKS AND RECREATION ADVISORY BOARD RECOMMENDATION:

The Parks & Recreation Advisory Board met on October 29, 2025 and voted unanimously to approve a recommendation that Parks, Recreation, & Cultural Resources staff continue to work through specifics of the proposed amendments that would replace the original acreage identified for dedication with the possible dedication of property shown in Exhibit A-1. In addition, under the provisions of UDO Article 14, the applicant would obtain all approvals and permits required and construct a 25,000 square foot recreation center with amenities and fixtures to meet the Town standards and specifications and space needs prioritized in the Parks Master Plan for Parks, Recreation, Cultural Resources, Greenways, & Open Space.

ENVIRONMENTAL ADVISORY BOARD:
This rezoning was exempt from meeting with the Environmental Advisory Board per UDO Sec. 2.1.9.A.2.a.

PLANNING STAFF RECOMMENDATION:
Planning staff recommends approval of Rezoning #25CZ18 with the conditions as offered by the applicant.

PLANNING BOARD RECOMMENDATION:
The Planning Board will hold a public hearing on December 8, 2025. Their recommendation will be shared at the December 9, 2025 Town Council meeting.

ANALYSIS STATEMENT OF THE REASONABLENESS OF THE PROPOSED REZONING:
This Statement will address consistency with the Town's comprehensive and other applicable plans, reasonableness, and effect on public interest:

The 2045 Land Use Map classifies the subject properties as Regional Mixed Use: Medium Density Residential/High Density Residential/Office Employment/Commercial Services/Industrial Employment. The proposed amendments to the Sustainable Development-Conditional Zoning (SD-CZ) district are consistent with that land use classification.

The proposed rezoning is reasonable and in the public interest because it recognizes changes needed due to conditions that have changed since 2011, will provide the flexibility in design standards needed to construct the proposed NCC hospital campus, and require the developer for the remainder of Veridea to provide indoor and outdoor recreation space and a bus transit center.

CONDITIONAL ZONING STANDARDS:
The Town Council shall find the SD-CZ designation demonstrates compliance with the following standards. 2.3.3.F:

Legislative Considerations
The applicant shall propose site-specific standards and conditions that take into account the following considerations, which are considerations that are relevant to the legislative determination of whether or not the proposed conditional zoning district rezoning request is in the public interest. These considerations do not exclude the legislative consideration of any other factor that is relevant to the public interest.

1) *Consistency with 2045 Land Use Map.* The proposed Conditional Zoning District use's appropriateness for its proposed location and consistency with the purposes, goals, objectives, and policies of the 2045 Land Use Map.

2) *Compatibility.* The proposed Conditional Zoning District use's appropriateness for its proposed location and compatibility with the character of surrounding land uses.

3) *Zoning district supplemental standards.* The proposed Conditional Zoning District use's compliance with Sec 4.4 *Supplemental Standards,* if applicable.

4) *Design minimizes adverse impact.* The design of the proposed Conditional Zoning District use's minimization of adverse effects, including visual impact of the proposed use on adjacent lands; and avoidance of significant adverse impacts on surrounding lands regarding trash, traffic, service delivery, parking and loading, odors, noise, glare, and vibration and not create a nuisance.

5) *Design minimizes environmental impact.* The proposed Conditional Zoning District use's minimization of environmental impacts and protection from significant deterioration of water and air resources, wildlife habitat, scenic resources, and other natural resources.

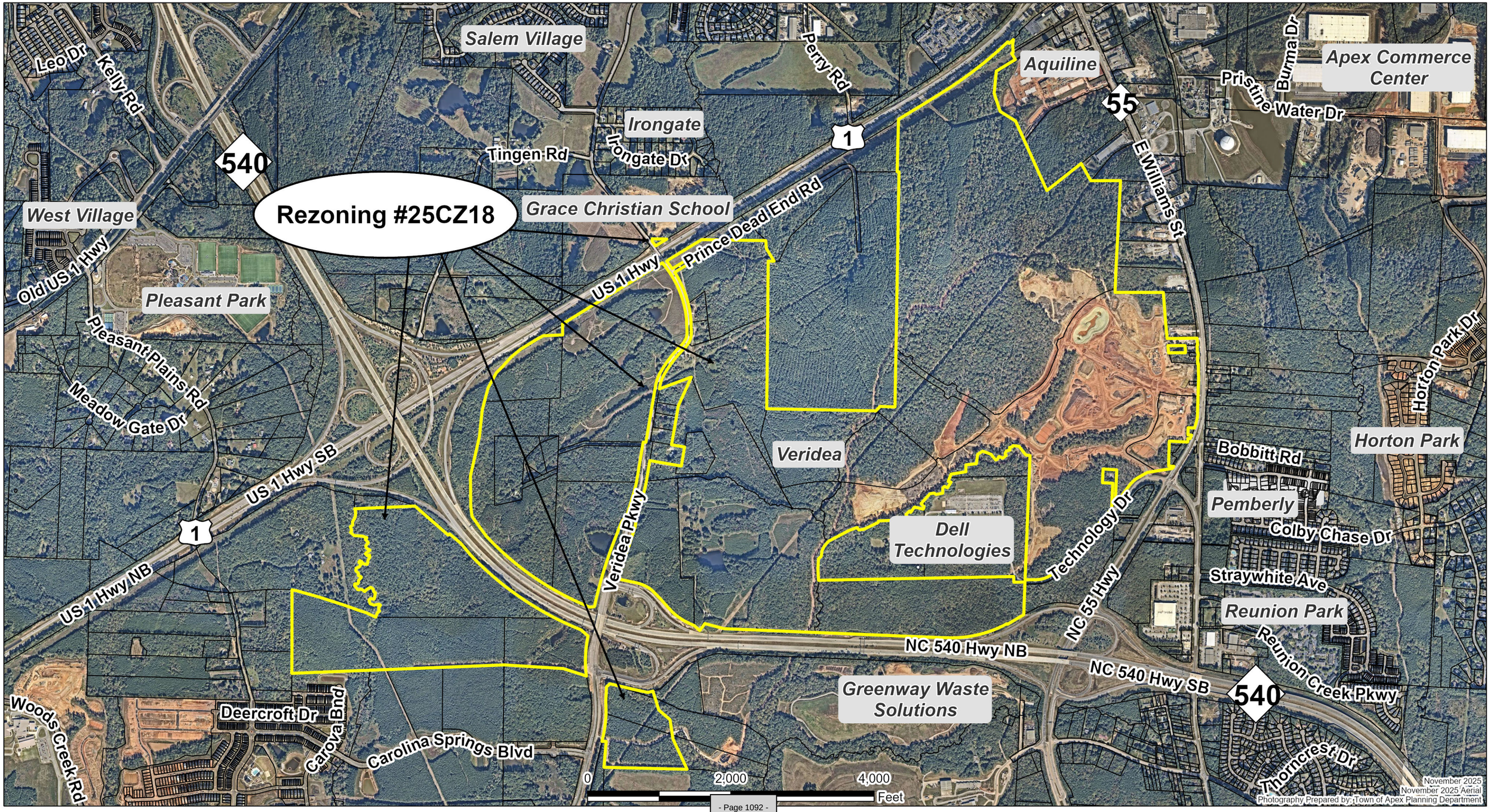
6) *Impact on public facilities.* The proposed Conditional Zoning District use's avoidance of having adverse impacts on public facilities and services, including roads, potable water and wastewater facilities, parks, schools, police, fire and EMS facilities.

7) *Health, safety, and welfare.* The proposed Conditional Zoning District use's effect on the health, safety, or welfare of the residents of the Town or its ETJ.

8) *Detrimental to adjacent properties.* Whether the proposed Conditional Zoning District use is substantially detrimental to adjacent properties.

9) *Not constitute nuisance or hazard.* Whether the proposed Conditional Zoning District use constitutes a nuisance or hazard due to traffic impact or noise, or because of the number of persons who will be using the Conditional Zoning (CZ) District use.

10) *Other relevant standards of this Ordinance.* Whether the proposed Conditional Zoning District use complies with all standards imposed on it by all other applicable provisions of this Ordinance for use, layout, and general development characteristics.


Rezoning #25CZ18
Salem Village
Leo Dr
Kelly Rd
Perry Rd
Aquiline
Apex Commerce Center
Burma Dr
Pristine Water Dr
55
Irongate
Tingen Rd
Irongate Dr
1
540
E Williams St
West Village
Grace Christian School
Prince Dead End Rd
US 1 Hwy
Old US 1 Hwy
Pleasant Park
Pleasant Plains Rd
Meadow Gate Dr
Horton Park Dr
Horton Park
Veridea
Bobbitt Rd
Pemberly
Colby Chase Dr
US 1 Hwy SB
Veridea Pkwy
Dell Technologies
Technology Dr
Straywhite Ave
NC 55 Hwy
Reunion Park
US 1 Hwy NB
NC 540 Hwy NB
NC 540 Hwy SB
Reunion Creek Pkwy
Greenway Waste Solutions
Deercroft Dr
Carova Blvd
Woods Creek Rd
Carolina Springs Blvd
Thorncrest Dr
0
2,000
4,000
Feet
November 2025
November 2025 Aerial Photography Prepared by: Town of Apex Planning Department

PETITION TO AMEND THE OFFICIAL ZONING MAP

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

Application #: 25CZ18 Submittal Date: 10/1/2025

Fee Paid:

Project Information

Project Name: Veridea SD-CZ Plan Amendment

Address(es): See Property Information Attachment

PIN(s): See Property Information Attachment

Acreage: +/- 1,097.15

Current Zoning: See Property Information Attachment Proposed Zoning: See Property Information Attachment

Current 2045 LUM Classification(s): Regional Mixed Use (RMU), Office Employment/Industrial Employment

Is the proposed rezoning consistent with the 2045 LUM Classification(s)? Yes ☑ No ☐

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

Area classified as mixed use: Acreage: +/- 1,097.15

Area proposed as non-residential development: Acreage: TBD

Percent of mixed use area proposed as non-residential: Percent: TBD

Applicant Information

Name: Todd Rechler, RXR Realty

Address: 625 RXR Plaza

City: Uniondale State: NY Zip: 11556

Phone: 516-506-6000 E-mail: trechler@rxr.com

Owner Information

Name: See Property Information Attachment

Address:

City: State: Zip:

Phone: E-mail:

Agent Information

Name: Jason Barron, Morningstar Law Group

Address: 434 Fayetteville St., Suite 2200

City: Raleigh State: NC Zip: 27601

Phone: 919-590-0371 E-mail: jbarron@morningstarlawgroup.com

Other contacts: Leticia Shapiro, Morningstar Law Group
434 Fayetteville St., Suite 2200
Raleigh, NC 27601
919-590-0366; tshapiro@morningstarlawgroup.com

PETITION INFORMATION

Application #: 25CZ18 Submittal Date: 10/1/2025

An application has been duly filed requesting that the property described in this application be rezoned from Property Info. Attachment to SD-CZ. It is understood and acknowledged that if the property is rezoned as requested, the property described in this request will be perpetually bound to the use(s) authorized and subject to such conditions as imposed, unless subsequently changed or amended as provided for in the Unified Development Ordinance (UDO). It is further understood and acknowledged that final plans for any specific development to be made pursuant to any such Conditional Zoning shall be submitted for site or subdivision plan approval, as required by the UDO. Use additional pages as needed.

PROPOSED USES:

The Rezoned Lands 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 stated below. For convenience, some relevant sections of the UDO may be referenced; such references do not imply that other sections of the UDO do not apply.

1	The uses will be consistent with the	21	
2	amended Veridea SD Plan.	22	
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PETITION INFORMATION

Application #: 25CZ18 Submittal Date: 10/1/2025

PROPOSED CONDITIONS:

The applicant hereby requests that the Town Council of the Town of Apex, pursuant to the Unified Development Ordinance, approve the Conditional Zoning for the above listed use(s) subject to the following condition(s). Use additional pages as needed.

Consistent with UDO Section 2.3.16(D), these parcels are being rezoned to be included in the amended SD-CZ district known as Veridea. The existing SD-CZ Plan for the district and the SD-CZ Plan as amended shall be applicable to these parcels. The applicant is not requesting a pro-rata increase in residential units, retail or office/industrial square feet as otherwise allowed under the Veridea SD Plan. All other provisions contained within the Veridea SD Plan as it exists and as amended by this rezoning will be applicable to these parcels.

LEGISLATIVE CONSIDERATIONS - CONDITIONAL ZONING

The applicant shall propose site-specific standards and conditions that take into account the following considerations, which are considerations that are relevant to the legislative determination of whether or not the proposed conditional zoning district rezoning request is in the public interest. These considerations do not exclude the legislative consideration of any other factor that is relevant to the public interest. Use additional pages as needed.

1) *Consistency with 2045 Land Use Map.* The proposed Conditional Zoning (CZ) District use's appropriateness for its proposed location and consistency with the purposes, goals, objectives, and policies of the 2045 Land Use Map.

These parcels are designated Regional Mixed Use (RMU) on the 2045 Land Use Map. SD Zoning is allowable in all mixed use centers including RMU. As such, this rezoning is consistent with the land use map designation.

2) *Compatibility.* The proposed Conditional Zoning (CZ) District use's appropriateness for its proposed location and compatibility with the character of surrounding land uses.

The purpose of this proposed conditional zoning is to include these parcels into the Veridea Sustainable Development, facilitate the development of the North Carolina Children's Hospital and campus, and revise certain conditions for the remainder of Veridea.

3) Zoning district supplemental standards. The proposed Conditional Zoning (CZ) District use's compliance with Sec 4.4 *Supplemental Standards*, if applicable.

These parcels shall become part of the Veridea SD Plan and all uses will be consistent with the standards provided in the Town of Apex UDO, including any applicable supplemental standards.

4) *Design minimizes adverse impact.* The design of the proposed Conditional Zoning (CZ) District use's minimization of adverse effects, including visual impact of the proposed use on adjacent lands; and avoidance of significant adverse impacts on surrounding lands regarding trash, traffic, service delivery, parking and loading, odors, noise, glare, and vibration and not create a nuisance.

The design of the proposed conditional zoning district will be compatible with surrounding uses as the purpose of this rezoning is to add these parcels to the Verdiea SD which is adjacent to these parcels. The parcels will become part of the Verdiea SD Plan and the overall scheme of the Verdiea SD Plan.

5) *Design minimizes environmental impact.* The proposed Conditional Zoning District use's minimization of environmental impacts and protection from significant deterioration of water and air resources, wildlife habitat, scenic resources, and other natural resources.

The guiding principles of the Veridea SD Plan puts coexistence with nature and environmental sustainability first place, minimizing environmental impacts and emphasizing protection from significant deterioration of water and air resources, wildlife habitat, scenic resources and other natural resources.

6) *Impact on public facilities.* The proposed Conditional Zoning (CZ) District use's avoidance of having adverse impacts on public facilities and services, including roads, potable water and wastewater facilities, parks, schools, police, fire and EMS facilities.

To the applicant's knowledge, there are sufficient public facilities and services to serve the development of these parcels consistent with the proposed rezoning and the Veridea SD Plan.

7) *Health, safety, and welfare.* The proposed Conditional Zoning (CZ) District use's effect on the health, safety, or welfare of the residents of the Town or its ETJ.

The Veridea SD plan provides a health sustainable mixed use community for Apex residents that includes the North Carolina Children's Hospital. A guiding principle is to create a community where humanity and nature co-exist in a healthy, supportive, diverse and sustainable condition.

8) *Detrimental to adjacent properties.* Whether the proposed Conditional Zoning (CZ) District use is substantially detrimental to adjacent properties.

These parcels will become part of the Veridea SD Plan and will not be detrimental to adjacent properties.

9) *Not constitute nuisance or hazard.* Whether the proposed Conditional Zoning (CZ) District use constitutes a nuisance or hazard due to traffic impact or noise, or because of the number of persons who will be using the Conditional Zoning (CZ) District use.

The proposed rezoning will not create a nuisance or hazard due to traffic or noise. Development of the property shall be provided by the Veridea SD Plan and will be similar in size, scale, and quality of the surrounding uses in the area.

10) *Other relevant standards of this Ordinance.* Whether the proposed Conditional Zoning (CZ) District use complies with all standards imposed on it by all other applicable provisions of this Ordinance for use, layout, and general development characteristics.

The conditional zoning district will comply with all standards imposed on it by all other applicable provisions of the Apex UDO.

ATTACHMENT A LIST OF PROPERTIES SUBJECT TO REZONING

PIN	REID	ACRES	OWNER	OWNER ADDRESS	DEED BOOK	PAGE #	DEED DATE	SITE ADDRESS	ZONING
0730852539	25766	54.65	RXR LEN APEX OWNER LLC GENERAL COUNSEL	625 RXR PLZ UNIONDALE NY- 11556-3815	19263	2403	2/17/2023	0 Old Holly Spings Apex Road	SD-CZ
0730865572	528142	57.52	RXR LEN APEX OWNER LLC GENERAL COUNSEL	625 RXR PLZ UNIONDALE NY- 11556-3815	19263	2403	2/17/2023	0 Veridea Parkway	SD-CZ
0730977087	359559	41.33	RXR LEN APEX OWNER LLC GENERAL COUNSEL	625 RXR PLZ UNIONDALE NY- 11556-3815	19263	2403	2/17/2023	0 Veridea Parkway	SD-CZ
0730977967	66407	10.27	RXR LEN APEX OWNER LLC GENERAL COUNSEL	625 RXR PLZ UNIONDALE NY- 11556-3815	020025	01418	9/29/2025	3142 Veridea Parkway	SD-CZ
0730996270	55790	16.42	RXR LEN APEX OWNER LLC GENERAL COUNSEL	625 RXR PLZ UNIONDALE NY- 11556-3815	19263	2403	2/17/2023	0 US 1 HWY	SD-CZ
0740052449	407982	17.36	RXR LEN APEX OWNER LLC GENERAL COUNSEL	625 RXR PLZ UNIONDALE NY- 11556-3815	19263	2403	2/17/2023	0 Veridea Parkway	SD-CZ
0740070950	59783	0.52	RXR LEN APEX OWNER LLC GENERAL COUNSEL	625 RXR PLZ UNIONDALE NY- 11556-3815	19968	1143	7/25/2025	3134 Veridea Parkway	SD-CZ
0740078021	407983	32.28	RXR LEN APEX OWNER LLC GENERAL COUNSEL	625 RXR PLZ UNIONDALE NY- 11556-3815	19263	2403	2/17/2023	0 Veridea Parkway	SD-CZ
0740081019	78236	2.16	RXR LEN APEX OWNER LLC GENERAL COUNSEL	625 RXR PLZ UNIONDALE NY- 11556-3815	020025	01418	9/29/2025	3138 Veridea Parkway	SD-CZ
0740082199	66408	2.09	WANG, YIFEI MEI, HUA	115 RODRIGUEZ CT SAN RAMON CA 94582-5545	18896	1725	1/27/2022	3130 Veridea Parkway	SD-CZ
0740082327	424497	0.3	WANG, YIFEI MEI, HUA	115 RODRIGUEZ CT SAN RAMON CA 94582-5545	18896	1725	1/27/2022	0 Veridea Parkway	SD-CZ
0740167653	407980	27.29	RXR LEN APEX OWNER LLC GENERAL COUNSEL	625 RXR PLZ UNIONDALE NY- 11556-3815	19263	2403	2/17/2023	0 Veridea Parkway	SD-CZ
0740180091	107815	12.57	RXR LEN APEX OWNER LLC GENERAL COUNSEL	625 RXR PLZ UNIONDALE NY- 11556-3815	19263	2403	2/17/2023	3200 Veridea Parkway	SD-CZ
0740180331	292245	1.66	RXR LEN APEX OWNER LLC GENERAL COUNSEL	625 RXR PLZ UNIONDALE NY- 11556-3815	19263	2403	2/17/2023	0 Veridea Parkway	SD-CZ
0740191376	107812	75.63	RXR LEN APEX OWNER LLC	625 RXR PLZ UNIONDALE NY- 11556-3815	19297	1692	3/30/2023	3012 Veridea Parkway	SD-CZ
Portion of 0740240814	407981	0.46	RXR LEN APEX OWNER LLC GENERAL COUNSEL	625 RXR PLZ UNIONDALE NY- 11556-3815	19263	2403	2/17/2023	0 Veridea Parkway	SD-CZ
Portion of 0740241030	330768	14.33	RXR LEN APEX OWNER LLC GENERAL COUNSEL	625 RXR PLZ UNIONDALE NY- 11556-3815	19263	2403	2/17/2023	0 Old Holly Springs Apex Rd	SD-CZ
Portion of 0740241461	70841	8.19	RXR LEN APEX OWNER LLC GENERAL COUNSEL	625 RXR PLZ UNIONDALE NY- 11556-3815	19263	2403	2/17/2023	0 Old Holly Springs Apex Rd	SD-CZ
0740283126	243734	5	RXR LEN APEX OWNER LLC RXR MTF APEX VEHICLE LLC	625 RXR PLZ UNIONDALE NY- 11556-3815	19737	1859	10/16/2024	6300 King David Ct	SD-CZ
0740287376	107809	27.26	RXR LEN APEX OWNER LLC GENERAL COUNSEL	625 RXR PLZ UNIONDALE NY- 11556-3815	19263	2335	2/17/2023	0 Veridea Parkway	SD-CZ
0740293940	57302	1.8	RXR LEN APEX OWNER LLC GENERAL COUNSEL	625 RXR PLZ UNIONDALE NY- 11556-3815	19947	0487	6/30/2025	2945 VERIDEA PKWY	SD-CZ

0740360895	00423	82.24	RXR LEN APEX OWNER LLC GENERAL COUNSEL	625 RXR PLZ UNIONDALE NY- 11556-3815	19263	2403	2/17/2023	3229 Old Holly Springs Apex Rd	SD-CZ
0740289979	57242	37.57	RXR LEN APEX OWNER LLC GENERAL COUNSEL	625 RXR PLZ UNIONDALE NY- 11556-3815	19263	2403	2/17/2023	3009 Veridea Parkway	SD-CZ
0740489140	111766	21.54	WAKE COUNTY BOARD OF EDUCATION SERVICES SENIOR DIRECTOR	111 CORNING RD STE 100 CARY NC 27518-9299	19604	2784	5/7/2024	0 US 1 HWY	SD-CZ
0740586619	54612	24.31	RXR LEN APEX OWNER LLC GENERAL COUNSEL	625 RXR PLZ UNIONDALE NY- 11556-3815	19263	2403	2/17/2023	0 US 1 HWY	SD-CZ
0740783479	52564	162.38	RXR LEN APEX OWNER LLC GENERAL COUNSEL	625 RXR PLZ UNIONDALE NY- 11556-3815	19263	2403	2/17/2023	0 E WILLIAMS ST	SD-CZ
0740888498	28693	12.54	RXR LEN APEX OWNER LLC GENERAL COUNSEL	625 RXR PLZ UNIONDALE NY- 11556-3815	19263	2403	2/17/2023	0 E WILLIAMS ST	SD-CZ
0740990489	13417	1.14	RXR LEN APEX OWNER LLC	625 RXR PLZ UNIONDALE NY- 11556-3815	19789	0032	12/16/2024	1716 E WILLIAMS ST	SD-CZ
Portion of 0740558687	72826	50.56*	GREENWAY WASTE SOLUTIONS OF APEX LLC	19109 W CATAWHA AVE STE 110 CORNELIUS NC 28031-5613			2/18/2011	0 TECHNOLOGY DR	SD-CZ
0740992174	43277	0.17	RXR LEN APEX OWNER LLC GENERAL COUNSEL	625 RXR PLZ UNIONDALE NY- 11556-3815	19263	2403	2/17/2023	0 E WILLIAMS ST	SD-CZ
0740992565	52567	0.14	RXR LEN APEX OWNER LLC GENERAL COUNSEL	625 RXR PLZ UNIONDALE NY- 11556-3815	19263	2403	2/17/2023	0 E WILLIAMS ST	SD-CZ
0740992632	362133	0.38	RXR LEN APEX OWNER LLC	625 RXR PLZ UNIONDALE NY- 11556-3815	19821	1026	1/31/2025	1712 E WILLIAMS ST	SD-CZ
0741207566	107806	32.06	RXR LEN APEX OWNER LLC	625 RXR PLZ UNIONDALE NY- 11556-3815	19947	0487	6/30/2025	2901 VERIDEA PKWY	SD-CZ
0741614057	333870	233.82	RXR LEN APEX OWNER LLC GENERAL COUNSEL	625 RXR PLZ UNIONDALE NY- 11556-3815	19263	2403	2/17/2023	0 US 1 HWY	SD-CZ
0741203157	311438	1.84	RXR LEN APEX OWNER LLC GENERAL COUNSEL	625 RXR PLZ UNIONDALE NY- 11556-3815	19263	2403	2/17/2023	2937 VERIDEA PKWY	SD-CZ
0741117192	360256	0.25	RXR LEN APEX OWNER LLC	625 RXR PLZ UNIONDALE NY- 11556-3815	19947	00487	6/30/2025	0 Veridea Parkway	SD-CZ
740389302	532759	27.1	APA VERIDEA INVESTMENTS LLC	2000 BEAR CAT WAY STE 102 MORRISVILLE NC 27560-6620	20025	1427	9/29/2025	0 Veridea Parkway	SD-CZ
**See Legal Description*									

AGENT AUTHORIZATION FORM

Application #: 25CZ18 Submittal Date: _____

RXR LEN APEX OWNER LLC is the owner* of the property for which the attached application is being submitted:

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

The property address is: See attached "RXR Property List"

The agent for this project is: Jason Barron and Leticia Shapiro- Morningstar Law Group

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

Agent Name: Jason Barron and Leticia Shapiro - Morningstar Law Group

Address: 434 Fayetteville St; Suite 2200 Raleigh NC 27601

Telephone Number: 919-590-0371; 919-590-0366

E-Mail Address: jbarron@morningstarlawgroup.com; tshapiro@morningstarlawgroup.com

Signature(s) of Owner(s)*

Todd Rechler, Authorized Person — 9/30/2025

Type or print name — Date

_____

_____ _____

Type or print name — Date

Attach additional sheets if there are additional owners.

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

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

AFFIDAVIT OF OWNERSHIP

Application #: 25CZ18 Submittal Date: _____

The undersigned, Todd Rechler c/o RXR LEN APEX OWNER LLC (the "Affiant") first being duly sworn, hereby swears or affirms as follows:

1. Affiant is over eighteen (18) years of age and authorized to make this Affidavit. The Affiant is the sole owner, or is the authorized agent of all owners, of the property located at See RXR Property List and legally described in **Exhibit "A"** attached hereto and incorporated herein (the "Property").

2. This Affidavit of Ownership is made for the purpose of filing an application for development approval with the Town of Apex.

3. If Affiant is the owner of the Property, Affiant acquired ownership by deed, dated See RXR Property List, and recorded in the Wake County Register of Deeds Office on See RXR Property List, in Book See RXR Property List Page See RXR Property List.

4. If Affiant is the authorized agent of the owner(s) of the Property, Affiant possesses documentation indicating the agency relationship granting the Affiant the authority to apply for development approval on behalf of the owner(s).

5. If Affiant is the owner of the Property, from the time Affiant was deeded the Property on See RXR Property List, Affiant has claimed sole ownership of the Property. Affiant or Affiant's predecessors in interest have been in sole and undisturbed possession and use of the property during the period of ownership. Since taking possession of the Property on See RXR Property List, no one has questioned Affiant's ownership or right to possession nor demanded any rents or profits. To Affiant's knowledge, no claim or action has been brought against Affiant (if Affiant is the owner), or against owner(s) (if Affiant is acting as an authorized agent for owner(s)), which questions title or right to possession of the property, nor is any claim or action pending against Affiant or owner(s) in court regarding possession of the Property.

This the 30th day of September, 2025.

_____ (seal)

Todd Rechler c/o RXR LEN APEX OWNER LLC

Type or print name

STATE OF NEW YORK
COUNTY OF NEW YORK

I, the undersigned, a Notary Public in and for the County of New York, hereby certify that Todd Rechler, Affiant, personally known to me or known to me by said Affiant's presentation of said Affiant's Authorized Person, personally appeared before me this day and acknowledged the due and voluntary execution of the foregoing Affidavit.

_____
Notary Public
State of New York
My Commission Expires: 10/03/2026

[NOTARY SEAL]
JOSEPH B. RABINOW
STATE OF NEW YORK
NOTARY PUBLIC
Qualified in Nassau County
01RA6441857
MY COMMISSION EXPIRES 10/03/2026

RXR PROPERTY LIST

	PIN	REID	ACRES	OWNER	OWNER ADDRESS	DEED BOOK	PAGE #	DEED DATE	SITE ADDRESS	ZONING
1	0730852539	25766	54.65	RXR LEN APEX OWNER LLC GENERAL COUNSEL	625 RXR PLZ UNIONDALE NY- 11556-3815	19263	2403	2/17/2023	0 Old Holly Spings Apex Road	SD-CZ
2	0730865572	528142	57.52	RXR LEN APEX OWNER LLC GENERAL COUNSEL	625 RXR PLZ UNIONDALE NY- 11556-3815	19263	2403	2/17/2023	0 Veridea Parkway	SD-CZ
3	0730977087	359559	41.33	RXR LEN APEX OWNER LLC GENERAL COUNSEL	625 RXR PLZ UNIONDALE NY- 11556-3815	19263	2403	2/17/2023	0 Veridea Parkway	SD-CZ
4	0730996270	55790	16.42	RXR LEN APEX OWNER LLC GENERAL COUNSEL	625 RXR PLZ UNIONDALE NY- 11556-3815	19263	2403	2/17/2023	0 US 1 HWY	SD-CZ
5	0740052449	407982	17.36	RXR LEN APEX OWNER LLC GENERAL COUNSEL	625 RXR PLZ UNIONDALE NY- 11556-3815	19263	2403	2/17/2023	0 Veridea Parkway	SD-CZ
6	0740070950	59783	0.52	RXR LEN APEX OWNER LLC GENERAL COUNSEL	625 RXR PLZ UNIONDALE NY- 11556-3815	19968	1143	7/25/2025	3134 Veridea Parkway	RR
7	0740078021	407983	32.28	RXR LEN APEX OWNER LLC GENERAL COUNSEL	625 RXR PLZ UNIONDALE NY- 11556-3815	19263	2403	2/17/2023	0 Veridea Parkway	RR
8	0740167653	407980	27.29	RXR LEN APEX OWNER LLC GENERAL COUNSEL	625 RXR PLZ UNIONDALE NY- 11556-3815	19263	2403	2/17/2023	0 Veridea Parkway	RR
9	0740180091	107815	12.57	RXR LEN APEX OWNER LLC GENERAL COUNSEL	625 RXR PLZ UNIONDALE NY- 11556-3815	19263	2403	2/17/2023	3200 Veridea Parkway	SD-CZ
10	0740180331	292245	1.66	RXR LEN APEX OWNER LLC GENERAL COUNSEL	625 RXR PLZ UNIONDALE NY- 11556-3815	19263	2403	2/17/2023	0 Veridea Parkway	SD-CZ
11	0740191376	107812	75.63	RXR LEN APEX OWNER LLC	625 RXR PLZ UNIONDALE NY- 11556-3815	19297	1692	3/30/2023	3012 Veridea Parkway	SD-CZ
12	0740240814	407981	7.27	RXR LEN APEX OWNER LLC GENERAL COUNSEL	625 RXR PLZ UNIONDALE NY- 11556-3815	19263	2403	2/17/2023	0 Veridea Parkway	SD-CZ
13	0740241030	330768	22.6	RXR LEN APEX OWNER LLC GENERAL COUNSEL	625 RXR PLZ UNIONDALE NY- 11556-3815	19263	2403	2/17/2023	0 Old Holly Springs Apex Rd	SD-CZ/LI-CZ
14	0740241461	70841	22.44	RXR LEN APEX OWNER LLC GENERAL COUNSEL	625 RXR PLZ UNIONDALE NY- 11556-3815	19263	2403	2/17/2023	0 Old Holly Springs Apex Rd	SD-CZ/LI-CZ
15	0740283126	243734	5	RXR LEN APEX OWNER LLC RXR MTF APEX VEHICLE LLC	625 RXR PLZ UNIONDALE NY- 11556-3815	19737	1859	10/16/2024	6300 King David Ct	RR
16	0740287376	107809	27.26	RXR LEN APEX OWNER LLC GENERAL COUNSEL	625 RXR PLZ UNIONDALE NY- 11556-3815	19263	2335	2/17/2023	0 Veridea Parkway	SD-CZ
17	0740293940	57302	1.8	RXR LEN APEX OWNER LLC GENERAL COUNSEL	625 RXR PLZ UNIONDALE NY- 11556-3815	19947	0487	6/30/2025	2945 VERIDEA PKWY	SD-CZ
18	0740360895	00423	82.24	RXR LEN APEX OWNER LLC GENERAL COUNSEL	625 RXR PLZ UNIONDALE NY- 11556-3815	19263	2403	2/17/2023	3220 Old Holly Springs Apex Rd	SD-CZ
19	0740289979	57242	37.57	RXR LEN APEX OWNER LLC GENERAL COUNSEL	625 RXR PLZ UNIONDALE NY- 11556-3815	19263	2403	2/17/2023	3009 Veridea Parkway	SD-CZ
20	0740586619	54612	24.31	RXR LEN APEX OWNER LLC GENERAL COUNSEL	625 RXR PLZ UNIONDALE NY- 11556-3815	19263	2403	2/17/2023	0 US 1 HWY	SD-CZ
21	0740783479	52564	162.38	RXR LEN APEX OWNER LLC GENERAL COUNSEL	625 RXR PLZ UNIONDALE NY- 11556-3815	19263	2403	2/17/2023	0 E WILLIAMS ST	SD-CZ

22	0740888498	28693	12.54	RXR LEN APEX OWNER LLC GENERAL COUNSEL	625 RXR PLZ UNIONDALE NY- 11556-3815	19263	2403	2/17/2023	0 E WILLIAMS ST	SD-CZ
23	0740990489	13417	1.14	RXR LEN APEX OWNER LLC	625 RXR PLZ UNIONDALE NY- 11556-3815	19789	0032	12/16/2024	1716 E WILLIAMS ST	SD-CZ
24	0740992174	43277	0.17	RXR LEN APEX OWNER LLC GENERAL COUNSEL	625 RXR PLZ UNIONDALE NY- 11556-3815	19263	2403	2/17/2023	0 E WILLIAMS ST	RR
25	0740992565	52567	0.14	RXR LEN APEX OWNER LLC GENERAL COUNSEL	625 RXR PLZ UNIONDALE NY- 11556-3815	19263	2403	2/17/2023	0 E WILLIAMS ST	SD-CZ
26	0740992632	362133	0.38	RXR LEN APEX OWNER LLC	625 RXR PLZ UNIONDALE NY- 11556-3815	19821	1026	1/31/2025	1712 E WILLIAMS ST	RR
27	0741207566	107806	32.06	RXR LEN APEX OWNER LLC	625 RXR PLZ UNIONDALE NY- 11556-3815	19947	0487	6/30/2025	2901 VERIDEA PKWY	SD-CZ
28	0741614057	333870	233.82	RXR LEN APEX OWNER LLC GENERAL COUNSEL	625 RXR PLZ UNIONDALE NY- 11556-3815	19263	2403	2/17/2023	0 US 1 HWY	SD-CZ
29	0741203157	311438	1.84	RXR LEN APEX OWNER LLC GENERAL COUNSEL	625 RXR PLZ UNIONDALE NY- 11556-3815	19263	2403	2/17/2023	2937 VERIDEA PKWY	SD-CZ
30	0741117192	360256	0.25	RXR LEN APEX OWNER LLC	625 RXR PLZ UNIONDALE NY- 11556-3815	19947	00487	6/30/2025	0 Veridea Parkway	RR
31	0730977967	66407	10.27	RXR LEN APEX OWNER LLC	625 RXR PLZ UNIONDALE NY- 11556-3815	020025	01418	9/29/2025	3142 Veridea Parkway	PUD-CZ
32	0740081019	78236	2.16	RXR LEN APEX OWNER LLC	625 RXR PLZ UNIONDALE NY- 11556-3815	020025	01418	9/29/2025	3138 Veridea Parkway	PUD-CZ

AGENT AUTHORIZATION FORM

Application #: 25CZ18 Submittal Date: _____

GREENWAY WASTE SOLUTIONS OF APEX LLC is the owner* of the property for which the attached application is being submitted:

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

The property address is: 0 Technology Dr.

The agent for this project is: Jason Barron and Leticia Shapiro, Morningstar Law Group

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

Agent Name: Jason Barron and Leticia Shapiro, Morningstar Law Group

Address: 434 Fayetteville Street, Ste. 2200, Raleigh NC 27601

Telephone Number: 919-590-0371; 919-590-0366

E-Mail Address: jbarron@morningstarlawgroup.com; tshapiro@morningstarlawgroup.com

Signature(s) of Owner(s)*

Mike Griffin

c/o GREENWAY WASTE SOLUTIONS OF APEX LLC Type or print name 9/25/25 Date

_____

_____ Type or print name _____ Date

Attach additional sheets if there are additional owners.

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

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

AGENT AUTHORIZATION FORM

Application #: 25CZ18 Submittal Date: _____

GREENWAY WASTE SOLUTIONS OF APEX LLC is the owner* of the property for which the attached application is being submitted:

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

The property address is: 0 Technology Dr.

The agent for this project is: Todd Rechler, Authorized Person c/o RXR LEN Apex Owner LLC General Counsel

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

Agent Name: Todd Rechler, Authorized Person c/o RXR LEN Apex Owner LLC General Counsel

Address: 625 RXR PLZ, Uniondale, NY 11556-3815

Telephone Number: 516-506-6000

E-Mail Address: trechler@rxr.com

Signature(s) of Owner(s)*

Mike Griffin
c o Greenway Waste Solutions of Apex LLC — Type or print name

9/25/25 — Date

_____

_____ — Type or print name

_____ — Date

Attach additional sheets if there are additional owners.

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

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

AFFIDAVIT OF OWNERSHIP

Application #: 25CZ18 Submittal Date: _____

The undersigned, GREENWAY WASTE SOLUTIONS OF APEX LLC (the "Affiant") first being duly sworn, hereby swears or affirms as follows:

1. Affiant is over eighteen (18) years of age and authorized to make this Affidavit. The Affiant is the sole owner, or is the authorized agent of all owners, of the property located at 0 Technology Dr. (0740558687) and legally described in **Exhibit "A"** attached hereto and incorporated herein (the "Property").

2. This Affidavit of Ownership is made for the purpose of filing an application for development approval with the Town of Apex.

3. If Affiant is the owner of the Property, Affiant acquired ownership by deed, dated 10-01-2001, and recorded in the Wake County Register of Deeds Office on 10-01-2001, in Book 9099 Page 1045.

4. If Affiant is the authorized agent of the owner(s) of the Property, Affiant possesses documentation indicating the agency relationship granting the Affiant the authority to apply for development approval on behalf of the owner(s).

5. If Affiant is the owner of the Property, from the time Affiant was deeded the Property on 10-01-2001, Affiant has claimed sole ownership of the Property. Affiant or Affiant's predecessors in interest have been in sole and undisturbed possession and use of the property during the period of ownership. Since taking possession of the Property on 10-01-2001, no one has questioned Affiant's ownership or right to possession nor demanded any rents or profits. To Affiant's knowledge, no claim or action has been brought against Affiant (if Affiant is the owner), or against owner(s) (if Affiant is acting as an authorized agent for owner(s)), which questions title or right to possession of the property, nor is any claim or action pending against Affiant or owner(s) in court regarding possession of the Property.

This the 25th day of September, 2025.

_____ (seal)

Mike Griffin c/o Greenway Waste Solutions of Apex LLC

Type or print name

STATE OF NORTH CAROLINA
COUNTY OF Iredell

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

Bruni Trinidad Melius
Bruni Trinidad Melius
Notary Public
State of North Carolina
My Commission Expires: 11/22/2026

Bruni Trinidad Melius
Notary Public
Iredell County, NC
My Commission Expires 11/22/2026
[NOTARY SEAL]

AGENT AUTHORIZATION FORM

Application #: 25CZ18 Submittal Date: _____

The Wake County Board of Education is the owner* of the property for which the attached application is being submitted:

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

The property address is: 0 US1 HWY

The agent for this project is: Jason Barron and Leticia Shapiro - Morningstar Law Group

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

Agent Name: Jason Barron and Leticia Shapiro - Morningstar Law Group

Address: 434 Fayetteville St; Suite 2200 Raleigh NC 27601

Telephone Number: 919-590-0371; 919-590-0366

E-Mail Address: jbarron@morningstarlawgroup.com; tshapiro@morningstarlawgroup.com

Signature(s) of Owner(s)*

Mark R. Strickland

Mark R. Strickland, Chief of Facilities & Operations — 9-25-25

Type or print name — Date

_____ _____

_____ _____

Type or print name — Date

Attach additional sheets if there are additional owners.

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

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

AGENT AUTHORIZATION FORM

Application #: 25CZ18 Submittal Date: _____

The Wake County Board of Education is the owner* of the property for which the attached application is being submitted:

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

The property address is: 0 US 1 HWY

The agent for this project is: Todd Rechler, RXR Realty

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

Agent Name: Todd Rechler

Address: 625 RXR Plaza Uniondale NY 11556-3815

Telephone Number: 516-506-6000

E-Mail Address: trechler@rxr.com

Signature(s) of Owner(s)*

Mark R. Strickland, Chief of Facilities & Operations — 9-25-25

Type or print name — Date

_____ _____

Type or print name — Date

Attach additional sheets if there are additional owners.

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

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

AFFIDAVIT OF OWNERSHIP

Application #: 25CZ18 Submittal Date: _____

The undersigned, The Wake County Board of Education (the "Affiant") first being duly sworn, hereby swears or affirms as follows:

1. Affiant is over eighteen (18) years of age and authorized to make this Affidavit. The Affiant is the sole owner, or is the authorized agent of all owners, of the property located at 0 US 1 HWY and legally described in **Exhibit "A"** attached hereto and incorporated herein (the "Property").

2. This Affidavit of Ownership is made for the purpose of filing an application for development approval with the Town of Apex.

3. If Affiant is the owner of the Property, Affiant acquired ownership by deed, dated 5 7 2024, and recorded in the Wake County Register of Deeds Office on 5/7/2024, in Book 19604 Page 2784.

4. If Affiant is the authorized agent of the owner(s) of the Property, Affiant possesses documentation indicating the agency relationship granting the Affiant the authority to apply for development approval on behalf of the owner(s).

5. If Affiant is the owner of the Property, from the time Affiant was deeded the Property on 5/7/2024, Affiant has claimed sole ownership of the Property. Affiant or Affiant's predecessors in interest have been in sole and undisturbed possession and use of the property during the period of ownership. Since taking possession of the Property on 5/7/2024, no one has questioned Affiant's ownership or right to possession nor demanded any rents or profits. To Affiant's knowledge, no claim or action has been brought against Affiant (if Affiant is the owner), or against owner(s) (if Affiant is acting as an authorized agent for owner(s)), which questions title or right to possession of the property, nor is any claim or action pending against Affiant or owner(s) in court regarding possession of the Property.

This the 25 day of September, 2025.

Mark R. Strickland (seal)

Mark R. Strickland, Chief of Facilities & Operations

Type or print name

STATE OF NORTH CAROLINA
COUNTY OF Wake

I, the undersigned, a Notary Public in and for the County of Wake, hereby certify that Mark R. Strickland, Affiant, personally known to me or known to me by said Affiant's presentation of said Affiant's N/A, personally appeared before me this day and acknowledged the due and voluntary execution of the foregoing Affidavit.

LEANN O WALKER
NOTARY PUBLIC
Wake County
North Carolina
My Commission Expires 4/21/29

[NOTARY SEAL]

Leann O. Walker
Notary Public
State of North Carolina
My Commission Expires: April 21, 2029

AGENT AUTHORIZATION FORM

Application #: 25CZ18 Submittal Date: _____

YIFEI WANG and HUA MEI is the owner* of the property for which the attached application is being submitted:

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

The property address is: 0 and 3130 Veridea Pkwy Apex, NC 27539

The agent for this project is: Todd Rechler, Authorized Person c/o RXR LEN Apex Owner LLC General Counsel

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

Agent Name: Todd Rechler, Authorized Person c/o RXR LEN Apex Owner LLC General Counsel

Address: 625 RXR PLZ, Uniondale, NY 11556-3815

Telephone Number: 516-506-6000

E-Mail Address: trechler@rxr.com

Signature(s) of Owner(s)*

Signed by: Yifei Wang
0DA9639C61774E0...

Yifei Wang — 9/30/2025

Type or print name — Date

签署人：HUA MEI
48D19F5011F44DA...

Hua Mei — 9/30/2025

Type or print name — Date

Attach additional sheets if there are additional owners.

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

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

AGENT AUTHORIZATION FORM

Application #: 25CZ18 Submittal Date: _____

YIFEI WANG and HUA MEI is the owner* of the property for which the attached application is being submitted:

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

The property address is: 0 and 3130 Veridea Pkwy Apex, NC 27539

The agent for this project is: Jason Barron and Leticia Shapiro, Morningstar Law Group

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

Agent Name: Jason Barron and Leticia Shapiro, Morningstar Law Group

Address: 434 Fayetteville Street, Ste. 2200, Raleigh NC 27601

Telephone Number: 919-590-0371; 919-590-0366

E-Mail Address: jbarron@morningstarlawgroup.com; tshapiro@morningstarlawgroup.com

Signature(s) of Owner(s)*

Signed by: Yifei Wang DDA9639C81774E0...

Yifei Wang — 9/30/2025

Type or print name — Date

簽署人： Hua Mei 46D19F5011F44DA...

Hua Mei — 9/30/2025

Type or print name — Date

Attach additional sheets if there are additional owners.

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

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

AFFIDAVIT OF OWNERSHIP

Application #: 25CZ18 Submittal Date: _____

The undersigned, YIFEI WANG and HUA MEI (the "Affiant") first being duly sworn, hereby swears or affirms as follows:

1. Affiant is over eighteen (18) years of age and authorized to make this Affidavit. The Affiant is the sole owner, or is the authorized agent of all owners, of the property located at 0 Veridea Pkwy Apex, NC 27539 and legally described in **Exhibit "A"** attached hereto and incorporated herein (the "Property").

2. This Affidavit of Ownership is made for the purpose of filing an application for development approval with the Town of Apex.

3. If Affiant is the owner of the Property, Affiant acquired ownership by deed, dated January 27, 2022, and recorded in the Wake County Register of Deeds Office on January 27, 2022, in Book 018896 Page 01725.

4. If Affiant is the authorized agent of the owner(s) of the Property, Affiant possesses documentation indicating the agency relationship granting the Affiant the authority to apply for development approval on behalf of the owner(s).

5. If Affiant is the owner of the Property, from the time Affiant was deeded the Property on January 27, 2022, Affiant has claimed sole ownership of the Property. Affiant or Affiant's predecessors in interest have been in sole and undisturbed possession and use of the property during the period of ownership. Since taking possession of the Property on January 27, 2022, no one has questioned Affiant's ownership or right to possession nor demanded any rents or profits. To Affiant's knowledge, no claim or action has been brought against Affiant (if Affiant is the owner), or against owner(s) (if Affiant is acting as an authorized agent for owner(s)), which questions title or right to possession of the property, nor is any claim or action pending against Affiant or owner(s) in court regarding possession of the Property.

This the 24th day of June, 2025.

_____ (seal)
Yifei Wang
Type or print name

STATE OF NORTH CAROLINA
COUNTY OF WAKE

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

_____
Notary Public
State of North Carolina
My Commission Expires: 2/15/2029

[NOTARY SEAL]
RUSSELL STEWART NOTARY PUBLIC WAKE COUNTY, NC My Comm. Exp. 2-15-2029

AFFIDAVIT OF OWNERSHIP

Application #: 25CZ18 Submittal Date: _____

The undersigned, YIFEI WANG and HUA MEI (the "Affiant") first being duly sworn, hereby swears or affirms as follows:

1. Affiant is over eighteen (18) years of age and authorized to make this Affidavit. The Affiant is the sole owner, or is the authorized agent of all owners, of the property located at 3130 Veridea Pkwy Apex, NC 27539 and legally described in **Exhibit "A"** attached hereto and incorporated herein (the "Property").

2. This Affidavit of Ownership is made for the purpose of filing an application for development approval with the Town of Apex.

3. If Affiant is the owner of the Property, Affiant acquired ownership by deed, dated January 27, 2022, and recorded in the Wake County Register of Deeds Office on January 27, 2022, in Book 018896 Page 01725.

4. If Affiant is the authorized agent of the owner(s) of the Property, Affiant possesses documentation indicating the agency relationship granting the Affiant the authority to apply for development approval on behalf of the owner(s).

5. If Affiant is the owner of the Property, from the time Affiant was deeded the Property on January 27, 2022, Affiant has claimed sole ownership of the Property. Affiant or Affiant's predecessors in interest have been in sole and undisturbed possession and use of the property during the period of ownership. Since taking possession of the Property on January 27, 2022, no one has questioned Affiant's ownership or right to possession nor demanded any rents or profits. To Affiant's knowledge, no claim or action has been brought against Affiant (if Affiant is the owner), or against owner(s) (if Affiant is acting as an authorized agent for owner(s)), which questions title or right to possession of the property, nor is any claim or action pending against Affiant or owner(s) in court regarding possession of the Property.

This the 24th day of June, 2025.

Yifei Wang (seal)

Yifei Wang
Type or print name

STATE OF NORTH CAROLINA
COUNTY OF WAKE

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

RUSSELL STEWART NOTARY PUBLIC WAKE COUNTY, NC [NOTARY SEAL] My Comm. Exp. 2-16-2029

Notary Public
State of North Carolina
My Commission Expires: 2/15/2029

AGENT AUTHORIZATION FORM

Application #: 25CZ18 Submittal Date:

APA VERIDEA INVESTMENTS LLC is the owner* of the property for which the attached application is being submitted:

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

The property address is: 0 Veridea Pkwy Apex, NC 27539

The agent for this project is: Todd Rechler, Authorized Person c/o RXR LEN Apex Owner LLC General Counsel

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

Agent Name: Todd Rechler, Authorized Person c/o RXR LEN Apex Owner LLC General Counsel

Address: 625 RXR PLZ, Uniondale, NY 11556-3815

Telephone Number: 516-506-6000

E-Mail Address: trechler@rxr.com

Signature(s) of Owner(s)*

c/o APA VERIDEA INVESTMENS LLC Type or print name Date

Type or print name Date

Attach additional sheets if there are additional owners.

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

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

AGENT AUTHORIZATION FORM

Application #: 25CZ18 Submittal Date:

APA VERIDEA INVESTMENTS LLC is the owner* of the property for which the attached application is being submitted:

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

The property address is: 0 Veridea Pkwy Apex, NC 27539

The agent for this project is: Jason Barron and Leticia Shapiro, Morningstar Law Group

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

Agent Name: Jason Barron and Leticia Shapiro, Morningstar Law Group

Address: 434 Fayetteville Street, Ste. 2200, Raleigh NC 27601

Telephone Number: 919-590-0371; 919-590-0366

E-Mail Address: jbarron@morningstarlawgroup.com; tshapiro@morningstarlawgroup.com

Signature(s) of Owner(s)*

c/o APA VERIDEA INVESTMENS LLC Type or print name Date

Type or print name Date

Attach additional sheets if there are additional owners.

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

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

AFFIDAVIT OF OWNERSHIP

Application #: 25CZ18 Submittal Date: _____

The undersigned, APA VERIDEA INVESTMENTS, LLC (the "Affiant") first being duly sworn, hereby swears or affirms as follows:

1. Affiant is over eighteen (18) years of age and authorized to make this Affidavit. The Affiant is the sole owner, or is the authorized agent of all owners, of the property located at 0 Veridea Parkway, Apex, NC 27539 and legally described in **Exhibit "A"** attached hereto and incorporated herein (the "Property").

2. This Affidavit of Ownership is made for the purpose of filing an application for development approval with the Town of Apex.

3. If Affiant is the owner of the Property, Affiant acquired ownership by deed, dated 9/29/2025, and recorded in the Wake County Register of Deeds Office on 9/29/2025, in Book 020025 Page 01427.

4. If Affiant is the authorized agent of the owner(s) of the Property, Affiant possesses documentation indicating the agency relationship granting the Affiant the authority to apply for development approval on behalf of the owner(s).

5. If Affiant is the owner of the Property, from the time Affiant was deeded the Property on 9/29/2025, Affiant has claimed sole ownership of the Property. Affiant or Affiant's predecessors in interest have been in sole and undisturbed possession and use of the property during the period of ownership. Since taking possession of the Property on 9/29/2025, no one has questioned Affiant's ownership or right to possession nor demanded any rents or profits. To Affiant's knowledge, no claim or action has been brought against Affiant (if Affiant is the owner), or against owner(s) (if Affiant is acting as an authorized agent for owner(s)), which questions title or right to possession of the property, nor is any claim or action pending against Affiant or owner(s) in court regarding possession of the Property.

This the _____ day of _____, 20_____.

_____ (seal)

_____

Type or print name

STATE OF NORTH CAROLINA
COUNTY OF _____

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

_____
Notary Public
State of North Carolina
My Commission Expires: _____

[NOTARY SEAL]

PIN: 0740191376, 0741207566, 0730977087, 0730996270, 0740180091, 0740180331, 0740287376, 0740293940, 0740360895, 0740289979, 0740389302, 0740586619, 0740783479, 0740888498, 0740992174, 0741614057, 0740489140, 0741203157

Being a portion of the lands now or formerly owned by RXR Len Apex Owner, LLC, as described in Deed Book 19263, Page 2403; RXR Len Apex Owner, LLC, as described in Deed Book 19297, Page 1692; RXR Len Apex Owner LLC, as described in Deed Book 19947, Page 487; RXR Len Apex Owner, LLC, as described in Deed Book 19263, Page 2335 in the Wake County Register of Deeds; being more particularly described as:

Beginning at a rebar with cap on the northern right of way line of N.C. Highway 540, a variable width controlled access right of way as described in Deed Book 15539, page 1855, being also the southeast corner of lands now or formerly owned by RXR Len Apex Owner, LLC, as described in Deed Book 19263, page 2403, the point of beginning; thence from the beginning and leaving the northern right of way line of NC Highway 540 and with said common line, North 00°14'49" West a distance of 667.80 feet to a point; thence South 87°37'02" West a distance of 180.32 feet to a point; thence North 01°55'47" West a distance of 1400.56 feet to a point; thence South 84°14'41" West a distance of 440.42 feet to a point on the eastern right of way line of Veridea Parkway, a variable width public right of way, as described in Deed Book 16421, page 2112 and Deed Book 16326, page 2125; thence with the eastern right of way line of Veridea Parkway, North 09°16'52" East a distance of 6.98 feet to a point; thence North 09°16'52" East a distance of 31.69 feet to a point; thence North 09°28'48" East a distance of 166.90 feet to a point; thence North 09°28'48" East a distance of 13.32 feet to a point; thence North 09°28'48" East a distance of 17.71 feet to a point; thence North 09°28'48" East a distance of 55.05 feet to a point on the southern line of lands now or formerly owned by Roger W. and Glenda K. Bushee, as described in Deed Book 4691, page 197; thence with said common line, South 80° 05'31" East a distance of 386.35 feet to an existing iron pipe, being a southwestern corner of lands now or formerly owned by RXR Len Apex Owner, LLC, as described in Deed Book 19737, page 1859; thence with said common line, South 09°53'16" West a distance of 120.00 feet to an existing iron pipe; thence North 89°42'24" East a distance of 427.65 feet to an existing iron pipe; thence North 28°17'19" East a distance of 258.03 feet to a point; thence North 25°29'27" West a distance of 398.53 feet to a point; thence South 85°22'14" West a distance of 220.54 feet to a point; thence South 09°39'36" West a distance of 200.09 feet to a point, being the northeast corner of lands now or formerly owned by Roger W. and Glenda K. Bushee, as described in Deed Book 4691, page 197; thence with said common line, North 80°09'19" West a distance of 185.05 feet to a point, being the southeast corner of lands now or formerly owned by W J and Catherin A Fields, as described in Deed Book 3138, page 93; thence with said common line and the common line of others, North 09°58'01" East a distance of 550.14 feet to a point, being the southeast corner

of lands now or formerly owned by Whitehouse Assets Management, LLC, as described in Deed Book 17143, page 2248; thence with said common line, North 24°25'22" East a distance of 442.30 feet to a point; thence South 69°45'18" West a distance of 509.98 feet to an existing rebar in the center of Veridea Parkway, a 60’ public right of way as shown on Book of Maps 2003, page 1756, passing through an existing iron pipe on the eastern right of way line of Veridea Parkway 34.45 feet before the end of the line; thence with the center of Veridea Parkway, South 09°52'33" West a distance of 171.70 feet to a point; thence South 09°57'23" West a distance of 550.24 feet to a point; thence South 09°26'46" West a distance of 21.55 feet to a point; thence leaving the center of Veridea Parkway, North 89°10'45" West a distance of 68.12 feet to a point on the western right of way line of Veridea Parkway, a variable width public right of way as described in Deed Book 16421, page 2112 and Deed Book 16326, page 2125, passing through an existing iron pipe 38.57 feet before the end of the line; thence with the western right of way line of Veridea Parkway, South 09°28'47" West a distance of 60.77 feet to a point; thence South 09°28'45" West a distance of 430.91 feet to an existing concrete monument; thence South 09°46'52" West a distance of 74.87 feet to an existing concrete monument, being the northeast corner of lands now or formerly owned by RXR Len Apex Owner, LLC, as described in Deed Book 19263, page 2403; thence leaving the western right of way line of Veridea Parkway, and with said common line, North 89°09'45" West a distance of 1110.26 feet to an existing iron pipe; thence South 02°26'42" West a distance of 1505.96 feet to a point on the northern right of way line of NC Highway 540, a variable width controlled access right of way as described in Deed Book 15539, page 1837; thence with the northern right of way line of NC Highway 540, with a curve to the right a radius of 4035.00 feet, an arc length of 857.09 feet, a chord bearing of North 53°42'27" West, a chord length of 855.48 feet to an existing rebar; thence with a curve to the right a radius of 4054.26 feet, an arc length of 326.65 feet, a chord bearing of North 45°18'10" West, a chord length of 326.56 feet to an existing rebar with cap; thence North 36°43'15" West a distance of 102.76 feet to an existing rebar with cap; thence North 35°20'20" West a distance of 237.13 feet to an existing rebar with cap; thence North 07°47'12" West a distance of 131.08 feet to an existing rebar with cap; thence North 00°34'29" West a distance of 436.11 feet to an existing rebar with cap; thence North 12°52'53" East a distance of 565.14 feet to an existing rebar with cap; thence North 05°57'15" East a distance of 356.74 feet to an existing rebar with cap; thence North 15°26'08" East a distance of 134.33 feet to a point; thence North 15°26'08" East a distance of 200.01 feet to an existing rebar with cap; thence North 28°28'53" East a distance of 237.21 feet to an existing rebar with cap; thence North 45°14'54" East a distance of 75.20 feet to an existing rebar with cap; thence North 42°51'55" East a distance of 241.20 feet to an existing rebar with cap, transitioning to the southern right of way line of US Highway 1, a variable width controlled access right of way, as described in Deed Book 14140, page 979; thence with the southern right of way line of US Highway 1, North 50°43'55" East a distance of 160.95 feet to an existing rebar with cap; thence

North 58°37'05" East a distance of 364.36 feet to a point, being the southwest corner of lands now or formerly owned by The Young Men's Christian Association of the Triangle Area, Inc, as described in Deed Book 17017, page 2427, passing through an existing concrete monument 86.12 feet before the end of the line and an existing iron pipe 3.87 feet before the end of the line; thence leaving the southern right of way line of US Highway 1 and with said common line, North 87°38'44" East a distance of 265.82 feet to a point, passing through an existing iron pipe 259.41 feet before the end of the line; thence North 00°27'33" West a distance of 149.91 feet to a point on the southern right of way line of US Highway 1, a variable width controlled access right of way, as described in Deed Book 14140, page 979; thence with the southern right of way line of U.S. Highway 1, North 58°41'20" East a distance of 1668.68 feet to a point in the center of Veridea Parkway, a 60 foot public right of way as shown on Book of Maps 2003, page 1756; thence continuing with the southern right of way line of US Hihgway 1, North 58°41'20" East a distance of 31.03 feet to an existing concrete monument on the eastern right of way line of Veridea Parkway; thence continuing with the southern right of way line of US Highway 1, North 58°39'55" East a distance of 576.45 feet to a point, being a western corner of lands now or formerly owned by EBT Farms, LLC, as shown on Book of Maps 2015, page 14, passing through an existing iron pipe 3.61 feet before the end of the line; thence with said common line, South 88°58'01" East a distance of 304.56 feet to a point in the center of Prince Dead End Road, a 60 foot public right of way as shown on Book of Maps 1988, page 283, being referenced by an existing iron pipe 3.69 feet northeast of the corner; thence leaving the center of Prince Dead End Road and continuing with said common line, South 88°58'01" East a distance of 584.55 feet to a point, being a western corner of lands now or formerly owned by the Town of Apex, as shown on Book of Maps 1989, page 59, passing through an existing iron pipe 14.43 feet before the end of the line; thence with said common line, South 23°14'08" East a distance of 315.07 feet to an existing bent iron pipe on a northern line of lands now or formerly owned by Wildbird LLC, as shown on Book of Maps 1985, page 64; thence with said common line, North 89°17'57" West a distance of 82.50 feet to an existing iron pipe; thence South 00°32'06" West a distance of 760.78 feet to an existing iron pipe, passing through an existing iron pipe 546.06 feet before the end of the line; thence South 00°33'48" West a distance of 1301.27 feet to an existing iron stake, passing through existing iron pipes 776.99 feet and 741.67 feet before the end of the line; thence South 88°56'50" East a distance of 1524.31 feet to an existing iron pipe; thence North 42°37'27" East a distance of 84.50 feet to a point; thence South 87°51'02" East a distance of 208.48 feet to an existing iron pipe, passing through an existing iron pipe 155.64 feet before the end of the line; thence North 00°58'38" East a distance of 734.06 feet to an existing iron pipe, passing through an existing iron pipe 31.40 feet before the end of the line; thence North 00°58'38" East a distance of 2549.03 feet to an existing iron pipe, passing through an existing iron pipe 2465.38 feet before the end of the line; thence South 89°46'05" West a distance of 25.90 feet to an existing iron pipe, being a southeast corner of lands now or formerly owned by

Town of Apex, as shown on Book of Maps 1989, page 59; thence with said common line, North 01°31'12" East a distance of 572.91 feet to an existing iron pipe; thence North 01°28'31" East a distance of 119.73 feet to an existing iron pipe; thence North 01°30'44" East a distance of 41.12 feet to an existing iron pipe on the southern right of way line of US Highway 1, a variable width controlled access right of way as shown on Book of Maps 2024, page 630; thence with said common line, North 58°51'35" East a distance of 406.60 feet to an existing concrete monument; thence North 58°00'23" East a distance of 434.93 feet to an existing iron pipe; thence with a curve to the left a radius of 5860.99 feet, an arc length of 1031.97 feet, a chord bearing of North 51°39'15" East, a chord length of 1030.63 feet to an existing iron pipe; thence South 41°41'54" East a distance of 29.56 feet to an existing iron pipe; thence North 46°57'49" East a distance of 79.93 feet to a point in the centerline of the creek, passing through an existing iron pipe 10.00 feet before the end of the line; thence with the centerline of the creek, South 08°18'39" West a distance of 74.71 feet to a point; thence South 03°57'01" East a distance of 106.42 feet to a point on the northern line of lands now or formerly owned by Justin Stanley, as described in Deed Book 17473, page 2663; thence leaving the centerline of the creek and with said common line, South 58°19'32" West a distance of 25.09 feet to an existing concrete monument, passing through an existing iron pipe 15.09 feet before the end of the line; thence South 31°28'08" East a distance of 99.98 feet to an existing iron pipe on a northern line of lands now or formerly owned by Madison Apex Owner, LLC, as described in Deed Book 18329, page 2014; thence with said common line, South 58°37'43" West a distance of 311.61 feet to an existing iron pipe; thence South 05°32'28" West a distance of 311.05 feet to an existing iron pipe; thence South 18°18'17" East a distance of 266.26 feet to an existing iron pipe; thence South 58°02'56" East a distance of 253.73 feet to an existing iron pipe; thence South 24°13'34" East a distance of 1064.47 feet to an existing iron pipe; thence North 51°40'44" East a distance of 610.52 feet to an existing iron pipe, being a western corner of lands now or formerly owned by FTPA Storage Apex, LLC, as described in Deed Book 16283, page 140; thence with said common line, South 29°10'43" East a distance of 276.67 feet to an existing iron pipe, being the southwest corner of lands now or formerly owned by Sunil and Sudarshini Shelke, as described in Deed Book 14964, page 1295; thence with said common line, North 89°42'08" East a distance of 414.38 feet to an existing iron pipe, being the northwest corner of lands now or formerly owned by Apex Rent Account, LLC, as described in Deed Book 16018, page 896; thence South 02°52'31" West a distance of 576.07 feet to an existing iron pipe, being a northwest corner of lands now or formerly owned by PPTapex, LLC, as described in Deed Book 16247, page 277; thence with said common line, South 03°02'31" West a distance of 260.47 feet to an existing iron pipe, being the northwest corner of lands now or formerly owned by James Irvin Rigsbee, as described in Deed Book 2176, page 224; thence with said common line, South 03°08'36" West a distance of 288.05 feet to an existing iron pipe; thence South 02°21'58" West a distance of 72.79 feet to an existing axle, being the northwest corner of lands now or formerly owned by Kenan Transport Co., as

described in Deed Book 2003, page 233; thence with said common line, South 02°22'52" West a distance of 365.20 feet to an existing iron pipe, passing through an existing iron pipe 53.41 feet before the end of the line; thence South 89°54'31" East a distance of 270.03 feet to an existing iron pipe; thence South 89°55'44" East a distance of 403.93 feet to an existing iron pipe, being the northwest corner of lands now or formerly owned by David F. and Sharon L Raymer, as described in Deed Book 8712, page 265; thence with said common line, South 04°23'01" East a distance of 445.52 feet to an existing iron pipe, being the northwest corner of lands now or formerly owned by Thompson Gas – Smokies, LLC, as described in Deed Book 15976, page 1140; thence with said common line, South 05°37'02" East a distance of 199.93 feet to an existing iron pipe; thence North 89°21'15" East a distance of 417.22 feet to an existing iron pipe on the western right of way line of NC Highway 55, a variable width public right of way as shown on Book of Maps 2024, page 630; thence with the western right of way line of NC Highway 55, with a curve to the right a radius of 5633.75 feet, an arc length of 101.71 feet, a chord bearing of South 04°07'50" East, a chord length of 101.71 feet to an existing iron pipe; thence leaving the western right of way line of NC Highway 55 and with the common line of RXR Len Apex Owner, LLC and others, South 89°36'58" West a distance of 414.74 feet to an existing iron pipe, passing through the western right of way line of NC Highway 55 407.68 feet before the end of the line and an existing iron pipe 240.77 feet before the end of the line; thence South 05°37'02" East a distance of 100.00 feet to an existing iron pipe, being the northwest corner of lands now or formerly owned by RXR Len Apex Owner, LLC, as described in Deed Book 19789, page 32; thence South 17°12'56" East a distance of 140.08 feet to an existing iron pipe; thence South 87°06'10" East a distance of 374.27 feet to an existing iron pipe on the western right of way line of NC Highway 55, a variable width public right of way as shown on Book of Maps 2024, page 630, passing through the western right of way line NC Highway 55 9.29 feet before the end of the line; thence with the western right of way line of NC Highway 55, with a curve to the right a radius of 5633.75 feet, an arc length of 100.26 feet, a chord bearing of South 00°30'27" East, a chord length of 100.26 feet to an existing iron pipe; thence South 01°41'54" East a distance of 100.29 feet to an existing iron pipe; thence South 01°45'44" West a distance of 49.94 feet to an existing iron pipe; thence South 01°45'44" West a distance of 49.94 feet to an existing iron pipe; thence South 01°45'44" West a distance of 49.94 feet to an existing iron pipe; thence South 01°45'44" West a distance of 49.94 feet to an existing iron pipe; thence South 01°45'44" West a distance of 49.94 feet to an existing iron pipe; thence South 01°45'44" West a distance of 49.94 feet to an existing iron pipe; thence South 01°45'44" West a distance of 49.94 feet to an existing iron pipe; thence South 01°45'44" West a distance of 49.79 feet to an existing iron pipe; thence South 01°45'44" West a distance of 50.00 feet to an existing iron pipe; thence South 01°45'44" West a distance of 50.00 feet to an existing iron pipe; thence South 01°45'44" West a distance of 3.89 feet to a point; thence North 80°39'17" West a distance of 39.57 feet to a point; thence with a curve to the right a radius of 1515.50 feet, an arc length of 73.75 feet, a chord bearing of

South 10°44'22" West, a chord length of 73.75 feet to a point; thence South 50°25'39" West a distance of 72.79 feet to a point; thence South 03°20'53" West a distance of 77.92 feet to a point, being the northeast corner of lands now or formerly owned by NC Department of Transportation, as described in Deed Book 8235, page 1160; thence with said common line, North 86°43'05" West a distance of 16.98 feet to an existing iron pipe; thence South 01°28'00" West a distance of 100.88 feet to an existing iron pipe; thence South 87°17'00" East a distance of 10.63 feet to a point on the western right of way line of NC Highway 55, a variable width public right of way as shown on Book of Maps 2024, page 630; thence with the western right of way line of NC Highway 55, South 02°47'00" West a distance of 30.24 feet to a point; thence with a curve to the right a radius of 1525.00 feet, an arc length of 20.91 feet, a chord bearing of South 21°53'09" West, a chord length of 20.91 feet to a point; thence North 87°17'00" West a distance of 2.64 feet to an existing iron pipe; thence South 01°28'00" West a distance of 16.53 feet to a point; thence with a curve to the right a radius of 1525.00 feet, an arc length of 34.27 feet, a chord bearing of South 23°40'23" West, a chord length of 34.27 feet to a point; thence continuing with the northern right of way line of NC Highway 55 and the common line of lands now or formerly owned by NC Department of Transportation, as described in Deed Book 8138, page 1625, North 87°21'16" West a distance of 246.10 feet to an existing iron pipe; thence continuing with said common line and the common line of others, South 01°23'44" West a distance of 347.79 feet to an existing iron pipe; thence South 86°24'46" East a distance of 46.54 feet to a point on the western right of way line of NC Highway 55, a variable width public right of way as shown on Book of Maps 2024, page 630; thence with the western right of way line of NC Highway 55, South 31°28'58" West a distance of 41.58 feet to a point on the northern right of way line of Technology Drive, a variable width public right of way as shown on Book of Maps 2008, page 448; thence with the northern right of way line of Technology Drive, South 81°05'32" West a distance of 325.98 feet to an existing iron pipe, passing through an existing iron pipe 125.44 feet before the end of the line; thence South 60°43'09" West a distance of 132.34 feet to an existing iron pipe; thence with a curve to the left a radius of 426.43 feet, an arc length of 181.19 feet, a chord bearing of South 49°06'58" West, a chord length of 179.83 feet to an existing iron pipe; thence South 36°56'38" West a distance of 162.54 feet to an existing iron pipe; thence South 37°44'51" West a distance of 163.20 feet to an existing iron pipe, being the southeast corner of lands now or formerly owned by Margaret Evans Heirs, as shown on Book of Maps 2002, page 165; thence leaving the northern right of way line of Technology Drive and with said common line, North 02°38'53" East a distance of 477.63 feet to an existing iron pipe; thence North 86°17'11" West a distance of 191.04 feet to an existing iron pipe; thence South 02°37'54" West a distance of 192.78 feet to an existing iron pipe; thence South 87°21'03" East a distance of 144.87 feet to an existing iron pipe; thence South 02°38'53" West a distance of 351.16 feet to an existing iron pipe on the northern right of way line of Technology Drive, a variable width public right of way as shown on Book of Maps 2008, page

448; thence with the northern right of way line of Technology Drive, with a curve to the right a radius of 5840.02 feet, an arc length of 578.81 feet, a chord bearing of South 42°11'18" West, a chord length of 578.57 feet to an existing iron pipe; thence South 45°24'35" East a distance of 26.85 feet to an existing iron pipe; thence South 44°12'36" West a distance of 620.76 feet to an existing iron pipe; thence with a curve to the right a radius of 351.98 feet, an arc length of 268.88 feet, a chord bearing of South 67°02'07" West, a chord length of 262.39 feet to an existing iron pipe; thence South 88°52'01" West a distance of 164.86 feet to an existing iron pipe on the eastern line of EMC Corporation, as described in Deed Book 8681, page 1014; thence with said common line, North 02°16'22" East a distance of 50.18 feet to an existing iron pipe; thence North 02°17'00" East a distance of 1402.38 feet to an existing iron pipe; thence North 02°17'00" East a distance of 163.32 feet to an existing iron pipe; thence North 02°11'42" East a distance of 120.99 feet to a point in the centerline of the creek, passing through an existing iron pipe 10.00 feet before the end of the line; thence with the centerline of the creek, North 82°46'29" West a distance of 59.32 feet to a point; thence North 38°01'48" West a distance of 154.60 feet to a point; thence North 84°02'09" West a distance of 86.70 feet to a point; thence South 20°44'56" West a distance of 18.43 feet to a point; thence South 79°18'34" West a distance of 39.77 feet to a point; thence South 13°19'46" East a distance of 38.31 feet to a point; thence South 76°35'49" West a distance of 53.23 feet to a point; thence South 26°54'51" West a distance of 42.90 feet to a point; thence South 33°19'02" East a distance of 29.87 feet to a point; thence South 51°46'22" West a distance of 61.75 feet to a point; thence North 64°34'50" West a distance of 58.31 feet to a point; thence South 29°34'47" West a distance of 47.94 feet to a point; thence South 71°40'28" West a distance of 23.79 feet to a point; thence North 39°32'53" West a distance of 102.73 feet to a point; thence North 69°26'41" West a distance of 124.25 feet to a point; thence South 57°24'05" West a distance of 82.87 feet to a point; thence South 07°43'11" West a distance of 131.15 feet to a point; thence South 83°27'25" West a distance of 147.78 feet to a point; thence South 00°36'20" East a distance of 95.70 feet to a point; thence South 80°37'14" West a distance of 210.03 feet to a point; thence South 21°46'20" West a distance of 110.71 feet to a point; thence South 78°48'03" East a distance of 41.76 feet to a point; thence South 32°29'11" West a distance of 93.04 feet to a point; thence North 66°26'02" West a distance of 45.02 feet to a point; thence South 47°52'32" West a distance of 34.12 feet to a point; thence South 00°28'52" West a distance of 71.12 feet to a point; thence South 79°33'24" West a distance of 96.46 feet to a point; thence North 52°02'42" West a distance of 30.57 feet to a point; thence South 81°23'08" West a distance of 60.05 feet to a point; thence South 41°39'40" West a distance of 186.48 feet to a point; thence South 44°48'01" East a distance of 60.58 feet to a point; thence South 20°16'03" West a distance of 35.02 feet to a point; thence North 76°32'52" West a distance of 126.07 feet to a point; thence South 34°49'57" West a distance of 90.84 feet to a point; thence North 41°34'57" West a distance of 26.79 feet to a point; thence South 44°48'57" West a

distance of 69.31 feet to a point; thence South 28°17'36" East a distance of 74.29 feet to a point; thence South 47°29'27" West a distance of 92.11 feet to a point; thence North 49°33'56" West a distance of 78.37 feet to a point; thence South 87°17'25" West a distance of 290.72 feet to a point; thence South 11°44'33" West a distance of 20.66 feet to a point; thence South 64°16'17" West a distance of 220.45 feet to a point; thence South 82°21'19" West a distance of 72.19 feet to a point; thence North 36°16'44" West a distance of 42.40 feet to a point; thence South 69°36'51" West a distance of 126.77 feet to a point; thence South 62°06'56" West a distance of 316.17 feet to a point; thence South 17°45'27" West a distance of 29.26 feet to a point; thence South 26°24'46" West a distance of 31.72 feet to a point; thence South 40°05'18" West a distance of 78.74 feet to a point; thence South 07°45'39" West a distance of 35.25 feet to a point; thence South 42°06'24" West a distance of 57.16 feet to a point, being a northwest corner of lands now or formerly owned by EMC Corporation, as described in Deed Book 8681, page 1014; thence with said common line, South 01°06'28" West a distance of 351.89 feet to an existing iron pipe on the northern line of lands now of formerly owned by Greenway Waste Solutions of Apex, LLC, as described in Deed Book 9099, page 1045; thence with said common line, South 88°51'48" West a distance of 28.47 feet to a point in the centerline of the creek; thence with the centerline of the creek, South 03°52'45" West a distance of 158.77 feet to a point; thence South 23°38'07" East a distance of 210.79 feet to a point; thence South 30°01'31" West a distance of 156.29 feet to a point; thence South 11°48'54" East a distance of 104.71 feet to a point; thence South 19°26'04" West a distance of 147.77 feet to a point on the northern right of way line of NC Highway 540, a variable width public right of way as described in Deed Book 15539, page 1850; thence with the northern right of way line of NC Highway 540, North 87°35'38" West a distance of 1273.34 feet to an existing rebar with cap; thence North 75°03'53" West a distance of 276.59 feet to an existing rebar with cap; thence South 36°13'41" West a distance of 120.37 feet to a point; thence North 49°31'49" West a distance of 105.40 feet to the point and place of beginning, having an area of 36,092,685 square feet, 828.57 acres

Less and Except the Following:

PIN: 0730977967; 0740081019; 0740082199; 0740070950; 0740082327

Being all of the lands now or formerly owned by RXR Len Apex Owner, LLC, as described in Deed Book 20025, page 1418, and Yifei Wang and wife, Hua Mei, as described in Deed Book 18896, page 1725 in the Wake County Register of Deeds; being more particularly described as:

Beginning at an existing iron pipe, being a western corner of lands now or formerly owned by RXR Len Apex Owner, LLC, as described in Deed Book 19297, page 1692, the point of beginning; thence from the beginning and with said common line, South 02°19'40" West a distance of 199.14 feet to a point, being a northwest corner of lands now or formerly owned by RXR Len Apex Owner, LLC, as described in Deed Book 19263, page 2403; thence with said common line, South 02°19'40" West a distance of 64.13 feet to an existing iron pipe, being a northwest corner of lands now or formerly owned by RXR Len Apex Owner, LLC, as described in Deed Book 19263, page 2403; thence with said common line, South 02°13'53" West a distance of 189.40 feet to an existing iron pipe; thence South 02°17'48" West a distance of 67.39 feet to an existing iron pipe, being a northeast corner of lands now or formerly owned by RXR Len Apex Owner, LLC, as described in Deed Book 19263, page 2403; thence with said common line, South 65°19'45" West a distance of 538.99 feet to a point; thence South 01°27'55" West a distance of 148.65 feet to a point; thence South 77°54'05" West a distance of 389.22 feet to an existing iron pipe; thence North 00°01'19" West a distance of 967.73 feet to a point; thence North 89°58'41" East a distance of 616.26 feet to an existing rebar; thence North 89°58'41" East a distance of 133.87 feet to an existing iron pipe, being a southwest corner of lands now or formerly owned by RXR Len Apex Owner, LLC, as described in Deed Book 19297, page 1692; thence with said common line, North 87°19'22" East a distance of 145.34 feet to the point and place of beginning, containing an area of 668,038 square feet or 15.34 acres.

PIN: 0740992565

Being a portion of the lands now or formerly owned by RXR Len Apex Owner, LLC, as described in Deed Book 19263, page 2403 in the Wake County Register of Deeds; being more particularly described as: Beginning at an existing iron pipe on the western right of way line of NC Highway 55, a variable width public right of way as shown on Book of Maps 2024, page 630, being also the southeast corner of the subject parcel, the point of beginning; thence from the beginning and with the western right of way line of NC Highway 55 and the common line of RXR Len Apex Owner, LLC, as described in Deed Book 19789, page 32, South 89°40'44" West a distance of 123.48 feet to an existing iron pipe, passing through the western right of way line of NC Highway 55 116.17 feet before the end of the line; thence North 02°18'46" West a distance of 50.01 feet to an existing iron pipe, being a southern corner lands now or formerly owned by RXR Len Apex Owner, LLC, as described in Deed Book 19821, page 1026; thence with said common line, North 89°43'19" East a distance of 123.46 feet to an existing iron pipe on the western right of way line of NC Highway 55, passing through the western right of way line of NC Highway 55 7.22 feet before the end of the line; thence with the western right of way line of NC Highway 55, with a curve to the right a radius of 5633.75 feet, an arc length of 49.92 feet, a chord bearing of South 02°20'20" East, a chord length of 49.92 feet to the point and place of beginning, containing an area of 6,168 square feet or 0.14 acres.

PIN 0740992632; 0740990489

Being two tracts of land now or formerly owned by RXR Len Apex Owner LLC, as described in Deed Book 19821, page 1026 and Deed Book 19789, page 32 in the Wake County Register of Deeds; being more particularly described as:

Beginning at a point, being the northeast corner of lands now or formerly owned by RXR Len Apex Owner LLC, as described in Deed Book 19821, page 1026 in the Wake County Register of Deeds, being also a corner on the western right of way line of N.C. Highway 55, a variable width public right of way as shown on Book of Maps 2024, page 630, the point of beginning; thence from the beginning and with the western right of way line of N.C. Highway 55, with a curve to the right a radius of 5412.50 feet, an arc length of 100.31 feet, a chord bearing of South 03°00'35" East, a chord length of 100.31 feet to a point on the northern line of lands now or formerly owned by RXR Len Apex Owner LLC, as described in Deed Book 19263, page 2403; thence leaving the western right of way line of N.C. Highway 55 and with said common line, South 89°43'19" West a distance of 116.24 feet to an existing iron pipe; thence South 02°18'46" East a distance of 50.01 feet to an existing iron pipe; thence North 89°40'44" East a distance of 116.17 feet to a point on the western right of way line of N.C. Highway 55; thence with the western right of way line of N.C. Highway 55, with a curve to the right a radius of 2791.21 feet, an arc length of 91.54 feet, a chord bearing of South 00°35'17" East, a chord length of 91.54 feet to a point; thence with a curve to the right a radius of 5411.27 feet, an arc length of 12.91 feet, a chord bearing of South 00°14'58" West, a chord length of 12.91 feet to a point on a northern line of lands now or formerly owned by RXR Len Apex Owner LLC, as shown as New Tract 4 on Book of Maps 2024, page 630; thence leaving the western right of way line of N.C. Highway 55 and with said common line, North 87°06'10" West a distance of 364.98 feet to an existing iron pipe; thence North 17°12'56" West a distance of 140.08 feet to an existing iron pipe, being the southwest corner of lands now or formerly owned by David E. Page, Heirs, as described in Deed Book 1107, page 549; thence with said common line, North 89°41'49" East a distance of 235.12 feet to a point; thence North 02°22'35" West a distance of 99.98 feet to an existing iron pipe on a southern line of lands now or formerly owned by RXR Len Apex Owner LLC, as shown as New Tract 4 on Book of Maps 2024, page 630; thence with said common line, North 89°36'58" East a distance of 166.91 feet to the point and place of beginning, containing an area of 66,202 square feet or 1.52 acres.

PIN: 0740283126 (6300 King David Court)

Being all of the land now or formerly owned by RXR Len Apex Owner, LLC, as described in Deed Book 19737, page 1859 in the Wake County Register of Deeds; being more particularly described as:

Beginning at a point, being the northeast corner of lands now or formerly owned by Roger W. and Glenda K. Bushee, as described in Deed Book 4691, page 197, being also a corner of lands now or formerly owned by RXR Len Apex Owner, LLC, as described in Deed Book 19263, page 2335, the point of beginning; thence from the beginning, and with the common line of RXR Len Apex Owner, LLC, North 09°39'36" East a distance of 200.09 feet to a point; thence North 85°22'14" East a distance of 220.54 feet to a point; thence South 25°29'27" East a distance of 398.53 feet to a point; thence South 28°17'19" West a distance of 258.03 feet to an existing iron pipe; thence South 89°42'24" West a distance of 427.65 feet to an existing iron pipe; thence North 09°53'16" East a distance of 120.00 feet to an existing iron pipe, being a southern corner of lands now or formerly owned by Roger W. and Glenda K. Bushee, as described in Deed Book 4691, page 197; thence with said common line, South 80°06'44" East a distance of 60.00 feet to a point; thence North 09°39'36" East a distance of 270.00 feet to the point and place of beginning, containing an area of 217,807 square feet or 5.00 acres.

PIN: 0730977967; 0740081019; 0740082199; 0740082327; 0740070950

Being all of the lands now or formerly owned by RXR Len Apex Owner, LLC, as described in Deed Book 20025, page 1418, and Yifei Wang and wife, Hua Mei, as described in Deed Book 18896, page 1725 in the Wake County Register of Deeds; being more particularly described as: Beginning at an existing iron pipe, being a western corner of lands now or formerly owned by RXR Len Apex Owner, LLC, as described in Deed Book 19297, page 1692, the point of beginning; thence from the beginning and with said common line, South 02°19'40" West a distance of 199.14 feet to a point, being a northwest corner of lands now or formerly owned by RXR Len Apex Owner, LLC, as described in Deed Book 19263, page 2403; thence with said common line, South 02°19'40" West a distance of 64.13 feet to an existing iron pipe, being a northwest corner of lands now or formerly owned by RXR Len Apex Owner, LLC, as described in Deed Book 19263, page 2403; thence with said common line, South 02°13'53" West a distance of 189.40 feet to an existing iron pipe; thence South 02°17'48" West a distance of 67.39 feet to an existing iron pipe, being a northeast corner of lands now or formerly owned by RXR Len Apex Owner, LLC, as described in Deed Book 19263, page 2403; thence with said common line, South 65°19'45" West a distance of 538.99 feet to a point; thence South 01°27'55" West a distance of 148.65 feet to a point; thence South 77°54'05" West a distance of 389.22 feet to an existing iron pipe; thence North 00°01'19" West a distance of 967.73 feet to a point; thence North 89°58'41" East a distance of 616.26 feet to an existing rebar; thence North 89°58'41" East a distance of 133.87 feet to an existing iron pipe, being a southwest corner of lands now or formerly owned by RXR Len Apex Owner, LLC, as described in Deed Book 19297, page 1692; thence with said common line, North 87°19'22" East a distance of 145.34 feet to the point and place of beginning, containing an area of 668,038 square feet or 15.34 acres.

Zoning line that runs across the subject parcels taken from legal description signed and sealed by Joe H. Patterson, III, L-3717, and dated 9/23/25, as included on pages 40-42 in rezoning report #24CZ23. Document accessed by Google on October 23, 2025 at the following weblink:

https://mccmeetingspublic.blob.core.usgovcloudapi.net/apexnc-meet-03a58966ba85431aa8fe86ef0da28897/ITEM-Attachment-001-2d34773ae54546f69e3816c213718a14.pdf

Zoning line in said description was aligned and merged with boundary performed by the John R. McAdams Company.

PIN: 0740240814, 0740241461, 0740241030

Being a portion of the lands now or formerly owned by RXR Len Apex Owner, LLC, as described in Deed Book 19263, page 2403 in the Wake County Register of Deeds; being more particularly described as:

Beginning at an existing concrete monument at a northwest corner of the subject lands, being on the eastern right of way line of Old Holly Springs Apex Road, a variable width public right of way as shown on Book of Maps 2022, page 2, and the southern right of way line of the NC Highway 540 ramp, a variable width controlled access right of way as described in Deed Book 15539, page 1855, the point of beginning; thence from the beginning and with the southern right of way line of the NC Highway 540 ramp, North 48°17'55" East a distance of 64.35 feet to a point; thence North 48°17'55" East a distance of 3.48 feet to a point; thence South 76°02'09" East a distance of 316.69 feet to an existing concrete monument, passing through an existing concrete monument 312.72 feet before the end of the line; thence South 77°42'22" East a distance of 224.13 feet to an existing concrete monument; thence North 74°21'52" East a distance of 75.00 feet to a point; thence leaving the southern right of way line of the NC Highway 540 ramp and across the subject lands now or formerly owned by RXR Len Apex Owner, LLC, as described in Deed Book 19263, page 2403, South 17°16'29" East a distance of 276.68 feet to a point; thence South 49°13'21" East a distance of 207.69 feet to a point; thence South 08°25'14" East a distance of 269.34 feet to a point; thence South 24°55'35" East a distance of 469.85 feet to a point on the northern line of lands now or formerly owned by Wake County, as described in Deed Book 2272, page 678; thence with said common line, North 88°36'32" West a distance of 1161.37 feet to an existing iron pipe, being an eastern corner of lands now or

formerly owned by Wake County, as described in Deed Book 4803, page 67; thence with said common line, North 04°58'10" East a distance of 362.56 feet to a point; thence South 89°45'44" West a distance of 59.47 feet to a point on the eastern right of way line of Old Holly Springs Apex Road, a variable width public right of way as shown on Book of Maps 2022, page 2; thence with the eastern right of way line of Old Holly Springs Apex Road, North 13°15'47" East a distance of 53.04 feet to an existing concrete monument; thence with a curve to the left a radius of 1700.00 feet, an arc length of 338.32 feet, a chord bearing of North 07°33'43" East, a chord length of 337.77 feet to an existing concrete monument, passing through an existing concrete monument 305.65 feet before the end of the line; thence with a curve to the left a radius of 1900.00 feet, an arc length of 76.93 feet, a chord bearing of North 01°06'08" West, a chord length of 76.92 feet to an existing concrete monument; thence with a curve to the left a radius of 1900.00 feet, an arc length of 63.33 feet, a chord bearing of North 01°01'01" West, a chord length of 63.33 feet to an existing concrete monument; thence with a curve to the left a radius of 1900.00 feet, an arc length of 31.67 feet, a chord bearing of North 02°26'58" West, a chord length of 31.67 feet to an existing concrete monument; thence North 02°54'23" East a distance of 203.97 feet to the point and place of beginning, containing an area of 1,000,850 square feet or 22.98 acres.

PIN: 0740558687 “0” Technology Drive

Beginning at an existing Rebar having an NC Grid NAD 83 Coordinate of N: 706447.20 E: 2046758.62. Thence South 01°08'38" East a distance of 80.10 feet to a point; thence North 88°51'22" East a distance of 155.80 feet to a point; thence South 02°16'41" West a distance of 461.59 feet to a point along the Northern Right of Way of NC Highway 540; thence along Right of way South 61°27'09" West a distance of 26.84 feet to a point; thence South 59°58'25" West a distance of 237.08 feet to a point; thence North 28°22'04" West a distance of 10.00 feet to a point; thence with a curve turning to the right with an arc length of 786.41 feet, with a radius of 1650.00 feet, with a chord bearing of South 75°17'10" West, with a chord length of 778.99 feet to a point; thence North 88°45'04" West a distance of 203.97 feet to a point; thence North 87°37'46" West a distance of 718.10 feet to a point; thence North 87°36'50" West a distance of 643.60 feet to a point; thence North 87°37'20" West a distance of 356.63 feet to a point; thence leaving said Right of way North 19°26'04" East a distance of 147.77 feet to a point; thence North 11°48'54" West a distance of 104.71 feet to a point; thence North 30°01'31" East a distance of 156.29 feet to a point; thence North 23°38'07" West a distance of 210.79 feet to a point; thence North 03°52'45" East a distance of 158.77 feet to a point; thence North 88°51'48" East a distance of 28.47 feet to an Iron Pipe; thence North 88°51'48" East a distance of 1457.31 feet to a point; thence North 88°51'48" East a distance of 1251.38 feet to the Point of Beginning,

Having an area of 2202540 square feet, 50.56 acres

Tract PIN: 0740-07-8021 (REID: 0407983)

Being a portion of the land now or formerly owned by RXR Len Apex Owner, LLC, as described in Deed Book 19263, page 2403 in the Wake County Register of Deeds; being more particularly described as: Beginning at an existing concrete monument at the northeast corner of the subject parcel, being on the western right of way line of Veridea Parkway, a variable width controlled access and public right of way as described in Deed Book 15539, page 1885, the point of beginning; thence from the beginning and with the western right of way line of Veridea Parkway, with a curve to the right a radius of 1933.03 feet, an arc length of 173.41 feet, a chord bearing of South 14°22'33" West, a chord length of 173.35 feet to a point; thence South 16°56'46" West a distance of 296.14 feet to a point; thence South 36°46'38" West a distance of 128.94 feet to a point; thence South 21°28'31" West a distance of 304.38 feet to a point; thence South 20°42'10" West a distance of 61.19 feet to a point; thence with a curve to the left a radius of 6150.50 feet, an arc length of 428.45 feet, a chord bearing of South 18°25'23" West, a chord length of 428.36 feet to an existing concrete monument; thence with a curve to the left a radius of 6150.50 feet, an arc length of 203.98 feet, a chord bearing of South 15°28'40" West, a chord length of 203.97 feet to an existing concrete monument; thence with a curve to the left a radius of 6150.50 feet, an arc length of 244.84 feet, a chord bearing of South 13°23'14" West, a chord length of 244.82 feet to an existing concrete monument on the northern right of way line of N.C. Highway 540, a variable width controlled access right of way, as described in Deed Book 15539, page 1837; thence with the northern right of way line of N.C. Highway 540, South 82°34'50" West a distance of 63.94 feet to an existing concrete monument; thence with a curve to the right a radius of 4035.00 feet, an arc length of 584.49 feet, a chord bearing of North 63°59'55" West, a chord length of 583.98 feet to a point, being the southeast corner of lands now or formerly owned by RXR Len Apex Owner, LLC, as described in Deed Book 19263, page 2403; thence leaving the northern right of way line of N.C. Highway 540 and with said common line, North 02°26'42" East a distance of 1505.96 feet to an existing iron pipe, being the southwest corner of lands now or formerly owned by RXR Len Apex Owner, LLC, as described in Deed Book 19263, page 2403; thence with said common line, South 89°09'45" East a distance of 1110.26 feet to the point and place of beginning, containing an area of 1,405,383 square feet or 32.26 acres.

Tract PIN: 0740-16-7653 (REID: 0407980)

Being a portion of the land now or formerly owned by RXR Len Apex Owner, LLC, as described in Deed Book 19263, page 2403 in the Wake County Register of Deeds; being more particularly described as: Beginning at an existing rebar with cap at the southeast corner of the subject parcel, being on the northern right of way line of the N.C. Highway 540 Ramp, a variable width controlled access right of way, as described in Deed Book 15539, page 1855, the point of beginning; thence from the beginning and with the northern right of way line of the N.C. Highway 540 Ramp, North 65°24'12" West a distance of 112.48 feet to an existing concrete monument; thence with a curve to the right a radius of 865.00 feet, an arc length of 261.30 feet, a chord bearing of North 54°43'51" West, a chord length of 260.31 feet to an existing concrete monument; thence North 42°11'22" West a distance of 182.87 feet to an existing concrete monument; thence North 40° 19'02" West a distance of 35.61 feet to a point; thence North 44°05'45" West a distance of 184.73 feet to an existing concrete monument; thence with a curve to the left a radius of 534.00 feet, an arc length of 249.50 feet, a chord bearing of North 64°32'31" West, a chord length of 247.24 feet to an existing concrete monument; thence North 77°55'37" West a distance of 220.93 feet to an existing concrete monument; thence North 25° 05'55" West a distance of 60.93 feet to an existing concrete monument on the eastern right of way line of Veridea Parkway, a variable width controlled access and public right of way, as described in Deed Book 15539, page 1885; thence with the eastern right of way line of Veridea Parkway, with a curve to the right a radius of 5930.50 feet, an arc length of 363.87 feet, a chord bearing of North 18°48'19" East, a chord length of 363.81 feet to a point; thence North 20°49'17" East a distance of 59.37 feet to a point; thence North 17°36'52" East a distance of 299.95 feet to a point; thence North 07°20'42" East a distance of 127.17 feet to a point; thence North 16°56'54" East a distance of 296.14 feet to a point; thence with a curve to the left a radius of 2067.50 feet, an arc length of 227.29 feet, a chord bearing of North 13°47'56" East, a chord length of 227.18 feet to a point, being a southwest corner of lands now or formerly owned by RXR Len Apex Owner, LLC, as described in Deed Book 19263, page 2335; thence leaving the eastern right of way line of Veridea Parkway and with said common line, North 84°14'41" East a distance of 440.42 feet to a point, being the northwest corner of lands now or formerly owned by RXR Len Apex Owner, LLC, as described in Deed Book 19263, page 2335; thence with said common line, South 01°55'47" East a distance of 1400.56 feet to a point; thence North 87°37'02" East a distance of 180.32 feet to a point; thence South 00°14'49" East a distance of 667.80 feet to the point and place of beginning, containing an area of 1,187,508 square feet or 27.26 acres.

PIN: 0730865572, 0730852539, 0740052449

BEING A PORTION OF THE LANDS NOW OR FORMERLY OWNED BY RXR LEN APEX OWNER, LLC, AS DESCRIBED IN DEED BOOK 19263, PAGE 2403, IN THE WAKE COUNTY REGISTER OF DEEDS; BEING MORE PARTICULARLY DESCRIBED AS: BEGINNING AT A CONCRETE MONUMENT ON THE WESTERN RIGHT OF WAY OF VERIDEA PARKWAY, SAID MONUMENT BEING ON THE NORTHERN LINE OF THE TRACT SHOWN ON BOOK OF MAPS 1986, PAGE 1865, THE POINT OF BEGINNING; THENCE NORTH 71°59'15" WEST A DISTANCE OF 337.68 FEET TO AN IRON PIPE; THENCE NORTH 86°29'50" WEST A DISTANCE OF 829.07 FEET TO AN IRON PIPE, THE NORTHEAST CORNER OF TRACT 3 AS SHOWN ON BOOK OF MAPS 2022, PAGE 3; THENCE WITH SAID COMMON LINE SOUTH 87°43'51" WEST A DISTANCE OF 2,965.86 FEET TO AN IRON PIPE ON THE EASTERN LINE OF TRACT F, AS SHOWN ON BOOK OF MAPS 1974, PAGE 228; THENCE WITH SAID COMMON LINE NORTH 00°24'36" EAST A DISTANCE OF 1,161.04 FEET TO A POINT ON THE SOUTHERN LINE OF TRACT B, AS SHOWN ON BOOK OF MAPS 1979, PAGE 686; THENCE WITH SAID COMMON LINE SOUTH 78°13'36" EAST A DISTANCE OF 73.65 FEET TO A POINT; THENCE SOUTH 70°13'09" EAST A DISTANCE OF 113.59 FEET TO A POINT; THENCE SOUTH 71°57'54" EAST A DISTANCE OF 121.73 FEET TO A POINT; THENCE SOUTH 70°58'13" EAST A DISTANCE OF 114.09 FEET TO A POINT; THENCE SOUTH 72°14'11" EAST A DISTANCE OF 343.92 FEET TO A POINT; THENCE SOUTH 74°17'38" EAST A DISTANCE OF 315.81 FEET TO A POINT; THENCE SOUTH 65°13'58" EAST A DISTANCE OF 138.23 FEET TO A POINT; THENCE SOUTH 65°10'08" EAST A DISTANCE OF 10.00 FEET TO A POINT IN BIG BRANCH; THENCE WITH SAID BRANCH NORTH 19°49'58" EAST A DISTANCE OF 52.46 FEET TO A POINT; THENCE NORTH 27°34'56" EAST A DISTANCE OF 25.74 FEET TO A POINT; THENCE NORTH 62°53'48" EAST A DISTANCE OF 26.76 FEET TO A POINT; THENCE NORTH 29°01'04" WEST A DISTANCE OF 21.84 FEET TO A POINT; THENCE NORTH 05°59'14" WEST A DISTANCE OF 34.25 FEET TO A POINT; THENCE NORTH 49°53'01" EAST A DISTANCE OF 15.65 FEET TO A POINT; THENCE NORTH 35°50'22" EAST A DISTANCE OF 26.00 FEET TO A POINT; THENCE NORTH 57°56'55" WEST A DISTANCE OF 27.74 FEET TO A POINT; THENCE SOUTH 77°56'49" WEST A DISTANCE OF 70.86 FEET TO A POINT; THENCE NORTH 69°25'39" WEST A DISTANCE OF 55.42 FEET TO A POINT; THENCE NORTH 16°13'12" WEST A DISTANCE OF 54.07 FEET TO A POINT; THENCE NORTH 47°24'29" EAST A DISTANCE OF 30.81 FEET TO A POINT; THENCE SOUTH 76°52'37" EAST A DISTANCE OF 46.52 FEET TO A POINT; THENCE NORTH 23°54'47" EAST A DISTANCE OF 15.13 FEET TO A POINT; THENCE NORTH 10°53'04" EAST A DISTANCE OF 79.33 FEET TO A POINT; THENCE NORTH 70°48'08" WEST A DISTANCE OF 21.80 FEET TO A POINT; THENCE NORTH 13°57'57" WEST A DISTANCE OF 44.13 FEET TO A POINT; THENCE NORTH 54°45'55" WEST A DISTANCE OF 48.38 FEET TO A POINT; THENCE SOUTH 57°21'14" WEST A DISTANCE OF 58.90 FEET TO A POINT; THENCE SOUTH 44°33'39" WEST A DISTANCE OF 46.68 FEET TO A POINT; THENCE NORTH 46°24'21" WEST A DISTANCE OF 39.79 FEET TO A POINT; THENCE NORTH 72°29'35" WEST A DISTANCE OF 36.60 FEET TO A POINT; THENCE SOUTH 47°15'35" WEST A DISTANCE OF 18.92 FEET TO A POINT; THENCE NORTH 74°35'59" WEST A DISTANCE OF 21.22 FEET TO A POINT; THENCE NORTH 28°54'22" WEST A DISTANCE OF 20.74 FEET TO A POINT; THENCE NORTH 42°54'07" WEST A

DISTANCE OF 46.75 FEET TO A POINT; THENCE NORTH 06°55'02" EAST A DISTANCE OF 26.65 FEET TO A POINT; THENCE NORTH 88°27'17" EAST A DISTANCE OF 37.67 FEET TO A POINT; THENCE NORTH 27°00'55" EAST A DISTANCE OF 19.39 FEET TO A POINT; THENCE NORTH 01°16'06" EAST A DISTANCE OF 31.60 FEET TO A POINT; THENCE NORTH 45°55'37" EAST A DISTANCE OF 50.02 FEET TO A POINT; THENCE NORTH 01°23'54" EAST A DISTANCE OF 14.01 FEET TO A POINT; THENCE NORTH 65°17'04" WEST A DISTANCE OF 42.02 FEET TO A POINT; THENCE NORTH 01°21'12" EAST A DISTANCE OF 32.19 FEET TO A POINT; THENCE NORTH 46°19'10" WEST A DISTANCE OF 51.21 FEET TO A POINT; THENCE NORTH 06°48'02" EAST A DISTANCE OF 35.97 FEET TO A POINT; THENCE NORTH 69°34'03" EAST A DISTANCE OF 41.13 FEET TO A POINT; THENCE NORTH 39°27'36" EAST A DISTANCE OF 39.13 FEET TO A POINT; THENCE NORTH 15°04'34" WEST A DISTANCE OF 20.63 FEET TO A POINT; THENCE NORTH 51°45'25" WEST A DISTANCE OF 25.88 FEET TO A POINT; THENCE NORTH 30°03'26" EAST A DISTANCE OF 27.95 FEET TO A POINT; THENCE SOUTH 60°17'18" EAST A DISTANCE OF 30.79 FEET TO A POINT; THENCE SOUTH 36°34'38" EAST A DISTANCE OF 34.28 FEET TO A POINT; THENCE SOUTH 78°45'43" EAST A DISTANCE OF 52.43 FEET TO A POINT; THENCE NORTH 41°36'19" EAST A DISTANCE OF 15.36 FEET TO A POINT; THENCE NORTH 04°43'43" EAST A DISTANCE OF 44.44 FEET TO A POINT; THENCE NORTH 30°37'30" EAST A DISTANCE OF 51.77 FEET TO A POINT; THENCE NORTH 05°00'41" EAST A DISTANCE OF 35.48 FEET TO A POINT; THENCE SOUTH 62°04'45" WEST A DISTANCE OF 33.82 FEET TO A POINT; THENCE NORTH 44°58'03" WEST A DISTANCE OF 39.84 FEET TO A POINT; THENCE NORTH 44°37'02" EAST A DISTANCE OF 21.58 FEET TO A POINT; THENCE NORTH 53°05'19" EAST A DISTANCE OF 60.88 FEET TO A POINT; THENCE NORTH 61°15'57" WEST A DISTANCE OF 39.17 FEET TO A POINT; THENCE NORTH 50°49'25" WEST A DISTANCE OF 23.78 FEET TO A POINT; THENCE NORTH 10°03'59" WEST A DISTANCE OF 28.54 FEET TO A POINT; THENCE NORTH 38°48'29" EAST A DISTANCE OF 55.95 FEET TO A POINT; THENCE NORTH 43°08'07" WEST A DISTANCE OF 60.59 FEET TO A POINT; THENCE NORTH 42°28'11" EAST A DISTANCE OF 31.74 FEET TO A POINT; THENCE NORTH 70°54'18" WEST A DISTANCE OF 69.18 FEET TO A POINT; THENCE NORTH 86°35'18" WEST A DISTANCE OF 111.94 FEET TO A POINT; THENCE NORTH 47°58'54" WEST A DISTANCE OF 68.58 FEET TO A POINT; THENCE NORTH 30°52'49" EAST A DISTANCE OF 32.56 FEET TO A POINT; THENCE NORTH 21°24'56" WEST A DISTANCE OF 54.07 FEET TO A POINT; THENCE NORTH 55°25'47" EAST A DISTANCE OF 39.27 FEET TO A POINT; THENCE NORTH 03°25'23" WEST A DISTANCE OF 46.46 FEET TO A POINT; THENCE NORTH 31°42'04" EAST A DISTANCE OF 54.96 FEET TO A POINT; THENCE NORTH 18°30'38" EAST A DISTANCE OF 44.10 FEET TO A POINT; THENCE NORTH 01°10'29" WEST A DISTANCE OF 65.77 FEET TO A POINT; THENCE NORTH 22°17'56" WEST A DISTANCE OF 29.93 FEET TO A POINT; THENCE NORTH 19°15'09" EAST A DISTANCE OF 2.52 FEET TO A POINT ON THE SOUTH LINE OF ROBERT BEREMAN; THENCE WITH SAID COMMON LINE NORTH 87°19'40" EAST A DISTANCE OF 837.86 FEET TO A POINT ON THE SOUTHERN RIGHT OF WAY OF NORTH CAROLINA HIGHWAY 540; THENCE WITH SAID RIGHT OF WAY SOUTH 48°51'19" EAST A DISTANCE OF 616.60 FEET TO A REBAR WITH CAP; THENCE NORTH 44°43'56" EAST A DISTANCE OF 25.00 FEET TO A REBAR WITH CAP; THENCE SOUTH 50°09'33" EAST A DISTANCE OF 205.32 FEET TO A REBAR WITH CAP;

THENCE SOUTH 39°54'37" EAST A DISTANCE OF 212.61 FEET TO A REBAR WITH CAP; THENCE A CURVE TO THE LEFT A RADIUS OF 4,375.00 FEET, AN ARC LENGTH OF 311.61 FEET, A CHORD BEARING OF SOUTH 45°34'54" EAST, A CHORD LENGTH OF 311.54 FEET TO A REBAR WITH CAP; THENCE A CURVE TO THE LEFT, A RADIUS OF 4,375.00 FEET, AN ARC LENGTH OF 1,106.45 FEET, A CHORD BEARING OF SOUTH 54°52'03" EAST, A CHORD LENGTH OF 1,103.50 FEET TO A POINT; THENCE A CURVE TO THE LEFT, A RADIUS OF 4,375.00 FEET, AN ARC LENGTH OF 456.34 FEET, A CHORD BEARING OF SOUTH 65°10'37" EAST, A CHORD LENGTH OF 456.13 FEET TO A CONCRETE MONUMENT; THENCE SOUTH 49°00'55" EAST A DISTANCE OF 133.17 FEET TO A POINT ON THE WESTERN RIGHT OF WAY OF VERIDEA PARKWAY; THENCE WITH SAID RIGHT OF WAY, A CURVE TO THE LEFT, A RADIUS OF 1,680.00 FEET, AN ARC LENGTH OF 355.38 FEET, A CHORD BEARING OF SOUTH 05°50'57" WEST, A CHORD LENGTH OF 354.72 FEET TO A POINT; THENCE WITH A CURVE TO THE LEFT A RADIUS OF 1,680.00 FEET, AN ARC LENGTH OF 205.93 FEET, A CHORD BEARING OF SOUTH 03°43'21" EAST, A CHORD LENGTH OF 205.80 FEET TO THE POINT OF BEGINNING; CONTAINING 5,629,803 SQUARE FEET OR 129.24 ACRES.

PIN: 0741117192

Being all of the land now or formerly owned by RXR Len Apex Owner, LLC, as described as “PIN: 0741-11-7192 (Tract 1)” in Deed Book 19947, page 487 in the Wake County Register of Deeds; being more particularly described as: Beginning at an existing concrete monument on the eastern right of way line of Veridea Parkway, a 60 foot public right of way as shown on Book of Maps 2003, page 1756, being also a corner on the northern right of way line of U.S. Highway 1, a variable width controlled access right of way as shown on Book of Maps 2010, page 282, the point of beginning; thence from the beginning and with the eastern right of way line of Veridea Parkway, North 35°53'59" West a distance of 81.82 feet to an existing iron pipe, being a southern corner of lands now or formerly owned by Greater Raleigh Area Christian Education, Inc., as shown on Book of Maps 2015, page 14; thence leaving the eastern right of way line of Veridea Parkway and with said common line, North 00°44'04" East a distance of 32.54 feet to an existing iron pipe; thence South 89°07'32" East a distance of 204.62 feet to an existing iron pipe on the northern right of way line of U.S. Highway 1; thence with the northern right of way line of U.S. Highway 1, South 58°38'37" West a distance of 183.90 feet to the point and place of beginning, containing an area of 10,829 square feet or 0.25 acres.

WAKE COUNTY PUBLIC SCHOOL SYSTEM

Wake County Residential Development Notification

Please complete each section of this form and submit with your application.

Please complete each section of this form and submit with your application.

Please send any questions about this form to: studentassignment-gis-group@wcpss.net.

Developer Company *Information*	
Company *Name*	RXR Realty
Company Phone *Number*	5165066000
Developer Representative *Name*	Todd Rechler
Developer Representative *Phone Number*	5165066000
Developer Representative *Email*	trechler@rxr.com

New Residential Subdivision *Information*	
Date of Application for Subdivision	10/1/2025
City, Town or Wake County Jurisdiction	Apex, Wake County
Name of Subdivision	Veridea
Address of Subdivision (if unknown enter nearest cross streets)	See Property Information Attachment
REID(s)	See Property Information Attachment
PIN(s)	See Property Information Attachment

Projected Dates *Information*	
Subdivision *Completion Date*	TBD
Subdivision *Projected First Occupancy Date*	TBD

Lot by Lot Development *Information*

Unit Type	Total # of Units	Senior Living	Studio	1 Bedroom	2 Bedroom	3 Bedroom	4 Bedroom	Square Foot Range		Price Range		Anticipated Completion Units & Dates					
								Min	Max	Low	High	Year	# Units	Year	# Units	Year	# Units
Single Family	0																
Townhomes	0																
Condos	0																
Apartments	0																
Other	0																

Revised 08/10/2018

NOTICE OF NEIGHBORHOOD MEETING

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

September 12, 2025

Date

Dear Neighbor:

You are invited to a neighborhood meeting to review and discuss the development proposal at

See Attachment A — Address(es)

See Attachment A — PIN(s)

in accordance with the Town of Apex Neighborhood Meeting procedures. This meeting is intended to be a way for the applicant to discuss the project and review the proposed plans with adjacent neighbors and neighborhood organizations before the submittal of an application to the Town. This provides neighbors an opportunity to raise questions and discuss any concerns about the impacts of the project before it is officially submitted. If you are unable to attend, please refer to the Project Contact Information page for ways to contact the applicant. Notified neighbors may request that the applicant provide updates and send plans via email or mail. Once an application has been submitted to the Town, it may be tracked using the Interactive Development Map or the Apex Development Report located on the Town of Apex website at http://www.apexnc.org/180. Applications for Rezoning must hold a second Neighborhood Meeting in the month prior to the anticipated public hearing date.

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

	Application Type	Approving Authority
☑	Rezoning (including Planned Unit Development)	Town Council
☐	Major Site Plan	Technical Review Committee (staff)
☐	Minor Site Plan for the uses "Day care facility", "Government service", "School, public or private", "Restaurant, drive-through", or "Convenience store with gas sales"	Technical Review Committee (staff)
☐	Special Use Permit	Board of Adjustment (QJPH*)
☐	Residential Master Subdivision Plan (excludes exempt subdivisions)	Technical Review Committee (staff)

*Quasi-Judicial Public Hearing: The Board of Adjustment cannot discuss the project prior to the public hearing.

The following is a description of the proposal including any proposed long range plan amendments (also see attached map(s) and/or plan sheet(s)):

Proposed amendments to the Transportation Plan and Sustainable Development-Conditional Zoning (including pending rezoning cases 25CZ08 and 25CZ15 to expand this district) to facilitate the development of the entirety of Veridea, in which the North Carolina Children's Hospital is planned.

Estimated submittal date: October 1, 2025

MEETING INFORMATION:

Property Owner(s) name(s): See Attachment A

Applicant(s): RXR LEN APEX OWNER LLC c/o Sarah Van Every, McAdams

Contact information (email/phone): vanevery@mcadamsco.com

Meeting Address: Virtual Zoom Meeting

Date/Time of meeting**: September 29, 2025 5:30-6:30 p.m.

Welcome: 5:30pm-5:35pm Project Presentation: 5:35pm-5:45pm Question & Answer: 5:45pm-6:30pm

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

PROJECT CONTACT INFORMATION

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

Development Contacts:

Project Name: Veridea SD-CZ Plan Amendment Zoning: #09CZ07 SD-CZ Sustainable Devel

Location: See Attachment A

Property PIN(s): See Attachment A Acreage/Square Feet:

Property Owner: RXR Len Apex Owner, LLC

Address: 625 RXR Plaza

City: Uniondale State: NY Zip: 11556-3815

Phone: 516-506-6000 Email: trechler@rxr.com

Developer: N/A

Address:

City: State: Zip:

Phone: Fax: Email:

Engineer: N/A

Address:

City: State: Zip:

Phone: Fax: Email:

Builder (if known): N/A

Address:

City: State: Zip:

Phone: Fax: Email:

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

Town of Apex Department Contacts	
Planning Department Main Number (Provide development name or location to be routed to correct planner)	(919) 249-3426
Parks, Recreation & Cultural Resources Department Angela Reincke, Parks Planning Manager	(919) 372-7468
Transportation & Infrastructure Development Russell Dalton, Traffic Engineering Manager	(919) 249-3358
Water Resources Department Jessica Bolin, Environmental Engineering Manager (Stormwater, Sedimentation & Erosion Control) Matt Reker, Utility Engineer/FOG Program Manager (Water & Sewer)	(919) 249-3537 (919) 946-4394
Electric Utilities Division Jared Harris, Electric Technical Services Manager	(919) 372-7466

Providing Input to Town Council:

Each Town Council meeting agenda includes a Public Forum time when anyone is permitted to speak for three (3) minutes on any topic with the exception of items listed as Public Hearings for that meeting. The Town Council meets on the 2nd and 4th Tuesdays of each month at 6:00 p.m. (except for holidays, see schedule of meetings at http://www.apexnc.org/838/Agendas-Minutes). You may also contact Town Council by e-mail at AllCouncil@apexnc.org.

Private Agreements and Easement Negotiation:

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

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

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

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

Documentation:

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

COMMON CONSTRUCTION ISSUES & WHO TO CALL

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

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

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

Construction Traffic:	Infrastructure Inspections	919-249-3386

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

Road Damage & Traffic Control:	Infrastructure Inspections	919-249-3386

There can be issues with roadway damage, roadway improvements, and traffic control. Potholes, rutting, inadequate lanes/signing/striping, poor traffic control, blocked sidewalks/paths are all common issues that should be reported to Transportation & Infrastructure Development – Infrastructure Inspections at 919-249-1109. The Town will get NCDOT involved if needed.

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

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

Dirt in the Road:	Water Resources	919-362-8166

Sediment (dirt) and mud gets into the existing roads due to rain events and/or vehicle traffic. These incidents should be reported by visiting the Report a Concern page at https://www.apexnc.org/1173/ or by calling the number listed. Staff will coordinate the cleaning of the roadways with the developer.

Dirt on Properties or in Streams:	Water Resources	919-362-8166

Sediment (dirt) can leave the site and get onto adjacent properties or into streams and stream buffers; it is typically transported off-site by rain events. These incidents should be reported by visiting the Report a Concern page at https://www.apexnc.org/1173/ or by calling the number listed so that staff can coordinate the appropriate repairs with the developer.

Dust:	Water Resources	919-362-8166

During dry weather dust often becomes a problem blowing into existing neighborhoods or roadways. These incidents should be reported by visiting the Report a Concern page at https://www.apexnc.org/1173/ or by calling the number listed so that staff can coordinate the use of water trucks onsite with the grading contractor to help control the dust.

Trash:	Water Resources	919-362-8166

Excessive garbage and construction debris can blow around on a site or even off of the site. These incidents should be reported by visiting the Report a Concern page at https://www.apexnc.org/1173/ or by calling the number listed. Staff will coordinate the cleanup and trash collection with the developer/home builder.

Temporary Sediment Basins:	Water Resources	919-362-8166

Temporary sediment basins during construction (prior to the conversion to the final stormwater pond) are often quite unattractive. Concerns should be reported by visiting the Report a Concern page at https://www.apexnc.org/1173/ or by calling the number listed so that he can coordinate the cleaning and/or mowing of the slopes and bottom of the pond with the developer.

Stormwater Control Measures:	Water Resources	919-362-8166

Post-construction concerns related to Stormwater Control Measures (typically a stormwater pond) such as conversion and long-term maintenance should be reported by visiting the Report a Concern page at https://www.apexnc.org/1173/ or by calling the number listed.

Electric Utility Installation:	Electric Utilities	919-249-3531

Concerns with electric utility installation can be addressed by the Apex Electric Utilities Department.

How to Participate in the September 29, 2025, Neighborhood Meeting

To participate by PC, Mac, iPad, iPhone or Android device, go to http://bit.ly/4n6uheI to register for the meeting. (Registration is necessary as we are required by the Town of Apex to have a record of attendance.)

- Upon registration, you will receive a confirmation email with instructions on how to access the meeting.
- Join instructions: https://bit.ly/4gjpHaA
- To participate by phone, dial one of the following numbers:
  - +16468769923,,83309439752#,,,,*141110# US (New York)
  - +16469313860,,83309439752#,,,,*141110# US

Meeting ID: 833 0943 9752

Passcode: 141110

Registration QR

For attendance purposes as required by the Town of Apex, individuals participating via telephone will be unmuted and asked to identify themselves, including their name and address.

If you are having difficulty registering, you may call Sarah Van Every at **919-631-5000** or email at vanevery@mcadamsco.com prior to the meeting for assistance. If you have difficulty connecting during the meeting, please email vanevery@mcadamsco.com and the meeting link will be sent to help assist.

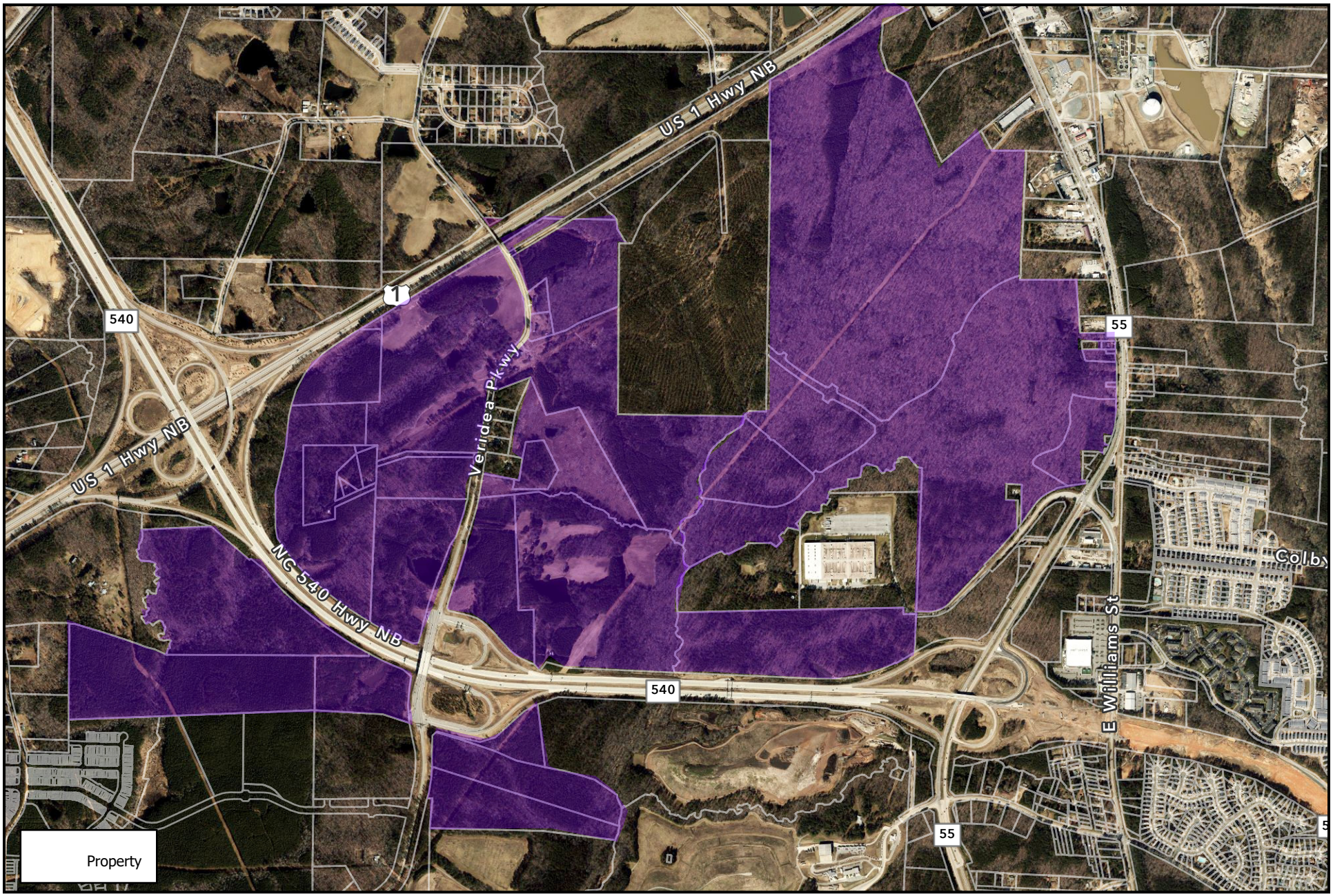
During the meeting, participants will be muted by default. Also, the participants' video will be off by default, i.e., only the presenters will be visible.

If you are participating via your computer, iPhone or Android device, you can submit questions/comments by using the Raise Hand and/or the Q&A features. We will not use the Chat feature. If you use Raise Hand, a panelist will wither unmute you to allow you to speak or to solicit your questions or comments.

If you are participating via telephone, you can submit questions/comments prior to and during the meeting via email at vanevery@mcadamsco.com.

ATTACHMENT A LIST OF PROPERTIES SUBJECT TO REZONING

PIN	REID	ACRES	OWNER	OWNER ADDRESS	DEED BOOK	PAGE #	SITE ADDRESS	ZONING
0730852539	25766	54.65	RXR LEN APEX OWNER LLC GENERAL COUNSEL	625 RXR PLZ UNIONDALE NY- 11556-3815	19263	2403	0 Old Holly Spings Apex Road	SD-CZ
0730865572	528142	57.52	RXR LEN APEX OWNER LLC GENERAL COUNSEL	625 RXR PLZ UNIONDALE NY- 11556-3815	19263	2403	0 Veridea Parkway	SD-CZ
0730977087	359559	41.33	RXR LEN APEX OWNER LLC GENERAL COUNSEL	625 RXR PLZ UNIONDALE NY- 11556-3815	19263	2403	0 Veridea Parkway	SD-CZ
0730977967	66407	10.27	APA VERIDIEA INVESTMENTS LLC	2000 BEAR CAT WAY STE 102 MORRISVILLE NC 27560-6620	19101	1371	3142 Veridea Parkway	PUD-CZ
0730996270	55790	16.42	RXR LEN APEX OWNER LLC GENERAL COUNSEL	625 RXR PLZ UNIONDALE NY- 11556-3815	19263	2403	0 US 1 HWY	SD-CZ
0740052449	407982	17.36	RXR LEN APEX OWNER LLC GENERAL COUNSEL	625 RXR PLZ UNIONDALE NY- 11556-3815	19263	2403	0 Veridea Parkway	SD-CZ
0740070950	59783	0.52	RXR LEN APEX OWNER LLC GENERAL COUNSEL	625 RXR PLZ UNIONDALE NY- 11556-3815	19968	1143	3134 Veridea Parkway	RR
0740078021	407983	32.28	RXR LEN APEX OWNER LLC GENERAL COUNSEL	625 RXR PLZ UNIONDALE NY- 11556-3815	19263	2403	0 Veridea Parkway	RR
0740081019	78236	2.16	APA VERIDIEA INVESTMENTS LLC	2000 BEAR CAT WAY STE 102 MORRISVILLE NC 27560-6620	19101	1371	3138 Veridea Parkway	PUD-CZ
0740082199	66408	2.09	WANG, YIFEI MEI, HUA	115 RODRIGUEZ CT SAN RAMON CA 94582-5545	18896	1725	3130 Veridea Parkway	RR
0740082327	424497	0.3	WANG, YIFEI MEI, HUA	115 RODRIGUEZ CT SAN RAMON CA 94582-5545	18896	1725	0 Veridea Parkway	PUD-CZ
0740167653	407980	27.29	RXR LEN APEX OWNER LLC GENERAL COUNSEL	625 RXR PLZ UNIONDALE NY- 11556-3815	19263	2403	0 Veridea Parkway	RR
0740180091	107815	12.57	RXR LEN APEX OWNER LLC GENERAL COUNSEL	625 RXR PLZ UNIONDALE NY- 11556-3815	19263	2403	3200 Veridea Parkway	SD-CZ
0740180331	292245	1.66	RXR LEN APEX OWNER LLC GENERAL COUNSEL	625 RXR PLZ UNIONDALE NY- 11556-3815	19263	2403	0 Veridea Parkway	SD-CZ
0740191376	107812	75.63	RXR LEN APEX OWNER LLC	625 RXR PLZ UNIONDALE NY- 11556-3815	19297	1692	3012 Veridea Parkway	SD-CZ
0740240814	407981	7.27	RXR LEN APEX OWNER LLC GENERAL COUNSEL	625 RXR PLZ UNIONDALE NY- 11556-3815	19263	2403	0 Veridea Parkway	SD-CZ
0740241030	330768	22.6	RXR LEN APEX OWNER LLC GENERAL COUNSEL	625 RXR PLZ UNIONDALE NY- 11556-3815	19263	2403	0 Old Holly Springs Apex Rd	SD-CZ/LI-CZ
0740241461	70841	22.44	RXR LEN APEX OWNER LLC GENERAL COUNSEL	625 RXR PLZ UNIONDALE NY- 11556-3815	19263	2403	0 Old Holly Springs Apex Rd	SD-CZ/LI-CZ
0740283126	243734	5	RXR LEN APEX OWNER LLC RXR MTF APEX VEHICLE LLC	625 RXR PLZ UNIONDALE NY- 11556-3815	19737	1859	6300 King David Ct	RR
0740287376	107809	27.26	RXR LEN APEX OWNER LLC GENERAL COUNSEL	625 RXR PLZ UNIONDALE NY- 11556-3815	19263	2335	0 Veridea Parkway	SD-CZ
0740293940	57302	1.8	RXR LEN APEX OWNER LLC GENERAL COUNSEL	625 RXR PLZ UNIONDALE NY- 11556-3815	19947	0487	2945 VERIDEA PKWY	SD-CZ
0740360895	00423	82.24	RXR LEN APEX OWNER LLC GENERAL COUNSEL	625 RXR PLZ UNIONDALE NY- 11556-3815	19263	2403	3220 Old Holly Springs Apex Rd	SD-CZ
0740386384	57242	64.67	RXR LEN APEX OWNER LLC GENERAL COUNSEL	625 RXR PLZ UNIONDALE NY- 11556-3815	19263	2403	3009 Veridea Parkway	SD-CZ
0740489140	111766	21.54	WAKE COUNTY BOARD OF EDUCATION SERVICES SENIOR DIRECTOR	111 CORNING RD STE 100 CARY NC 27518-9299	19604	2784	0 US 1 HWY	SD-CZ
0740586619	54612	24.31	RXR LEN APEX OWNER LLC GENERAL COUNSEL	625 RXR PLZ UNIONDALE NY- 11556-3815	19263	2403	0 US 1 HWY	SD-CZ
0740783479	52564	162.38	RXR LEN APEX OWNER LLC GENERAL COUNSEL	625 RXR PLZ UNIONDALE NY- 11556-3815	19263	2403	0 E WILLIAMS ST	SD-CZ
0740888498	28693	12.54	RXR LEN APEX OWNER LLC GENERAL COUNSEL	625 RXR PLZ UNIONDALE NY- 11556-3815	19263	2403	0 E WILLIAMS ST	SD-CZ
0740990489	13417	1.14	RXR LEN APEX OWNER LLC	625 RXR PLZ UNIONDALE NY- 11556-3815	19789	0032	1716 E WILLIAMS ST	SD-CZ
740558687	72826	50.58	GREENWAY WASTE SOLUTIONS OF APEX LLC	19109 W CATAWHA AVE STE 110 CORNELIUS NC 28031-5613			0 TECHNOLOGY DR	LI
0740992174	43277	0.17	RXR LEN APEX OWNER LLC GENERAL COUNSEL	625 RXR PLZ UNIONDALE NY- 11556-3815	19263	2403	0 E WILLIAMS ST	RR
0740992565	52567	0.14	RXR LEN APEX OWNER LLC GENERAL COUNSEL	625 RXR PLZ UNIONDALE NY- 11556-3815	19263	2403	0 E WILLIAMS ST	SD-CZ
0740992632	362133	0.38	RXR LEN APEX OWNER LLC	625 RXR PLZ UNIONDALE NY- 11556-3815	19821	1026	1712 E WILLIAMS ST	RR
0741207566	107806	32.06	RXR LEN APEX OWNER LLC	625 RXR PLZ UNIONDALE NY- 11556-3815	19947	0487	2901 VERIDEA PKWY	SD-CZ
0741614057	333870	233.82	RXR LEN APEX OWNER LLC GENERAL COUNSEL	625 RXR PLZ UNIONDALE NY- 11556-3815	19263	2403	0 US 1 HWY	SD-CZ
0741203157	311438	1.84	RXR LEN APEX OWNER LLC GENERAL COUNSEL	625 RXR PLZ UNIONDALE NY- 11556-3815	19263	2403	2937 VERIDEA PKWY	SD-CZ
0741117192	360256	0.25	RXR LEN APEX OWNER LLC	625 RXR PLZ UNIONDALE NY- 11556-3815	19947	00487	0 Veridea Parkway	RR



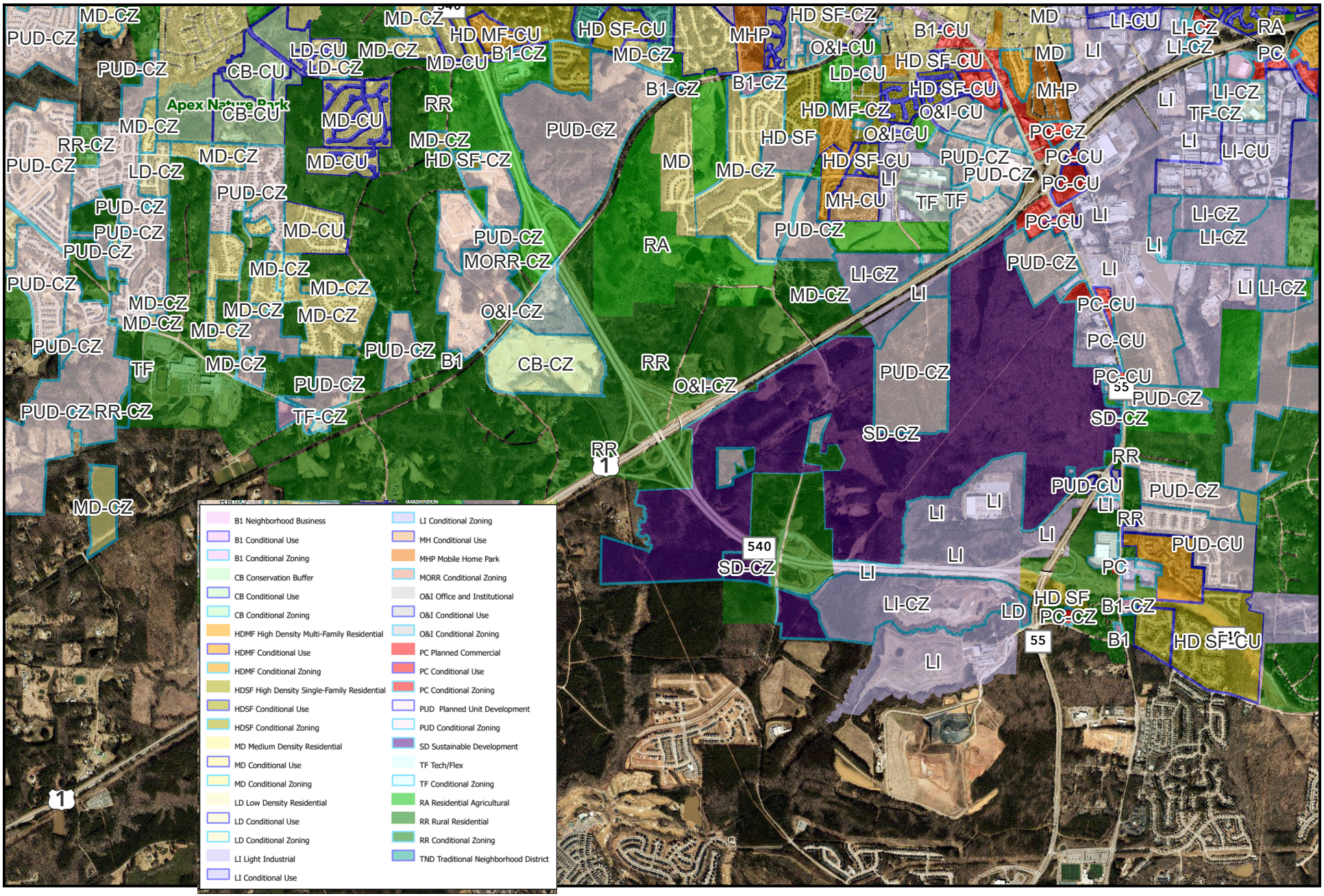
Aerial Map

N

0 800 1,600 3,200 ft

1 inch equals 1,600 feet

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



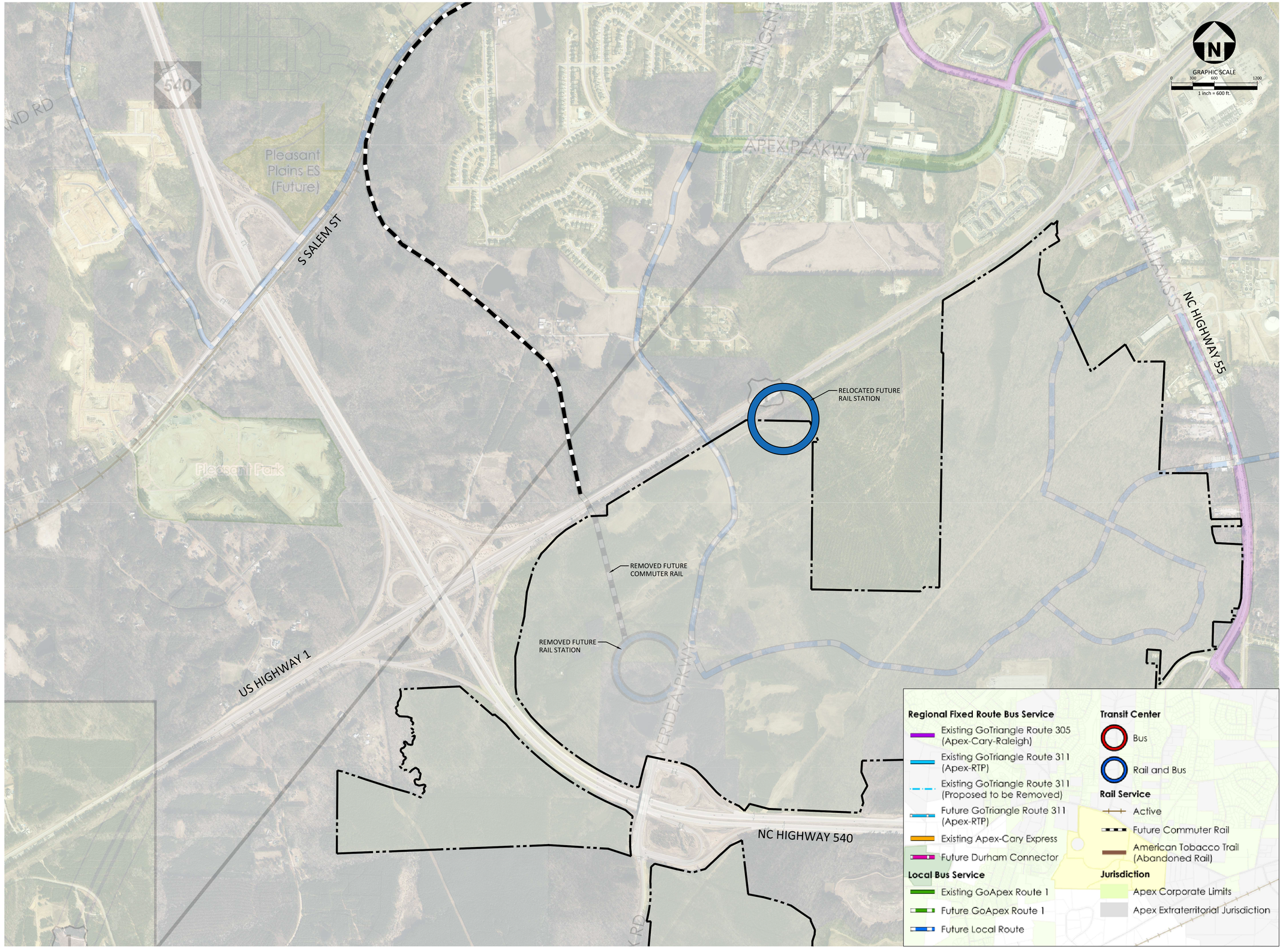
Zoning Map

N

0 1,600 3,200 6,400 ft

1 inch equals 3,200 feet

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



McADAMS

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phone 919. 361. 5000
fax 919. 361. 2269
license number: C-0293, C-187

www.mcadamsco.com

CLIENT

NC CHILDREN'S
ATTN: SIMON GEORGE, SYSTEM VP
REAL ESTATE, DEVELOPMENT & FACILITIES
5221 PARAMOUNT PKWY, SUITE 460
MORRISVILLE, NC 27560

NORTH CAROLINA Children's

VERIDEA WEST VILLAGE - VERIDEA PARKWAY IMPROVEMENTS

0 VERIDEA PARKWAY
APEX, NORTH CAROLINA 27539

REVISIONS

NO.	DATE

PLAN INFORMATION

PROJECT NO.	UNH24002
FILENAME	UNH24002-EX1
CHECKED BY	SV
DRAWN BY	CJ
SCALE	1"=600'
DATE	09. 08. 2025

SHEET

TRANSIT PLAN

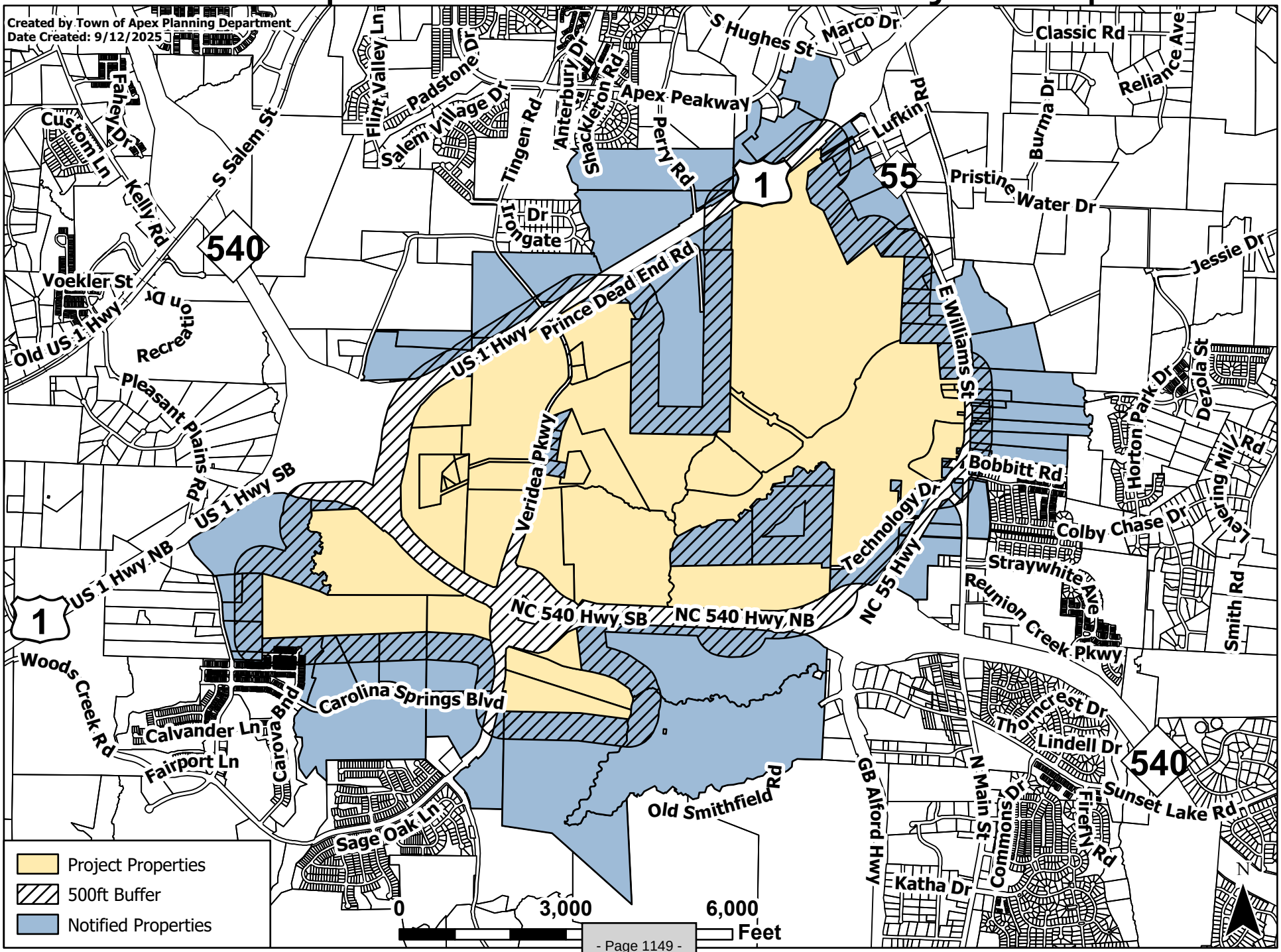
EX-1

PRELIMINARY DRAWING - NOT RELEASED FOR CONSTRUCTION

X:\Projects\UNH\UNH24002\04-Production\Planning + Design\Exhibits\Transit Plan Exhibit\UNH24002-EX1.dwg, 9/12/2025 9:30:14 AM, James Eason

Attachment B

Notified Properties within 500ft of the Project Properties



Attachment C - Veridea SD Zoning Amendment Notification List

SITE ADDRESS	PIN NUMBER	OWNER	MAILING ADDRESS		
2800 WOODFIELD DEAD END RD	0730652261	2MM LLC	109 OXYARD WAY	CARY NC 27519-7327	
1701 E WILLIAMS ST	0751003311	ALA COMMERCIAL LLC	700 SPRING FOREST RD STE 400	RALEIGH NC 27609-9124	
0 E WILLIAMS ST	0741915068	ALA COMMERCIAL LLC	PO BOX 98028	RALEIGH NC 27624-8028	
3138 VERIDEA PKWY	0740081019	APA VERIDEA INVESTMENTS LLC	2000 BEAR CAT WAY STE 102	MORRISVILLE NC 27560-6620	
0 E WILLIAMS ST	0741730903	APEX LODGING LLC	AJ PETERSON	PO BOX 874	APEX NC 27502-0874
1600 E WILLIAMS ST	0741815609	APEX RENT ACCOUNT LLC	1765 TOWN HOME DR	APEX NC 27502-6690	
1341 PERRY RD	0741326706	APEX TOWN OF	PO BOX 250	APEX NC 27502-0250	
1928 E WILLIAMS ST	0740877042	APEX-WILLIAMS STREET HOLDINGS, LLC	5540 YATES MILL POND RD	RALEIGH NC 27606-9688	
516 DEERCROFT DR	0730740599	ARBED, MEDHANIE HABTE HASHELIT, SENAIET YOSIEF	516 DEERCROFT DR	APEX NC 27539-8021	
601 CAROLINA SPRINGS BLVD	0730833666	AVAIL COMMUNITIES LLC	3724 NATIONAL DR STE 215	RALEIGH NC 27612-4070	
502 DEERCROFT DR	0730649539	BARBOZA, LINDA REENITA	502 DEERCROFT DR	APEX NC 27539-8021	
842 WICKHAM RIDGE RD	0740985068	BARKSDALE, IVORY III BARKSDALE, YOLANDA	842 WICKHAM RIDGE RD	APEX NC 27539-9046	
509 LIGHT OAK WAY	0730740702	BEERSINGH, CLIVE CHRISTOPHER VERNON, DONNA MARIE	3405 MOUNT PISGAH WAY	CARY NC 27519-9610	
2900 WOODFIELD DEAD END RD	0730666867	BEREMAN, BARBARA TRUSTEE	2900 WOODFIELD DEAD END RD	APEX NC 27539-6503	
0 OLD HOLLY SPRINGS APEX RD	0730778478	BEREMAN, ROBERT	2900 WOODFIELD DEAD END RD	APEX NC 27539-6503	
407 CAROVA BND	0730743694	BERTOLINO, MATTHEW JOEL CLAYTON BERTOLINO, KELSEY NICOI	407 CAROVA BND	APEX NC 27539-8022	
102 RED BRUSH WAY	0730647671	BLAND, RHEMA BLAND, THYRIE	102 RED BRUSH WAY	APEX NC 27539-5801	
415 CAROVA BND	0730743792	BOBOMURODOVA, MAVLUDA	415 CAROVA BND	APEX NC 27539-8022	
2000 BROADSTONE WAY	0741640123	BROADSTONE APEX NC LP, LIMITED PARTNERSHIP	8149 SANTA MONICA BLVD STE 298	WEST HOLLYWOOD CA 90046-4912	
3137 VERIDEA PKWY	0740188176	BUSHEE, ROGER W BUSHEE, GLENDA K	3137 VERIDEA PKWY	APEX NC 27539-9202	
100 ICE BARN RD	0730844784	CALVERT HOLLY SPRINGS LAND HOLDINGS LLC	1255 CRESCENT GRN STE 460	CARY NC 27518-8143	
448 DEERCROFT DR	0730645607	CAROLINA SPRINGS OWNERS ASSOCIATION, INC.	CHARLESTON MANAGEMENT	PO BOX 97243	RALEIGH NC 27624-7243
504 DEERCROFT DR	0730649559	CHANG, BRIAN JOE CHANG, FERNANDA PASSINI	312 BRIARFIELD DR	APEX NC 27502-7037	
519 LIGHT OAK WAY	0730741712	CHEN, YI	519 LIGHT OAK WAY	APEX NC 27539-5802	
507 LIGHT OAK WAY	0730649772	CHINTAKUNTA, RAJITHA AMBAVARAM, SUDHARSAN REDDY	509 ALDEBARAN CT	CARY NC 27519-6733	
426 DEERCROFT DR	0730644661	DEL REAL, CARLOS ANTONIO BURNS, TRICIA ANNE	426 DEERCROFT DR	APEX NC 27539-8020	
503 LIGHT OAK WAY	0730649732	DODLA, SWAPNA KOTTHURU, RAVIKUMAR REDDY	1112 FOREST WILLOW LN	MORRISVILLE NC 27560-7178	
411 CAROVA BND	0730743698	DOIDGE, DARRELL MATTHEW DOIDGE, LINDSEY RAE	411 CAROVA BND	APEX NC 27539-8022	
0 PRINCE DEAD END RD	0741217259	EBT FARMS, LLC	472 HENRYS RIDGE RD	PITTSBORO NC 27312-4641	
1925 E WILLIAMS ST	0740975490	EDWARDS, JUDITH B	5936 YATES MILL POND RD	RALEIGH NC 27606-9692	
522 DEERCROFT DR	0730741559	EID, AYMAN YEHIA ABDEL MOH ABDALLAH, HEBATULLAH A A	522 DEERCROFT DR	APEX NC 27539-8021	
0 TECHNOLOGY DR	0740765322	EMC CORPORATION	171 SOUTH ST	HOPKINTON MA 01748-2208	
1900 E WILLIAMS ST	0740970313	EMPIRE ESTATE LLC	2028 MILL GATE LN	CARY NC 27519-7194	
3125 VERIDEA PKWY	0740188440	FIELDS, W J FIELDS, CATHERINE A	3125 VERIDEA PKWY	APEX NC 27539-9202	
1538 E WILLIAMS ST	0741820490	FTPA STORAGE APEX LLC	215 E 58TH ST FL 4	NEW YORK NY 10022-1296	
1610 E WILLIAMS ST	0741817563	GORE LINE PROPERTIES LLC	PO BOX 1118	GARNER NC 27529-1118	
2728 VERIDEA PKWY	0741019204	GREATER RALEIGH AREA CHRISTIAN EDUCATION INC	1101 BUCK JONES RD	RALEIGH NC 27606-3324	
5940 OLD SMITHFIELD RD	0740448719	GREENWAY WASTE SOLUTIONS OF APEX LLC	19109 W CATAWHA AVE STE 110	CORNELIUS NC 28031-5613	
0 BOBBITT RD	0740987115	HARRIS, DOVIE THORPE	5521 BOBBITT RD	APEX NC 27539-7288	
5521 BOBBITT RD	0740987220	HARRIS, ELBERT HEIRS	5521 BOBBITT RD	APEX NC 27539-7288	
104 RED BRUSH WAY	0730647672	HASHMI, SHABBIR HUSSAIN	112 CARDINAL DR	GREENVILLE NC 27858-8908	
1725 E WILLIAMS ST	0740996221	HIGDON, ANGELA HICKS HICKS, VICKY KAREN	1725 E WILLIAMS ST	APEX NC 27539-7706	
524 DEERCROFT DR	0730741588	HILL, JEFFREY KEVIN HILL, STACY LEE	102 CRAVEN HILL CT	CARY NC 27518-2226	
518 DEERCROFT DR	0730741519	HO, TOMMY	518 DEERCROFT DR	APEX NC 27539-8021	
500 DEERCROFT DR	0730649509	IRIZARRY, WILFREDO IRIZARRY, ELIZABETH	500 DEERCROFT DR	APEX NC 27539-8021	
505 LIGHT OAK WAY	0730649752	JANARDHAN, HEMACHANDER SUNDARAVEL, ANITHA	3040 SENTINEL FERRY LN	CARY NC 27519-7554	
442 DEERCROFT DR	0730646630	JAZWINSKI, MYKHAYLO JAZWINSKI, IRYNA	442 DEERCROFT DR	APEX NC 27539-8020	
422 DEERCROFT DR	0730644621	JONES, COURTNEY DOOLY	422 DEERCROFT DR	APEX NC 27539-8020	
5528 BOBBITT RD	0740986423	JONES, MARILYN S	5528 BOBBITT RD	APEX NC 27539-8767	
0 E WILLIAMS ST	0750084420	JONES, PATRICIA A	435 EYAM HALL LN	APEX NC 27502-4758	
1713 E WILLIAMS ST	0740996316	JUDD, GERTRUDE	1713 E WILLIAMS ST	APEX NC 27539-7706	
1709 E WILLIAMS ST	0740998418	KAM GROUP INC	413 CHIME CT	CARY NC 27519-5581	
419 CAROVA BND	0730743796	KARUMANCHI, AMANI	419 CAROVA BND	APEX NC 27539-8022	
1690 E WILLIAMS ST	0741807518	KENAN TRANSPORT CO	C/O CHRIS PRATO	4366 MOUNT PLEASANT ST NW	NORTH CANTON OH 44720-5446
112 RED BRUSH WAY	0730647771	KHILLARE, DEEPAK PRAKASH KHILLARE, VARSHA DEEPAK	112 RED BRUSH WAY	APEX NC 27539-5801	
525 LIGHT OAK WAY	0730741791	KOMAKULA, EASWARA V N DODDI, VANI	601 HENMORE BROOK DR	CARY NC 27519-7617	
116 RED BRUSH WAY	0730647776	KOMMISETTY, RAJESH PASUPULETI, MOUNIKA	116 RED BRUSH WAY	APEX NC 27539-5801	
2990 BROADSTONE WAY	0741534819	KRG PEAKWAY AT 55 LLC	KITE REALTY GROUP	30 S MERIDIAN ST STE 100	INDIANAPOLIS IN 46204-3510
444 DEERCROFT DR	0730646650	KUMAR, ROHIT SHIVANI, FNU	444 DEERCROFT DR	APEX NC 27539-8020	
2828 WOODFIELD DEAD END RD	0730650989	LEGACY VENTURES 1699 LLC	7852 PERCUSSION DR	APEX NC 27539-3607	
526 LIGHT OAK WAY	0730741878	LENNAR CAROLINAS LLC	ROBERT SMART	1100 PERIMETER PARK DR STE 112	MORRISVILLE NC 27560-9119
428 DEERCROFT DR	0730644691	LEUNG, CHI YIU CHENG, LOUISA K	2427 E 69TH ST	BROOKLYN NY 11234-6500	

506 DEERCROFT DR	0730649579	LEWIS, SONYA BELGRADE, NINA LEWIS	506 DEERCROFT DR	APEX NC 27539-8021	
1801 E WILLIAMS ST	0740985947	LUNSFORD, LORINE HEIRS	1801 E WILLIAMS ST	APEX NC 27539-7708	
440 DEERCROFT DR	0730646610	MA, ZE YANG, YUERAN	919 S WINCHESTER BLVD UNIT 351	SAN JOSE CA 95128-3187	
1528 E WILLIAMS ST	0741731224	MADISON APEX MF OWNER LLC	6805 CARNEGIE BLVD STE 250	CHARLOTTE NC 28211-4276	
0 E WILLIAMS ST	0741726602	MADISON APEX OWNER LLC	FLANAGAN BILTON ATT: SPERO KOPITAS	1 N LA SALLE ST STE 2100	CHICAGO IL 60602-3918
413 CAROVA BND	0730743790	MAO, WEIPENG XU, YANQIN	135 KEEGANS LN	STATEN ISLAND NY 10308-3045	
432 DEERCROFT DR	0730645621	MAZHAR, NOOR	10475 YELLOW ROSE LN	SAN DIEGO CA 92127-2880	
512 DEERCROFT DR	0730740549	MCBEATH, DARIN W MCBEATH, DARBY F	512 DEERCROFT DR	APEX NC 27539-8021	
5520 BOBBITT RD	0740986393	MEZA, ALAN SR	5520 BOBBITT RD	APEX NC 27539-8767	
530 DEERCROFT DR	0730742558	MOORE, ELI CLAYTON	530 DEERCROFT DR	APEX NC 27539-8021	
5516 BOBBITT RD	0740988300	MOORE, MARY B HEIRS	JAMES E MOORE EXEC	201 HARWOOD ST	APEX NC 27502-1805
526 DEERCROFT DR	0730742508	MUDUNDI, AKHIL VARMA TEJA ALLURI, SIVA SRI	526 DEERCROFT DR	APEX NC 27539-8021	
517 LIGHT OAK WAY	0730740792	MURRAY, AMANDA CATHERINE	517 LIGHT OAK WAY	APEX NC 27539-5802	
1717 E WILLIAMS ST	0740998381	MURRAY, MARY MURRAY, JOSHUA	1717 E WILLIAMS ST	APEX NC 27539-7706	
0 E WILLIAMS ST	0740981239	NC DEPARTMENT OF TRANSPORATION	815 STADIUM DR	DURHAM NC 27704-2713	
0 TECHNOLOGY DR	0740873248	NC DEPARTMENT OF TRANSPORTATION	815 STADIUM DR	DURHAM NC 27704-2713	
0 TINGEN RD	0730990775	NC DEPT OF TRANSPORTATION TURNPIKE AUTHORITY	PO BOX 25201	RALEIGH NC 27611-5201	
846 WICKHAM RIDGE RD	0740985009	NGUYEN, ROBERT NGUYEN, BROOKE	846 WICKHAM RIDGE RD	APEX NC 27539-9046	
5700 BOBBITT RD	0740972921	NORTON DEVELOPMENT, LLC GIGNY PARTNERS, LLC	814 GASTON WOOD CT	RALEIGH NC 27605-1403	
5524 BOBBITT RD	0740985325	NYBE, BATOUL	104 BORDEAUX LN	CARY NC 27511-6463	
1713 E WILLIAMS ST	0750096187	PAGE TWO HOLDINGS LLC	1501 HIGHWOODS BLVD STE 302	GREENSBORO NC 27410-2052	
0 E WILLIAMS ST	0750095624	PAGE TWO HOLDINGS LLC RODESSA LLC	1501 HIGHWOODS BLVD STE 302	GREENSBORO NC 27410-2052	
1714 E WILLIAMS ST	0740990631	PAGE, DAVID E HEIRS	ERIN WADE	751 GATEWAY PARK DR APT 310	RALEIGH NC 27601-2160
4800 TECHNOLOGY DR	0740871804	PARKER, CYNTHIA JOY	4729 WILLEVA DR	WAKE FOREST NC 27587-8682	
0 WICKHAM RIDGE RD	0740976903	PEMBERLEY PROPERTY OWNERS' ASSOCIATION INC	OMEGA ASSOCIATION MANAGEMENT INC	160 NE MAYNARD RD STE 210	CARY NC 27513-9676
529 LIGHT OAK WAY	0730742731	PENCHALA, SAISHASHIDHAR KONDU, NEELIMA	529 LIGHT OAK WAY	APEX NC 27539-5802	
438 DEERCROFT DR	0730645690	PENMETSA, SATISH KUMAR ALLURI, SRI SRAVANI	438 DEERCROFT DR	APEX NC 27539-8020	
446 DEERCROFT DR	0730646670	PETERSON, GEORGE AUSTIN CAMPBELL, PEYTON MARIE	446 DEERCROFT DR	APEX NC 27539-8020	
600 CAROLINA SPRINGS BLVD	0730942647	PHOENIX COMMERCIAL DEVELOPMENT LLC	3724 NATIONAL DR STE 215	RALEIGH NC 27612-4070	
531 LIGHT OAK WAY	0730742751	PINGILI, RANADEEP REDDY GOPU, VISHWESHA REDDY	531 LIGHT OAK WAY	APEX NC 27539-5802	
1650 E WILLIAMS ST	0741816234	PPTAPEX LLC	11009 DUNHAM LN	RALEIGH NC 27613-6866	
528 DEERCROFT DR	0730742528	RADWAN, OMNIA HAMDY	528 DEERCROFT DR	APEX NC 27539-8021	
508 DEERCROFT DR	0730740509	RAO, CUI LI, MENG	508 DEERCROFT DR	APEX NC 27539-8021	
1700 E WILLIAMS ST	0741900198	RAYMER, DAVID F RAYMER, SHARON L	4617 FRIENDSHIP RD	APEX NC 27539-8763	
110 RED BRUSH WAY	0730647679	REDDY PONNA, SHARATH KUMAR	110 RED BRUSH WAY	APEX NC 27539-5801	
500 LIGHT OAK WAY	0730649808	R-HEARTHSTONE LOT OPTION POOL 03 LP	HEARTHSTONE INC	23975 PARK SORRENTO STE 220	CALABASAS CA 91302-4023
1680 E WILLIAMS ST	0741807913	RIGSBEE, JAMES ERVIN	PO BOX 275	KNIGHTDALE NC 27545-0275	
1860 E WILLIAMS ST	0740889089	RITENOUR, EDWARD C JR	108 TORTOISE LN	MORRISVILLE NC 27560-7295	
527 LIGHT OAK WAY	0730742711	ROPPO, DAVID STEVEN ROPPO, CARLI EVE	527 LIGHT OAK WAY	APEX NC 27539-5802	
514 DEERCROFT DR	0730740569	ROY, ARGHYA	514 DEERCROFT DR	APEX NC 27539-8021	
0 OLD HOLLY SPRINGS APEX RD	0730852539	RXR LEN APEX OWNER LLC	GENERAL COUNSEL	625 RXR PLZ	UNIONDALE NY 11556-3815
2945 VERIDEA PKWY	0740293940	RXR LEN APEX OWNER LLC	625 RXR PLZ	UNIONDALE NY 11556-3815	
6300 KING DAVID CT	0740283126	RXR LEN APEX OWNER LLC	RXR MTF APEX VEHICLE LLC	625 RXR PLZ	UNIONDALE NY 11556-3815
5525 BOBBITT RD	0740985230	SANTIAGO, BASILIO APARICIO ROSALES, ANTONIA ORTIZ	5533 BOBBITT RD	APEX NC 27539-7288	
1548 E WILLIAMS ST	0741824172	SHELKE, SUNIL SHELKE, SUDARSHINI	314 FARROW GLEN LOOP	CARY NC 27519-6941	
501 LIGHT OAK WAY	0730649702	SHIELDS, STEPHEN TODD SHIELDS, PATRICIA ANN	PO BOX 65	HOLLY SPRINGS NC 27540-0065	
100 RED BRUSH WAY	0730647578	SINGIREDDY, GOUTAM REDDY KANKANALA, NIHARIKA	100 RED BRUSH WAY	APEX NC 27539-5801	
838 WICKHAM RIDGE RD	0740986027	SLEPCHENKO, OLGA A	838 WICKHAM RIDGE RD	APEX NC 27539-9046	
434 DEERCROFT DR	0730645651	SORATHIYA, MEHUL VINODBHAI SORATHIAY, FALGUNI MEHULBHAI	434 DEERCROFT DR	APEX NC 27539-8020	
0 OLD HOLLY SPRINGS APEX RD	0740044546	SOWTER, WILLIAM J SOWTER, SHERYL R	4801 LOUIS STEPHENS DR	MORRISVILLE NC 27560-8677	
0 E WILLIAMS ST	0741730848	STANLEY, JUSTIN	6624 TEN TEN RD	APEX NC 27539-8316	
0 E WILLIAMS ST	0740996013	STEELE, CALVIN HEIRS	C/O BRENDA J HAWKINS	103 DAGENHAM LN	CARY NC 27518-9054
0 E WILLIAMS ST	0740996310	STEELE, GERTRUDE	1713 E WILLIAMS ST	APEX NC 27539-7706	
0 TINGEN RD	0741331566	SURE & STEADFAST PROP LTD PTNRP	2201 CANDUN DR STE 103	APEX NC 27523-6413	
114 RED BRUSH WAY	0730647773	SUSEENDRAN, MADHUBALA SUSEENDRAN, HARI S	12 FAIRMONT DR	COLUMBUS NJ 08022-2354	
3101 TINGEN RD	0731902142	THE YOUNG MEN'S CHRISTIAN ASSOCIATION OF THE TRIAN	801 CORPORATE CENTER DR STE 200	RALEIGH NC 27607-5243	
1708 E WILLIAMS ST	0740990896	THOMPSONGAS - SMOKIES LLC	5260 WESTVIEW DR STE 200	FREDERICK MD 21703-8512	
523 LIGHT OAK WAY	0730741761	TIMMONS, CRYSTAL MCLAMB TIMMONS, GABRIEL ANTWON SR	523 LIGHT OAK WAY	APEX NC 27539-5802	
0 E WILLIAMS ST	0750085838	TRINITY APEX NORTH 100 LLC	CHET MANN	1508 VON CANNON CIR	SANFORD NC 27330-8256
2812 WOODFIELD DEAD END RD	0730654754	VKVS INVESTMENTS LLC	2812 WOODFIELD DEAD END RD	APEX NC 27539-7293	
106 RED BRUSH WAY	0730647675	VUYYURU, SANTHI	1507 INGRAHAM DR	APEX NC 27502-4765	
3705 OLD HOLLY SPRINGS APEX RD	0740026492	WAKE COUNTY	PO BOX 550	RALEIGH NC 27602-0550	
0 US 1 HWY	0740489140	WAKE COUNTY BOARD OF EDUCATION	SERVICES SENIOR DIRECTOR	111 CORNING RD STE 100	CARY NC 27518-9299
0 OLD SMITHFIELD RD	0740221454	WAKE COUNTY OF	WAKE COUNTY ATTORNEY'S OFFICE	PO BOX 550	RALEIGH NC 27602-0550
3151 APEX PEAKWAY	0741655049	WAL MART REAL ESTATE BUSINESS TRUST	WAL-MART PROPERTY TAX DEPT	PO BOX 8050	BENTONVILLE AR 72712-8055

3130 VERIDEA PKWY	0740082199	WANG, YIFEI MEI, HUA	115 RODRIGUEZ CT	SAN RAMON CA 94582-5545	
3117 VERIDEA PKWY	0740188680	WHITEHOUSE ASSETS MANAGEMENT LLC	3109 VERIDEA PKWY	APEX NC 27539-9202	
3109 VERIDEA PKWY	0740189737	WHITEHOUSE, GREGORY HENRY	3109 VERIDEA PKWY	APEX NC 27539-9202	
6400 PRINCE DEAD END RD	0741402319	WILDBIRD LLC	3024 BUCKINGHAM WAY	APEX NC 27502-8909	
0 E WILLIAMS ST	0740874476	WILLIAMS STREET PROPERTIES LLC LUND, MARCIA M	738 CASH ST	APEX NC 27502-1302	
513 LIGHT OAK WAY	0730740742	WISE, DOUGLAS ODANIEL	513 LIGHT OAK WAY	APEX NC 27539-5802	
2720 WOODFIELD DEAD END RD	0730644708	WOODFIELD ESTATE LLC	964	HIGH HOUSE RD #3050	CARY NC 27513-3574
515 LIGHT OAK WAY	0730740772	XIA, RAN	2900 JORDAN POINTE BLVD	NEW HILL NC 27562-9308	
2000 E WILLIAMS ST	0740865571	YANG, LEE CHU LEE, AMY S	223 LOCHWOOD WEST DR	CARY NC 27518-9757	
417 CAROVA BND	0730743794	YANG, XUAN	4668 WILCOX AVE	SANTA CLARA CA 95054-1388	
430 DEERCROFT DR	0730645601	YU, NORMAN YU, SUKI	8802 70TH RD	FOREST HILLS NY 11375-6620	
405 CAROVA BND	0730743691	ZHENG, WEI	522 BUXTON GRANT DR	CARY NC 27519-8691	
		Current Tenant	3151 Apex PEAKWAY	APEX NC 27502	
		Current Tenant	5516 Bobbitt RD	APEX NC 27539	
		Current Tenant	5524 Bobbitt RD	APEX NC 27539	
		Current Tenant	5525 Bobbitt RD	APEX NC 27539	
		Current Tenant	5700 Bobbitt RD	APEX NC 27539	
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Current Tenant	5330 Broadstone WAY	APEX NC 27502
Current Tenant	5340 Broadstone WAY	APEX NC 27502
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Current Tenant	5360 Broadstone WAY	APEX NC 27502
Current Tenant	5370 Broadstone WAY	APEX NC 27502
Current Tenant	5380 Broadstone WAY	APEX NC 27502
Current Tenant	6110 Broadstone WAY	APEX NC 27502
Current Tenant	6120 Broadstone WAY	APEX NC 27502
Current Tenant	6130 Broadstone WAY	APEX NC 27502
Current Tenant	6140 Broadstone WAY	APEX NC 27502
Current Tenant	6150 Broadstone WAY	APEX NC 27502
Current Tenant	6160 Broadstone WAY	APEX NC 27502
Current Tenant	6170 Broadstone WAY	APEX NC 27502
Current Tenant	6180 Broadstone WAY	APEX NC 27502
Current Tenant	6210 Broadstone WAY	APEX NC 27502
Current Tenant	6220 Broadstone WAY	APEX NC 27502
Current Tenant	6230 Broadstone WAY	APEX NC 27502
Current Tenant	6240 Broadstone WAY	APEX NC 27502
Current Tenant	6250 Broadstone WAY	APEX NC 27502
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Current Tenant	6270 Broadstone WAY	APEX NC 27502

Current Tenant	6280 Broadstone WAY	APEX NC 27502
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Current Tenant	6360 Broadstone WAY	APEX NC 27502
Current Tenant	6370 Broadstone WAY	APEX NC 27502
Current Tenant	6380 Broadstone WAY	APEX NC 27502
Current Tenant	8110 Broadstone WAY	APEX NC 27502
Current Tenant	8120 Broadstone WAY	APEX NC 27502
Current Tenant	8130 Broadstone WAY	APEX NC 27502
Current Tenant	8140 Broadstone WAY	APEX NC 27502
Current Tenant	8150 Broadstone WAY	APEX NC 27502
Current Tenant	8160 Broadstone WAY	APEX NC 27502
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Current Tenant	8270 Broadstone WAY	APEX NC 27502
Current Tenant	8280 Broadstone WAY	APEX NC 27502
Current Tenant	8310 Broadstone WAY	APEX NC 27502
Current Tenant	8320 Broadstone WAY	APEX NC 27502
Current Tenant	8330 Broadstone WAY	APEX NC 27502
Current Tenant	8340 Broadstone WAY	APEX NC 27502
Current Tenant	8350 Broadstone WAY	APEX NC 27502
Current Tenant	8360 Broadstone WAY	APEX NC 27502
Current Tenant	8370 Broadstone WAY	APEX NC 27502
Current Tenant	8380 Broadstone WAY	APEX NC 27502
Current Tenant	9110 Broadstone WAY	APEX NC 27502
Current Tenant	9120 Broadstone WAY	APEX NC 27502
Current Tenant	9130 Broadstone WAY	APEX NC 27502
Current Tenant	9140 Broadstone WAY	APEX NC 27502
Current Tenant	9150 Broadstone WAY	APEX NC 27502
Current Tenant	9160 Broadstone WAY	APEX NC 27502
Current Tenant	9170 Broadstone WAY	APEX NC 27502
Current Tenant	9180 Broadstone WAY	APEX NC 27502
Current Tenant	9210 Broadstone WAY	APEX NC 27502
Current Tenant	9220 Broadstone WAY	APEX NC 27502
Current Tenant	9230 Broadstone WAY	APEX NC 27502
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Current Tenant	9350 Broadstone WAY	APEX NC 27502
Current Tenant	9360 Broadstone WAY	APEX NC 27502
Current Tenant	9370 Broadstone WAY	APEX NC 27502
Current Tenant	9380 Broadstone WAY	APEX NC 27502
Current Tenant	5940 Old Smithfield RD	APEX NC 27539
Current Tenant	6025 Old Smithfield RD	APEX NC 27539
Current Tenant	1341 Perry RD	APEX NC 27502
Current Tenant	5800 Technology DR	APEX NC 27539
Current Tenant	3013 Tingen RD	APEX NC 27502
Current Tenant	2728 Veridea PKWY	APEX NC 27502
Current Tenant	2937 Veridea PKWY	APEX NC 27539
Current Tenant	2945 Veridea PKWY	APEX NC 27539

Current Tenant	3009 Veridea PKWY	APEX NC 27539
Current Tenant	3012 Veridea PKWY	APEX NC 27539
Current Tenant	3105 Veridea PKWY	APEX NC 27539
Current Tenant	3117 Veridea PKWY	APEX NC 27539
Current Tenant	3130 Veridea PKWY	APEX NC 27539
Current Tenant	3134 Veridea PKWY	APEX NC 27539
Current Tenant	3138 Veridea PKWY	APEX NC 27539
Current Tenant	3142 Veridea PKWY	APEX NC 27539
Current Tenant	3229 Veridea PKWY	APEX NC 27539
Current Tenant	1400 E Williams ST	APEX NC 27539
Current Tenant	1538 E Williams ST	APEX NC 27539
Current Tenant	1600 E Williams ST	APEX NC 27539
Current Tenant	1608 E Williams ST	APEX NC 27539
Current Tenant	1610 E Williams ST	APEX NC 27539
Current Tenant	1650 E Williams ST	APEX NC 27539
Current Tenant	1670 E Williams ST	APEX NC 27539
Current Tenant	1690 E Williams ST	APEX NC 27539
Current Tenant	1709 E Williams ST	APEX NC 27539
Current Tenant	1710 E Williams ST	APEX NC 27539
Current Tenant	1712 E Williams ST	APEX NC 27539
Current Tenant	1713A E Williams ST	APEX NC 27539
Current Tenant	1729 E Williams ST	APEX NC 27539
Current Tenant	1900 E Williams ST	APEX NC 27539
Current Tenant	1928 E Williams ST	APEX NC 27539

Created by Town of Apex Planning Department
Date Created: 9/2/2025

First Neighborhood Meeting Report

Veridea Sustainable Development Plan Amendment | September 29, 2025

The applicant opened the neighborhood meeting at 5:30 PM.

The applicant introduced the applicant team and explained the rezoning process in the Town of Apex.

The applicant provided an overview of the current zoning of the property, the subject site, the future land use map, and the proposed rezoning.

The applicant noted that the rezoning petition will contemplate specific changes necessary to accommodate the planned site for NC Children's Hospital and general changes to update the overall sustainable development plan currently in effect. The applicant walked through a handful of the changes to the NCC portion of Veridea and also highlighted the changes being made to the remainder of Veridea.

The applicant explained that the Town is in the process of amending its transportation plan to replace a rail stop with a system to accommodate the transit stop.

A participant asked when the portion of the site south of Highway 540 and east of Veridea Parkway would break ground.

Response: We don't have a specific development timeline at this point for that portion of the site, but that area will encompass a mixture of nonresidential uses.

A participant asked if there are any future plans for the eastern side of the site at Williams Street.

Response: Yes, there is currently a mixed-use plan in progress focused on office and retail on that portion of the site. I encourage you to reach out to the Town if you would like to see some additional detail regarding those plans.

The applicant thanked the attendees for their participation and closed the neighborhood meeting at 6:30 PM.

Name (original name)	Email	Duration (minutes)	Guest	Recording disclaimer response	In waiting room
Laura Holloman	[redacted]	75	No	OK	No
Hunter Winstead		74	Yes	OK	No
Jason Barron		74	Yes	OK	No
chem davis		54	Yes	No Response	No
Sarah Van Every		73	Yes	No Response	No
William Noyes		69	Yes	No Response	No
Dawn Ray		69	Yes	No Response	No
imogene jones		44	Yes	No Response	No
Donna Vernon		4	Yes	No Response	No
Emily Ziegler		55	Yes	No Response	No
Catherine Pendergraft		54	Yes	No Response	No
Rhema Bland		37	Yes	No Response	No
Mykhaylo Jazwinski		40	Yes	No Response	No
Brenda Moore		40	Yes	No Response	No
Miranda Lanning		5	Yes	No Response	No
Michael Wall		40	Yes	No Response	No
Simon George		61	Yes	No Response	No
Donna Vernon		12	Yes	No Response	No
Cameron Ebron		40	Yes	No Response	No
David Parker		60	Yes	No Response	No
Beverly Armwood		37	Yes	No Response	No
James Eason | Mcadan		59	No	No Response	No
Blake Edwards		59	Yes	No Response	No
Tommy H		35	Yes	No Response	No
Ashley Valentine		34	Yes	No Response	No
Miranda Lanning		33	Yes	No Response	No
Bill Derks		23	Yes	No Response	No
Donna Vernon		26	Yes	No Response	No
donna Vernon		42	Yes	No Response	No

AFFIDAVIT OF CONDUCTING A NEIGHBORHOOD MEETING, SIGN-IN SHEET AND ISSUES/RESPONSES SUBMITTAL

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

I, Jason Barron, do hereby declare as follows:
Print Name

1. I have conducted a Neighborhood Meeting for the proposed Rezoning, Major Site Plan, Minor Site Plan, Residential Master Subdivision Plan, or Special Use Permit in accordance with UDO Sec. 2.2.7.B *Neighborhood Meeting*.

2. The meeting invitations were mailed to the Apex Planning Department, all property owners and tenants abutting and within 500 feet of the subject property and any neighborhood association that represents citizens in the notification area via first class mail a minimum of 14 days in advance of the Neighborhood Meeting.

3. The meeting was conducted at Virtual Zoom Meeting (location/address) on September 29, 2025 (date) from 5:30 p.m. (start time) to 6:30 p.m. (end time).

4. I have included the mailing list, meeting invitation, sign-in sheet, issue/response summary, and zoning map/reduced plans with the application.

5. I have prepared these materials in good faith and to the best of my ability.

9/30/2025
Date

By: _____

STATE OF NORTH CAROLINA
COUNTY OF WAKE

Sworn and subscribed before me, Leticia L. Shapiro, a Notary Public for the above State and County, on this the 30th day of September, 2025.

SEAL

LETICIA L. SHAPIRO
NOTARY PUBLIC
NORTH CAROLINA
WAKE COUNTY
MY COMM. EXP. 4/26/26

_____
Notary Public

Leticia L. Shapiro
Print Name

My Commission Expires: 4/26/26

APEX ENVIRONMENTAL ADVISORY BOARD

Suggested Zoning Conditions

The Town of Apex Environmental Advisory Board (EAB) offers this general list of suggested rezoning conditions for rezoning applicants to consider before filing a rezoning petition. The purpose of this list is to encourage and recommend implementation of exceptional environmental practices for future development that exceeds Town requirements. The Board will review each rezoning application and expand on suggested conditions by offering specific recommendations on a case-by-case basis.

The decision to include any of the recommendations below is voluntary by the applicant and the Board does not expect applicants to add all of the suggested conditions. Planning staff will include all zoning conditions suggested by this Board and will note which conditions have been added by the applicant in the staff reports to the Planning Board and Town Council. Applicants should review this list before meeting with the Board.

NOTE: Text in green indicates suggested zoning condition language from Planning Staff. Underlined text indicates text or numbers that may be changed based on the specific project. Additional conditions may be suggested by the EAB at the meeting.

Residential and Non-Residential Development Categories and Coverage

Part I applies to all developments; Part II applies exclusively to residential developments, and Part III exclusively to non-residential developments. Your development may include elements of each part.

- **Part I** – Includes suggestions for BOTH residential and non-residential developments (see definitions below).

- **Part II – Residential** applies to single-family dwellings and townhome subdivisions, but does not include the parking lots, exterior building lights or exterior architecture.

  Part III – Non-Residential includes condominiums, apartments, and multi-family, common areas in residential developments (e.g. amenity areas, parking lots, exterior building lights, and exterior architecture), commercial, office, and industrial areas

Please be sure to read and complete the entire document. Please select "Yes" to each zoning condition you are proposing to add to your rezoning application. Any proposed modifications to the green zoning language should be listed in the section at the end of the document.

Part I – Residential AND Non-Residential

The following apply to both Residential **and** Non-Residential developments:

	STORMWATER AND WATER CONSERVATION – WATER QUALITY	YES
1.	The project shall increase the riparian buffer width by at least ____ feet above the minimum required by the Unified Development Ordinance. The additional buffer width shall be measured from the top of bank on each side of the stream.	☐
2.	No clearing or land disturbance shall be permitted within the riparian buffer, except the minimum necessary to install required greenway and sewer infrastructure and SCM outlets. The SCM water storage and treatment area shall not be permitted within the riparian buffer. The infrastructure shall be designed to minimize impacts to the riparian buffer.	☐
3	No buffer averaging shall be allowed for Zone 3 of the riparian buffers.	☐
4.	The project shall install one (1) sign per SCM to reduce pet waste and prohibit fertilizer, in locations that are publicly accessible, such as adjacent to amenity centers, sidewalks, greenways, or side paths.	☐
5.	The project shall install a minimum of _____Low Impact Development Technique as defined and approved by the NC Department of Environmental Quality. The specific type of LID technique shall be reviewed and approved by the Water Resources Department at site or subdivision plan review.	☐
6.	At least ___SCM shall be designed and constructed to provide irrigation to the surrounding landscaping on site. The design shall be reviewed and approved by the Water Resources Department at site plan.	☐
7.	A ___-foot buffer shall be provided along existing, delineated wetlands that are to be preserved.	☐
8.	**Each option below is intended to be used as an improvement to the minimum UDO requirements. If an area is already required to mitigate the 25-year storm, option 7.b should not be selected.** 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. **OR** b. Post-development peak runoff shall not exceed pre-development peak runoff for the 24-hour, 1-year, 10-year, and 25-year storm events in accordance with the Unified Development Ordinance.	☐ ☐
	PLANTING AND LANDSCAPING Note: Invasive species are prohibited. Please see the Town's Design and Development Manual for a link to the list of prohibited species and for a list of suggested native species..	**YES**
9.	Preserve existing trees (percentage-based). Numbers shown may be changed based on project**.** The EAB's preference is for a minimum of 50%. The project shall preserve a minimum of _____% of the existing tree canopy. Where the project abuts adjacent developments, special effort shall be taken to locate the preserved trees adjacent to areas of existing preserved open space, including but not limited to, RCA, perimeter landscape buffers, riparian buffers, and/or HOA maintained open spaces.	☐

10.	Replace canopy (percentage- or DBH size-based) The project shall replace any large type trees, that measure 18-inches in caliper size or larger, and small type trees, that measure 8-inches in caliper size or larger, that are removed as a part of the development. The ratio of replacement shall be 1 large tree to 1 replacement tree. The UDO's required landscaping may be used to satisfy this requirement. To determine the number of trees that must be replaced, a tree survey for the full property shall be provided to the Planning Department. The survey shall be independently verified by a third-party licensed arborist. No further clearing shall be conducted for replacement planting if there is insufficient space.	☐
11.	To improve energy efficiency by providing shading, a combination of large and small deciduous shade trees shall be planted on the southern side of any buildings.	☐
12.	To improve energy efficiency, the project shall plant evergreen trees on the northern side of all buildings to act as a windbreak.	☐
13.	The project shall ensure that _____% of the landscaping shall be native species, which shall provide diverse and abundant pollinator and bird food sources. Special attention shall be paid to providing diverse and abundant pollinator and bird food sources, including plants that bloom in succession from spring to fall. Landscaping shall be coordinated with and approved by the Planning Department at site or subdivision review.	☐
14.	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 canopy, understory and shrub levels. A minimum of _____% of the species selected shall be native to the eastern United States or a native of North Carolina.	☐
15.	No single species of native or adaptive vegetation shall constitute more than 20% of the plant material of its type within a single development site.	☐
16.	HOA covenants, conditions, and restrictions shall not prohibit clover or native grass mixed species lawns.	☐
17.	In order to support nesting and overwintering wildlife and pollinators, HOA covenants shall not require that fallen leaves or dormant plants be removed during the winter on areas without turf grass, including individual homes and HOA owned common areas.	☐
18.	To preserve and protect existing species, existing ponds shall be preserved if structurally sound.	☐
19.	Implements xeriscaping in design, which will use landscaping that requires less irrigation and chemical use. Contact Planning for assistance, if needed. The project commits to planting ___% drought tolerant plants, of which ___% of the plants selected shall be native. Landscaping shall be coordinated with and approved by the Planning Department at site or subdivision review.	☐
20.	To reduce irrigation requirements, the project shall select and plant only warm season grasses.	☐

21.	Improve soil quality for a variety of native and non-invasive plantings, reduce fertilizers, and reduce stormwater runoff, topsoil shall be retained on site and a minimum of 4 inches of topsoil shall be placed on each lot and within disturbed common areas.	☐
22.	Increase perimeter buffer requirements, especially in transitional areas (non-residential to residential areas), the project shall provide ____ additional feet of buffer width to that required by the UDO along the perimeter of the property.	☐
23.	Reduce impacts to Resource Conservation Areas (RCAs). a. 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. A sign shall be installed every 100 linear feet along the boundary of the Resource Conservation Area, with each sign measuring at least 6 inches by 6 inches and mounted at a height of 4 feet above the ground. **OR** b. A farm-style split rail fence shall be installed where wooded or natural condition Resource Conservation Area (RCA) abuts individual residential lots.	☐ ☐
SUSTAINABLE BUILDINGS		**YES**
24.	The project shall be designed to meet the requirements for one of the green building certifications listed above. 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.	☐

Part II – Residential

Residential applies to single-family dwellings and townhome subdivisions, but does not include the parking lots, exterior building lights, or exterior architecture.

	STORMWATER AND WATER CONSERVATION – WATER QUALITY The Transportation & Infrastructure Development Department does not currently support these options within the right-of-way (ROW). These may be done on private sites, but not within the public ROW.	YES
25.	The project shall utilize pervious pavement when constructing the parking spaces for parking lot-style townhomes. The specific type of pervious pavement system shall be reviewed and approved by the Water Resources Department at site or subdivision plan review. The selected system shall be maintained by the developer and/or owner's association.	☐
26.	The project shall utilize pervious pavement when constructing the driveways for residential units. The specific type of pervious pavement system shall be reviewed and approved by the Water Resources Department at site or subdivision plan review. The selected system shall be maintained by the developer and/or homeowner's association.	☐
	WASTE MANAGEMENT	**YES**
27.	If single family, the project shall install at least one (1) pet waste station per 25 residential units/townhomes and at least two (2) pet waste stations per apartment building throughout the community in locations that are publicly accessible, such as adjacent to amenity centers, SCMs, sidewalks, greenways or side paths. If there are fewer than 25 homes, at least one (1) pet waste station shall be installed.	☐
	CLEAN ENERGY	**YES**
28.	A solar PV system of at least 3.5kW shall be installed on at least _____homes within the development. All solar installation required by this condition shall be completed or under construction prior to 90% of the building permits being issued for the development. The lot(s) on which this home/these homes is/are located shall be identified on the Master Subdivision Plat, which may be amended from time to time.	☐
29.	A solar PV system shall be installed on a minimum of _____model home. All solar installation required by this condition shall be completed or under construction prior to _____% of the building permits being issued for the development. The lot(s) on which this home/these homes is/are located shall be identified on the Master Subdivision Plat, which may be amended from time to time.	☐
30.	Wire all garages with 220-volt outlets at the exterior to provide for EV charging stations in SF and Townhomes.	☐

Part III – Non- Residential

Non-residential includes condominiums, apartments, and multi-family, common areas in residential developments (e.g. amenity areas, parking lots, exterior building lights, and exterior architecture), commercial, office, and industrial areas. Your development may include elements of each part.

	STORMWATER AND WATER CONSERVATION – WATER QUALITY The Transportation & Infrastructure Development Department does not currently support these options within the ROW. These may be done on private sites, but not within the public ROW. Note that number 36 is an exception that can be done in the public ROW.	**YES**
31.	The project shall utilize pervious pavement when constructing parking spaces that are in excess of the minimum parking requirement. The specific type of pervious pavement system shall be reviewed and approved by the Water Resources Department at site or subdivision plan review.	☐
32.	The project shall utilize pervious pavement for all of the parking spaces provided. The specific type of pervious pavement system shall be reviewed and approved by the Water Resources Department at site or subdivision plan review.	☐
33.	To increase stormwater infiltration and evaporation, the project shall use modified curb and gutter designs to direct driveway runoff to one or more stormwater device, such as, but not limited to, bioswales, Silva cells, or rain gardens. The specific type and design shall be selected at site or subdivision plan review. The proposal shall be reviewed and approved by the Water Resources Department and Department of Public Works and Transportation.	☐
34.	May be done within the public ROW if it's in the form of a bioretention cell within a landscaped median or large roundabout. Will require approval by the Department of Public Works and Transportation. The project shall design and install one or more bioretention cells within the landscape median or roundabout along the primary road. The specific type and design shall be determined at site or subdivision plan review. The proposal shall be reviewed and approved by the Water Resources Department and Transportation and Infrastructure Development Department.	☐
	WASTE MANAGEMENT	**YES**
35.	The project shall install at least _____ pet waste stations throughout the community, in locations that are publicly accessible, such as adjacent to amenity centers, SCMs, sidewalks, greenways or side paths.	☐

CLEAN ENERGY		YES
36.	a. A solar PV system shall be incorporated into buildings to be constructed on the property. Such PV systems shall have a capacity of not less than 2 kW/1,000 heated square feet of building floor area. **OR** b. A solar PV system of at least 3.5kW shall be installed on at least _____% of or _____ buildings within the development. All solar installation required by this condition shall be completed or under construction prior to _____% of the building permits being issued for the development. The buildings on which these PV systems are located shall be identified on the Site Plan, which may be amended from time to time.	☐ ☐
37.	The developer shall provide ____% or ____more EV charging spaces than required by the UDO.	☐
38.	The amenity center for the project shall include a rooftop solar PV system with a capacity of at least 3.5kW.	☐
39.	The project shall install conduits for solar energy systems for all non-residential buildings	☐
LIGHTING EFFICIENCY		**YES**
40.	On the lighting plan, the average footcandle measurement for parking, building lighting and driveways shall be at least 0.5 footcandles lower than the UDO requires.	☐
41.	The project shall use full cutoff LED fixtures that have a maximum color temperature of 3,000K for all exterior lighting, including, but not limited to, parking lot and building mounted fixtures.	☐

Applicant Clarification/Additional Language:
It is the applicant's understanding that this project does not need to meet with the Environmental Advisory Board.

Additional Board Recommendations:

NOTICE OF NEIGHBORHOOD MEETING

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

October 24, 2025

Date

Dear Neighbor:

You are invited to a neighborhood meeting to review and discuss the development proposal at

See Attachment A	See Attachment A
Address(es)	PIN(s)

in accordance with the Town of Apex Neighborhood Meeting procedures. This meeting is intended to be a way for the applicant to discuss the project and review the proposed plans with adjacent neighbors and neighborhood organizations before the submittal of an application to the Town. This provides neighbors an opportunity to raise questions and discuss any concerns about the impacts of the project before it is officially submitted. If you are unable to attend, please refer to the Project Contact Information page for ways to contact the applicant. Notified neighbors may request that the applicant provide updates and send plans via email or mail. Once an application has been submitted to the Town, it may be tracked using the Interactive Development Map or the Apex Development Report located on the Town of Apex website at http://www.apexnc.org/180. Applications for Rezoning must hold a second Neighborhood Meeting in the month prior to the anticipated public hearing date.

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

	Application Type	Approving Authority
☑	Rezoning (including Planned Unit Development)	Town Council
☐	Major Site Plan	Technical Review Committee (staff)
☐	Minor Site Plan for the uses "Day care facility", "Government service", "School, public or private", "Restaurant, drive-through", or "Convenience store with gas sales"	Technical Review Committee (staff)
☐	Special Use Permit	Board of Adjustment (QJPH*)
☐	Residential Master Subdivision Plan (excludes exempt subdivisions)	Technical Review Committee (staff)

*Quasi-Judicial Public Hearing: The Board of Adjustment cannot discuss the project prior to the public hearing.

The following is a description of the proposal including any proposed long range plan amendments (also see attached map(s) and/or plan sheet(s)):

Proposed amendments to the Sustainable Development-Conditional Zoning (including pending rezoning cases 25CZ08 & 25CZ15 to expand this district) to facilitate development of the entirety of Veridea, in which the North Carolina Children's Hospital is planned.

Estimated submittal date: October 1, 2025

MEETING INFORMATION:

Property Owner(s) name(s):	See Attachment A
Applicant(s):	RXR LEN APEX OWNER LLC c/o Sarah Van Every, McAdams
Contact information (email/phone):	vanevery@mcadamsco.com
Meeting Address:	Virtual Zoom Meeting
Date/Time of meeting**:	November 10, 2025 6:00-7:00 p.m.

Welcome: 6:00pm-6:05pm Project Presentation: 6:05pm-6:15pm Question & Answer: 6:15pm-7:00pm

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

PROJECT CONTACT INFORMATION

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

Development Contacts:

Project Name: Veridea SD-CZ Zoning Amendment Zoning: SD-CZ

Location: See Attachment A

Property PIN(s): See Attachment A Acreage/Square Feet: See Attachment A

Property Owner: See Attachment A

Address:

City: State: Zip:

Phone: Email:

Developer: RXR

Address:

City: State: Zip:

Phone: Fax: Email:

Engineer: N/A

Address:

City: State: Zip:

Phone: Fax: Email:

Builder (if known): N/A

Address:

City: State: Zip:

Phone: Fax: Email:

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

Town of Apex Department Contacts	
Planning Department Main Number (Provide development name or location to be routed to correct planner)	(919) 249-3426
Parks, Recreation & Cultural Resources Department Angela Reincke, Parks Planning Manager	(919) 372-7468
Transportation & Infrastructure Development Russell Dalton, Traffic Engineering Manager	(919) 249-3358
Water Resources Department Jessica Bolin, Environmental Engineering Manager (Stormwater, Sedimentation & Erosion Control) Matt Reker, Utility Engineer/FOG Program Manager (Water & Sewer)	(919) 249-3537 (919) 946-4394
Electric Utilities Division Jared Harris, Electric Technical Services Manager	(919) 372-7466

Providing Input to Town Council:

Each Town Council meeting agenda includes a Public Forum time when anyone is permitted to speak for three (3) minutes on any topic with the exception of items listed as Public Hearings for that meeting. The Town Council meets on the 2nd and 4th Tuesdays of each month at 6:00 p.m. (except for holidays, see schedule of meetings at http://www.apexnc.org/838/Agendas-Minutes). You may also contact Town Council by e-mail at AllCouncil@apexnc.org.

Private Agreements and Easement Negotiation:

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

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

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

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

Documentation:

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

COMMON CONSTRUCTION ISSUES & WHO TO CALL

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

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

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

Construction Traffic: **Infrastructure Inspections** **919-249-3386**

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

Road Damage & Traffic Control: **Infrastructure Inspections** **919-249-3386**

There can be issues with roadway damage, roadway improvements, and traffic control. Potholes, rutting, inadequate lanes/signing/striping, poor traffic control, blocked sidewalks/paths are all common issues that should be reported to Transportation & Infrastructure Development – Infrastructure Inspections at 919-249-1109. The Town will get NCDOT involved if needed.

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

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

Dirt in the Road: **Water Resources** **919-362-8166**

Sediment (dirt) and mud gets into the existing roads due to rain events and/or vehicle traffic. These incidents should be reported by visiting the Report a Concern page at https://www.apexnc.org/1173/ or by calling the number listed. Staff will coordinate the cleaning of the roadways with the developer.

Dirt on Properties or in Streams: **Water Resources** **919-362-8166**

Sediment (dirt) can leave the site and get onto adjacent properties or into streams and stream buffers; it is typically transported off-site by rain events. These incidents should be reported by visiting the Report a Concern page at https://www.apexnc.org/1173/ or by calling the number listed so that staff can coordinate the appropriate repairs with the developer.

Dust: **Water Resources** **919-362-8166**

During dry weather dust often becomes a problem blowing into existing neighborhoods or roadways. These incidents should be reported by visiting the Report a Concern page at https://www.apexnc.org/1173/ or by calling the number listed so that staff can coordinate the use of water trucks onsite with the grading contractor to help control the dust.

Trash: **Water Resources** **919-362-8166**

Excessive garbage and construction debris can blow around on a site or even off of the site. These incidents should be reported by visiting the Report a Concern page at https://www.apexnc.org/1173/ or by calling the number listed. Staff will coordinate the cleanup and trash collection with the developer/home builder.

Temporary Sediment Basins: **Water Resources** **919-362-8166**

Temporary sediment basins during construction (prior to the conversion to the final stormwater pond) are often quite unattractive. Concerns should be reported by visiting the Report a Concern page at https://www.apexnc.org/1173/ or by calling the number listed so that he can coordinate the cleaning and/or mowing of the slopes and bottom of the pond with the developer.

Stormwater Control Measures: **Water Resources** **919-362-8166**

Post-construction concerns related to Stormwater Control Measures (typically a stormwater pond) such as conversion and long-term maintenance should be reported by visiting the Report a Concern page at https://www.apexnc.org/1173/ or by calling the number listed.

Electric Utility Installation: **Electric Utilities** **919-249-3531**

Concerns with electric utility installation can be addressed by the Apex Electric Utilities Department.

How to Participate in the November 10, 2025, Neighborhood Meeting

To participate by PC, Mac, iPad, iPhone or Android device, go to http://bit.ly/48ZUY0P to register for the meeting. (Registration is necessary as we are required by the Town of Apex to have a record of attendance.)

- Upon registration, you will receive a confirmation email with instructions on how to access the meeting.
- To participate by phone, dial one of the following numbers:
  - +16468769923,,88369398626#,,,,*667020# US (New York)
  - +16469313860,,88369398626#,,,,*667020# US

Meeting ID: 883 6939 8626

Passcode: 667020

Registration QR

For attendance purposes as required by the Town of Apex, individuals participating via telephone will be unmuted and asked to identify themselves, including their name and address.

If you are having difficulty registering, you may call Sarah Van Every at **919-361-5000** or email at vanevery@mcadamsco.com prior to the meeting for assistance. If you have difficulty connecting during the meeting, please email vanevery@mcadamsco.com and the meeting link will be sent to help assist.

During the meeting, participants will be muted by default. Also, the participants' video will be off by default, i.e., only the presenters will be visible.

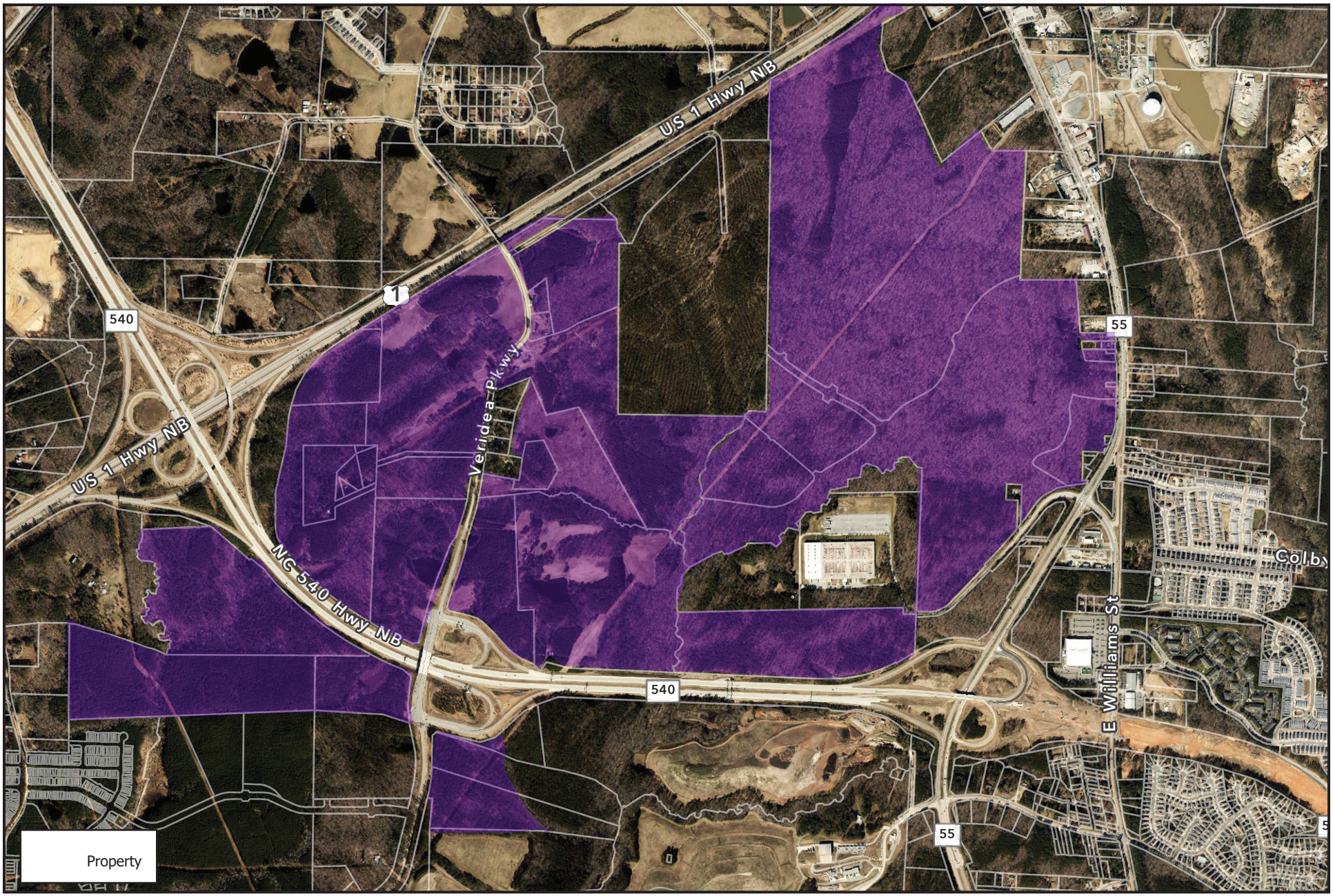
If you are participating via your computer, iPhone or Android device, you can submit questions/comments by using the Raise Hand and/or the Q&A features. We will not use the Chat feature. If you use Raise Hand, a panelist will wither unmute you to allow you to speak or to solicit your questions or comments.

If you are participating via telephone, you can submit questions/comments prior to and during the meeting via email at vanevery@mcadamsco.com.

ATTACHMENT A LIST OF PROPERTIES SUBJECT TO REZONING

PIN	REID	ACRES	OWNER	OWNER ADDRESS	DEED BOOK	PAGE #	DEED DATE	SITE ADDRESS	ZONING
0730852539	25766	54.65	RXR LEN APEX OWNER LLC GENERAL COUNSEL	625 RXR PLZ UNIONDALE NY- 11556-3815	19263	2403	2/17/2023	0 Old Holly Spings Apex Road	SD-CZ
0730865572	528142	57.52	RXR LEN APEX OWNER LLC GENERAL COUNSEL	625 RXR PLZ UNIONDALE NY- 11556-3815	19263	2403	2/17/2023	0 Veridea Parkway	SD-CZ
0730977087	359559	41.33	RXR LEN APEX OWNER LLC GENERAL COUNSEL	625 RXR PLZ UNIONDALE NY- 11556-3815	19263	2403	2/17/2023	0 Veridea Parkway	SD-CZ
0730977967	66407	10.27	RXR LEN APEX OWNER LLC GENERAL COUNSEL	625 RXR PLZ UNIONDALE NY- 11556-3815	020025	01418	9/29/2025	3142 Veridea Parkway	PUD-CZ
0730996270	55790	16.42	RXR LEN APEX OWNER LLC GENERAL COUNSEL	625 RXR PLZ UNIONDALE NY- 11556-3815	19263	2403	2/17/2023	0 US 1 HWY	SD-CZ
0740052449	407982	17.36	RXR LEN APEX OWNER LLC GENERAL COUNSEL	625 RXR PLZ UNIONDALE NY- 11556-3815	19263	2403	2/17/2023	0 Veridea Parkway	SD-CZ
0740070950	59783	0.52	RXR LEN APEX OWNER LLC GENERAL COUNSEL	625 RXR PLZ UNIONDALE NY- 11556-3815	19968	1143	7/25/2025	3134 Veridea Parkway	RR
0740078021	407983	32.28	RXR LEN APEX OWNER LLC GENERAL COUNSEL	625 RXR PLZ UNIONDALE NY- 11556-3815	19263	2403	2/17/2023	0 Veridea Parkway	RR
0740081019	78236	2.16	RXR LEN APEX OWNER LLC GENERAL COUNSEL	625 RXR PLZ UNIONDALE NY- 11556-3815	020025	01418	9/29/2025	3138 Veridea Parkway	PUD-CZ
0740082199	66408	2.09	WANG, YIFEI MEI, HUA	115 RODRIGUEZ CT SAN RAMON CA 94582-5545	18896	1725	1/27/2022	3130 Veridea Parkway	RR
0740082327	424497	0.3	WANG, YIFEI MEI, HUA	115 RODRIGUEZ CT SAN RAMON CA 94582-5545	18896	1725	1/27/2022	0 Veridea Parkway	PUD-CZ
0740167653	407980	27.29	RXR LEN APEX OWNER LLC GENERAL COUNSEL	625 RXR PLZ UNIONDALE NY- 11556-3815	19263	2403	2/17/2023	0 Veridea Parkway	RR
0740180091	107815	12.57	RXR LEN APEX OWNER LLC GENERAL COUNSEL	625 RXR PLZ UNIONDALE NY- 11556-3815	19263	2403	2/17/2023	3200 Veridea Parkway	SD-CZ
0740180331	292245	1.66	RXR LEN APEX OWNER LLC GENERAL COUNSEL	625 RXR PLZ UNIONDALE NY- 11556-3815	19263	2403	2/17/2023	0 Veridea Parkway	SD-CZ
0740191376	107812	75.63	RXR LEN APEX OWNER LLC	625 RXR PLZ UNIONDALE NY- 11556-3815	19297	1692	3/30/2023	3012 Veridea Parkway	SD-CZ
Portion of 0740240814	407981	7.27	RXR LEN APEX OWNER LLC GENERAL COUNSEL	625 RXR PLZ UNIONDALE NY- 11556-3815	19263	2403	2/17/2023	0 Veridea Parkway	SD-CZ
Portion of 0740241030	330768	22.6	RXR LEN APEX OWNER LLC GENERAL COUNSEL	625 RXR PLZ UNIONDALE NY- 11556-3815	19263	2403	2/17/2023	0 Old Holly Springs Apex Rd	SD-CZ
Portion of 0740241461	70841	22.44	RXR LEN APEX OWNER LLC GENERAL COUNSEL	625 RXR PLZ UNIONDALE NY- 11556-3815	19263	2403	2/17/2023	0 Old Holly Springs Apex Rd	SD-CZ
0740283126	243734	5	RXR LEN APEX OWNER LLC RXR MTF APEX VEHICLE LLC	625 RXR PLZ UNIONDALE NY- 11556-3815	19737	1859	10/16/2024	6300 King David Ct	RR
0740287376	107809	27.26	RXR LEN APEX OWNER LLC GENERAL COUNSEL	625 RXR PLZ UNIONDALE NY- 11556-3815	19263	2335	2/17/2023	0 Veridea Parkway	SD-CZ
0740293940	57302	1.8	RXR LEN APEX OWNER LLC GENERAL COUNSEL	625 RXR PLZ UNIONDALE NY- 11556-3815	19947	0487	6/30/2025	2945 VERIDEA PKWY	SD-CZ

0740360895	00423	82.24	RXR LEN APEX OWNER LLC GENERAL COUNSEL	625 RXR PLZ UNIONDALE NY- 11556-3815	19263	2403	2/17/2023	3220 Old Holly Springs Apex Rd	SD-CZ
0740289979	57242	37.57	RXR LEN APEX OWNER LLC GENERAL COUNSEL	625 RXR PLZ UNIONDALE NY- 11556-3815	19263	2403	2/17/2023	3009 Veridea Parkway	SD-CZ
0740489140	111766	21.54	WAKE COUNTY BOARD OF EDUCATION SERVICES SENIOR DIRECTOR	111 CORNING RD STE 100 CARY NC 27518-9299	19604	2784	5/7/2024	0 US 1 HWY	SD-CZ
0740586619	54612	24.31	RXR LEN APEX OWNER LLC GENERAL COUNSEL	625 RXR PLZ UNIONDALE NY- 11556-3815	19263	2403	2/17/2023	0 US 1 HWY	SD-CZ
0740783479	52564	162.38	RXR LEN APEX OWNER LLC GENERAL COUNSEL	625 RXR PLZ UNIONDALE NY- 11556-3815	19263	2403	2/17/2023	0 E WILLIAMS ST	SD-CZ
0740888498	28693	12.54	RXR LEN APEX OWNER LLC GENERAL COUNSEL	625 RXR PLZ UNIONDALE NY- 11556-3815	19263	2403	2/17/2023	0 E WILLIAMS ST	SD-CZ
0740990489	13417	1.14	RXR LEN APEX OWNER LLC	625 RXR PLZ UNIONDALE NY- 11556-3815	19789	0032	12/16/2024	1716 E WILLIAMS ST	SD-CZ
Portion of 0740558687	72826	50.56	GREENWAY WASTE SOLUTIONS OF APEX LLC	19109 W CATAWHA AVE STE 110 CORNELIUS NC 28031-5613			2/18/2011	0 TECHNOLOGY DR	LI
0740992174	43277	0.17	RXR LEN APEX OWNER LLC GENERAL COUNSEL	625 RXR PLZ UNIONDALE NY- 11556-3815	19263	2403	2/17/2023	0 E WILLIAMS ST	RR
0740992565	52567	0.14	RXR LEN APEX OWNER LLC GENERAL COUNSEL	625 RXR PLZ UNIONDALE NY- 11556-3815	19263	2403	2/17/2023	0 E WILLIAMS ST	SD-CZ
0740992632	362133	0.38	RXR LEN APEX OWNER LLC	625 RXR PLZ UNIONDALE NY- 11556-3815	19821	1026	1/31/2025	1712 E WILLIAMS ST	SD-CZ
0741207566	107806	32.06	RXR LEN APEX OWNER LLC	625 RXR PLZ UNIONDALE NY- 11556-3815	19947	0487	6/30/2025	2901 VERIDEA PKWY	SD-CZ
0741614057	333870	233.82	RXR LEN APEX OWNER LLC GENERAL COUNSEL	625 RXR PLZ UNIONDALE NY- 11556-3815	19263	2403	2/17/2023	0 US 1 HWY	SD-CZ
0741203157	311438	1.84	RXR LEN APEX OWNER LLC GENERAL COUNSEL	625 RXR PLZ UNIONDALE NY- 11556-3815	19263	2403	2/17/2023	2937 VERIDEA PKWY	SD-CZ
0741117192	360256	0.25	RXR LEN APEX OWNER LLC	625 RXR PLZ UNIONDALE NY- 11556-3815	19947	00487	6/30/2025	0 Veridea Parkway	RR
740389302	532759	27.1	APA VERIDEA INVESTMENTS LLC	2000 BEAR CAT WAY STE 102 MORRISVILLE NC 27560-6620	20025	1427	9/29/2025	0 Veridea Parkway	SD-CZ



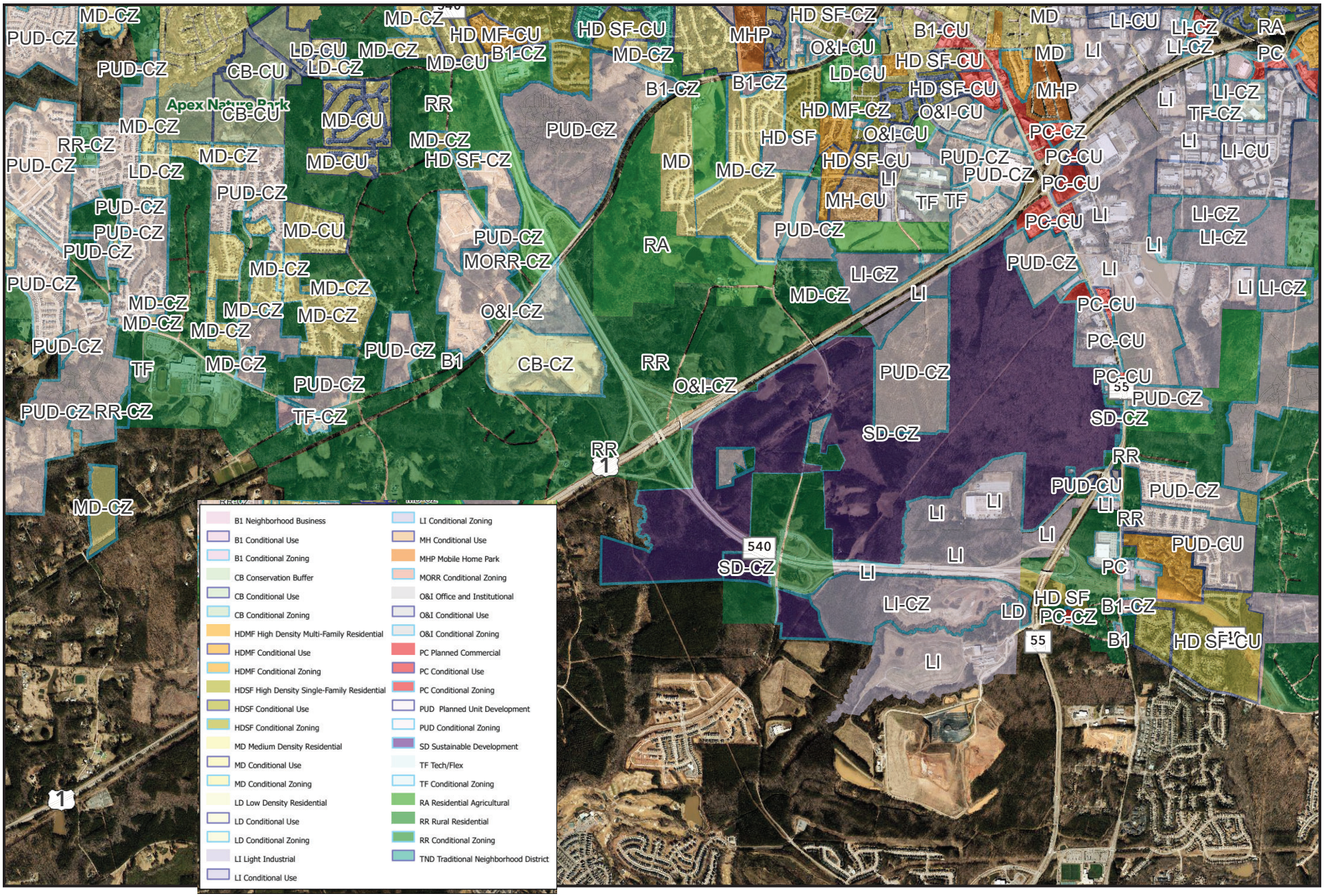
Aerial Map

N

0 800 1,600 3,200 ft

1 inch equals 1,600 feet

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



Zoning Map

N

0 1,600 3,200 6,400 ft

1 inch equals 3,200 feet

Disclaimer

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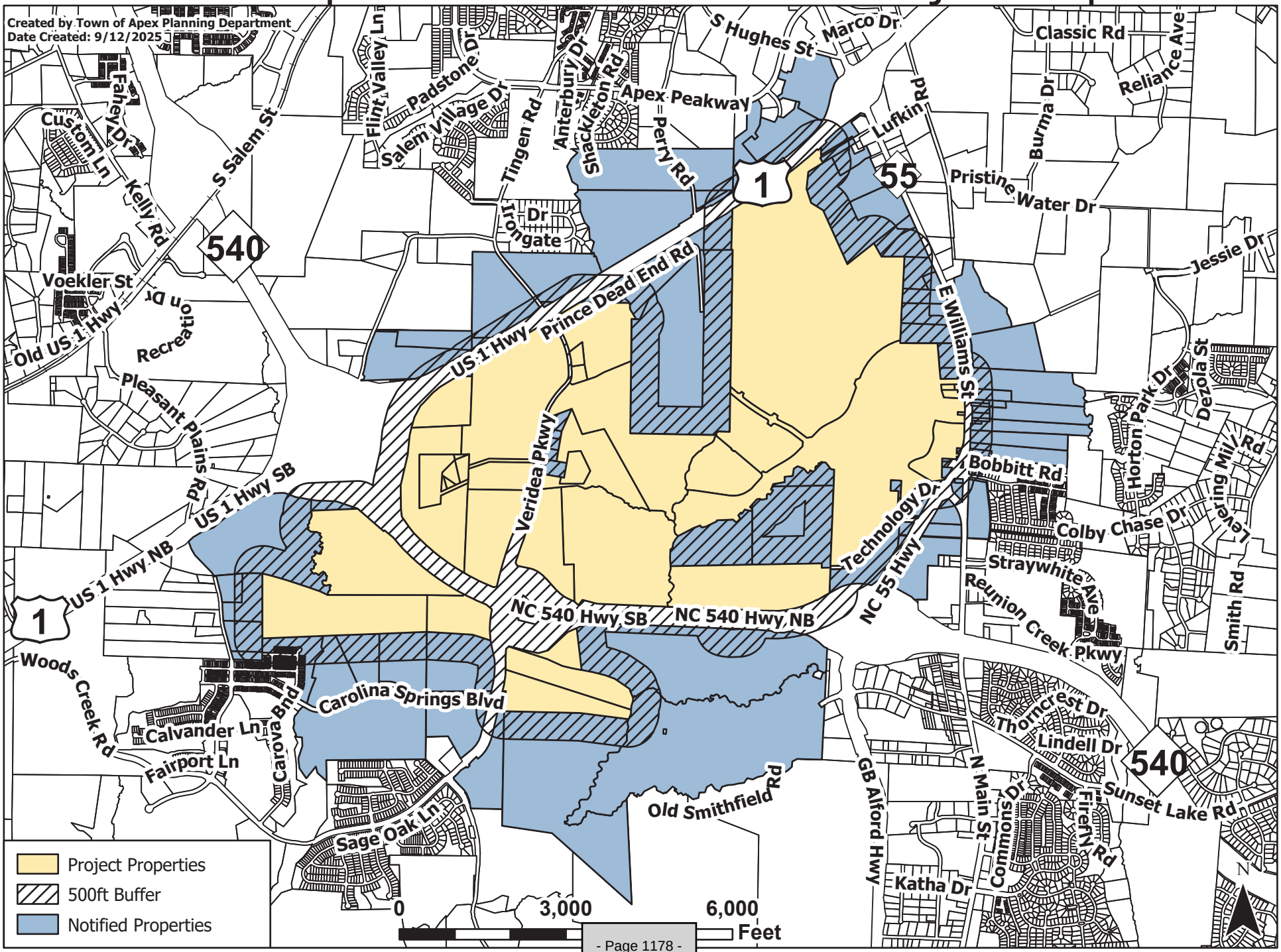
Notified Properties within 500ft of the Project Properties



Attachment A Notfication List - Verdia SD-CZ Sustainable Development Conditional Zoning Amendment

SITE ADDRESS	PIN NUMBER	OWNER	MAILING ADDRESS		
2937 VERIDEA PKWY	O741203157	RXR LEN APEX OWNER LLC	625 RXR PLZ	UNIONDALE NY 11556-3815	
2800 WOODFIELD DEAD END RD	0730652261	2MM LLC	109 OXYARD WAY	CARY NC 27519-7327	
1701 E WILLIAMS ST	0751003311	ALA COMMERCIAL LLC	700 SPRING FOREST RD STE 400	RALEIGH NC 27609-9124	
0 E WILLIAMS ST	0741915068	ALA COMMERCIAL LLC	PO BOX 98028	RALEIGH NC 27624-8028	
3138 VERIDEA PKWY	0740081019	APA VERIDEA INVESTMENTS LLC	2000 BEAR CAT WAY STE 102	MORRISVILLE NC 27560-6620	
0 E WILLIAMS ST	0741730903	APEX LODGING LLC	AJ PETERSON	PO BOX 874	APEX NC 27502-0874
1600 E WILLIAMS ST	0741815609	APEX RENT ACCOUNT LLC	1765 TOWN HOME DR	APEX NC 27502-6690	
1341 PERRY RD	0741326706	APEX TOWN OF	PO BOX 250	APEX NC 27502-0250	
1928 E WILLIAMS ST	0740877042	APEX-WILLIAMS STREET HOLDINGS, LLC	5540 YATES MILL POND RD	RALEIGH NC 27606-9688	
516 DEERCROFT DR	0730740599	ARBED, MEDHANIE HABTE HASHELIT, SENAIET YOSIEF	516 DEERCROFT DR	APEX NC 27539-8021	
601 CAROLINA SPRINGS BLVD	0730833666	AVAIL COMMUNITIES LLC	3724 NATIONAL DR STE 215	RALEIGH NC 27612-4070	
502 DEERCROFT DR	0730649539	BARBOZA, LINDA REENITA	502 DEERCROFT DR	APEX NC 27539-8021	
842 WICKHAM RIDGE RD	0740985068	BARKSDALE, IVORY III BARKSDALE, YOLANDA	842 WICKHAM RIDGE RD	APEX NC 27539-9046	
509 LIGHT OAK WAY	0730740702	BEERSINGH, CLIVE CHRISTOPHER VERNON, DONNA MARIE	3405 MOUNT PISGAH WAY	CARY NC 27519-9610	
2900 WOODFIELD DEAD END RD	0730666867	BEREMAN, BARBARA TRUSTEE	2900 WOODFIELD DEAD END RD	APEX NC 27539-6503	
0 OLD HOLLY SPRINGS APEX RD	0730778478	BEREMAN, ROBERT	2900 WOODFIELD DEAD END RD	APEX NC 27539-6503	
407 CAROVA BND	0730743694	BERTOLINO, MATTHEW JOEL CLAYTON BERTOLINO, KELSEY NI(	407 CAROVA BND	APEX NC 27539-8022	
102 RED BRUSH WAY	0730647671	BLAND, RHEMA BLAND, THYRIE	102 RED BRUSH WAY	APEX NC 27539-5801	
415 CAROVA BND	0730743792	BOBOMURODOVA, MAVLUDA	415 CAROVA BND	APEX NC 27539-8022	
2000 BROADSTONE WAY	0741640123	BROADSTONE APEX NC LP, LIMITED PARTNERSHIP	8149 SANTA MONICA BLVD STE 298	WEST HOLLYWOOD CA 90046-4912	
3137 VERIDEA PKWY	0740188176	BUSHEE, ROGER W BUSHEE, GLENDA K	3137 VERIDEA PKWY	APEX NC 27539-9202	
100 ICE BARN RD	0730844784	CALVERT HOLLY SPRINGS LAND HOLDINGS LLC	1255 CRESCENT GRN STE 460	CARY NC 27518-8143	
448 DEERCROFT DR	0730645607	CAROLINA SPRINGS OWNERS ASSOCIATION, INC.	CHARLESTON MANAGEMENT	PO BOX 97243	RALEIGH NC 27624-7243
504 DEERCROFT DR	0730649559	CHANG, BRIAN JOE CHANG, FERNANDA PASSINI	312 BRIARFIELD DR	APEX NC 27502-7037	
519 LIGHT OAK WAY	0730741712	CHEN, YI	519 LIGHT OAK WAY	APEX NC 27539-5802	
507 LIGHT OAK WAY	0730649772	CHINTAKUNTA, RAJITHA AMBAVARAM, SUDHARSAN REDDY	509 ALDEBARAN CT	CARY NC 27519-6733	
426 DEERCROFT DR	0730644661	DEL REAL, CARLOS ANTONIO BURNS, TRICIA ANNE	426 DEERCROFT DR	APEX NC 27539-8020	
503 LIGHT OAK WAY	0730649732	DODLA, SWAPNA KOTTHURU, RAVIKUMAR REDDY	1112 FOREST WILLOW LN	MORRISVILLE NC 27560-7178	
411 CAROVA BND	0730743698	DOIDGE, DARRELL MATTHEW DOIDGE, LINDSEY RAE	411 CAROVA BND	APEX NC 27539-8022	
0 PRINCE DEAD END RD	0741217259	EBT FARMS, LLC	472 HENRYS RIDGE RD	PITTSBORO NC 27312-4641	
1925 E WILLIAMS ST	0740975490	EDWARDS, JUDITH B	5936 YATES MILL POND RD	RALEIGH NC 27606-9692	
522 DEERCROFT DR	0730741559	EID, AYMAN YEHIA ABDEL MOH ABDALLAH, HEBATULLAH A A	522 DEERCROFT DR	APEX NC 27539-8021	
0 TECHNOLOGY DR	0740765322	EMC CORPORATION	171 SOUTH ST	HOPKINTON MA 01748-2208	
1900 E WILLIAMS ST	0740970313	EMPIRE ESTATE LLC	2028 MILL GATE LN	CARY NC 27519-7194	
3125 VERIDEA PKWY	0740188440	FIELDS, W J FIELDS, CATHERINE A	3125 VERIDEA PKWY	APEX NC 27539-9202	
1538 E WILLIAMS ST	0741820490	FTPA STORAGE APEX LLC	215 E 58TH ST FL 4	NEW YORK NY 10022-1296	
1610 E WILLIAMS ST	0741817563	GORE LINE PROPERTIES LLC	PO BOX 1118	GARNER NC 27529-1118	
2728 VERIDEA PKWY	0741019204	GREATER RALEIGH AREA CHRISTIAN EDUCATION INC	1101 BUCK JONES RD	RALEIGH NC 27606-3324	
5940 OLD SMITHFIELD RD	0740448719	GREENWAY WASTE SOLUTIONS OF APEX LLC	19109 W CATAWHA AVE STE 110	CORNELIUS NC 28031-5613	
0 BOBBITT RD	0740987115	HARRIS, DOVIE THORPE	5521 BOBBITT RD	APEX NC 27539-7288	
5521 BOBBITT RD	0740987220	HARRIS, ELBERT HEIRS	5521 BOBBITT RD	APEX NC 27539-7288	
104 RED BRUSH WAY	0730647672	HASHMI, SHABBIR HUSSAIN	112 CARDINAL DR	GREENVILLE NC 27858-8908	
1725 E WILLIAMS ST	0740996221	HIGDON, ANGELA HICKS HICKS, VICKY KAREN	1725 E WILLIAMS ST	APEX NC 27539-7706	
524 DEERCROFT DR	0730741588	HILL, JEFFREY KEVIN HILL, STACY LEE	102 CRAVEN HILL CT	CARY NC 27518-2226	
518 DEERCROFT DR	0730741519	HO, TOMMY	518 DEERCROFT DR	APEX NC 27539-8021	
500 DEERCROFT DR	0730649509	IRIZARRY, WILFREDO IRIZARRY, ELIZABETH	500 DEERCROFT DR	APEX NC 27539-8021	
505 LIGHT OAK WAY	0730649752	JANARDHAN, HEMACHANDER SUNDARAVEL, ANITHA	3040 SENTINEL FERRY LN	CARY NC 27519-7554	
442 DEERCROFT DR	0730646630	JAZWINSKI, MYKHAYLO JAZWINSKI, IRYNA	442 DEERCROFT DR	APEX NC 27539-8020	
422 DEERCROFT DR	0730644621	JONES, COURTNEY DOOLY	422 DEERCROFT DR	APEX NC 27539-8020	
5528 BOBBITT RD	0740986423	JONES, MARILYN S	5528 BOBBITT RD	APEX NC 27539-8767	
0 E WILLIAMS ST	0750084420	JONES, PATRICIA A	435 EYAM HALL LN	APEX NC 27502-4758	
1713 E WILLIAMS ST	0740996316	JUDD, GERTRUDE	1713 E WILLIAMS ST	APEX NC 27539-7706	
1709 E WILLIAMS ST	0740998418	KAM GROUP INC	413 CHIME CT	CARY NC 27519-5581	
419 CAROVA BND	0730743796	KARUMANCHI, AMANI	419 CAROVA BND	APEX NC 27539-8022	
1690 E WILLIAMS ST	0741807518	KENAN TRANSPORT CO	C/O CHRIS PRATO	4366 MOUNT PLEASANT ST NW	NORTH CANTON OH 44720-5446
112 RED BRUSH WAY	0730647771	KHILLARE, DEEPAK PRAKASH KHILLARE, VARSHA DEEPAK	112 RED BRUSH WAY	APEX NC 27539-5801	
525 LIGHT OAK WAY	0730741791	KOMAKULA, EASWARA V N DODDI, VANI	601 HENMORE BROOK DR	CARY NC 27519-7617	
116 RED BRUSH WAY	0730647776	KOMMISETTY, RAJESH PASUPULETI, MOUNIKA	116 RED BRUSH WAY	APEX NC 27539-5801	
2990 BROADSTONE WAY	0741534819	KRG PEAKWAY AT 55 LLC	KITE REALTY GROUP	30 S MERIDIAN ST STE 100	INDIANAPOLIS IN 46204-3510

444 DEERCROFT DR	0730646650	KUMAR, ROHIT SHIVANI, FNU	444 DEERCROFT DR	APEX NC 27539-8020	
2828 WOODFIELD DEAD END RD	0730650989	LEGACY VENTURES 1699 LLC	7852 PERCUSSION DR	APEX NC 27539-3607	
526 LIGHT OAK WAY	0730741878	LENNAR CAROLINAS LLC	ROBERT SMART	1100 PERIMETER PARK DR STE 112	MORRISVILLE NC 27560-9119
428 DEERCROFT DR	0730644691	LEUNG, CHI YIU CHENG, LOUISA K	2427 E 69TH ST	BROOKLYN NY 11234-6500	
506 DEERCROFT DR	0730649579	LEWIS, SONYA BELGRADE, NINA LEWIS	506 DEERCROFT DR	APEX NC 27539-8021	
1801 E WILLIAMS ST	0740985947	LUNSFORD, LORINE HEIRS	1801 E WILLIAMS ST	APEX NC 27539-7708	
440 DEERCROFT DR	0730646610	MA, ZE YANG, YUERAN	919 S WINCHESTER BLVD UNIT 351	SAN JOSE CA 95128-3187	
1528 E WILLIAMS ST	0741731224	MADISON APEX MF OWNER LLC	6805 CARNEGIE BLVD STE 250	CHARLOTTE NC 28211-4276	
0 E WILLIAMS ST	0741726602	MADISON APEX OWNER LLC	FLANAGAN BILTON ATT: SPERO KOPITAS	1 N LA SALLE ST STE 2100	CHICAGO IL 60602-3918
413 CAROVA BND	0730743790	MAO, WEIPENG XU, YANQIN	135 KEEGANS LN	STATEN ISLAND NY 10308-3045	
432 DEERCROFT DR	0730645621	MAZHAR, NOOR	10475 YELLOW ROSE LN	SAN DIEGO CA 92127-2880	
512 DEERCROFT DR	0730740549	MCBEATH, DARIN W MCBEATH, DARBY F	512 DEERCROFT DR	APEX NC 27539-8021	
5520 BOBBITT RD	0740986393	MEZA, ALAN SR	5520 BOBBITT RD	APEX NC 27539-8767	
530 DEERCROFT DR	0730742558	MOORE, ELI CLAYTON	530 DEERCROFT DR	APEX NC 27539-8021	
5516 BOBBITT RD	0740988300	MOORE, MARY B HEIRS	JAMES E MOORE EXEC	201 HARWOOD ST	APEX NC 27502-1805
526 DEERCROFT DR	0730742508	MUDUNDI, AKHIL VARMA TEJA ALLURI, SIVA SRI	526 DEERCROFT DR	APEX NC 27539-8021	
517 LIGHT OAK WAY	0730740792	MURRAY, AMANDA CATHERINE	517 LIGHT OAK WAY	APEX NC 27539-5802	
1717 E WILLIAMS ST	0740998381	MURRAY, MARY MURRAY, JOSHUA	1717 E WILLIAMS ST	APEX NC 27539-7706	
0 E WILLIAMS ST	0740981239	NC DEPARTMENT OF TRANSPORATION	815 STADIUM DR	DURHAM NC 27704-2713	
0 TECHNOLOGY DR	0740873248	NC DEPARTMENT OF TRANSPORTATION	815 STADIUM DR	DURHAM NC 27704-2713	
0 TINGEN RD	0730990775	NC DEPT OF TRANSPORTATION TURNPIKE AUTHORITY	PO BOX 25201	RALEIGH NC 27611-5201	
846 WICKHAM RIDGE RD	0740985009	NGUYEN, ROBERT NGUYEN, BROOKE	846 WICKHAM RIDGE RD	APEX NC 27539-9046	
5700 BOBBITT RD	0740972921	NORTON DEVELOPMENT, LLC GIGNY PARTNERS, LLC	814 GASTON WOOD CT	RALEIGH NC 27605-1403	
5524 BOBBITT RD	0740985325	NYBE, BATOUL	104 BORDEAUX LN	CARY NC 27511-6463	
1713 E WILLIAMS ST	0750096187	PAGE TWO HOLDINGS LLC	1501 HIGHWOODS BLVD STE 302	GREENSBORO NC 27410-2052	
0 E WILLIAMS ST	0750095624	PAGE TWO HOLDINGS LLC RODESSA LLC	1501 HIGHWOODS BLVD STE 302	GREENSBORO NC 27410-2052	
1714 E WILLIAMS ST	0740990631	PAGE, DAVID E HEIRS	ERIN WADE	751 GATEWAY PARK DR APT 310	RALEIGH NC 27601-2160
4800 TECHNOLOGY DR	0740871804	PARKER, CYNTHIA JOY	4729 WILLEVA DR	WAKE FOREST NC 27587-8682	
0 WICKHAM RIDGE RD	0740976903	PEMBERLEY PROPERTY OWNERS' ASSOCIATION INC	OMEGA ASSOCIATION MANAGEMENT INC	160 NE MAYNARD RD STE 210	CARY NC 27513-9676
529 LIGHT OAK WAY	0730742731	PENCHALA, SAISHASHIDHAR KONDU, NEELIMA	529 LIGHT OAK WAY	APEX NC 27539-5802	
438 DEERCROFT DR	0730645690	PENMETSA, SATISH KUMAR ALLURI, SRI SRAVANI	438 DEERCROFT DR	APEX NC 27539-8020	
446 DEERCROFT DR	0730646670	PETERSON, GEORGE AUSTIN CAMPBELL, PEYTON MARIE	446 DEERCROFT DR	APEX NC 27539-8020	
600 CAROLINA SPRINGS BLVD	0730942647	PHOENIX COMMERCIAL DEVELOPMENT LLC	3724 NATIONAL DR STE 215	RALEIGH NC 27612-4070	
531 LIGHT OAK WAY	0730742751	PINGILI, RANADEEP REDDY GOPU, VISHWESHA REDDY	531 LIGHT OAK WAY	APEX NC 27539-5802	
1650 E WILLIAMS ST	0741816234	PPTAPEX LLC	11009 DUNHAM LN	RALEIGH NC 27613-6866	
528 DEERCROFT DR	0730742528	RADWAN, OMNIA HAMDY	528 DEERCROFT DR	APEX NC 27539-8021	
508 DEERCROFT DR	0730740509	RAO, CUI LI, MENG	508 DEERCROFT DR	APEX NC 27539-8021	
1700 E WILLIAMS ST	0741900198	RAYMER, DAVID F RAYMER, SHARON L	4617 FRIENDSHIP RD	APEX NC 27539-8763	
110 RED BRUSH WAY	0730647679	REDDY PONNA, SHARATH KUMAR	110 RED BRUSH WAY	APEX NC 27539-5801	
500 LIGHT OAK WAY	0730649808	R-HEARTHSTONE LOT OPTION POOL 03 LP	HEARTHSTONE INC	23975 PARK SORRENTO STE 220	CALABASAS CA 91302-4023
1680 E WILLIAMS ST	0741807913	RIGSBEE, JAMES ERVIN	PO BOX 275	KNIGHTDALE NC 27545-0275	
1860 E WILLIAMS ST	0740889089	RITENOUR, EDWARD C JR	108 TORTOISE LN	MORRISVILLE NC 27560-7295	
527 LIGHT OAK WAY	0730742711	ROPPO, DAVID STEVEN ROPPO, CARLI EVE	527 LIGHT OAK WAY	APEX NC 27539-5802	
514 DEERCROFT DR	0730740569	ROY, ARGHYA	514 DEERCROFT DR	APEX NC 27539-8021	
0 OLD HOLLY SPRINGS APEX RD	0730852539	RXR LEN APEX OWNER LLC	GENERAL COUNSEL	625 RXR PLZ	UNIONDALE NY 11556-3815
2945 VERIDEA PKWY	0740293940	RXR LEN APEX OWNER LLC	625 RXR PLZ	UNIONDALE NY 11556-3815	
6300 KING DAVID CT	0740283126	RXR LEN APEX OWNER LLC	RXR MTF APEX VEHICLE LLC	625 RXR PLZ	UNIONDALE NY 11556-3815
5525 BOBBITT RD	0740985230	SANTIAGO, BASILIO APARICIO ROSALES, ANTONIA ORTIZ	5533 BOBBITT RD	APEX NC 27539-7288	
1548 E WILLIAMS ST	0741824172	SHELKE, SUNIL SHELKE, SUDARSHINI	314 FARROW GLEN LOOP	CARY NC 27519-6941	
501 LIGHT OAK WAY	0730649702	SHIELDS, STEPHEN TODD SHIELDS, PATRICIA ANN	PO BOX 65	HOLLY SPRINGS NC 27540-0065	
100 RED BRUSH WAY	0730647578	SINGIREDDY, GOUTAM REDDY KANKANALA, NIHARIKA	100 RED BRUSH WAY	APEX NC 27539-5801	
838 WICKHAM RIDGE RD	0740986027	SLEPCHENKO, OLGA A	838 WICKHAM RIDGE RD	APEX NC 27539-9046	
434 DEERCROFT DR	0730645651	SORATHIYA, MEHUL VINODBHAI SORATHIAY, FALGUNI MEHULBI	434 DEERCROFT DR	APEX NC 27539-8020	
0 OLD HOLLY SPRINGS APEX RD	0740044546	SOWTER, WILLIAM J SOWTER, SHERYL R	4801 LOUIS STEPHENS DR	MORRISVILLE NC 27560-8677	
0 E WILLIAMS ST	0741730848	STANLEY, JUSTIN	6624 TEN TEN RD	APEX NC 27539-8316	
0 E WILLIAMS ST	0740996013	STEELE, CALVIN HEIRS	C/O BRENDA J HAWKINS	103 DAGENHAM LN	CARY NC 27518-9054
0 E WILLIAMS ST	0740996310	STEELE, GERTRUDE	1713 E WILLIAMS ST	APEX NC 27539-7706	
0 TINGEN RD	0741331566	SURE & STEADFAST PROP LTD PTNRP	2201 CANDUN DR STE 103	APEX NC 27523-6413	
114 RED BRUSH WAY	0730647773	SUSEENDRAN, MADHUBALA SUSEENDRAN, HARI S	12 FAIRMONT DR	COLUMBUS NJ 08022-2354	
3101 TINGEN RD	0731902142	THE YOUNG MEN'S CHRISTIAN ASSOCIATION OF THE TRIAN	801 CORPORATE CENTER DR STE 200	RALEIGH NC 27607-5243	
1708 E WILLIAMS ST	0740990896	THOMPSONGAS - SMOKIES LLC	5260 WESTVIEW DR STE 200	FREDERICK MD 21703-8512	

523 LIGHT OAK WAY	0730741761	TIMMONS, CRYSTAL MCLAMB TIMMONS, GABRIEL ANTWON SR	523 LIGHT OAK WAY	APEX NC 27539-5802	
0 E WILLIAMS ST	0750085838	TRINITY APEX NORTH 100 LLC	CHET MANN	1508 VON CANNON CIR	SANFORD NC 27330-8256
2812 WOODFIELD DEAD END RD	0730654754	VKVS INVESTMENTS LLC	2812 WOODFIELD DEAD END RD	APEX NC 27539-7293	
106 RED BRUSH WAY	0730647675	VUYYURU, SANTHI	1507 INGRAHAM DR	APEX NC 27502-4765	
3705 OLD HOLLY SPRINGS APEX RD	0740026492	WAKE COUNTY	PO BOX 550	RALEIGH NC 27602-0550	
0 US 1 HWY	0740489140	WAKE COUNTY BOARD OF EDUCATION	SERVICES SENIOR DIRECTOR	111 CORNING RD STE 100	CARY NC 27518-9299
0 OLD SMITHFIELD RD	0740221454	WAKE COUNTY OF	WAKE COUNTY ATTORNEY'S OFFICE	PO BOX 550	RALEIGH NC 27602-0550
3151 APEX PEAKWAY	0741655049	WAL MART REAL ESTATE BUSINESS TRUST	WAL-MART PROPERTY TAX DEPT	PO BOX 8050	BENTONVILLE AR 72712-8055
3130 VERIDEA PKWY	0740082199	WANG, YIFEI MEI, HUA	115 RODRIGUEZ CT	SAN RAMON CA 94582-5545	
3117 VERIDEA PKWY	0740188680	WHITEHOUSE ASSETS MANAGEMENT LLC	3109 VERIDEA PKWY	APEX NC 27539-9202	
3109 VERIDEA PKWY	0740189737	WHITEHOUSE, GREGORY HENRY	3109 VERIDEA PKWY	APEX NC 27539-9202	
6400 PRINCE DEAD END RD	0741402319	WILDBIRD LLC	3024 BUCKINGHAM WAY	APEX NC 27502-8909	
0 E WILLIAMS ST	0740874476	WILLIAMS STREET PROPERTIES LLC LUND, MARCIA M	738 CASH ST	APEX NC 27502-1302	
513 LIGHT OAK WAY	0730740742	WISE, DOUGLAS ODANIEL	513 LIGHT OAK WAY	APEX NC 27539-5802	
2720 WOODFIELD DEAD END RD	0730644708	WOODFIELD ESTATE LLC	964	HIGH HOUSE RD #3050	CARY NC 27513-3574
515 LIGHT OAK WAY	0730740772	XIA, RAN	2900 JORDAN POINTE BLVD	NEW HILL NC 27562-9308	
2000 E WILLIAMS ST	0740865571	YANG, LEE CHU LEE, AMY S	223 LOCHWOOD WEST DR	CARY NC 27518-9757	
417 CAROVA BND	0730743794	YANG, XUAN	4668 WILCOX AVE	SANTA CLARA CA 95054-1388	
430 DEERCROFT DR	0730645601	YU, NORMAN YU, SUKI	8802 70TH RD	FOREST HILLS NY 11375-6620	
405 CAROVA BND	0730743691	ZHENG, WEI	522 BUXTON GRANT DR	CARY NC 27519-8691	
		Current Tenant	3151 Apex PEAKWAY	APEX NC 27502	
		Current Tenant	5516 Bobbitt RD	APEX NC 27539	
		Current Tenant	5524 Bobbitt RD	APEX NC 27539	
		Current Tenant	5525 Bobbitt RD	APEX NC 27539	
		Current Tenant	5700 Bobbitt RD	APEX NC 27539	
		Current Tenant	10110 Broadstone WAY	APEX NC 27502	
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Current Tenant	9360 Broadstone WAY	APEX NC 27502
Current Tenant	9370 Broadstone WAY	APEX NC 27502
Current Tenant	9380 Broadstone WAY	APEX NC 27502
Current Tenant	5940 Old Smithfield RD	APEX NC 27539
Current Tenant	6025 Old Smithfield RD	APEX NC 27539
Current Tenant	1341 Perry RD	APEX NC 27502
Current Tenant	5800 Technology DR	APEX NC 27539
Current Tenant	3013 Tingen RD	APEX NC 27502
Current Tenant	2728 Veridea PKWY	APEX NC 27502
Current Tenant	2937 Veridea PKWY	APEX NC 27539
Current Tenant	2945 Veridea PKWY	APEX NC 27539
Current Tenant	3009 Veridea PKWY	APEX NC 27539
Current Tenant	3012 Veridea PKWY	APEX NC 27539
Current Tenant	3105 Veridea PKWY	APEX NC 27539
Current Tenant	3117 Veridea PKWY	APEX NC 27539
Current Tenant	3130 Veridea PKWY	APEX NC 27539
Current Tenant	3134 Veridea PKWY	APEX NC 27539
Current Tenant	3138 Veridea PKWY	APEX NC 27539
Current Tenant	3142 Veridea PKWY	APEX NC 27539
Current Tenant	3229 Veridea PKWY	APEX NC 27539
Current Tenant	1400 E Williams ST	APEX NC 27539
Current Tenant	1538 E Williams ST	APEX NC 27539
Current Tenant	1600 E Williams ST	APEX NC 27539
Current Tenant	1608 E Williams ST	APEX NC 27539
Current Tenant	1610 E Williams ST	APEX NC 27539
Current Tenant	1650 E Williams ST	APEX NC 27539
Current Tenant	1670 E Williams ST	APEX NC 27539
Current Tenant	1690 E Williams ST	APEX NC 27539
Current Tenant	1709 E Williams ST	APEX NC 27539
Current Tenant	1710 E Williams ST	APEX NC 27539
Current Tenant	1712 E Williams ST	APEX NC 27539
Current Tenant	1713A E Williams ST	APEX NC 27539
Current Tenant	1729 E Williams ST	APEX NC 27539
Current Tenant	1900 E Williams ST	APEX NC 27539
Current Tenant	1928 E Williams ST	APEX NC 27539

Created by Town of Apex Planning Department
Date Created: 9/2/2025

Registration Report

Report generated time 11/20/2025 17:37

Topic	ID	Scheduled Time	Duration (minutes)	# Registrants	# Cancelled registrants	# Approved registrants	# Denied registrants
Veridea SD-CZ Zoning Amendment	883 6939 8626	11/10/2025 18:00	90	23	0	23	0

Attendee Details

First Name	Last Name	Email	Registration Time	Approval Status
Megan	Pottenger	[redacted]	10/22/2025 10:03	approved
Megan	Pottenger		10/23/2025 13:32	approved
Greg	Hobby		10/29/2025 17:13	approved
Sarah	Van Every		10/30/2025 11:39	approved
Leticia	Shapiro		10/30/2025 14:46	approved
Tricia	Kohn		10/30/2025 17:12	approved
Darin	McBeath		11/1/2025 9:27	approved
Linda Reenita	Barboza		11/6/2025 22:15	approved
David	Parker		11/7/2025 9:35	approved
Simon	George		11/7/2025 9:39	approved
James	Eason		11/7/2025 11:21	approved
Hunter	Winstead		11/10/2025 14:08	approved
Will	Noyes		11/10/2025 15:18	approved
Madeline	Fernandez		11/10/2025 17:13	approved
Selva	Mohan		11/10/2025 17:22	approved
Jason	Barron		11/10/2025 17:27	approved
Catherine	Pendergraft		11/10/2025 17:43	approved
Veerendra	Tati		11/10/2025 17:59	approved
Carol	Woodell		11/10/2025 18:21	approved
first name	last name		11/11/2025 9:13	approved
first name	last name		11/11/2025 9:13	approved
first name	last name		11/11/2025 9:13	approved
first name	last name		11/11/2025 9:13	approved

AFFIDAVIT OF CONDUCTING A NEIGHBORHOOD MEETING, SIGN-IN SHEET AND ISSUES/RESPONSES SUBMITTAL

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

I, Jason Barron, do hereby declare as follows:
Print Name

1. I have conducted a Neighborhood Meeting for the proposed Rezoning, Major Site Plan, Minor Site Plan, Residential Master Subdivision Plan, or Special Use Permit in accordance with UDO Sec. 2.2.7.B *Neighborhood Meeting*.

2. The meeting invitations were mailed to the Apex Planning Department, all property owners and tenants abutting and within 500 feet of the subject property and any neighborhood association that represents citizens in the notification area via first class mail a minimum of 14 days in advance of the Neighborhood Meeting.

3. The meeting was conducted at Virtual Zoom Meeting (location/address) on November 10, 2025 (date) from 6:00 p.m. (start time) to 7:00 p.m. (end time).

4. I have included the mailing list, meeting invitation, sign-in sheet, issue/response summary, and zoning map/reduced plans with the application.

5. I have prepared these materials in good faith and to the best of my ability.

November 21, 2025
Date

By: _____

STATE OF NORTH CAROLINA
COUNTY OF WAKE

Sworn and subscribed before me, Julia Ogden, a Notary Public for the above State and County, on this the 21 day of November, 2025.

SEAL

_____
Notary Public

Julia Ogden
Print Name

My Commission Expires: June 23, 2029

JULIA OGDEN
NOTARY PUBLIC
WAKE COUNTY, N.C.

Registration Report

Report generated time 11/20/2025 17:37

Topic	ID	Scheduled Time	Duration (minutes)	# Registrants	# Cancelled registrants	# Approved registrants	# Denied registrants
Veridea SD-CZ Zoning Amendment	883 6939 8626	11/10/2025 18:00	90	23	0	23	0

Attendee Details

First Name	Last Name	Email	Registration Time	Approval Status
Megan	Pottenger	pottenger@mcadamsco.com	10/22/2025 10:03	approved
Megan	Pottenger	megan.t.pottenger@gmail.com	10/23/2025 13:32	approved
Greg	Hobby	ghobby67@gmail.com	10/29/2025 17:13	approved
Sarah	Van Every	vanevery@mcadamsco.com	10/30/2025 11:39	approved
Leticia	Shapiro	tshapiro@morningstarlawgroup.com	10/30/2025 14:46	approved
Tricia	Kohn	kohntj619@gmail.com	10/30/2025 17:12	approved
Darin	McBeath	ddmcbeath@yahoo.com	11/1/2025 9:27	approved
Linda Reenita	Barboza	linda.r.barboza@gmail.com	11/6/2025 22:15	approved
David	Parker	David@DCInsightllc.com	11/7/2025 9:35	approved
Simon	George	Simon.george@ncchildrens.org	11/7/2025 9:39	approved
James	Eason	eason@mcadamsco.com	11/7/2025 11:21	approved
Hunter	Winstead	hwinstead@morningstarlawgroup.com	11/10/2025 14:08	approved
Will	Noyes	wnoyes@rxr.com	11/10/2025 15:18	approved
Madeline	Fernandez	mfernandez@rxr.com	11/10/2025 17:13	approved
Selva	Mohan	2mmllccary@gmail.com	11/10/2025 17:22	approved
Jason	Barron	jbarron@morningstarlawgoup.com	11/10/2025 17:27	approved
Catherine	Pendergraft	caffeep57@gmail.com	11/10/2025 17:43	approved
Veerendra	Tati	t.veerendra@gmail.com	11/10/2025 17:59	approved
Carol	Woodell	Letsgozydeco@gmail.com	11/10/2025 18:21	approved
first name	last name	test1@zoom.com	11/11/2025 9:13	approved
first name	last name	test2@zoom.com	11/11/2025 9:13	approved
first name	last name	test3@zoom.com	11/11/2025 9:13	approved
first name	last name	test4@zoom.com	11/11/2025 9:13	approved

December 3, 2025

Town of Apex
Planning Department
322 N. Mason Street
Apex, NC 27502

RE: Veridea Sustainable Development Plan Amendment for parcels south of US 1, east of I-540, and west and east of Veridea Parkway

To Whom It May Concern,

This letter is to inform you of a proposed amendment to the Veridea Sustainable Development Plan Conditional Zoning (SD-CZ) to (i) facilitate the development of the North Carolina Children's Hospital and campus, and (ii) revise certain conditions for the remainder of Veridea.

The Veridea Sustainable Development Plan was approved by the Town of Apex on May 9, 2011 (Rezoning #09CZ07).

In the summer of 2025, North Carolina Children's announced their intention to develop a new, state-of-the-art children's hospital within Veridea, bringing North Carolina's first freestanding children's hospital to the Triangle. The North Carolina Children's health care campus and its supporting uses (including but not limited to medical, research, academic, administrative, transport, patient and family respite and accommodations) have a specific set of needs for automobile and pedestrian circulation, massing, scale, and materials. These unique considerations require the enclosed technical exemptions to the SD-CZ Plan (Exhibit A).

Exhibit A proposes exemptions from technical standards found within the SD-CZ Plan. The exemptions would apply to the Hospital Site and surrounding supporting uses which will make up the campus. The exemptions that apply to the health care campus and surrounding supporting uses (including but not limited to medical, research, academic, administrative, transport, patient and family respite and accommodations, central utility plant, and adequate parking facilities) which will make up the campus are found in Part 1 of Exhibit A. These uses and parcels are approximately equivalent to +/- 193 acres of the Urban Core (UC) sustainable zone and +/- 29 acres of the Village Center (VC) sustainable zone within the Veridea development. Exemptions for the overall SD-CZ Zoned area are contained within Part 2 of Exhibit A.

Exemptions or modifications requested herein for the hospital campus relate to standards for glazing, lot width, block perimeter, build-to/maximum setbacks, rear loading, and location of parking and entrances. Exemptions or modifications requested herein for the remainder of Veridea relate to recreation land dedication, land reservation for future rail, and development thresholds. Where exemptions from text are requested, the full text is provided. Where exemptions from a table are requested, the full table is included as an attachment.

Where an exemption is granted from the SD-CZ plan, the development will default to the current UDO standards effective at the date of approval of this amendment.

A corresponding SD-CZ rezoning application has been filed in the Town's development portal.

Sincerely,

Veridea Development Team

Veridea SD Plan Amendment

Proposed Rezoning Changes

December 3, 2025

PART 1 North Carolina Children's (NCC) Campus Property

The Sustainable Development Plan south of US 1, east of I-540, and west of Veridea Parkway (PINs 0740191376, 0730996270, 0730977087, 0730977967, 0740081019, 0740070950, 0740082327, 0740082199, 0740078021, 0740180091, 0740180331, 0731902142 (portion of)) and a portion of the Sustainable Development Plan south of US 1 and east of Veridea Parkway (PINs 0741207566, 0741203157, 0740293940) (collectively, the "NCC Campus Property") will retain all of the conditions from rezoning #09CZ07 except:

Section 3.3.3 Written Statement from Responsible Person Required; Noncompliance

Modification to Section 3.3.3

Any site plan or Subdivision Plan submitted to the Town for approval for a project to be undertaken by a party other than the Responsible Person must be accompanied by a written statement from the Responsible Person indicating its approval of the Project. Such written statement shall also state the authorized development allocated to the Project (i.e., number of dwelling units and/or square feet of non-residential Retail, Office and/or Industrial Uses) as well as the development fee credits, if any, other credits, and/or liabilities and responsibilities assigned to or assumed by the Project. Provided however, any site plan or Subdivision Plan submitted to the Town for approval for a project to be undertaken on the NCC Campus Property shall not be required to be accompanied by a written statement from the Responsible Person indicating its approval of the Project. Such site plans or Subdivision Plans shall be subject to the terms of the SD Plan, as amended, and the Unified Development Ordinance where not inconsistent with the SD Plan.

Any event of non-compliance with any requirement of this SD Plan or the UDO that relates solely to a Project or Projects within Veridea shall not be attributed to Veridea as a whole, but rather shall be attributed only to that Project or Projects, such that any enforcement action taken by the Town shall be limited to the Project or Projects at issue.

In addition to any other remedy that may be available to the Town, if a violation of this SD Plan, Town Standards, Sustainability Standards applicable to Veridea or the UDO remains in existence with respect to a Project or Projects or a distinct area within Veridea after the Town complies with the procedures of UDO 11.5, the Town may withhold the issuing, approving or granting of grading permits, building permits, certificates of compliance or occupancy, site plans, subdivision plans or plats and other permits or approvals for the Project or Projects or distinct area in issue until the non-compliance is corrected and cured.

In addition to any other remedy that may be available to the Town, if a violation of this SD Plan, Town Standards, Sustainability Standards applicable to Veridea or the UDO which applies to Veridea as a whole remains in existence after the Town complies with the procedures of UDO 11.5, the Town may withhold the issuing, approving or granting of grading permits, site plans and subdivision plans or plats throughout Veridea until the non-compliance is corrected and cured.

Section 3.7: Energy Standards

Exemption from the energy efficiency goal of Section 3.7.2.v.

v. The improvement of energy performance by 20% compared to baseline building performance ratings per ASHRAE/ IESNA Standard 90.1-2004.

Section 4: Community Design Standards

Exemption from 4.2.3.a. (i. – ii.)

a. Buildings and frontages along the A-Grids shall reflect multi-modal and pedestrian standards of the SD Plan supporting pedestrian activity.
   Thoroughfares within an A-Grid Zone may be developed according to B-Grid standards subject to the following special and limiting conditions:
   i. Transition conditions within A-Grid Zones to adjacent B- Grid Zones; and
   ii. Small internal Thoroughfares of limited length to respond to a specific condition of the site or a use. Notwithstanding these special and limiting conditions, no more than 15% of the aggregate length of Thoroughfares within an A-Grid Zone may be designated as a B-Grid and follow B-Grid standards. Location and other specifics of such B-Grid Thoroughfares shall be addressed within site plans.

Exemption from 4.2.3.b (i. – iii.)

b. Buildings and frontages along the B-Grids may reflect automobile- oriented standards. B-Grids may be developed in whole or in part to A-Grid standards. It is the goal that B-Grid zones eventually become redeveloped as A-Grids. Therefore, site plans for B-Grids shall reflect in their planning and site engineering this goal by:
   i. Establishing a B-Grid Thoroughfare grid and therefore a block layout that can be redeveloped into smaller blocks exhibiting the characteristics of an A-Grid;
   ii. Establishing the B-Grid Thoroughfares in such a manner that they can be redeveloped into A-Grid Thoroughfares and frontages; and
   iii. Locating utilities and site features so that they will not prohibit the establishment of an A-Grid development pattern, and do so without significant redesign or cost impacts. Site plans for B- Grid zones shall depict both the B-Grid configuration, and conceptually reflect how the B-Grid configuration may be redeveloped into an A-Grid.

Exemption from 4.3.5 – 4.3.7

4.3.5 Village Center – A-Grid (VC A-Grid) consists of higher Density Mixed Use buildings that accommodate retail, Office, rowhouses and apartments. It has a tight network of Thoroughfares, with wide sidewalks, steady street tree planting and buildings set close to the sidewalks.

4.3.6 Village Center – B-Grid (VC B-Grid) consists of larger block sizes, and larger format uses supporting regional users. It has a coarse network of Thoroughfares, with sidewalks and steady street tree planting.

4.3.7 Urban Core – A-Grid (UC A-Grid) consists of the highest Density and height, with the greatest variety of uses, and civic buildings of regional importance. It may have larger blocks; Thoroughfares have steady street tree planting and buildings are set close to wide sidewalks.

4.3.8 Urban Core – B-Grid (UC B-Grid) consists of the highest Density and height, with predominantly Office, lab, and research uses. It may have larger blocks; streets have steady street tree planting and buildings may be set back from the sidewalks.

Exemption from 4.5.1.e. & h.

e. The Thoroughfare network shall be designed to define Blocks not exceeding the size indicated in Table 14. The perimeter shall be measured as the sum of Lot Frontage Lines.
h. Each Lot shall be bounded by a vehicular Thoroughfare, except that 20% of the Lots within each Sustainable Zone may be bounded by a Passage, so long as the Thoroughfare assembly behind such Lots is constructed to Rear Alley standards, will meet emergency vehicle access requirements and is public.

Note: If subdivided, lot dimensions and minimum public frontage standards will default to UDO standards.

Exemption from 4.5.3.a. (i. -iii.)

a. General to all zones OS, NG, NM, VC, UC
    i. The Public Frontage contributes to the character of the Sustainable Zone, and includes the requisite types of Sidewalk, Curb, Planter, bicycle parking, and street trees.
    ii. Public Frontages shall be designed as shown in Table 4A and Table 4B and allocated within Sustainable Zones as specified in Table 14d.
    iii. Within the Public Frontages, the types of Public Planting and Public Lighting shall be as shown in Table 4A, Table 4B, Table 5 and Table 6.

Note: Public frontage standards will default to the Town of Apex UDO Section 7.5.

Section 5: Building Standards

Exemption from 5.4.1.a. – g.

a. Newly platted Lots shall be dimensioned according to Table 14f and Table 15.
b. Building Disposition shall be as shown in Table 9 and Table 14i.
c. Buildings shall be disposed in relation to the boundaries of their Lots according to Table 14g, Table 14h, and Table 15.
d. One Principal Building at the Frontage and one Outbuilding to the rear of the Principal Building may be built on each Lot as shown in Table 17c.
e. Lot coverage by buildings shall not exceed that specified in Table 14f and Table 15.
f. Facades shall be built parallel to a rectilinear Principal Frontage Line or to the tangent of a curved Principal Frontage Line, and along a minimum percentage of the Frontage width at the Setback, as specified as Frontage Buildout on Table 14g and Table 15.
g. Setbacks for Principal Buildings shall be as shown in Table 14g and Table 15.

Exemption from 5.4.2.a

a. The Principal Entrance shall be on a Frontage Line.

Exemption from 5.5.1 (a., b., d., g.)

a. The Private Frontage of buildings shall conform to and be allocated in accordance with Table 7 and Table 14j.
b. Buildings on corner Lots shall have two Private Frontages as shown in Table 17. Prescriptions for the second and third Layers pertain only to the Principal Frontage. Prescriptions for the first Layer pertain to both Frontages.
d. Building stories, Stepbacks, and Expression Lines shall conform to Table 8 and Table 14j.
g. Prescriptions for the parking Layers pertain only to the Principal Frontage. Prescriptions for the first Layer pertain to both Frontages of a corner Lot.

Modification to 5.5.1. c.

c. All Facades shall be glazed with clear glass no less than 30% of the first Story, however glazing shall be no less than 50% <u>of the first Story</u> in the VC Zone A-Grid and UC Zone A-Grid areas. <u>Within the NCC Campus Property, this requirement shall only apply to buildings within 200 feet of the Veridea Parkway right-of-way with the exception of any inpatient, outpatient, or supporting medical use.</u>

Exemption from 5.5.5.e.

e. In the absence of a building Facade along any part of a Frontage Line, a Streetscreen may be built co-planar with the Facade or adjacent Facades.

Exemption from 5.8.1 (a. - c.)

a. Parking shall be accessed by Rear Alleys or Rear Lanes, when available.

b. Open parking areas and Parking Structures shall be masked from the Frontage by a Building or Streetscreen.
c. For buildings on B-Grids, open parking areas and Parking Structures are allowed unmasked on the Frontage in the front Layer, except for corner Lots at intersections with the A-Grid.

Exemption from 5.8.4 (a. & c.)

a. All parking lots, garages, and Parking Structures shall be located at the second or third Layer except along B-Grids where parking may be located in the first layer. (Table 17d)
c. Parking Structures on the A-Grid shall have Liner Buildings lining the first and second Stories.

Modification to 5.8.4.b:

1. Vehicular entrances to parking lots, garages, and Parking Structures shall ~~be no wider than 24 feet at the Frontage for A-Grid Thoroughfares. Driveways at Frontages for B-Grid Thoroughfares shall be no wider than necessary to accommodate the straight and turn lanes in the first Layer. (Table 3B.f)~~ meet the requirements found in the *Town of Apex Standard Specifications and Standard Details or be designed to accommodate the use subject to TRC approval*.

Section 6: Tables

Note: Exempted tables are included as attachments to this letter, labeled as described below.

Table 1 – Sustainable Zone Descriptions

The NCC Campus Property shall be exempt from Table 1.

Tables 3B – Vehicular Lane and Parking Assemblies

The NCC Campus Property shall be exempt from Table 3B c., d., and e. streetside parking requirements.

Tables 4A & 4B – Public Frontages

The NCC Campus Property shall be exempt from Tables 4A & 4B.

Tables 4C – Thoroughfare Assemblies

The NCC Campus Property shall be exempt from Tables 4C.

Tables 4D – Thoroughfare Cross Sections

The NCC Campus Property shall be exempt from Tables 4D.

Table 6 – Public Planting

The NCC Campus Property shall be exempt from Table 6.

Table 7 – Private Frontages

The NCC Campus Property shall be exempt from Table 7.

Table 8 – Building Configuration

The NCC Campus Property shall be exempt from Table 8.

Table 9 – Building Disposition

The NCC Campus Property shall be exempt from Table 9.

Table 13 – Civic Space

The NCC Campus Property shall be exempt from Table 13.

Table 14 – Form-Based Code Summary

The NCC Campus Property shall be exempt from the struck through standards of Table 14 as shown below relating to block perimeter, rear-loading, lot width, and building disposition for the VC and UC sustainable zones. Other applicable standards shall be amended as indicated with the callout black boxes below.

c. Block Size

c. BLOCK SIZE	OS OPEN SPACE ZONE	NG NEIGHBORHOOD GENERAL ZONE	NM NEIGHBORHOOD MIXED-USE ZONE	VC VILLAGE CENTER ZONE	UC URBAN CORE ZONE
Block Perimeter: A-Grids	no maximum	3000 ft. max	2400 ft. max	~~2000 ft. max *~~	~~2000 ft. max *~~
Block Perimeter: B-Grids	not applicable	not applicable	not applicable	~~* 3500 ft max with parking structures~~	

d. Thoroughfare

d. THOROUGHFARES (see Table 3 and Table 4)	OS OPEN SPACE ZONE	NG NEIGHBORHOOD GENERAL ZONE	NM NEIGHBORHOOD MIXED-USE ZONE	VC VILLAGE CENTER ZONE	UC URBAN CORE ZONE
Highway (HW)	permitted	permitted	not permitted	not permitted	not permitted
Boulevard (BV)	not permitted	not permitted	not permitted	permitted	permitted
Avenue (AV)	not permitted	permitted	permitted	permitted	permitted
Commercial Street (CS)	not permitted	not permitted	not permitted	permitted	permitted
Drive (DR)	not permitted	permitted	permitted	permitted	permitted
Street (ST)	permitted	permitted	permitted	permitted	not permitted
Road (RD)	permitted	permitted	not permitted	not permitted	not permitted
Rear Lane (RL)	permitted	permitted	permitted	not permitted	not permitted
Rear Alley (RA)	not permitted	permitted	required	~~required~~	~~required~~
Path (PT)	permitted	permitted	permitted	not permitted	not permitted
Passage (PS)	not permitted	permitted	permitted	permitted	permitted
Bicycle Trail (BT)	permitted	permitted	not permitted *	~~not permitted *~~	~~not permitted *~~
Bicycle Lane (BL)	permitted	permitted	permitted	permitted	permitted
Bicycle Route (BR)	permitted	permitted	permitted	permitted	permitted

Amend to "permitted"

Amend to "permitted"

f. Lot Occupation

f. LOT OCCUPATION	OS OPEN SPACE ZONE	NG NEIGHBORHOOD GENERAL ZONE	NM NEIGHBORHOOD MIXED-USE ZONE	VC VILLAGE CENTER ZONE	UC URBAN CORE ZONE
Lot Width: A-Grids	variable	25 ft. min 120 ft. max	18 ft. min 400 ft. max	~~18 ft. min 600 ft. max~~	~~18 ft. min 700 ft. max~~
Lot Width: B-Grids	not applicable	not applicable	not applicable	no max	no max

Amend to "no max"

i. Setbacks – Outbuilding

h. SETBACKS - OUTBUILDING (see Table 15)	OS OPEN SPACE ZONE	NG NEIGHBORHOOD GENERAL ZONE	NM NEIGHBORHOOD MIXED-USE ZONE	VC VILLAGE CENTER ZONE	UC URBAN CORE ZONE
(h.1) Front Setback	not applicable	20 ft. min +bldg setback	20 ft. min +bldg setback	~~40 ft. max from rear prop~~	not applicable
(h.2) Side Setback	not applicable	0 ft. or 3 ft. min	0 ft. or 3 ft. min	0 ft. min	not applicable
(h.3) Rear Setback	not applicable	3 ft. min	3 ft. min	~~3 ft. min~~	not applicable

Amend to "not applicable"

j. Building Disposition

i. BUILDING DISPOSITION (see Table 9)	OS OPEN SPACE ZONE	NG NEIGHBORHOOD GENERAL ZONE	NM NEIGHBORHOOD MIXED-USE ZONE	VC VILLAGE CENTER ZONE	UC URBAN CORE ZONE
Edgeyard	permitted	permitted	permitted	permitted	permitted
Sideyard	not permitted	permitted	permitted	permitted	~~not permitted~~
Rearyard	not permitted	permitted	permitted	permitted	permitted
Courtyard	not permitted	not permitted	permitted	permitted	permitted

Amend to "permitted"

Table 15D – Form-Based Code Graphics – VC – Village Center

The NCC Campus Property shall be exempt from the Form-based code standards in Table 15 D.

Table 15E - Form-Based Code Graphics - UC - Urban Core

The NCC Campus Property shall be exempt from the Form-based code standards in Table 15 E.

In addition to the standards and conditions of the Sustainable Development Plan for Veridea (#09CZ07), as amended, the NCC Campus Property shall comply with the following:

1. All lots shall front on a public street.
2. Hospital, behavioral health, and accessory/supportive uses including but not limited to central utility plants, shared services (i.e. laboratory, sterile processing, security, network support, logistics, housekeeping, maintenance, laundry, supply chain, dietary and food preparation), parking structures, ambulatory surgery centers (with or without Emergency Department), and physician office buildings shall be considered a Civic Use for SD Zoning and UDO regulatory requirements including calculations related to maximum development of respective uses within the SD Zoning boundary.
3. For the area west of Veridea Parkway only, four (4) bus stops shall be constructed. The location of the stops will be finalized and shown on the first Major Site Plan within the NCC Campus Property. All bus stops shall be within ¼ -mile radius of a healthcare building. Bus stops shall

meet Town of Apex Standard Specifications including landing pad, amenity pad, and pedestrian circulation path. Each bus stop (at a minimum) will include the following, pending Planning Director or designee approval:

- 1 bus shelter
- 1 trash receptacle
- 1 bench
- 2 bicycle racks
- Pedestrian connections to surrounding street network to ADA and PROWAG guidelines.

PART 2 Veridea Properties Zoned SD-CZ

The Sustainable Development Plan for Veridea (#09CZ07), is amended as follows, with additions underlined and deletions being shown by stricken-through text:

Elimination of Rail

The rail requirements of the SD Plan no longer apply. Any references within the SD Plan to rail shall not be applicable.

Modification to 3.4.2.2 Specific Recreation Requirements

Section 3.4.2.2 is deleted in its entirety and replaced as follows:

3.4.2.2 Specific Recreation Requirements

(i) Developer shall grant to the Town a public access easement over the stormwater and linear parks areas shown generally on the attached **Exhibit A-1**. Developer shall work collaboratively with the Town to program the space within this easement. The Town, in its sole discretion, shall approve all uses of the space within the easement and Developer and Town shall execute an agreement detailing scheduled uses of the easement space prior to approval of the Master Subdivision Final Plat that contains said easement;

(ii) Developer shall construct a 25,000sf programmable recreation center at its sole cost and expense to be designed with interior finishes consistent with other Town of Apex recreation center facilities. This recreation center shall be located south of Adesso Way and north of Forest Light Way as shown generally on the attached **Exhibit A-1.** The programmable recreational facility may include but is not limited to gymnasium, adaptive classroom/ program/ camp spaces, and associated support spaces such as restrooms, offices and storage to be determined in agreement with PRCR staff and as part of the developer agreement. Prior to construction of the recreation center, Town must approve the design, construction schedule, construction cost, and location of the recreation center. Construction will not

begin until Town and the Developer have executed a Development Agreement outlining the roles and obligations associated with the design and construction of the recreation center;

(iii) A site plan for this recreation center shall be submitted to the Town of Apex prior to issuance of a building permit for the 1,000th dwelling unit or platting of the 4,000th lot within Veridea, whichever comes first. Construction of this recreation center shall be completed within three (3) years of Developer's receipt of building permit approval. In the event construction has not been completed within this time, including the issuance of a Certificate of Occupancy, no building permits will be issued for any additional dwelling units within the Veridea Development until construction of the recreation center is complete.

(iv) The costs and expenses incurred by Developer in construction of the recreation facility required by subsection (iii) hereof shall be credited against parks and recreation fees due for residential development within Veridea and shall be outlined in the Development Agreement. This credit shall be in favor of Developer exclusively and may be applied by Developer from time-to-time for the permitting of residential dwellings constructed by third parties. Further, any parks and recreation fees paid for any development within Veridea prior to construction of the recreation center shall be paid over to Developer on an agreed upon schedule as construction of the recreation center progresses. In the event that parks and recreation fees-in-lieu received by the Town prior to commencement of the recreation center exceed the cost of the recreation center, such excess amounts shall be retained by the Town and all residential development within Veridea thereafter shall be required to pay applicable Parks and Recreation fees-in-lieu in accordance with Town and state requirements for the same.

(v) Subject to the foregoing, all development within Veridea shall be subject to all applicable Parks and Recreation fees-in-lieu in accordance with Town and state requirements for the same.

(vi) These Developer commitments related to the construction of the recreation center shall be reduced to a development agreement between the Town and Developer which shall be executed prior to the issuance of the 750th building permit. In addition to the foregoing terms, the Development Agreement shall include an agreed upon construction schedule for the recreation center and shall provide the Town a remedy to take over construction in the event that Developer fails to comply with said construction schedule beyond any applicable cure periods.

Modification to 3.5.3.d Land Reservation for Future Rail

~~d. Land Reservation: Land shall be reserved for the future Regional Public Transit System within Veridea. With regard to the Regional Public Transit System alignment and associated rights of way ("ROW") outside of Veridea, the location along Veridea's perimeter where the Regional Public Transit System will enter and exit Veridea in the vicinity of the interchange of US 1 with the Triangle Expressway will be determined by Triangle Transit, and/or other regional transit organization, and/or the Town. As Veridea is developed, site plans and Subdivision Plans will be shared with Triangle Transit, and/or other relevant regional transit organization, to assist such entities in the planning for and selection of the final alignment of the Regional Public Transit System.~~

~~The reservation of land to accommodate the Regional Public Transit System will be made as follows:~~

~~i. Land shall be reserved in a manner consistent with the development pattern of the Sustainability Zone in which it resides, and may overlap dedications made for other public uses such as Thoroughfares and utilities as long as the overlap is not contrary to sound planning and engineering practice that ensures that the reservation and dedication are sufficient for all planned infrastructure;~~

~~ii. Reservation shall include an area for transit station functions which shall be located within a UC zone, and shall be reserved in a manner that is in keeping with an urban development pattern of that zone as defined by the SD Plan, and may overlap reservations and, dedications made for other public uses such as Thoroughfares and utilities as long as the overlap is not contrary to sound planning and engineering practice that ensures that the reservation and dedication are sufficient for all planned infrastructure;~~

~~iii. Determination of the form, character, location, and relationship to adjacent development, relationship to other reservations and/or dedications and dimensions shall occur during site planning jointly by the Responsible Person, the TRC or Town Council, as appropriate.~~

~~iv. The reservation of land will prohibit permanent development within the designated reserve area until 2035 at which time, if there are no plans that financially commit the Triangle Transit, and/or other regional transit organization, and/or the Town to implement a regional rail plan that includes the Development, the Responsible Person may consider the reservation null and void.~~

~~v. Land reserved hereunder will be dedicated to Triangle Transit, and/or other regional transit organization, and/or the Town once the applicable entity secures funding and commits to construct the Regional Public Transit System within the Development.~~

~~vi. Buildout of any of single land use of the three (3) uses identified in Article 4.2.2.b.i-iii shall not exceed 85% of the total authorized development for the respective use, unless Town Council otherwise approves in accordance with UDO 2.3.16 F) 3) a), until the commencement of a Regional Public Transit System that will serve Veridea.~~

With the removal of regional rail from the Town's Transportation Plan, the reference to regional rail in this section shall no longer apply and shall be replaced with a requirement that a bus transit center site shall be identified within Veridea (but not within the NCC Campus Property) with the first site plan submittal that includes the area identified as the location of the Bus Transit Center on the Transit Plan Map. The site plan for the transit center shall be submitted to the Town prior to approval of the site plan or subdivision plan containing the 2,000th dwelling unit within Veridea.

Prior to approval of the site plan or subdivision plan for the 3,000th dwelling unit within Veridea, Developer shall construct and install the following Bus Transit Center Improvements:

- Restroom accessible to bus operators. In the event the recreation center required by Section 3.4.2.2 is not located within 500 feet of the Bus Transit Center, the restrooms required herein shall be constructed and installed independent of the recreation center;
- Bus layover area including at least two (2) bus layover parking spaces;

- Park and ride area including at least ten (10) standard vehicle parking spaces (inclusive of ADA space where required);
- Two bus stops (one for each direction of travel) with dimensions per the Town of Apex Standard Specification, including a thirty foot (30') landing pad between the curb and pedestrian circulation, and a six foot (6') by thirty foot (30') amenity pad behind the pedestrian circulation path. The bus stops shall include the following amenities:
    i. One (1) bus shelter (two (2) total)
    ii. One (1) trash receptacle (two (2) total)
    iii. One (1) bench (two (2) total)
    iv. Two (2) bicycle racks (four (4) total)
    v. Direct pedestrian connections to surrounding street network to ADA and PROWAG guidelines
    vi. Final location to be approved by Planning Director

The Town, in its sole discretion, will approve the design and construction of Bus Transit Center Improvements before this condition is considered satisfied. In the event that the Town provides Developer with notice that a fully funded bus route has been approved that will provide service within Veridea prior to the schedule outlined above, then the site plan for the transit center shall be submitted within six (6) months of receipt of said notice and the center shall be constructed and completed within two (2) years of receipt of permit approval for the same.

Modification to 3.5.5.g.ii Perry Road improvements

Veridea shall not exceed 50% build-out of any single land use until ~~both the interchange of Perry Road at US 1 and the interchange of Old Holly Springs Apex Road at Triangle Expressway are open to traffic~~ an overpass for Perry Road is constructed across US HWY 1 in accordance with the Apex Transportation Plan.

Exemption from 4.2.2.b maximum authorized development intensities for Hospital and Behavior Health Center Components of NCC Campus Property

Hospital, behavioral health, and accessory/supportive uses including but not limited to central utility plants, shared services (i.e. laboratory, sterile processing, security, network support, logistics, housekeeping, maintenance, laundry, supply chain, dietary and food preparation), parking structures, ambulatory surgery centers (with or without Emergency Department), and physician office buildings shall be considered a Civic Use for SD Zoning and UDO regulatory requirements including calculations related to maximum development of respective uses within the SD Zoning boundary.

Exemption from 4.2.4 Development Thresholds

Upon commencement of development work on the North Carolina Children's Hospital Campus development thresholds 1-5 contained within Section 4.2.4 shall be deemed satisfied.

Modification to Various Sections

With the exception of references within Section 3.4.2.2, all other references to “building permit” or “certificate of occupancy” as a development threshold shall be replaced with “Site Plan Final Plat or Master Subdivision Final Plat”, as determined by staff.

EXHIBIT A-1

McADAMS
PREPARED FOR:
RXR Realty



VERIDEA RECREATION FACILITY & BUS TRANSIT
APEX, NORTH CAROLINA

SCALE: 1" = 100'

RXR220003
10. 31. 2025

01

TOWN OF APEX
POST OFFICE BOX 250
APEX, NORTH CAROLINA 27502
PHONE 919-249-3426

PUBLIC NOTIFICATION OF PUBLIC HEARINGS

CONDITIONAL ZONING #25CZ18
Veridea SD-CZ Amendment

Pursuant to the provisions of North Carolina General Statutes §160D-602 and to the Town of Apex Unified Development Ordinance (UDO) Section 2.2.11, notice is hereby given of public hearings before the Planning Board and Town Council of the Town of Apex. The purpose of these hearings is to consider the following:

Applicant: Todd Rechler, RXR Realty
Authorized Agent: Jason Barron & Leticia Shapiro, Morningstar Law Group
Property Addresses: 0, 0 (portion of), 0 (portion of) Old Holly Springs Apex Rd; **0**, **0**, **0**, **0**, 0, 0, 0, 0, 0, 0, 0 (portion of), 2901, 2937, 2945, 3009, 3012, **3130**, **3134**, **3138**, **3142**, 3200, 3229 Veridea Pkwy; **0 Technology Dr (portion of)**; **6300 King David Ct**; 0, 0, 0, 0 US 1 Hwy; 0, 0, 0, 0, 1712, 1716 E. Williams St
Acreage: ±1,097.15 acres
Property Identification Numbers (PINs): 0730852539, 0730865572, 0730977087, **0730977967**, 0730996270, 0740052449, **0740070950**, **0740078021**, **0740081019**, **0740082199**, **0740082327**, **0740167653**, 0740180091, 0740180331, 0740191376, 0740240814 (portion of), 0740241030 (portion of), 0740241461 (portion of), **0740283126**, 0740287376, 0740293940, 0740360895, 0740289979, 0740489140, 0740586619, 0740783479, 0740888498, 0740990489, **0740558687 (portion of)**, 0740992174, 0740992565, 0740992632, 0741207566, 0741614057, 0741203157, **0741117192**, 0740389302
2045 Land Use Map Designation: Regional Mixed Use: Medium Density Residential/High Density Residential/Office Employment/Commercial Services/Industrial Employment
Existing Zoning of Properties: Sustainable Development-Conditional Zoning (SD-CZ #09CZ07, #23CZ01, #24CZ01, #25CZ08), Rural Residential (RR), Light Industrial (LI), & Planned Unit Development-Conditional Zoning (PUD-CZ #07CZ01)

Note: The Town Council voted on November 13, 2025, to approve Rezoning #25CZ15 which included the 10 parcels shown in bold font above from RR, LI & PUD-CZ to SD-CZ for Veridea. That rezoning may become official on December 9, 2025, prior to the public hearing for this rezoning.

Proposed Zoning of Properties: Sustainable Development-Conditional Zoning (SD-CZ)
Public Hearing Location: Apex Town Hall
Council Chamber, 2nd Floor
73 Hunter Street, Apex, North Carolina

Separate comments must be provided for the two public hearings by the deadlines specified below.

Planning Board Public Hearing Date and Time: December 8, 2025 4:30 PM

You may attend the meeting in person or view the meeting through the Town's YouTube livestream at: https://www.youtube.com/c/townofapexgov.
If you are unable to attend, you may provide a written statement by email to public.hearing@apexnc.org, or submit it to the clerk of the Planning Board, Jeri Pederson (322 N. Mason Street or USPS mail - P.O. Box 250, Apex, NC 27502), at least two business days prior to the Planning Board vote. You must provide your name and address for the record. The written statements will be delivered to the Planning Board prior to their vote. Please include the Public Hearing name in the subject line.

Town Council Public Hearing Date and Time: December 9, 2025 6:00 PM

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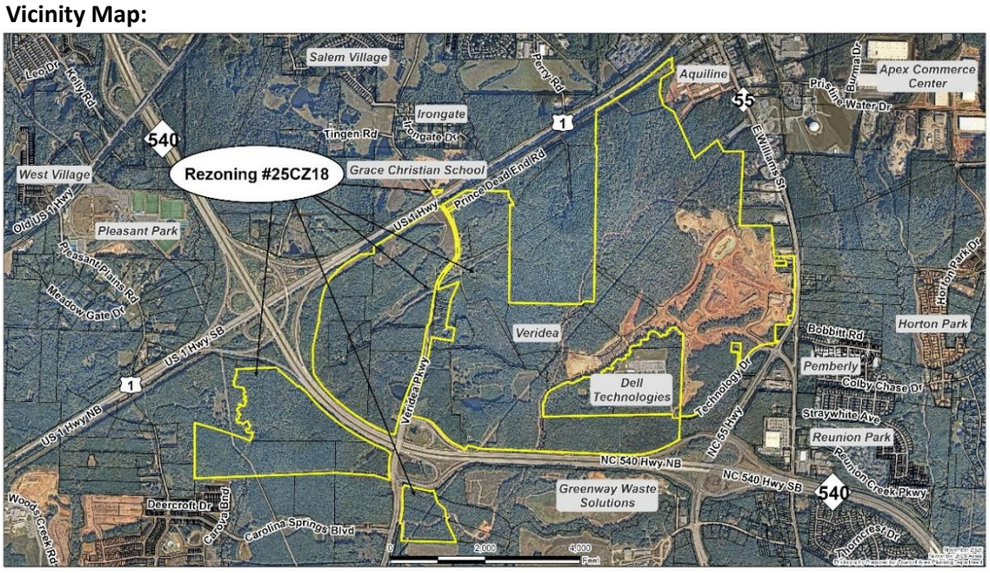
Vicinity Map:



Property owners, tenants, and neighborhood associations within 500 feet of the proposed conditional zoning have been sent this notice via first class mail. All interested parties may submit comments with respect to the application by the means specified above. In addition to the above map, the location of the property may be viewed online at https://maps.raleighnc.gov/imaps.

The 2045 Land Use Map may be viewed online at www.apexnc.org/DocumentCenter/View/478. You may call 919-249-3426, Planning Department, with questions or for further information. To view the petition and related documents on-line: https://www.apexnc.org/DocumentCenter/View/52120.

Dianne F. Khin, AICP
Planning Director

Published Dates: November 21-December 9, 2025

https://www.apexnc.org/DocumentCenter/View/52641/25CZ18-Veridea-SD-Plan-Amend...

Municode | PlanView | iMAPS | GeoCivix | Infor | ^SecurePL | Landing | Other favorites

1 of 2

TOWN OF APEX
POST OFFICE BOX 250
APEX, NORTH CAROLINA 27502
PHONE 919-249-3426

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OF PUBLIC HEARINGS
CONDITIONAL ZONING #25CZ18
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The 2045 Land Use Map may be viewed online at www.apexnc.org/DocumentCenter/View/478. You may call 919-249-3426, Planning Department, with questions or for further information. To view the petition and related documents on-line: https://www.apexnc.org/DocumentCenter/View/52120.

Dianne F. Khin, AICP
Planning Director

Published Dates: November 21-December 9, 2025

TOWN OF APEX
PO BOX 250
APEX, NORTH CAROLINA 27502
TELÉFONO 919-249-3426

NOTIFICACIÓN PÚBLICA DE AUDIENCIAS PÚBLICAS
ORDENAMIENTO TERRITORIAL CONDICIONAL #25CZ18
n Amendment

61°F Cloudy
2:19 PM 11/21/2025

TOWN OF APEX
PO BOX 250
APEX, NORTH CAROLINA 27502
TELÉFONO 919-249-3426

NOTIFICACIÓN PÚBLICA DE AUDIENCIAS PÚBLICAS

ORDENAMIENTO TERRITORIAL CONDICIONAL #25CZ18

Veridea SD Plan Amendment

De conformidad con las disposiciones de los Estatutos Generales de Carolina del Norte §160D-602 y con la Sección 2.2.11 de la Ordenanza de Desarrollo Unificado (UDO) del Ayuntamiento de Apex, por la presente se notifican las audiencias públicas ante la Junta de Planificación y el Consejo Municipal del Ayuntamiento de Apex. El propósito de estas audiencias es considerar lo siguiente:

Solicitante: Todd Rechler, RXR Realty
Agente autorizado: Jason Barron & Leticia Shapiro, Morningstar Law Group
Dirección de las propiedades: 0, 0 (portion of), 0 (portion of) Old Holly Springs Apex Rd; **0**, **0**, **0**, **0**, 0, 0, 0, 0, 0, 0, 0 (portion of), 2901, 2937, 2945, 3009, 3012, **3130**, **3134**, **3138**, **3142**, 3200, 3229 Veridea Pkwy; **0 Technology Dr (portion of)**; **6300 King David Ct**; 0, 0, 0, 0 US 1 Hwy; 0, 0, 0, 0, 1712, 1716 E. Williams St
Superficie: ±1,097.15 acres
Números de identificación de las propiedades: 0730852539, 0730865572, 0730977087, **0730977967**, 0730996270, 0740052449, **0740070950**, **0740078021**, **0740081019**, **0740082199**, **0740082327**, **0740167653**, 0740180091, 0740180331, 0740191376, 0740240814 (portion of), 0740241030 (portion of), 0740241461 (portion of), **0740283126**, 0740287376, 0740293940, 0740360895, 0740289979, 0740489140, 0740586619, 0740783479, 0740888498, 0740990489, **0740558687 (portion of)**, 0740992174, 0740992565, 0740992632, 0741207566, 0741614057, 0741203157, **0741117192**, 0740389302
Designación en el Mapa de Uso Territorial para 2045: Regional Mixed Use: Medium Density Residential/High Density Residential/Office Employment/Commercial Services/Industrial Employment
Ordenamiento territorial existente de las propiedades: Sustainable Development-Conditional Zoning (SD-CZ #09CZ07, #23CZ01, #24CZ01, #25CZ08), Rural Residential (RR), Light Industrial (LI), & Planned Unit Development-Conditional Zoning (PUD-CZ #07CZ01)

Nota: El Concejo Municipal votó el 13 de noviembre de 2025 para aprobar la Rezonificación #25CZ15, que incluía los 10 lotes mostrados en negrita arriba de RR, LI y PUD-CZ a SD-CZ para Veridea. Esa rezonificación podría volverse oficial el 9 de diciembre de 2025, antes de la audiencia pública para esta rezonificación.

Ordenamiento territorial propuesto para las propiedades: Sustainable Development-Conditional Zoning (SD-CZ)
Lugar de la audiencia pública: Ayuntamiento de Apex
Cámara del Consejo, 2º piso
73 Hunter Street, Apex, Carolina del Norte

Los comentarios para cada una de las dos audiencias públicas deben presentarse por separado en los plazos especificados a continuación.

Fecha y hora de la audiencia pública de la Junta de Planificación: 8 de diciembre de 2025 4:30 P.M.

Puede asistir a la reunión de manera presencial o seguir la transmisión en directo por YouTube a través del siguiente enlace: https://www.youtube.com/c/townofapexgov.

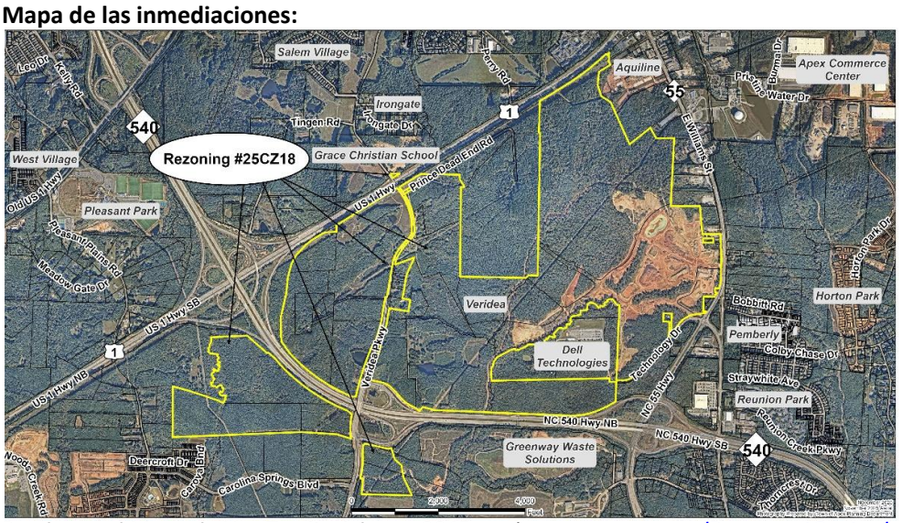
Si no puede asistir, puede enviar una declaración escrita por correo electrónico a public.hearing@apexnc.org, o presentarla a la secretaría de la Junta de Planificación, Jeri Pederson (322 N. Mason Street o por correo USPS a P.O. Box 250, Apex, NC 27502), al menos dos días hábiles antes de la votación de la Junta de Planificación. Debe proporcionar su nombre y dirección para que conste en el registro. Las declaraciones escritas se entregarán a la Junta de Planificación antes de la votación. No olvide incluir el nombre de la audiencia pública en el asunto.

Fecha y hora de la audiencia pública del Consejo Municipal: 9 de diciembre de 2025 6:00 PM

Puede asistir a la reunión de manera presencial o seguir la transmisión en directo por YouTube a través del siguiente enlace: https://www.youtube.com/c/townofapexgov.

Si no puede asistir, puede enviar una declaración escrita por correo electrónico a public.hearing@apexnc.org, o presentarla a la oficina del Secretario Municipal (73 Hunter Street o por correo USPS a P.O. Box 250, Apex, NC 27502), al menos dos días hábiles antes de la votación del Consejo Municipal. Debe proporcionar su nombre y dirección para que conste en el registro. Las declaraciones escritas se entregarán al Consejo Municipal antes de la votación. No olvide incluir el nombre de la audiencia pública en el asunto.

Mapa de las inmediaciones:



Los propietarios, inquilinos y asociaciones de vecinos en un radio de 500 pies del Ordenamiento Territorial Condicional propuesto han recibido esta notificación por correo postal de primera clase. Todas las partes interesadas pueden presentar comentarios sobre la solicitud a través de los medios especificados anteriormente. La ubicación de la propiedad también puede verse aquí: https://maps.raleighnc.gov/imaps.

Puede ver el Mapa de Uso Territorial para 2045 aquí: www.apexnc.org/DocumentCenter/View/478. Si tiene preguntas o desea obtener más información, puede comunicarse con el Departamento de Planificación al 919-249-3426. Puede ver la solicitud y otros documentos relacionados aquí: https://www.apexnc.org/DocumentCenter/View/52120.

Dianne F. Khin, AICP
Directora de Planificación

Fechas de publicación: 21 de noviembre - 9 de diciembre de 2025

https://www.apexnc.org/DocumentCenter/View/52641/25CZ18-Veridea-SD-Plan-Amend...
Municode PlanView iMAPS GeoCivix Infor ^SecurePL Landing Other favorites
2 of 2

TOWN OF APEX
PO BOX 250
APEX, NORTH CAROLINA 27502
TELÉFONO 919-249-3426

NOTIFICACIÓN PÚBLICA DE AUDIENCIAS PÚBLICAS

ORDENAMIENTO TERRITORIAL CONDICIONAL #25CZ18
Veridea SD Plan Amendment

De conformidad con las disposiciones de los Estatutos Generales de Carolina del Norte §160D-602 y con la Sección 2.2.11 de la Ordenanza de Desarrollo Unificado (UDO) del Ayuntamiento de Apex, por la presente se notifican las audiencias públicas ante la Junta de Planificación y el Consejo Municipal del Ayuntamiento de Apex. El propósito de estas audiencias es considerar lo siguiente:

Solicitante: Todd Rechler, RXR Realty
Agente autorizado: Jason Barron & Leticia Shapiro, Morningstar Law Group
Dirección de las propiedades: 0, 0 (portion of), 0 (portion of) Old Holly Springs Apex Rd; **0**, **0**, **0**, **0**, 0, 0, 0, 0, 0, 0, 0, 0 (portion of), 2901, 2937, 2945, 3009, 3012, **3130**, **3134**, **3138**, **3142**, 3200, 3229 Veridea Pkwy; **0 Technology Dr (portion of)**; **6300 King David Ct**; 0, 0, 0, 0 US 1 Hwy; 0, 0, 0, 0, 1712, 1716 E. Williams St
Superficie: ±1,097.15 acres
Números de identificación de las propiedades: 0730852539, 0730865572, 0730977087, **0730977967**, 0730996270, 0740052449, **0740070950**, **0740078021**, **0740081019**, **0740082199**, **0740082327**, **0740167653**, 0740180091, 0740180331, 0740191376, 0740240814 (portion of), 0740241030 (portion of), 0740241461 (portion of), **0740283126**, 0740287376, 0740293940, 0740360895, 0740289979, 0740489140, 0740586619, 0740783479, 0740888498, 0740990489, **0740558687 (portion of)**, 0740992174, 0740992565, 0740992632, 0741207566, 0741614057, 0741203157, **0741117192**, 0740389302
Designación en el Mapa de Uso Territorial para 2045: Regional Mixed Use: Medium Density Residential/High Density Residential/Office Employment/Commercial Services/Industrial Employment
Ordenamiento territorial existente de las propiedades: Sustainable Development-Conditional Zoning (SD-CZ #09CZ07, #23CZ01, #24CZ01, #25CZ08), Rural Residential (RR), Light Industrial (LI), & Planned Unit Development-Conditional Zoning (PUD-CZ #07CZ01)

Nota: El Concejo Municipal votó el 13 de noviembre de 2025 para aprobar la Rezonificación #25CZ15, que incluía los 10 lotes mostrados en negrita arriba de RR, LI y PUD-CZ a SD-CZ para Veridea. Esa rezonificación podría volverse oficial el 9 de diciembre de 2025, antes de la audiencia pública para esta rezonificación.

Ordenamiento territorial propuesto para las propiedades: Sustainable Development-Conditional Zoning (SD-CZ)
Lugar de la audiencia pública: Ayuntamiento de Apex
Cámara del Consejo, 2º piso
73 Hunter Street, Apex, Carolina del Norte

Los comentarios para cada una de las dos audiencias públicas deben presentarse por separado en los plazos especificados a continuación.

Fecha y hora de la audiencia pública de la Junta de Planificación: 8 de diciembre de 2025 4:30 P.M.

Puede asistir a la reunión de manera presencial o seguir la transmisión en directo por YouTube a través del siguiente enlace: https://www.youtube.com/c/townofapexgov.
Si no puede asistir, puede enviar una declaración escrita por correo electrónico a public.hearing@apexnc.org, o presentarla a la secretaría de la Junta de Planificación, Jeri Pederson (322 N. Mason Street o por correo USPS a P.O. Box 250, Apex, NC 27502), al menos dos días hábiles antes de la votación de la Junta de Planificación. Debe proporcionar su nombre y dirección para que conste en el registro. Las declaraciones escritas se entregarán a la Junta de Planificación antes de la votación. No olvide incluir el nombre de la audiencia pública en el asunto.

Fecha y hora de la audiencia pública del Consejo Municipal: 9 de diciembre de 2025 6:00 PM

Puede asistir a la reunión de manera presencial o seguir la transmisión en directo por YouTube a través del siguiente enlace: https://www.youtube.com/c/townofapexgov.
Si no puede asistir, puede enviar una declaración escrita por correo electrónico a public.hearing@apexnc.org, o presentarla a la oficina del Secretario Municipal (73 Hunter Street o por correo USPS a P.O. Box 250, Apex, NC 27502), al menos dos días hábiles antes de la votación del Consejo Municipal. Debe proporcionar su nombre y dirección para que conste en el registro. Las declaraciones escritas se entregarán al Consejo Municipal antes de la votación. No olvide incluir el nombre de la audiencia pública en el asunto.

Mapa de las inmediaciones:



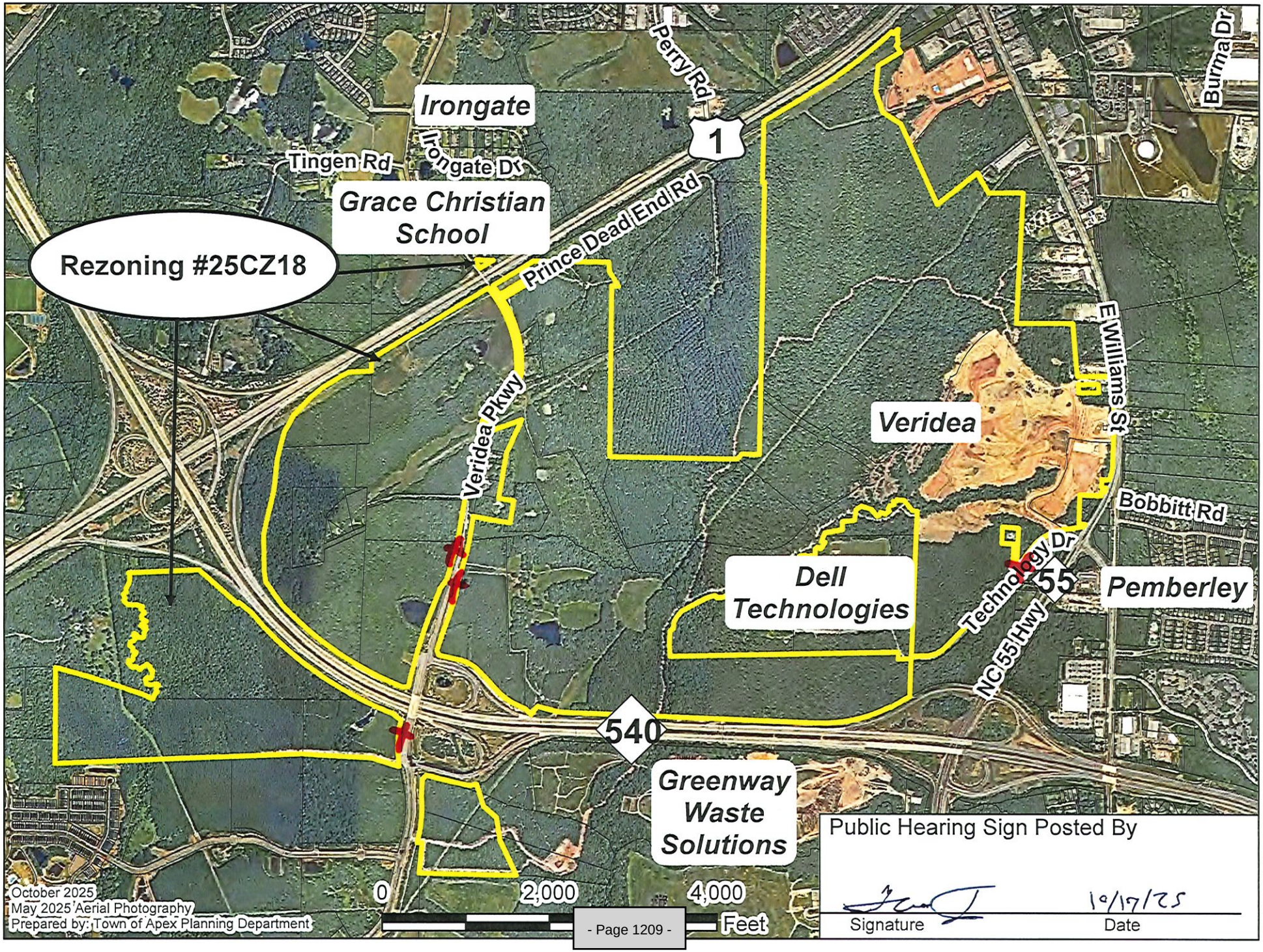
Los propietarios, inquilinos y asociaciones de vecinos en un radio de 500 pies del Ordenamiento Territorial Condicional propuesto han recibido esta notificación por correo postal de primera clase. Todas las partes interesadas pueden presentar comentarios sobre la solicitud a través de los medios especificados anteriormente. La ubicación de la propiedad también puede verse aquí: https://maps.raleighnc.gov/imaps.

Puede ver el Mapa de Uso Territorial para 2045 aquí: www.apexnc.org/DocumentCenter/View/478. Si tiene preguntas o desea obtener más información, puede comunicarse con el Departamento de Planificación al 919-249-3426. Puede ver la solicitud y otros documentos relacionados aquí: https://www.apexnc.org/DocumentCenter/View/52120.

Dianne F. Khin, AICP
Directora de Planificación

Fechas de publicación: 21 de noviembre - 9 de diciembre de 2025

61°F Cloudy
2:19 PM 11/21/2025


Irongate
Tingen Rd
Irongate Dr
Perry Rd
1
Burma Dr
Grace Christian School
Rezoning #25CZ18
Prince Dead End Rd
E Williams St
Veridea Pkwy
Veridea
Bobbitt Rd
Technology Dr
Dell Technologies
55
Pemberley
NC 55 Hwy
540
Greenway Waste Solutions
October 2025
May 2025 Aerial Photography
Prepared by: Town of Apex Planning Department
0
2,000
4,000
Feet
Public Hearing Sign Posted By
Signature
10/17/25
Date

TOWN OF APEX
POST OFFICE BOX 250
APEX, NORTH CAROLINA 27502
PHONE 919-249-3426

AFFIDAVIT CERTIFYING
Public Notification – Written (Mailed) Notice
Section 2.2.11
Town of Apex Unified Development Ordinance

Project Name:	Conditional Zoning #25CZ18 Veridea SD-CZ Amendment
Project Location:	0, 0 (portion of), 0 (portion of) Old Holly Springs Apex Rd; 0, 0, 0, 0, 0, 0, 0, 0, 0, 0, 0 (portion of), 2901, 2937, 2945, 3009, 3012, 3130, 3134, 3138, 3142, 3200, 3229 Veridea Pkwy; 0 Technology Dr (portion of); 6300 King David Ct; 0, 0, 0, 0 US 1 Hwy; 0, 0, 0, 0, 1712, 1716 E. Williams St
Applicant or Authorized Agent:	Todd Rechler
Firm:	RXR Realty
Planning Board Public Hearing Date:	December 8, 2025
Town Council Public Hearing Date:	December 9, 2025
Project Planner:	Amanda Bunce

This is to certify that I, as Planning Director, mailed or caused to have mailed by first class postage for the above mentioned project on November 21, 2025, a notice containing the time and place, location, nature and scope of the application, where additional information may be obtained, and the opportunity for interested parties to be heard, to the property owners and tenants within 500' of the land subject to notification. I further certify that I relied on information from the Wake County Tax Assessor and the Town of Apex Master Address Repository provided to me by Town of Apex GIS Staff as to accuracy of the list and accuracy of mailing addresses of property owners and tenants within 500' of the land subject to notification.

11-21-25
Date

Amanda Bunce
for Planning Director

STATE OF NORTH CAROLINA
COUNTY OF WAKE

Sworn and subscribed before me, Jeri Chastain Pederson, a Notary Public for the above State and County, this the 21 day of November, 2025.

JERI CHASTAIN PEDERSON
NOTARY PUBLIC
My Commission Expires
March 19, 2029
WAKE COUNTY, NC

Jeri Chastain Pederson
Notary Public

SEAL

My Commission Expires: 03/19/2029

| Agenda Item | cover sheet

for consideration by the Apex Town Council

Item Type: PUBLIC HEARING

Meeting Date: December 09, 2025

Item Details

Presenter(s): Allen Coleman, Town Clerk

Department(s): Town Clerk's Office

Requested Motion

Public Hearing and possible motion to approve a closing of a right-of-way (ROW) order on a portion of Walden Road located at the intersection with Evans Road to its terminus 0.34 miles (1,795 feet) North of its intersection with Evans Road

Approval Recommended?

The Town Clerk recommends the Town Council approve the order closing the portion of Walden Road as previously identified, pursuant to North Carolina General Statutes 160A-299 and the Town's adopted Policy on Closing Public Rights of Way for Streets, Roads, and Alleys.

Item Details

The Apex Town Council adopted a resolution supporting North Carolina Department of Transportation (NCDOT)'s abandonment of the described 1,795-foot portion of Walden Road on August 22, 2023. The original action should have been to abandon the road from NCDOT and the Town, however, NCDOT transferred the road to the Town of Apex.

This portion of Walden Road is an existing unpaved roadway that is located through the Friendship Village subdivision currently under construction. Based on the approved subdivision construction drawings, this portion of existing Walden Road will be closed and a new public street network will be established.

The new alignment for Walden Road, as dedicated to the Town, will extend Walden Road from the northern property boundary to the southeastern property boundary near Humie Olive Road. Access to Evans Road will be replaced by the connection of Vetrina Way across the new Walden Road alignment.

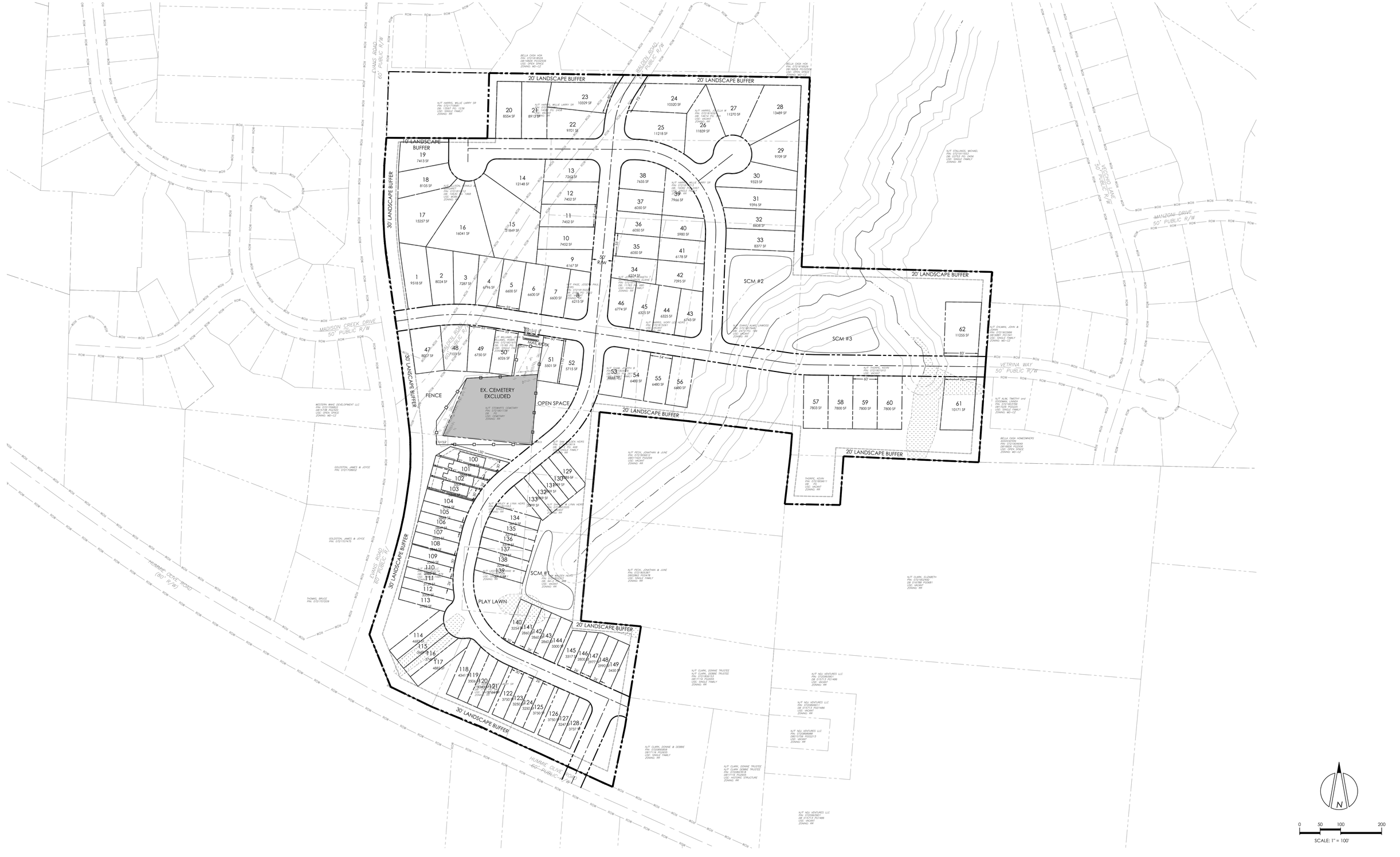
The portion closure and realignment of Walden Road will establish a safer intersection for vehicles and pedestrians at Evans Road. Furthermore, the realignment allows for a more efficient internal network of new residential streets within Friendship Village. The original function of Walden Road remains, which was to

provide access to the east from Evans Road. The portion of Walden Road to be closed is bordered on both sides by the Friendship Village subdivision, and no existing properties will lose roadway access at any time due to the Walden Road abandonment.

The Town's Technical Review Committee (comprised of many departments including transportation and infrastructure, planning, and public safety) all reviewed the submitted request and recommends Council consider this request.

Attachments

- PH6-A1: Plat Map of Requested ROW Closure Area – Portion of Walden Road
- PH6-A2: Resolution of Intent to Consider the Requested ROW Closure Area - Portion of Walden Road – Adopted October 28, 2025
- PH6-A3: Affidavit of Publication – Proposed ROW - Closure Portion of Walden Road
- PH6-A4: Policy on Closing Public Rights of Way for Streets, Roads, and Alleys
- PH6-A5: RES-2023-056 – Original Abandonment Resolution for NCDOT – Portion of Walden Road



1					
No.	DATE	REVISION	BY		

Designer:	JR	Scale:	1" = 100'
Drawn By:	JR	Date:	12/9/2020
Checked By:	JR	Job No.:	180903

EVANS ROAD ASSEMBLY
APEX, NORTH CAROLINA

BEAZER HOMES
SKETCH PLAN 3A

PEAK Engineering & Design
1125 Apex Peakway | Apex, NC 27502
phone: (919) 439-0100
www.PeakEngineering.com

Sheet No.
SP-3A

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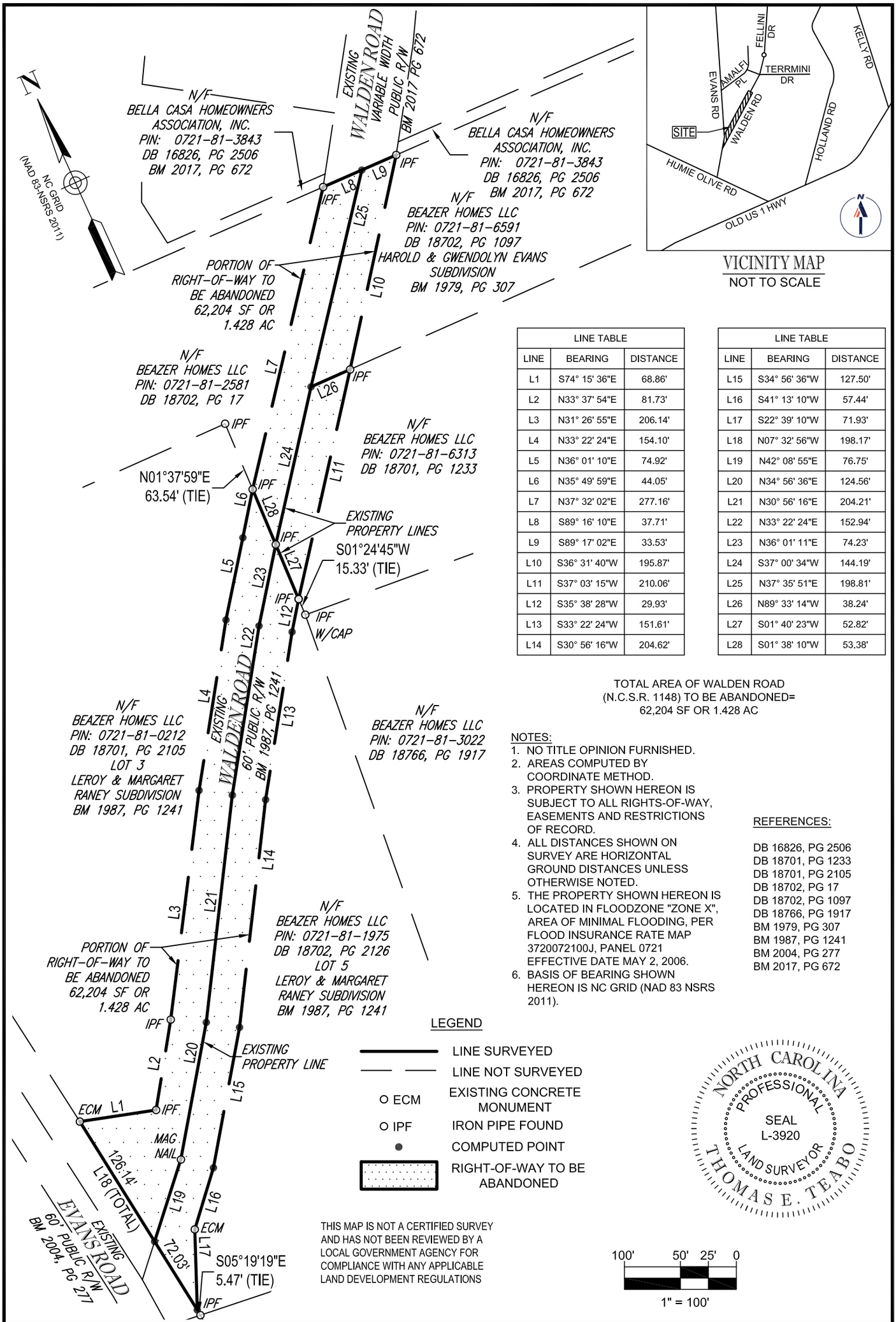

VICINITY MAP
NOT TO SCALE

LINE TABLE		
LINE	BEARING	DISTANCE
L1	S74° 15' 36"E	68.86'
L2	N33° 37' 54"E	81.73'
L3	N31° 26' 55"E	206.14'
L4	N33° 22' 24"E	154.10'
L5	N36° 01' 10"E	74.92'
L6	N35° 49' 59"E	44.05'
L7	N37° 32' 02"E	277.16'
L8	S89° 16' 10"E	37.71'
L9	S89° 17' 02"E	33.53'
L10	S36° 31' 40"W	195.87'
L11	S37° 03' 15"W	210.06'
L12	S35° 38' 28"W	29.93'
L13	S33° 22' 24"W	151.61'
L14	S30° 56' 16"W	204.62'

LINE TABLE		
LINE	BEARING	DISTANCE
L15	S34° 56' 36"W	127.50'
L16	S41° 13' 10"W	57.44'
L17	S22° 39' 10"W	71.93'
L18	N07° 32' 56"W	198.17'
L19	N42° 08' 55"E	76.75'
L20	N34° 56' 36"E	124.56'
L21	N30° 56' 16"E	204.21'
L22	N33° 22' 24"E	152.94'
L23	N36° 01' 11"E	74.23'
L24	S37° 00' 34"W	144.19'
L25	N37° 35' 51"E	198.81'
L26	N89° 33' 14"W	38.24'
L27	S01° 40' 23"W	52.82'
L28	S01° 38' 10"W	53.38'

TOTAL AREA OF WALDEN ROAD
(N.C.S.R. 1148) TO BE ABANDONED=
62,204 SF OR 1.428 AC

NOTES:
1. NO TITLE OPINION FURNISHED.
2. AREAS COMPUTED BY COORDINATE METHOD.
3. PROPERTY SHOWN HEREON IS SUBJECT TO ALL RIGHTS-OF-WAY, EASEMENTS AND RESTRICTIONS OF RECORD.
4. ALL DISTANCES SHOWN ON SURVEY ARE HORIZONTAL GROUND DISTANCES UNLESS OTHERWISE NOTED.
5. THE PROPERTY SHOWN HEREON IS LOCATED IN FLOODZONE "ZONE X", AREA OF MINIMAL FLOODING, PER FLOOD INSURANCE RATE MAP 3720072100J, PANEL 0721 EFFECTIVE DATE MAY 2, 2006.
6. BASIS OF BEARING SHOWN HEREON IS NC GRID (NAD 83 NSRS 2011).

REFERENCES:

DB 16826, PG 2506
DB 18701, PG 1233
DB 18701, PG 2105
DB 18702, PG 17
DB 18702, PG 1097
DB 18766, PG 1917
BM 1979, PG 307
BM 1987, PG 1241
BM 2004, PG 277
BM 2017, PG 672

LEGEND

- LINE SURVEYED
- LINE NOT SURVEYED
- O ECM — EXISTING CONCRETE MONUMENT
- O IPF — IRON PIPE FOUND
- COMPUTED POINT
- RIGHT-OF-WAY TO BE ABANDONED

NORTH CAROLINA PROFESSIONAL SEAL L-3920 LAND SURVEYOR THOMAS E. TEABO

THIS MAP IS NOT A CERTIFIED SURVEY AND HAS NOT BEEN REVIEWED BY A LOCAL GOVERNMENT AGENCY FOR COMPLIANCE WITH ANY APPLICABLE LAND DEVELOPMENT REGULATIONS

100' 50' 25' 0
1" = 100'

I, THOMAS E. TEABO, PLS, HEREBY CERTIFY THAT THIS PLAT WAS DRAWN UNDER MY SUPERVISION FROM AN ACTUAL SURVEY MADE UNDER MY SUPERVISION; THAT THE BOUNDARIES NOT SURVEYED ARE CLEARLY INDICATED AS DASHED LINES; THAT THE RATIO OF PRECISION AS CALCULATED IS 1:10,000+; THAT THIS PLAT WAS PREPARED IN ACCORDANCE WITH G.S. 47-30, AS AMENDED. WITNESS MY ORIGINAL SIGNATURE, REGISTRATION NUMBER AND SEAL THIS 26TH DAY OF MAY 26, A.D. 2022.

PRELIMINARY - NOT FOR RECORDATION, SALES OR CONVEYANCES

L - 3920
REGISTRATION NUMBER SURVEYOR

ABANDONMENT OF A PORTION OF:

N.C.S.R. 1148 WALDEN ROAD

TOWN OF APEX, BUCKHORN TOWNSHIP,
WAKE COUNTY, NORTH CAROLINA

NCBELS: P-1132

BOHLER
4130 PARKLAKE AVENUE, SUITE
130 RALEIGH, NORTH CAROLINA
27612 919.578.9000
www.bohlerengineering.com

DATE OF SURVEY: 05/13/2022	FILE NO. NS201007	DRAFTED: DET	DATE: 05/26/2022	CHECKED: TET

RESOLUTION NO. 2025- 065

A RESOLUTION OF INTENT OF THE TOWN COUNCIL TO CONSIDER THE CLOSING OF A PORTION OF WALDEN ROAD, LOCATED AT THE INTERSECTION WITH EVANS ROAD TO ITS TERMINUS 0.34 MILES (1,795 FEET) NORTH OF ITS INTERSECTION WITH EVANS ROAD

WHEREAS, G.S. 160A-299 authorizes the Town Council to close public streets and alleys; and

WHEREAS, the Town Council recognizes the intent of this closure is to allow the future construction of a new public street network to connect Walden Road at the northern property boundary to Evans Road and for this new public street to be dedicated as a Town road; and,

WHEREAS, the Town Council considers it advisable to conduct a public hearing for the purpose of giving consideration to the closing of a portion of Walden Road.

NOW, THEREFORE, BE IT RESOLVED by the Town Council that:

(1) A Public Hearing will held be at 6:00 p.m. on the 9th day of December, 2025, in the Town of Apex Town Council Chambers at the Apex Town Hall to consider a resolution closing of that portion of Walden Road at the intersection of Evans Road to its terminus 0.34 miles (1,795 feet) north of its intersection with Evans Road.

(2) The Town Clerk is hereby directed to publish this Resolution of Intent once a week for four successive weeks in a newspaper of general circulation in the area.

(3) The Town Clerk is further directed to transmit by registered or certified mail to each owner of property abutting upon that portion of said street a copy of this Resolution of Intent.

(4) The Town Clerk is further directed to transmit by registered or certified mail to the Department of Transportation a copy of this Resolution of Intent.

(5) The Town Clerk is further directed to cause adequate notices of this Resolution of Intent and the scheduled public hearing to be posted as required by G.S. 160A-299.

RESOLUTION NO. 2025- 065

A RESOLUTION OF INTENT OF THE TOWN COUNCIL TO CONSIDER THE CLOSING OF A PORTION OF WALDEN ROAD, LOCATED AT THE INTERSECTION WITH EVANS ROAD TO ITS TERMINUS 0.34 MILES (1,795 FEET) NORTH OF ITS INTERSECTION WITH EVANS ROAD

CONTINUED

This the 28th day of October, 2025.

Introduced by Councilmember: Zegerman

Seconded by Councilmember: Gantt

Attest:

TOWN OF APEX

Allen L. Coleman, CMC
Town Clerk

Jacques K. Gilbert
Mayor

McClatchy

The Beaufort Gazette
The Belleville News-Democrat
Bellingham Herald
Centre Daily Times
Sun Herald
Idaho Statesman
Bradenton Herald
The Charlotte Observer
The State
Ledger-Enquirer
Durham | The Herald-Sun
Fort Worth Star-Telegram
The Fresno Bee
The Island Packet
The Kansas City Star
Lexington Herald-Leader
The Telegraph - Macon
Merced Sun-Star
Miami Herald
El Nuevo Herald
The Modesto Bee
The Sun News - Myrtle Beach
Raleigh News & Observer
Rock Hill | The Herald
The Sacramento Bee
San Luis Obispo Tribune
Tacoma | The News Tribune
Tri-City Herald
The Wichita Eagle
The Olympian

AFFIDAVIT OF PUBLICATION

Account #	Order Number	Identification	Order PO	Cols	Depth
42887	IPL0286904	Legal Ad - IPL0286904	Notice Resolution 2025-065	2.0	136.0L

ATTENTION: TOWN OF APEX IP
PO BOX 250
APEX, NC 27502-2312
Apex.Invoices@apexnc.org

RESOLUTION NO. 2025-065
PUBLIC NOTICE
A RESOLUTION OF INTENT OF THE TOWN COUNCIL TO CONSIDER THE CLOSING OF A PORTION OF WALDEN ROAD, LOCATED AT THE INTERSECTION WITH EVANS ROAD TO ITS TERMINUS 0.34 MILES (1,795 FEET) NORTH OF ITS INTERSECTION WITH EVANS ROAD

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This the 28th day of October, 2025.

Introduced by Councilmember Arno Zegerman, Seconded by Councilmember Brett Gantt, and passed unanimously with the following members voting in the affirmative: Mayor Pro-Tempore Edward Gray, Councilmember Arno Zegerman, Councilmember Audra Killingsworth, Councilmember Brett Gantt, and Councilmember Terry Mahaffey. Mayor Jacques K. Gilbert presided over the meeting.

Residents may submit written comments in advance of the public hearing to the Town Council with attention marked to the Town Clerk Allen Coleman; P.O. Box 250; Apex, NC 27502 or by email at townclerk@apexnc.org. Please use subject line “Road Closure – Portion of Walden Road” and include your first and last name, your address, and your phone number in your written statements. Written comments will be accepted until 3:00 PM on Tuesday, December 9, 2025.

Members of the public can access and view the meeting on the Town’s YouTube Channel https://www.youtube.com/c/TownofApexGov or attend in-person.

Anyone needing special accommodations to attend this meeting and/or if this information is needed in an alternative format, please contact the Town Clerk’s Office. The Town Clerk is located at 73 Hunter Street in Apex Town Hall on the 2nd Floor, (email) allen.coleman@apexnc.org or (phone) 919-249-1260. We request at least 48 hours’ notice prior to the meeting to make the appropriate arrangements.

A copy of the resolution is on file in the Office of the Town Clerk’s Office and is available for public inspection Monday through Friday between the hours of 8:00 a.m. and 5:00 p.m. The Office of the Town Clerk is located on the 2nd Floor of the Apex Town Hall, 73 Hunter Street, Apex, North Carolina.

Allen L. Coleman, CMC
Apex Town Council
Town of Apex, North Carolina
IPL0286904
Nov 9,16,23,30 2025

STATE OF NORTH CAROLINA
COUNTY OF WAKE, COUNTY OF DURHAM

Before the undersigned, a Notary duly commissioned and authorized to administer oaths, affirmations, etc., personally appeared the undersigned, who being duly sworn or affirmed, according to law, doth depose and say that he or she is Accounts Receivable Specialist of the News & Observer Publishing Company, a corporation organized and doing business under the Laws of the State of North Carolina, and publishing a newspaper known as The News & Observer, Wake and State aforesaid, the said newspaper in which such notice, paper, document, or legal advertisement was published was, at the time of each and every such publication, a newspaper meeting all of the requirements and qualifications of Section 1-597 of the General Statutes of North Carolina and was a qualified newspaper within the meaning of Section 1-597 of the General Statutes of North Carolina, and that as such he or she makes this affidavit; and is familiar with the books, files and business of said corporation and by reference to the files of said publication the attached advertisement was inserted in the aforesaid newspaper on dates as follows:

4.0 insertion(s) published on:
11/09/25 Print, 11/16/25 Print, 11/23/25 Print, 11/30/25 Print

Print Tearsheet Link

Marketplace Link

Sherry Chasteen

DIGITALLY SIGNED

Sherry Chasteen

Amanda Rodela

DIGITALLY SIGNED

Sworn to and subscribed before me on Dec 1, 2025, 10:12 AM EST

NOTARY PUBLIC STATE OF TEXAS
AMANDA RODELA
ELECTRONIC NOTARY PUBLIC
STATE OF TEXAS
COMMISSION # 135511392
MY COMMISSION EXPIRES 4/15/2029

Online Notary Public. This notarial act involved the use of online audio/video communication technology. Notarization facilitated by SIGNiX®

RESOLUTION NO. 2025-065
PUBLIC NOTICE
A RESOLUTION OF INTENT OF THE TOWN COUNCIL TO CONSIDER THE CLOSING OF A PORTION OF WALDEN ROAD, LOCATED AT THE INTERSECTION WITH EVANS ROAD TO ITS TERMINUS 0.34 MILES (1,795 FEET) NORTH OF ITS INTERSECTION WITH EVANS ROAD

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This the 28th day of October, 2025.

Introduced by Councilmember Arno Zegerman, Seconded by Councilmember Brett Gantt, and passed unanimously with the following members voting in the affirmative: Mayor Pro-Tempore Edward Gray, Councilmember Arno Zegerman, Councilmember Audra Killingsworth, Councilmember Brett Gantt, and Councilmember Terry Mahaffey. Mayor Jacques K. Gilbert presided over the meeting.

Residents may submit written comments in advance of the public hearing to the Town Council with attention marked to the Town Clerk Allen Coleman; P.O. Box 250; Apex, NC 27502 or by email at townclerk@apexnc.org. Please use subject line “Road Closure – Portion of Walden Road” and include your first and last name, your address, and your phone number in your written statements. Written comments will be accepted until 3:00 PM on Tuesday, December 9, 2025.

Members of the public can access and view the meeting on the Town’s YouTube Channel https://www.youtube.com/c/TownofApexGov or attend in-person.

Anyone needing special accommodations to attend this meeting and/or if this information is needed in an alternative format, please contact the Town Clerk’s Office. The Town Clerk is located at 73 Hunter Street in Apex Town Hall on the 2nd Floor, (email) allen.coleman@apexnc.org or (phone) 919-249-1260. We request at least 48 hours’ notice prior to the meeting to make the appropriate arrangements.

A copy of the resolution is on file in the Office of the Town Clerk’s Office and is available for public inspection Monday through Friday between the hours of 8:00 a.m. and 5:00 p.m. The Office of the Town Clerk is located on the 2nd Floor of the Apex Town Hall, 73 Hunter Street, Apex, North Carolina.

Allen L. Coleman, CMC
Apex Town Council
Town of Apex, North Carolina
IPL0286904
Nov 9,16,23,30 2025

POSSIBLE ADOPTION OF A POLICY ON CLOSING PUBLIC RIGHTS OF WAY FOR STREETS, ROADS, AND ALLEYS

Background

From time to time, the Town received requests from citizens to close public rights of way. Common examples include alleys that are no longer needed or streets that have been realigned with the old rights of way superfluous to the new alignment. In general, the Town has supported the closing of such rights of way as the land generally reverts back to the adjoining and/or underlying property owners for their use. Usually, the property owners add value to their existing property.

Staff is proposing a policy that will confirm the appropriate steps by the Town and keep the Town from underwriting the costs for the process. (Example costs are public advertisement, surveys and recording.)

POLICY

1. Persons desiring to close a public right of way shall submit a letter (petition) to the Town Clerk describing the location of proposed closing, a list of adjacent property owners, a location map, and a non-refundable fee established in the Town's adopted fee schedule. The Assistant Town Manager shall review the petition and distribute to appropriate staff for review.

2. The petition and supporting documents shall be reviewed by the Town Attorney and staff in the Public Works and Utilities Department, Planning Department, and Construction Management and Engineering Departments. Staff will review the infrastructure and make a recommendation on continuing the process or denial. The Assistant Town Manager shall inform the petitioner of the recommendation and the reasons for a denial recommendation if appropriate.

   If the petitioner wishes to continue, the petitioner shall provide a survey of the proposed abandonment and other supporting documentation requested by staff. If any Town utility easement rights are required to be retained by the Town, the petitioner shall provide sufficient documentation to ensure survival of the utility easement rights. In addition, a refundable fee based on the approximate cost of completing the process shall be paid to the Town by the petitioner.

3. Once the fee is paid and documentation is supplied, the Town Attorney will prepare a resolution of intent to close the right of way. The Town Clerk shall incorporate the proposed resolution into the next available Town Council Agenda with the staff recommendation and set the public hearing date. The petitioner shall present their request to the Town Council.

4. Upon an approval of the resolution of intent by the Town Council, the Town Clerk shall provide notice of the resolution and public hearing as required by North Carolina General Statue 160A-299. The Planning Department will post required signs for the proposed abandonment.

5. If the Town Council denies the resolution of intent, no notice shall be published, the refundable fee shall be returned and the issue shall not be considered again for 180 days.

6. At the public hearing, the Town Council will consider the recommendation of the staff (which can change from original recommendation), the petitioner and the public and determine whether the closing is contrary to the public interest and any individual owning property in the vicinity of the street or alley would be deprived of reasonable means of ingress and egress to his property.

7. Upon affirmative vote, the Town Clerk shall record the necessary documents.

8. Upon a denial vote, the petition is closed and a new petition and fees shall be required for reconsideration. 180 days must pass prior to acceptance of a new petition.

RESOLUTION: 2023-056

RESOLUTION SUPPORTING ABANDONMENT OF A PORTION OF WALDEN ROAD (SR1148, WAKE COUNTY) BY THE NORTH CAROLINA DEPARTMENT OF TRANSPORTATION

WHEREAS, the Town Council is authorized to regulate the use of the public streets, sidewalks, alleys and bridges of the Town of Apex pursuant to North Carolina law; and

WHEREAS, the Town Council deems it to be efficient and appropriate for the North Carolina Department of Transportation to abandon operation and maintenance of the entirety of Walden Road from its intersection with Evans Road to its terminus .34 miles (1,795 feet) north of its intersection with Evans Road; and

WHEREAS, the Town Council recognizes the intent of the abandonment is to allow for the future construction of a new public street network to connect Walden Road at the northern property boundary to Evans Road and for this public street to be dedicated as a Town road.

NOW THEREFORE, THE TOWN COUNCIL OF THE TOWN OF APEX RESOLVES THAT the Town Council supports the abandonment of the operation and maintenance of Walden Road by the North Carolina Department of Transportation as described in this Resolution.

Motion made by Council Member Zegerman

Motion seconded by Council Member Killingsworth

With 5 Council Members voting aye.

With 0 Council Members voting no.

Adopted and effective this the 22nd day of August, 2023.

Jacques K. Gilbert
Mayor

ATTEST:

Allen L. Coleman, CMC, NCCCC
Town Clerk

APEX 1873 NORTH CAROLINA

RESOLUTION: ~~22-~~ 2622-121

RESOLUTION SUPPORTING ABANDONMENT OF A PORTION OF WALDEN ROAD (SR1148, WAKE COUNTY) BY THE NORTH CAROLINA DEPARTMENT OF TRANSPORTATION

VOIDED

WHEREAS, the Town Council is authorized to regulate the use of the public streets, sidewalks, alleys and bridges of the Town of Apex pursuant to North Carolina law; and

WHERAS, the Town currently operates and maintains a portion of Walden Road from a point 1,000 feet north of its intersection with Evans Road to its northern terminus; and

WHEREAS, the Town Council deems it to be efficient and appropriate for the North Carolina Department of Transportation to abandon operation and maintenance of Walden Road from its intersection with Evans Road to its terminus 1,000 feet north of its intersection with Evans Road; and

WHEREAS, the Town Council recognizes the intent of the abandonment is to allow for the future construction of a new public street network to connect Walden Road at the northern property boundary to Evans Road and for this public street to be dedicated as a Town road.

NOW THEREFORE, THE TOWN COUNCIL OF THE TOWN OF APEX RESOLVES THAT the Town Council supports the abandonment of the operation and maintenance of Walden Road by the North Carolina Department of Transportation as described in this Resolution.

Motion made by Council Member Killingsworth

Motion seconded by Council Member Stallings

With 5 Council Members voting aye.

With 0 Council Members voting no.

Adopted and effective this the 11th day of October, 2022.

Jacques K. Gilbert
Mayor

ATTEST:

Allen L. Coleman, CMC, NCCCC
Town Clerk

APEX 1873 NORTH CAROLINA

RAMEY KEMP ASSOCIATES
Moving forward.

T 919 872 5115

5808 Faringdon Place
Raleigh, NC 27609

June 6, 2022

Russell H. Dalton, PE
Town of Apex
Russell.Dalton@apexnc.org
P: (919)-249-3358

Subject: Right-of-Way Abandonment Request for Walden Road
Evans Road Assembly in Apex

Dear Mr. Dalton:

This letter is provided as part of a request for right-of-way abandonment of a portion of Walden Road located between the Bella Casa neighborhood and Evans Road. This portion of Walden Road is an existing unpaved roadway that is located through the Evans Road Assembly development property. This portion of Walden Road is maintained by the North Carolina Department of Transportation (NCDOT) and would require an official approval by NCDOT to abandon the right-of-way. It is our understanding that NCDOT will require Town Council approval of the right-of-way abandonment request to continue with the process.

Based on site plan, the portion of existing Walden Road would be abandoned and a new public street network would be established to connect Walden Road at the northern property boundary to Evans Road. The new public streets would be Town roads. The functional purpose of existing Walden Road will remain which is to connect the property to Evans Road.

A plat is attached that provides a description of the right-of-way being requested for abandonment. Also attached is a site plan that illustrates the new street connectivity within the Evans Road Assembly development. We are requesting your review of this proposal and to forward the request to Town Council for approval.

If you should have any questions regarding this letter, please feel free to contact me at (919) 872-5115.

Sincerely,



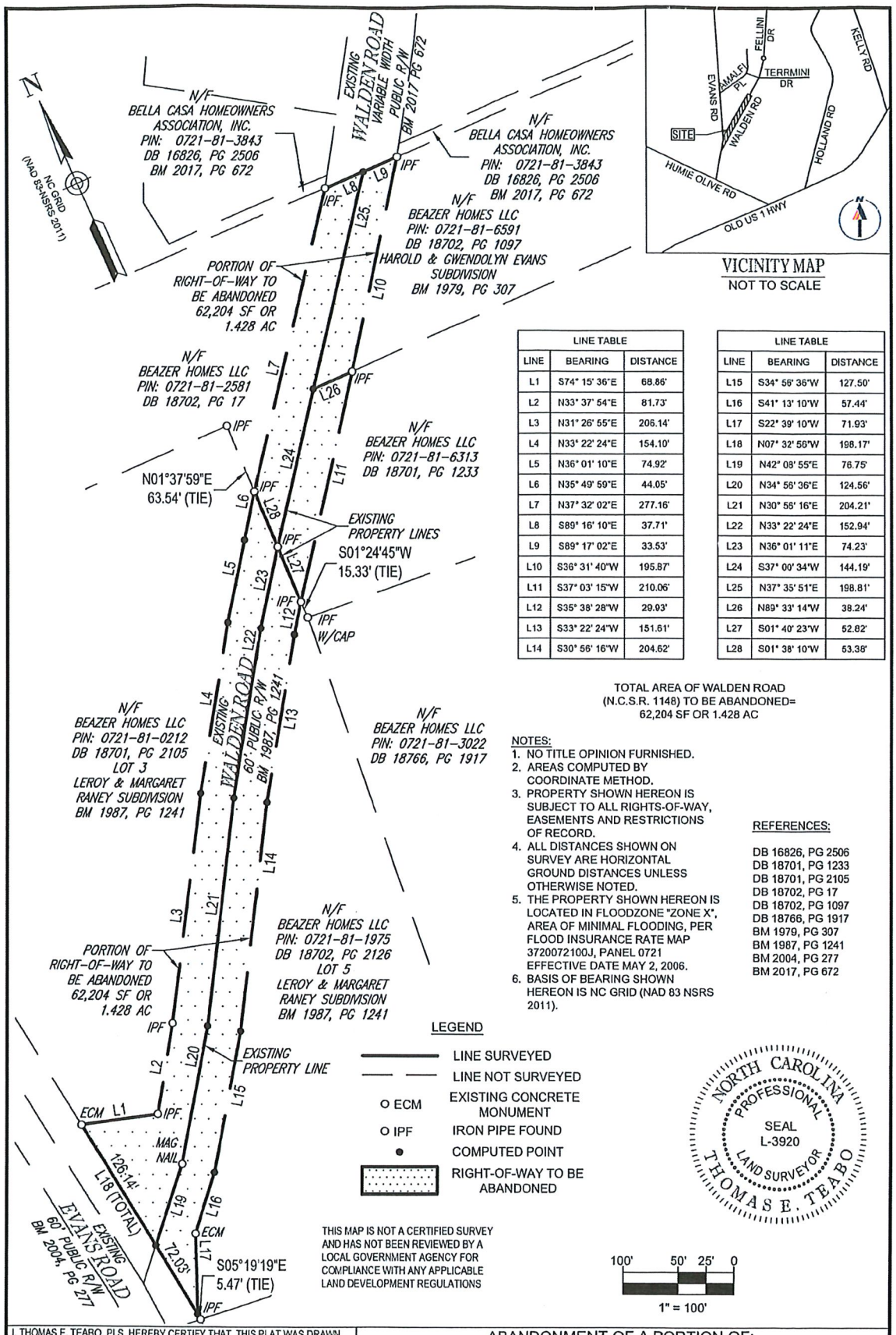
Rynal Stephenson, P.E.
Director of North Carolina
RAMEY KEMP & ASSOCIATES, INC.

NC Corporate License #C-0910

6/6/2022

Attachments: Site Plan for Evans Road Assemblage
Walden Road Plat

cc: Sean Brennan, PE, NCDOT
Edwin Fenner, PE, NCDOT
Serge Grebenschikov, PE, Town of Apex
Jeremy Warren, PE, NCDOT



LINE TABLE		
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TOTAL AREA OF WALDEN ROAD (N.C.S.R. 1148) TO BE ABANDONED= 62,204 SF OR 1.428 AC

NOTES:
1. NO TITLE OPINION FURNISHED.
2. AREAS COMPUTED BY COORDINATE METHOD.
3. PROPERTY SHOWN HEREON IS SUBJECT TO ALL RIGHTS-OF-WAY, EASEMENTS AND RESTRICTIONS OF RECORD.
4. ALL DISTANCES SHOWN ON SURVEY ARE HORIZONTAL GROUND DISTANCES UNLESS OTHERWISE NOTED.
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6. BASIS OF BEARING SHOWN HEREON IS NC GRID (NAD 83 NSRS 2011).

REFERENCES:

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LEGEND

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NORTH CAROLINA PROFESSIONAL SEAL L-3920 LAND SURVEYOR THOMAS E. TEABO

THIS MAP IS NOT A CERTIFIED SURVEY AND HAS NOT BEEN REVIEWED BY A LOCAL GOVERNMENT AGENCY FOR COMPLIANCE WITH ANY APPLICABLE LAND DEVELOPMENT REGULATIONS

100' 50' 25' 0

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PRELIMINARY - NOT FOR RECORDATION, SALES OR CONVEYANCES

L - 3920
REGISTRATION NUMBER SURVEYOR

ABANDONMENT OF A PORTION OF:

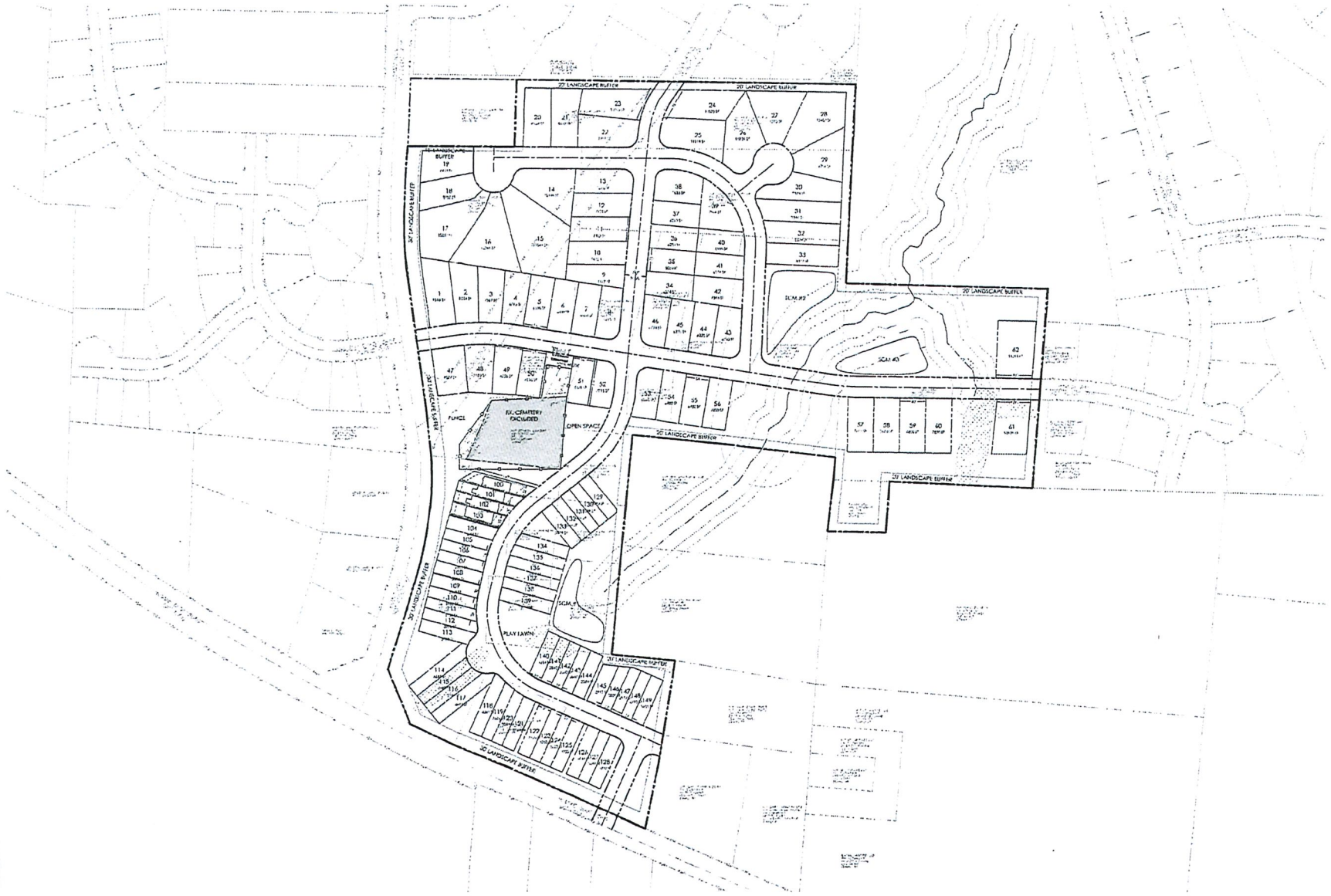
N.C.S.R. 1148 WALDEN ROAD

TOWN OF APEX, BUCKHORN TOWNSHIP,
WAKE COUNTY, NORTH CAROLINA

NCBELS: P-1132

BOHLER
4130 PARKLAKE AVENUE, SUITE 130 RALEIGH, NORTH CAROLINA 27612 919.578.9000
www.bohlerengineering.com

DATE OF SURVEY	PROJECT NO.	DRAFTED: DET	DATE: 05/26/2022	CHECKED: TET
	NS201007			



Designer:	JR	Scale:	1" = 100'	EVANS ROAD ASSEMBLY APEX, NORTH CAROLINA	BEAZER HOMES SKETCH PLAN 3A
Drawn By:	JR	Date:	12/9/2020		
Checked By:	JR	Job No.:	180903		

PEAK Engineering & Design
1125 Apex Parkway | Apex, NC 27502
phone: (919) 439-0180
www.PeakEngineering.com

Sheet No. SP-3A

© 2020 Peak Engineering & Design, All rights reserved

RAMEY KEMP ASSOCIATES
Moving forward.

T 919 872 5115

5808 Faringdon Place
Raleigh, NC 27609

June 6, 2022

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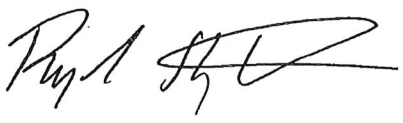

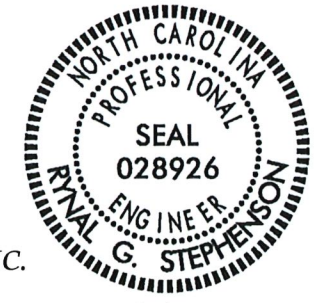

Rynal Stephenson, P.E.
Director of North Carolina
RAMEY KEMP & ASSOCIATES, INC.

6/6/2022

NC Corporate License #C-0910

RKA ramey kemp

Transportation
Consulting
that moves us
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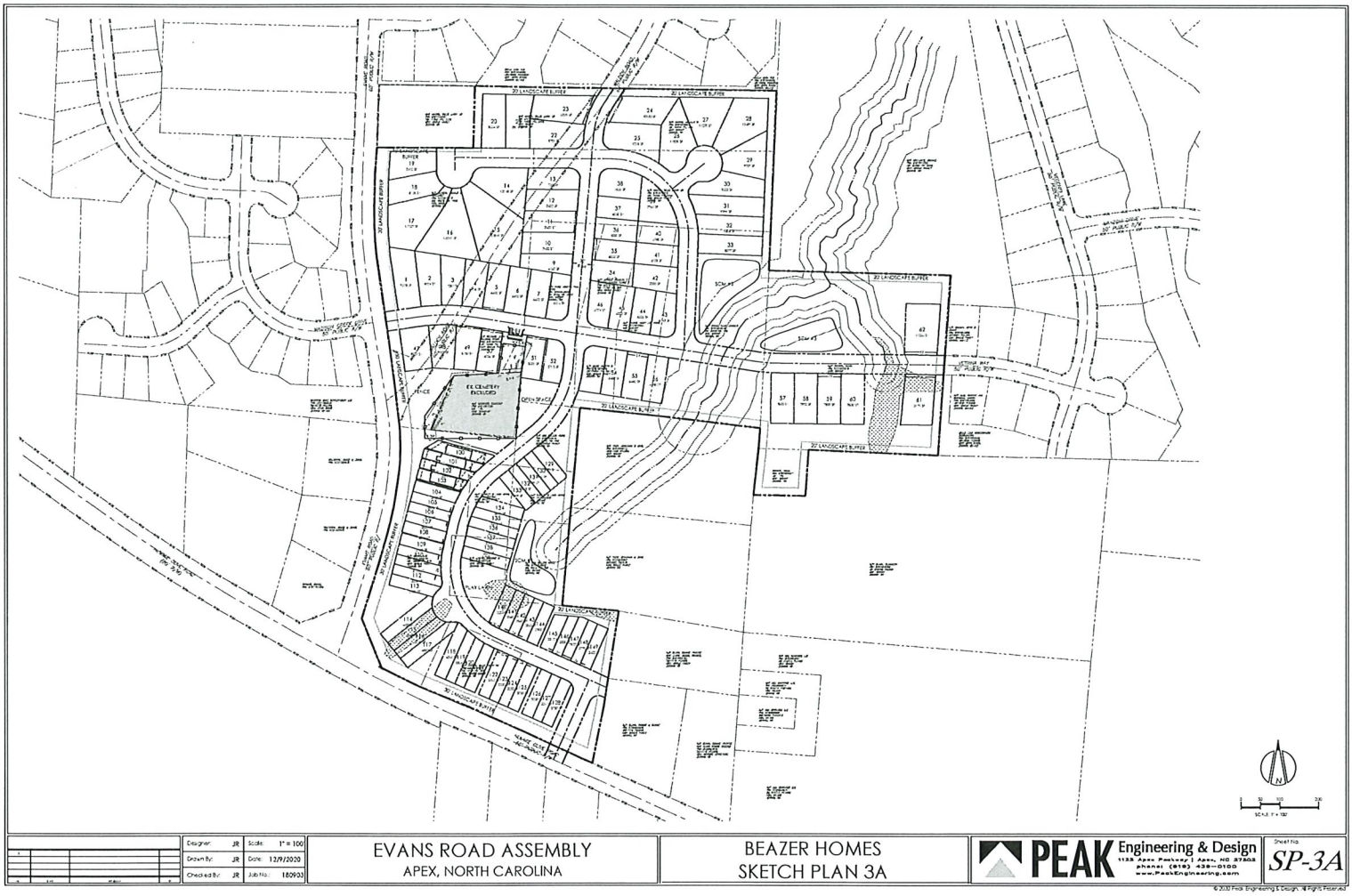

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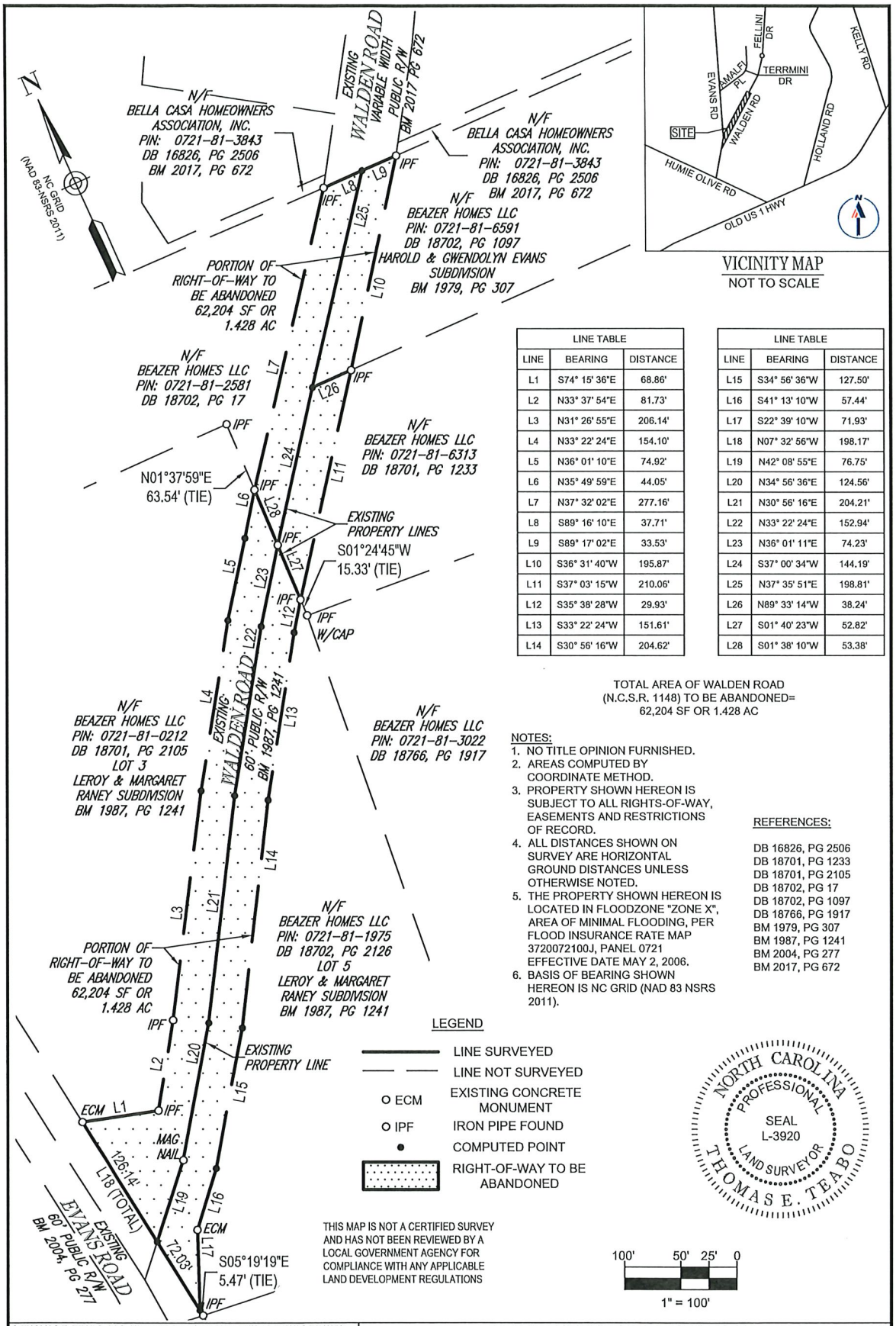

VICINITY MAP
NOT TO SCALE

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TOWN OF APEX, BUCKHORN TOWNSHIP,
WAKE COUNTY, NORTH CAROLINA

NCBELS: P-1132

BOHLER
4130 PARKLAKE AVENUE, SUITE 130 RALEIGH, NORTH CAROLINA 27612 919.578.9000
www.bohlerengineering.com

DATE SURVEY: 05/13/2022	FILE NO. NS201007	DRAFTED: DET	DATE: 05/26/2022	CHECKED: TET

| Agenda Item | cover sheet

for consideration by the Apex Town Council

Item Type: PUBLIC HEARING

Meeting Date: December 9, 2025

Item Details

Presenter(s): Bruce Venable, Planner II

Department(s): Planning

Requested Motion

This item was continued at the November 13, 2025 Town Council meeting.

Public Hearing and possible motion regarding various amendments to the Unified Development Ordinance (UDO).

Approval Recommended?

The Planning Department recommends approval.

The Planning Board will hold a public hearing on December 8, 2025. Their recommendation will be shared at the December 9, 2025 Town Council meeting.

Item Details

Requested by Planning and Transportation & Infrastructure Development Staff:

1. Amendments to Secs. 7.2.1.I *Design Standards, Streets;* 7.2.4 *Design Standards;* 8.2.6.C *Landscaping, Buffering, and Screening, General Buffering Requirements*; and 13.4 *Transportation, Definitions* in order to permit the use of temporary turnarounds in connection with stub streets.

Attachments

- PH7-A1: Staff Report - Unified Development Ordinance (UDO) Amendments-Staff – November 2025
- PH7-A2: Public Notice - Unified Development Ordinance (UDO) Amendments-Staff – November 2025
- PH7-A3: Ordinance - Unified Development Ordinance (UDO) Amendments-Staff – November 2025

STAFF REPORT
Amendments to the Unified Development Ordinance
December 9, 2025, Town Council Meeting

Requested by Planning and Transportation & Infrastructure Development Staff:

1) Amendments to Secs. 7.2.1.I *Design Standards, Streets;* 7.2.4 *Design Standards;* 8.2.6.C *Landscaping, Buffering, and Screening, General Buffering Requirements*; and 13.4 *Transportation, Definitions* in order to permit the use of temporary turnarounds in connection with stub streets.

Background: Staff propose the following amendments to clarify that temporary turnarounds, may be permitted in connection with stub streets. The intent of this amendment is to 1) ensure that emergency and other Town-related vehicles can safely and efficiently maneuver throughout a subdivision and 2) provide guidance for their eventual removal as the stub streets are connected to future development on adjacent properties and the temporary turnaround is no longer required.

7.2.1 Design Standards, Streets

I) ***Temporary Turnaround***
A temporary turnaround shall be provided at the terminus of any stub street exceeding 150 feet in length. Temporary turnarounds shall be constructed within a temporary public access easement or within the public right-of-way and shall comply with all applicable standards, including the Town of Apex *Standard Specifications and Standard details.*

1) *Applicability.* The provisions of this subsection shall apply only to temporary turnarounds approved after January 13, 2026.

2) *Easement and Design.* The temporary turnaround shall be placed in a temporary public access easement meeting the standards of Sec. 7.2.4.C *Temporary Public Access Easement* or within a dedicated public right-of-way until such time as the roadway is extended.

3) *Fee-In-Lieu (FIL).* A fee-in-lieu pursuant to Sec. 7.5.4.F *Stub Street Fee-In-Lieu* shall be required for the future conversion and removal of the temporary turnaround prior to Master Subdivision Final Plat or Site Plan Final Plat approval.

4) *Removal and Restoration.* The developer of the adjacent property making a street connection to the existing stub street shall be responsible for the removal of the temporary turnaround, restoration of the affected area, landscaping to meet the buffer type that would have been required had the temporary turnaround not been located there, and construction of any additional improvements required by the Town at the time the road connection is made.

5) *Use Limitations*. Temporary turnarounds shall not be used for parking and/or driveways.

6) ***Signage*. When a temporary turnaround is provided, a clearly visible street sign per the Town of Apex's *Standard Specifications and Standard Details* shall be erected at the end of the stub street stating that the street is planned to be connected to a future street.**

7) ***Size and Dimensions*. The temporary turnaround shall comply with the size and dimensional requirements set forth in the Town of Apex's *Standard Specifications and Standard Details*.**

8) ***Platting*. Any plat containing a stub street shall include the following note: "The street system shown on this plat includes one or more stub streets that are intended to connect to adjacent property when such property is developed. These connections are required to promote the efficient flow and distribution of traffic and to provide additional points of access for emergency vehicles."**

9) ***Materials.* The temporary turnaround shall be built to the Town of Apex's standards per Town of Apex *Standard Specifications and Standard Details.***

7.2.4 Design Standards

…

C) ***Temporary Public Access Easement.***

Where a street is terminated temporarily at the edge of a development and creates a stub street, a temporary public access easement shall be provided. The temporary public access easement shall be of sufficient size to allow for necessary construction and future conversion of the roadway to a through street. Any slope easements, construction easements and/or right-of-way dedication needed to construct the future roadway connection shall be dedicated. The temporary public access easement shall follow one of the following methods:

(1) **If the adjacent land is owned by the subdivider, a temporary turnaround can be provided with a temporary public access easement on such adjacent land. Temporary turnarounds shall meet the standards found in Sec. 7.2.1.I *Temporary Turnaround*; or**

(2) **The subdivider may provide the required turnaround on one of the last lots or common area nearest to the adjacent land and fronting on the temporary stub street through use of a temporary public access easement dedicated to the Town. Temporary turnarounds shall meet the standards found in Sec. 7.2.1.I *Temporary Turnaround*.**

…

8.2.6 Landscaping, Buffering, and Screening, Buffering

…

C) *General Buffering Requirements*

…

4) *No Development Within the Required Buffer*

The required buffer shall not contain any development, built-upon area, or site features that do not function to meet the standards of this Section

or that require removal of existing vegetation, except for signs within platted sign easements, utilities within public utility easements, **public access easements,** and public art on private property within a platted public art on private property easement (see Secs. 8.1.2.C.9 and 8.2.2.C.2.a). When a public utility **and/or a public access** easement is located within a Fully-and Limited-Controlled Access Highway Buffer, Streetfront Buffer, or a Thoroughfare Buffer that is 20 feet or greater in width, a minimum 20-foot-wide planting area shall be provided as measured from the edge of the easement. For all other required buffers, a minimum 10-foot-wide planting area shall be provided as measured from the edge of the easement. The planting area shall be as wide as necessary in order to accommodate all required buffer plantings. Tree species with compact root systems shall be used adjacent to the easement.

…

13.4 Transportation, Definitions

…

Temporary Turnaround

A turnaround area, constructed in accordance with the *Town of Apex Standard Specifications and Standard Details*, located within a temporary public access easement or public right-of-way at the terminus of a street that is planned for future extension.

…

PLANNING STAFF RECOMMENDATION:

Planning staff recommend approval of the proposed amendments.

PLANNING BOARD RECOMMENDATION:

The Planning Board will receive a presentation as a new business item during their December 8, 2025, meeting. Their recommendation will then be presented to the Town Council on December 9, 2025.

TOWN OF APEX
POST OFFICE BOX 250
APEX, NORTH CAROLINA 27502
TEL. 919-249-3426

PUBLIC NOTIFICATION OF PUBLIC HEARING

AMENDMENTS TO THE UNIFIED DEVELOPMENT ORDINANCE (UDO)

Pursuant to the provisions of North Carolina General Statutes §160D-601 and to the Town of Apex Unified Development Ordinance (UDO) Sec. 2.2.11, notice is hereby given of a public hearing before the Town Council of the Town of Apex for the purpose of soliciting comments relative to the following amendment(s) to the Unified Development Ordinance that are applicable Town-wide:

Requested by Planning and Transportation & Infrastructure Development Staff:

1. Amendments to Secs. 7.2.1.I *Design Standards*, *Streets*; 7.2.4 *Design Standards*; 8.2.6.C *Landscaping, Buffering, and Screening, General Buffering Requirements*; and 13.4 *Transportation, Definitions* in order to permit the use of temporary turnarounds in connection with stub streets.

Public Hearing Location: Apex Town Hall
Council Chamber, 2nd floor
73 Hunter Street, Apex, North Carolina

Town Council Public Hearing Date and Time: November 13, 2025, 6:00 PM

You may attend the meeting in person or view the meeting through the Town's YouTube livestream at: https://www.youtube.com/c/townofapexgov.

If you are unable to attend, you may provide a written statement by email to public.hearing@apexnc.org, or submit it to the Office of the Town Clerk (73 Hunter Street or USPS mail - P.O. Box 250, Apex, NC 27502), at least two business days prior to the Town Council vote. You must provide your name and address for the record. The written statements will be delivered to the Town Council members prior to their vote. Please include the Public Hearing name in the subject line.

The UDO can be accessed online at: http://www.apexnc.org/233.

Dianne F. Khin, AICP
Planning Director

Published Dates: October 24, 2025 – November 13, 2025

TOWN OF APEX
POST OFFICE BOX 250
APEX, NORTH CAROLINA 27502
TEL. 919-249-3426

NOTIFICACIÓN PÚBLICA DE AUDIENCIAS PÚBLICAS

Modificación de la Ordenanza de Desarrollo Unificado (UDO)

De conformidad con las disposiciones de los Estatutos Generales de Carolina del Norte §160D-601 y con la sección 2.2.11 de la Ordenanza de Desarrollo Unificado (UDO) del pueblo de Apex, por la presente se notifican las audiencias públicas ante el Consejo Municipal del pueblo de Apex a fin de solicitar comentarios relativos a la siguiente modificación de la Ordenanza de Desarrollo Unificado que se aplican a todo el pueblo:

Solicitado por el Departamento de Desarrollo de Transporte e Infraestructura:

1. Modificaciones a las secciones 7.2.1.I *Estándares de diseño*, *Calles*; 7.2.4 *Estándares de diseño*; 8.2.6.C *Paisajismo, zona de amortiguamiento y protección, Requisitos generales de amortiguación*; y 13.4 *Transporte, Definiciones* con el fin de permitir el uso de vueltas temporales en relación con calles sin salida.

Lugar de la audiencia pública: Ayuntamiento de Apex
Cámara del Consejo, 2.º piso
73 Hunter Street, Apex, North Carolina

Fecha y hora de la audiencia pública del Consejo Municipal: 13 de noviembre 2025, 6:00 p. m.

Puede asistir a la reunión de manera presencial o seguir la transmisión en directo por YouTube a través del siguiente enlace: https://www.youtube.com/c/townofapexgov.

Si no puede asistir, puede proporcionar una declaración escrita por correo electrónico a public.hearing@apexnc.org, o presentarla a la Oficina de la Secretaria Municipal (73 Hunter Street o por correo postal a P.O. Box 250, Apex, NC 27502), al menos dos días hábiles antes de la votación del Consejo Municipal. Debe proporcionar su nombre y dirección para que conste en el registro. Las declaraciones escritas se entregarán al Consejo Municipal antes de la votación. No olvide incluir el nombre de la audiencia pública en el asunto.

Se puede acceder a la UDO en línea en http://www.apexnc.org/233.

Dianne F. Khin, AICP
Directora de Planificación

Fechas de publicación: del 24 de octubre de 2025 al 13 de noviembre de 2025

https://www.apexnc.org/DocumentCenter/View/52400/UDO_Legal_Ad_Nov-2025-Combined?bidId=

Team Apex Landing... | Town of Apex, Nort... | Planning Departme... | 2045LUM_04092024... | Development in Apex | iMAPS | Home | Books! Online Recor... | PL Team - Internal -... | Lighting Info | Form-Based-Code.p... | Design and Develop... | Other favorites

Draw | 1 of 2

TOWN OF APEX
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PUBLIC NOTIFICATION OF PUBLIC HEARING

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Dianne F. Khin, AICP
Planning Director

Published Dates: October 24, 2025 – November 13, 2025

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https://www.apexnc.org/DocumentCenter/View/52400/UDO_Legal_Ad_Nov-2025-Combined?bidId=

Team Apex Landing... Town of Apex, Nort... Planning Departme... 2045LUM_04092024... Development in Apex iMAPS Home Books! Online Recor... PL Team - Internal -... Lighting Info Form-Based-Code.p... Design and Develop... Other favorites

Draw 2 of 2

TOWN OF APEX
POST OFFICE BOX 250
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NOTIFICACIÓN PÚBLICA DE AUDIENCIAS PÚBLICAS
Modificación de la Ordenanza
de Desarrollo Unificado (UDO)

De conformidad con las disposiciones de los Estatutos Generales de Carolina del Norte §160D-601 y con la sección 2.2.11 de la Ordenanza de Desarrollo Unificado (UDO) del pueblo de Apex, por la presente se notifican las audiencias públicas ante el Consejo Municipal del pueblo de Apex a fin de solicitar comentarios relativos a la siguiente modificación de la Ordenanza de Desarrollo Unificado que se aplican a todo el pueblo:

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1. Modificaciones a las secciones 7.2.1.I *Estándares de diseño, Calles*; 7.2.4 *Estándares de diseño*; 8.2.6.C *Paisajismo, zona de amortiguamiento y protección, Requisitos generales de amortiguación*; y 13.4 *Transporte, Definiciones* con el fin de permitir el uso de vueltas temporales en relación con calles sin salida.

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73 Hunter Street, Apex, North Carolina

Fecha y hora de la audiencia pública del Consejo Municipal: 13 de noviembre 2025, 6:00 p. m.

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Se puede acceder a la UDO en línea en http://www.apexnc.org/233.

Dianne F. Khin, AICP
Directora de Planificación

Fechas de publicación: del 24 de octubre de 2025 al 13 de noviembre de 2025

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AN ORDINANCE TO AMEND CERTAIN SECTIONS OF THE UNIFIED DEVELOPMENT ORDINANCE

BE IT ORDAINED by the Town Council of the Town of Apex as follows:

Section 1. **Sections 7.2.1, 7.2.4, 8.2.6, and 13.4 of the Unified Development Ordinance are now amended to read as follows with additions shown as bold underlined text and deletions shown as struck-through text:**

7.2.1 Design Standards, Streets

I) ***Temporary Turnaround***

A temporary turnaround shall be provided at the terminus of any stub street exceeding 150 feet in length. Temporary turnarounds shall be constructed within a temporary public access easement or within the public right-of-way and shall comply with all applicable standards, including the Town of Apex *Standard Specifications and Standard details.*

1) ***Applicability.*** **The provisions of this subsection shall apply only to temporary turnarounds approved after January 13, 2026.**

2) ***Easement and Design.*** **The temporary turnaround shall be placed in a temporary public access easement meeting the standards of Sec. 7.2.4.C *Temporary Public Access Easement* or within a dedicated public right-of-way until such time as the roadway is extended.**

3) ***Fee-In-Lieu (FIL).*** **A fee-in-lieu pursuant to Sec. 7.5.4.F *Stub Street Fee-In-Lieu* shall be required for the future conversion and removal of the temporary turnaround prior to Master Subdivision Final Plat or Site Plan Final Plat approval.**

4) ***Removal and Restoration.*** **The developer of the adjacent property making a street connection to the existing stub street shall be responsible for the removal of the temporary turnaround, restoration of the affected area, landscaping to meet the buffer type that would have been required had the temporary turnaround not been located there, and construction of any additional improvements required by the Town at the time the road connection is made.**

5) ***Use Limitations*****. Temporary turnarounds shall not be used for parking and/or driveways.**

6) ***Signage*****. When a temporary turnaround is provided, a clearly visible street sign per the Town of Apex's *Standard Specifications and Standard Details* shall be erected at the end of the stub street stating that the street is planned to be connected to a future street.**

7) ***Size and Dimensions*****. The temporary turnaround shall comply with the size and dimensional requirements set forth in the Town of Apex's *Standard Specifications and Standard Details*.**

8) ***Platting*. Any plat containing a stub street shall include the following note: "The street system shown on this plat includes one or more stub streets that are intended to connect to adjacent property when such property is developed. These connections are required to promote the efficient flow and distribution of traffic and to provide additional points of access for emergency vehicles."**

9) ***Materials.* The temporary turnaround shall be built to the Town of Apex's standards per Town of Apex *Standard Specifications and Standard Details.***

7.2.4 Design Standards

…

C) ***Temporary Public Access Easement.***

Where a street is terminated temporarily at the edge of a development and creates a stub street, a temporary public access easement shall be provided. The temporary public access easement shall be of sufficient size to allow for necessary construction and future conversion of the roadway to a through street. Any slope easements, construction easements and/or right-of-way dedication needed to construct the future roadway connection shall be dedicated. The temporary public access easement shall follow one of the following methods:

(1) **If the adjacent land is owned by the subdivider, a temporary turnaround can be provided with a temporary public access easement on such adjacent land. Temporary turnarounds shall meet the standards found in Sec. 7.2.1.I *Temporary Turnaround*; or**

(2) **The subdivider may provide the required turnaround on one of the last lots or common area nearest to the adjacent land and fronting on the temporary stub street through use of a temporary public access easement dedicated to the Town. Temporary turnarounds shall meet the standards found in Sec. 7.2.1.I *Temporary Turnaround*.**

…

8.2.6 Landscaping, Buffering, and Screening, Buffering

…

C) *General Buffering Requirements*

…

4) *No Development Within the Required Buffer*

The required buffer shall not contain any development, built-upon area, or site features that do not function to meet the standards of this Section or that require removal of existing vegetation, except for signs within platted sign easements, utilities within public utility easements, **public access easements,** and public art on private property within a platted public art on private property easement (see Secs. 8.1.2.C.9 and 8.2.2.C.2.a). When a public utility **and/or a public access** easement is located within a Fully-and Limited-Controlled Access Highway Buffer,

Streetfront Buffer, or a Thoroughfare Buffer that is 20 feet or greater in width, a minimum 20-foot-wide planting area shall be provided as measured from the edge of the easement. For all other required buffers, a minimum 10-foot-wide planting area shall be provided as measured from the edge of the easement. The planting area shall be as wide as necessary in order to accommodate all required buffer plantings. Tree species with compact root systems shall be used adjacent to the easement.

…

13.4 Transportation, Definitions

…

Temporary Turnaround
A turnaround area, constructed in accordance with the *Town of Apex Standard Specifications and Standard Details*, located within a temporary public access easement or public right-of-way at the terminus of a street that is planned for future extension.

…

Section 2. The Planning Director and/or Town Manager are hereby authorized to renumber, revise formatting, correct typographic errors, to verify and correct cross references, indexes and diagrams as necessary to codify, publish, and/or accomplish the provisions of this ordinance or future amendments as long as doing so does not alter the terms of this ordinance.

Section 3. All ordinances or parts of ordinances in conflict with this ordinance are hereby repealed. If any section, paragraph, subdivision, clause or provision of this ordinance shall be adjudged invalid, such adjudication shall apply only to such section, paragraph, subdivision, clause or provision so adjudged and the remainder of the ordinance shall be deemed valid and effective.

Section 4. The ordinances shall be effective upon enactment on the ____ day of _____2025.

Introduced by Council Member _____

Seconded by Council Member _____

Attest:

_____
Allen Coleman, CMC, NCCCC
Town Clerk

TOWN OF APEX

_____
Jacques K. Gilbert
Mayor

Approved as to Form:

_____
Laurie L. Hohe
Town Attorney

| Agenda Item | cover sheet

for consideration by the Apex Town Council

Item Type: CONSENT AGENDA

Meeting Date: December 09, 2025

Item Details

Presenter(s): JP Parris, Public Records Coordinator
Allen Coleman, Town Clerk

Department(s): Town Clerk's Office

Requested Motion

Receive as information an update on the Public Records Program and provide direction as appropriate.

Approval Recommended?

TBD

Item Details

The Office of the Town Clerk has five core function areas including Records Management, Advisory Board Administration, Government Relations, Constituent Services, and Executive Support. The Records Management division is where the Town's public records program resides and is governed by Chapter 132 of the North Carolina General Statutes. In addition, the Town Council has adopted Record Retention Schedules that provide additional guidance related to records maintenance.

Over the last several years, the department has implemented new processes to streamline and improve operational efficiency. In doing so, this has enabled the department to track performance and establish standards for core functions. Below is a chart which illustrates the number of public records the Town receives, minus those specifically related to police.

Year	Total Requests	Percent Increase from Prior Year
2023	171	N/A
2024	217	26.9
2025	308*	41.9

In Fiscal Year 2024-25, the Town authorized an additional full-time position to assist with the maintenance and management of the Town's public records program. The additional position has helped tremendously in the daily coordination of the public records program.

As we continue in a state of process evaluation and improvement, municipalities and counties across North Carolina were surveyed about their public records program. The attached memo provides an in-depth review of key findings and recommendations. Many jurisdictions have designated software to assist with the management of the program and adopted policies which allow a special service charge to be assessed on "extensive use of supervisory or clerical assistance".

As the Town of Apex continues to provide exceptional service balanced with increases in workload, the department seeks guidance in the following areas as we continue through this policy development:

A. Direction on a Public Records Policy
B. Direction on the utilization of a Special Service Charge for Extensive Requests
C. Allocation of Funds (Budget Amendment) to support a Public Records Software Program

Attachments

- NB1-A1: Public Records Policy and Practices Evaluation Memo
- NB1-A2: PowerPoint Presentation – *to be provided at the meeting*

MEMORANDUM

Date: November 5th, 2025
To: Allen Coleman, Town Clerk
From: JP Parris, Public Records Coordinator
RE: Public Records Policy and Practices Evaluation

This memo outlines the reasoning behind considering adoption of a Public Records Policy, a discussion of the Public Records Request process in the Town of Apex, a summary of research conducted on Public Records Policies and practices across North Carolina municipalities and Counties, and recommendations on what should be included in a potential Public Records Policy for the Town.

Public Records Requests

As the Town of Apex has continued growing, so has the amount of Public Records Requests it receives. Since in-depth tracking of requests began in 2023, the total number of requests submitted has gone up year each year.

Year	Total Requests	Percent Increase from Prior Year
2023	171	N/A
2024	217	26.9
2025	308*	41.9

*Based on full-year estimate at current pace

The current process for Public Records Requests begins with requestors filling out a Cognito Form. Once that is received by the Clerk's Office, our goal is to reply to the requestor within 2 business days acknowledging their request has been received, and providing them with a unique tracking number. From there, the request is routed to the appropriate departments via email, and they are instructed to place any responsive records in a OneDrive folder they are given access to. Additional review is sometimes necessary to ensure a complete response and compliance with Public Records Law. While our goal is to complete Public Records Requests within 10 business days, this is sometimes not met due to multiple factors, including large request size or complexity, competing staff priorities, the need for additional review, or the lack of a centralized public records software to track requests from start to finish across the organization.

Summary of Research

Municipalities chosen for inclusion in the research fit at least one of the following criteria: A municipality in Wake County, one of the top-25 most populated Municipalities in North Carolina, one of the top-10 most populated Counties in North Carolina, and/or a municipality that a member of the Clerk's Office worked with during discussions in a recent Public Records Working Group hosted by the UNC School of Government. This created a research set of 44 North Carolina local governments. Research was conducted through surveying public-facing information hosted on each Government's website, and in some cases, retrieving additional information or asking clarifying questions through the Government directly.

In total, 10 of the 44 Municipalities included had a Public Records Policy that was officially adopted and used to guide the Public Records Request Process that was published on their website, or that was provided through contact with the School of Government Public Records Working Group. Additionally, some local governments provide relevant information that may be contained in a Policy as information on their Public Records Requests webpages, and that information is included in the findings as applicable.

Summary of Findings - Workflow

One of the common themes found among most of the Public Records Policies analyzed was a specified outline of the process each local government used to fulfill Requests. This includes instructions for what requestors need to submit for a Request and how to do so, an explanation on how the local government routes, reviews, and completes requests, and expectations for communication from the local government to the requestor regarding the Request's timeline and fulfillment.

While our current process is in line with the standards found in many of the Public Records Policies in these regards, defining and adopting them provides an additional layer of accountability and transparency regarding the process. Comparing current practices to those of other municipalities can help ensure we are staying current with standards and trends across the state.

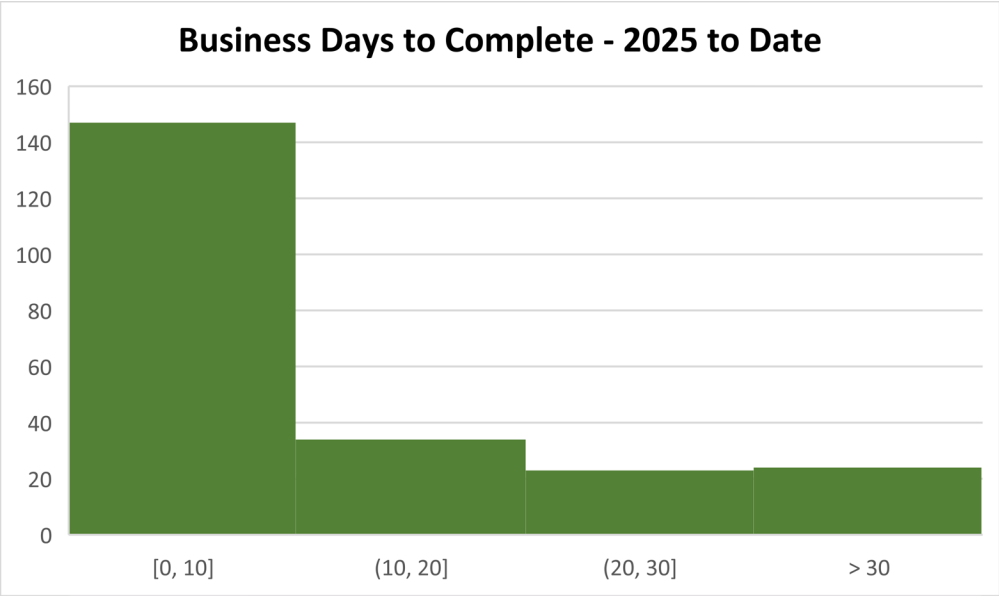
Local Government	Town of Cary	Mecklenburg County	City of Greensboro	City of Fayetteville
Population	191,000	1,206,000	307,381	209,496
Goal to Intake*	2 business days	5 business days	2 business days	3 business days
Goal to Close	2 business days, or provide an estimated timeframe	5 business days, or provide an estimated timeframe	5 business days, or provide estimated timeframe by then	Provide estimate on case-by-case basis

Town of Huntersville	Town of Mooresville	City of Wilmington	Lincoln County
67,087	52,884	125,284	97,611
Not Specified	Not Specified	24 Hours	2 Business Days
"As Promptly as Possible based on the scope and specificity of the request"	Response time estimated based on the size and scope of the request, and workload of responsive department(s)	Not Specified	10 Business Days, or provide an estimated timeframe by then

*Intake refers to receiving a request, providing the requestor with acknowledgment/tracking information, and routing request to appropriate staff.
NOTE: Wording in quotations taken directly from local government's policy/webpage

As shown by the excerpt of data points above, most local governments provide intake of a Records Request within 2 business days, and provide records or an estimate of completion time within 5-10 business days. One takeaway from most of these policies is that in addition to having a set goal for responding to most requests, many local governments also provide estimated timeframes for completion if the standard goal cannot be met, which is not currently part of our standard practice.

Our current year-to-date statistics show that 91% of requests have been acknowledged, logged, and routed to departments within our intake goal of 2 days. The current median number of business days for a request to be completed is 8. 64.5% of requests have been completed within our goal of 10 business days, and 89.5% of requests have been completed within 30 business days. The below histogram shows the number of requests completed within a specified range of business days.



Summary of Findings – Fees

As prescribed in NC General Statute 132-6.2, local governments are able to charge fees for fulfilling Public Records Requests based on the "actual cost" incurred by doing so. In our current fee schedule, this includes things like charging for paper copies of records. Additionally, the statute provides that for requests that require "extensive use of IT resources or extensive clerical or supervisory assistance", local governments may incur a "special service charge, which shall be reasonable and shall be based on the actual cost incurred."

In analyzing the group of Public Records Policies, it was found that many of them provided definitions of what would be considered "extensive", as well as specifying the cost of the special service charge. While doing so is not required according to the statute, it was recommended by UNC School of Government Professor Kristina Wilson to have these fees and thresholds specified.

Local Government	City of Greensboro	City of Fayetteville	City of Asheville	Town of Huntersville
Population	**307,381**	**209,496**	**94,992**	**67,087**
Definition of Extensive Request for Special Service Charge	**More than 4 Hours**	**More than 4 Hours**	**More than 4 Hours**	**More than 4 Hours**
Special Service Charge Fee	**Hourly Rate of Lowest-Paid Employee Working on Request**	**Pay plus Benefits of a Full-Time Office Assistant II**	**$18.00/hour**	**$18.00/hour**
Deposit Required	**Yes, if time exceeds initial estimate**	**No**	**Yes, prior to the duplication of records in physical copy**	**Yes, 50% if estimated charge exceeds $50**

Town of Mooresville	Davidson County	Town of Holly Springs*	Union County*
52,884	177,809	48,674	263,386
More than 4 Hours	More than 1 Hour	"Requests that require extensive use of technology resources, clerical and/or supervisory assistance", Determined on a case-by-case basis	More than 4 hours
Hourly Rate of Administrative Assistant, or of TI Professional if IT support is used	$28.00/hr	"Charged according to the fee schedule in place at the time of the request."	$40/hr
Yes, 50% if estimated charge exceeds $25	Yes, but does not specify when deposit is required or amount	No	No

*Information not from a Public Records Policy
NOTE: Wording in quotations taken directly from local government's policy/webpage

State law is clear in requiring that any special service charges be based on actual costs, meaning it is important to specify in a policy and to staff the importance of tracking how much time is being spent on researching and gathering records for large requests. In most cases, it will be clear when a request may be large enough to trigger the special service charge, and an estimate can be provided, which can be a "not to exceed amount". However, actual staff time may be lower than the estimate provided, which is what the charge must ultimately be based on. Certain local governments require various deposits to be paid, but doing so may create additional challenges to a request's timely completion, along with the possibility of actual retrieval time being less than the deposit paid or a requestor altering or cancelling their request, leading to the need for a deposit refund. In general, local governments require any applicable fees to be paid prior to records being turned over to the requestor.

Year	Requests That May Trigger Special Service Charge of 4+ Hours
2023	2
2024	3
2025	16

NOTE: Based on estimations made by Town Clerk's Office

Policy Benefits and Records Software

A Public Records Policy could offer several benefits to the Town, including increased transparency and accountability, defined expectations for all departments to follow, and a better understanding of the Town's process and commitment to quality service for requestors. A Policy would also better define fee schedule items related to Public Records Requests as allowed by state law, and provide requestors with expectations of what they should expect from the Town in working to fulfill their request.

Appropriating funds for the use of a Public Records Request software is another step that could increase staff efficiency, improve response times, and allow for requestors to more easily check in on their requests and communicate with the

Town. In our research, we found that the use of a software to manage Public Records Requests is a common tool for local governments in the state.

Method of Records Request Management	Records Software	Online Form	Contact Staff/Email	Information Unavailable
Number of Local Governments	**22**	**13**	**4**	**5**

Recommendations

Given the possible benefits of adopting a Public Records Policy, I recommend that we work to draft one for the elected body's consideration. A Public Records Policy would benefit the public, the Town, and staff that work to provide responsive records for requests. Having the backing of the elected body in regards to these protocols provide them with more authority and would enhance buy-in across the organization regarding the importance of timely responses to Public Records Requests.

Specifically, I recommend maintaining our current practice of intaking requests and routing them to staff within 2 business days, and maintaining our goal of responding to all requests within 10 business days. As an addition to current practices, I recommend adding a goal of staff providing responsive records or an estimated completion date to the Town Clerk's Office within 7 business days of receiving a request. Furthermore, I recommend adding a provision in the Policy to provide an estimated completion date to the requestor if it cannot be completed within 10 days, or to provide regular follow-ups if a specific date is not able to be provided.

Additionally, I recommend that we develop options for elected body's consideration regarding a possible Special Service Fee for extensive Public Records Requests. To be consistent with many policies surveyed, I would recommend the fee being able to charge starting at 4 hours of applicable staff time per request. Additionally, I would recommend setting the fee at no more than $30 per hour. A Special Service Charge may help Town Resources be used more efficiently, as well as encourage requestors to be more specific and concise in their requests. I do not recommend requiring a deposit to be made, as it adds unnecessary time and complication to requests. I believe it would be more beneficial to simply require any applicable fees be paid prior to records being released.

Finally, I recommend contracting with a Public Records Software Service to centralize our Request process. I believe this would help us keep up with growing Records Request demand, enhance staff efficiency, reduce instances of miscommunication, and provide residents an easier "self-service" way to check in on the progress of their requests and access their records. A software like this can also have benefits in regards to publishing frequently requested records, informing requestors of what records the Town may not maintain and where to find them, and increasing pace of request completion.

These recommendations are in line with the research done on Public Records Policies and Processes in many municipalities in the State, and I hope you find this information helpful as we work to continue improving our services to Apex's residents.

Decision Points for Elected Body

It would be helpful to have guidance in the following areas as we continue through this policy development:

1. Direction on a Public Records Policy
2. Direction on the utilization of a Special Service Charge for Extensive Requests
3. Allocation of Funds (Budget Amendment) to support a Public Records Software Program