

2. 75.869 acres of the Property are located in an area designated for Medium Density Residential by the Future Land Use Map of the Comprehensive Plan and is currently zoned R&PUD (“the SUP Property”).
3. 6.53 acres of the Property is excluded from this special use permit request; however, access from the SUP Property and Averette Road runs through the 6.53 acres excluded, and this 6.53 acres are zoned R-40W.
4. The SUP Property is surrounded on the North by property zoned R&PUD, on the Northeast by property zoned R-1, on the East by property zoned R40W, on the South by property zoned R2-SUD, and on the West by property under the jurisdiction of the Town of Wake Forest.
5. The proposed use of the SUP Property is up to 89 single family detached house lots and 98 residential townhome lots (“Proposed Development”) which will be served by public water and sewer and which is shown on the proposed Master PUD Plan, attached hereto as Exhibit “B” and incorporated herein by reference. Said development will utilize two (2) (to-be-constructed) public streets to access Averette Road. There will be at least two (2) United States Postal Service kiosks with dedicated parking spaces within the Proposed Development.
6. All streets within the Property are designed to accommodate fire trucks and rescue vehicles. Fire hydrants will be located throughout the Property as the required intervals.
7. According to the applicant’s submitted Traffic Impact Analysis, once fully developed, the Property will generate on average approximately 1670 vehicular trips per day. NCDOT has identified requisite street improvements at the intersection of Averette Road and Wait Ave, as well as left-turn lanes into the Property from Averette. The proposed Master PUD Plan shows the concept of these street improvements.
8. The Master PUD Plan shows compliance with the PUD requirements of the ordinances of the Town of Rolesville.
9. The Master PUD Plan shows compliance with the Open Space requirements of the ordinances of the Town of Rolesville.
10. The design of the proposed development complies with all public health and safety ordinances of the Town of Rolesville.

11. The Applicant agrees to several Conditions of Approval as submitted with the application and as further amended during the public hearing.

CONCLUSIONS OF LAW

1. That the Proposed Development and/or use will not materially endanger the public health or safety.
2. That the Proposed Development and/or use will not substantially injure the value of adjoining property.
3. That the Proposed Development and/or use will be in harmony with the scale, bulk, coverage, density, and character of the neighborhood in which it is located.
4. That the Proposed Development and/or use will generally conform with the Comprehensive plan and other official plans adopted by the Town.
5. That the Proposed Development and/or use is appropriately located with respect to transportation facilities, water and sewer supply, fire and police protection, and similar facilities.
6. That the Proposed Development and/or use will not cause undue traffic congestion or create a traffic hazard.
7. That the Proposed Development and use comply with all applicable requirements of this ordinance.

CONDITIONS OF APPROVAL

The Special Use Approval is made subject to the following conditions of approval:

- 1) All requirements of the Town of Rolesville Planned Unit Development Ordinance 6.2 shall be met except for all lots will not have to be served by alleys.
- 2) The ten (10) feet wide greenway trails, connecting Austin Creek subdivision with Averette Road/West Young Street will be completed before 75% of the homes, or 140 lots have issued a certificate of occupancy.
- 3) The open space land requirement shall be dedicated to the Town of Rolesville or Home Owner's Association. The developer shall construct an "Amenity Center" located near the most northern access on Averette Road. The developer shall be responsible for having a design for the park submitted by the time that the occupancy of the 140th home (75%) or within four years of the date of the initial building permit (whichever is sooner).

- 4) General architectural requirements of the neighborhood will be governed by the recorded conditions, covenants and restrictions. The guidelines for the covenants and restrictions shall be at a minimum:
 - a) Trees: Every single-family detached lot will require a minimum of 3 trees. One should be evergreen, and one should have ornamental blooms. Corner lots should have additional trees where appropriate on the street side yard.
 - b) Fences: Fences should be the appropriate material and design for the lot and style of the house. No chain link fences.
 - c) Mechanical equipment: Mechanical equipment (HVAC) shall be screened out of view from the street with fencing, landscape, or a combination of the two.
 - d) Skylights: Skylights are not allowed on the main roof street elevation but are allowed on secondary roofs and the back side of the main roof.
- 5) At least 51% of all homes within the subdivision will have a minimum of 2,500 heated square feet. The subdivision will be broken up into the following tracts as shown on the attached map.
 - a) Residential Type-A Tracts – all residences will be single-family detached dwellings greater than 2,500 heated square feet.
 - b) Residential Type-B Tracts – all residences will be town-home style dwellings greater than 1,100 heated square feet. Fifty percent of the town-homes will have one and/or two car garages.
- 6) At least 50% of the homes with front loading two (or more) car garages shall have separate single garage doors.
- 7) All single-family detached homes, within the Residential-Type A section, shall either be “crawl space” or “stem wall” type foundations. Those houses with “stem wall” type foundations shall have a brick veneer around the full perimeter and be made accessible in compliance with the Americans with Disabilities Act (ADA). This condition does not apply to any Residential-Type B Section as presented on the site plan.
- 8) The amenity center for the subdivision, built by the developer, will be completed before seventy-five percent (75%) of the homes or 140 lots are issued a certificate of occupancy or within four years of the date of the initial building permit (whichever is sooner). This amenity center will include a pool, clubhouse, and playground area.
- 9) Five (5) feet wide sidewalks will be constructed on both sides of all streets.
- 10) All houses shall have sheathing that is ½ inch or greater OSB, Densglass, or other similar materials. No “thermoply” or narrow wall panel structural sheathing will be permitted.
- 11) The developer shall adhere to all phase 2 Stormwater requirements from NC DENR or Wake County’s Stormwater Ordinance (whichever is more restrictive) at the time of construction drawing submittal.
- 12) All homes are to have a mixture of porches, covered entrances, and other architectural designs to minimize the visual impact of front-loading garages.

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ACCORDINGLY, based upon the foregoing FINDINGS OF FACT and CONCLUSIONS OF LAW, the Town of Rolesville Board of Commissioners hereby approves the special use permit for the Elizabeth Heights Master Plan in Rolesville, North Carolina and further described on the attached Exhibits A and B.

[SIGNATURE PAGES TO FOLLOW:]

IN WITNESS WHEREOF. The Town of Rolesville Board of Commissioners has caused this permit to be issued in its name and the undersigned, being all of the property owners of the above-described property and the applicant, do hereby accept this Special Use Permit numbered SUP 17-02, executed this the ____ day of _____, 2018, together with all its conditions, as binding on them and their successors in interest.

TOWN OF ROLESVILLE

Frank Eagles

Frank Eagles, Mayor

Robin E Peyton

Robin E Peyton
Town of Rolesville Clerk

STATE OF NORTH CAROLINA

COUNTY OF WAKE

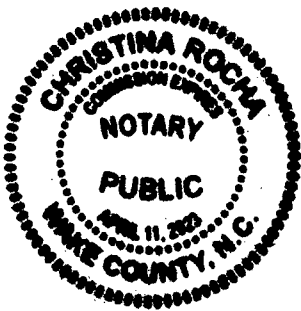
This is to certify that on the 29 day of AUG, 2018, before me, a Notary Public in and for said County and State, personally came Robin Peyton, Clerk of the Town of Rolesville, with whom I am personally acquainted, who being duly sworn, deposes and says: that Frank Eagles is the Mayor of the Town of Rolesville that she is the Clerk of the Board of Commissioners of the Town of Rolesville, the body politic and corporate described in and which executed the foregoing instrument, and that this document is a true and accurate account of the Order of Rolesville Board of Commissioners to issue said special use approval subject to the terms and conditions specified therein.

WITNESS my hand and seal, this the 29 day of AUG, 2018.

Christina Rocha

Notary Public

[SEAL]



PROPERTY OWNER:

A. Jones
DOUGLAS BRANCH JONES, by
his Attorney-in-Fact,
Alexander Douglas Jones

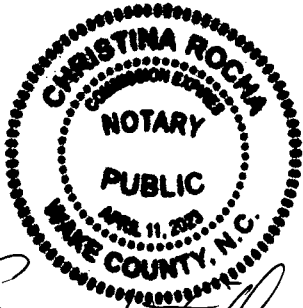
NORTH CAROLINA

COUNTY OF WAKE

I, a Notary Public in and for said County and State, do hereby certify that
ALEXANDER DOUGLAS JONES personally appeared before me and acknowledged execution of
this document. Witness my hand and official stamp or seal, this the 29 day of AUG.,
2018.

Christina Rocha
Notary Public
My commission expires:

[SEAL]



APPLICANT:

Teddie Spencer Whitley
WRIGHT-WHITLEY DEVELOPMENT COMPANY LLC,
SUCCESSOR AND INTEREST TO THOMAS RICHARD WRIGHT, JR, DEVELOPER
BY TEDDIE SPENCER WHITLEY, MANAGER

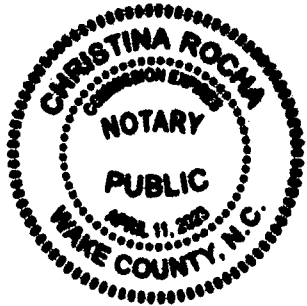
NORTH CAROLINA

COUNTY OF WAKE

I, a Notary Public in and for said County and State, do hereby certify that
TEDDIE SPENCER WHITLEY personally appeared before me and acknowledged execution of
this document in the capacity indicated. Witness my hand and official stamp or seal, this the 29
day of AUG., 2018.

Christina Rocha
Notary Public
My commission expires:

[SEAL]



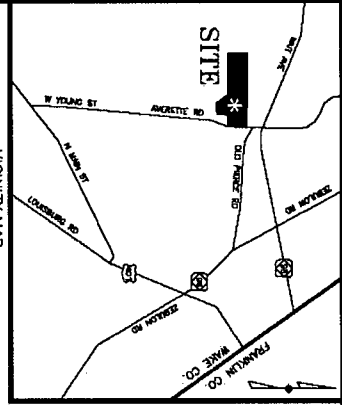
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EXHIBIT "A"

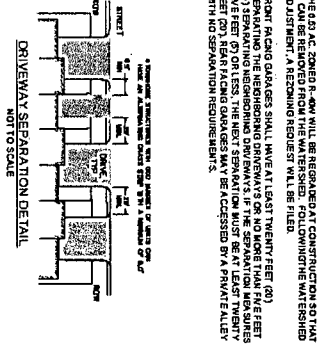
PIN: 1860038619

BEGINNING at a railroad spike in the centerline of State Road 1945, said spike being South 808 feet along and with the centerline of said Road from the intersection of said Road and N.C. Highway 98, thence along and with said centerline of said road South 01 degree 04 minutes 20 seconds West 201.12 feet to a point; thence along and with said centerline South 00 degrees 32 minutes 44 seconds East 688.35 feet to a railroad spike, the northeastern corner of Tract 4; thence North 88 degrees 00 minutes 24 seconds West 483.15 feet to an iron pipe; thence South 11 degrees 58 minutes 48 seconds West 556.57 feet to an iron pipe; thence South 88 degrees 26 minutes 48 seconds West 480.45 feet to an iron pipe; thence North 33 degrees 38 minutes 48 seconds West 739.56 feet to an iron pipe; thence North 87 degrees 05 minutes 45 seconds West 1,950.85 feet to an iron pipe; thence North 00 degrees 45 minutes 24 seconds East 947.65 feet to an iron pipe; thence South 86 degrees 07 minutes 38 seconds East 3,429.04 feet to a railroad spike, the point and place of BEGINNING and containing 82.22 acres, more or less according to the survey of Jesse J. Parrish, R.L.S., dated July 31, 1974; and being all of Tract 3 of the Robert A. Averett Estate as shown on a map or plat thereof by Jesse J. Parrish, R.L.S., dated July 31, 1974.

EXHIBIT 'B'



- LEGEND:**
- EXISTING ROAD ZONING REST OF TRACT ZONED R6(UD)
 - EXISTING POOL
 - EXISTING OR NEARER RIPARIAN STREAM BUFFER
 - PROPOSED SINGLE FAMILY LOTS (RESIDENTIAL TYPE M)
 - PROPOSED TOWN HOMES (RESIDENTIAL TYPE T)
 - PROPOSED OPEN SPACE
 - PROPOSED ACTIVE OPEN SPACE
 - PROPOSED STORMWATER POND
 - PROPOSED 14' WIDE PUBLIC GREENWAY TRAIL WITHIN A 30' ROAD EASEMENT



NOTES:

1. TRACT M & N WILL BE REZONED AT CONSTRUCTION AS THAT IS CALLED FOR BY THE WATERSEWER FOLLOWING WATERSEWER ADJUSTMENT. A REZONING REQUEST WILL BE FILED.
2. FRONT FACING GARAGES SHALL HAVE AT LEAST TWENTY FEET (20') OF SEPARATING THE NEIGHBORING DRIVEWAYS OR NO MORE THAN FIVE FEET (5') OF SEPARATING THE NEIGHBORING DRIVEWAYS IF THE SEPARATION MEASURES FEET (5') SEPARATING GARAGES MAY BE ACCESSED BY A PRIVATE ALLEY WITH NO SEPARATION REQUIREMENTS.

TOWN OF ROLESVILLE R & PUD ZONING REQUIREMENTS

CROSS TRACT AREA	829,94 AC
AREA IN EXISTING ROW	0.28 AC
AREA IN NEW DEDICATED ROW	0.28 AC
NEW CROSS TRACT AREA	81,025 AC
ALLOWED DENSITY	41 AC
SINGLE FAMILY DWELLINGS (TRACT M)	81 AC
TOWNHOUSES (TRACT T)	41 AC
TOTAL TRACT	122 AC
PROPOSED DENSITY	58.88 AC
AREA IN TRACT M	89 LOTS
PROPOSED LOTS	1,02 LOTS / AC
PROPOSED DENSITY TRACT M	11.55 / AC
AREA IN TRACT T	23.15 AC
PROPOSED UNITS	88 UNITS
PROPOSED DENSITY TRACT T	4.23 UNITS / AC
TOTAL PROPOSED DENSITY	2.23 UNITS / AC

LOT DIMENSIONS

TRACT M (SINGLE FAMILY)	MINIMUM STREET FRONTAGE: 50'
PROPOSED:	50'
AVERAGE LOT SIZE:	11,592 SF
TRACT T (TOWNHOUSES)	MINIMUM LOT WIDTH: 20'
PROPOSED:	20'

SETBACKS

TRACT M (SINGLE FAMILY)	FRONT: 10' (FROM ROW)
PROPOSED:	10' (FROM ROW)
TRACT T (TOWNHOUSES)	FRONT: 20' (FROM PROPERTY LINE)
PROPOSED:	20' (FROM PROPERTY LINE)

PARKING

TRACT M (SINGLE FAMILY DETACHED)	98
NUMBER OF UNITS:	4 SPACES (79.104 DWELLING UNITS)
REQUIRED PARKING SPACES:	5 SPACES AT AMENITY CENTER
TRACT T (TOWNHOUSES)	98
NUMBER OF UNITS:	31 TOWNHOUSE 99.3 + 240
PARKING REQUIRED:	324 TOWNHOUSES 89.14 + 24.8
PROPOSED:	410 LOTS AT 16 SPACES LESS 6 SPACES FOR (24)
CLUSTER WALKOFF UNITS:	6 SPACES AT NORTH VISITOR PARKING AREA
REQUIRED PARKING SPACES:	416 SPACES AT NORTH VISITOR PARKING AREA

PERIMETER LANDSCAPE BUFFERS

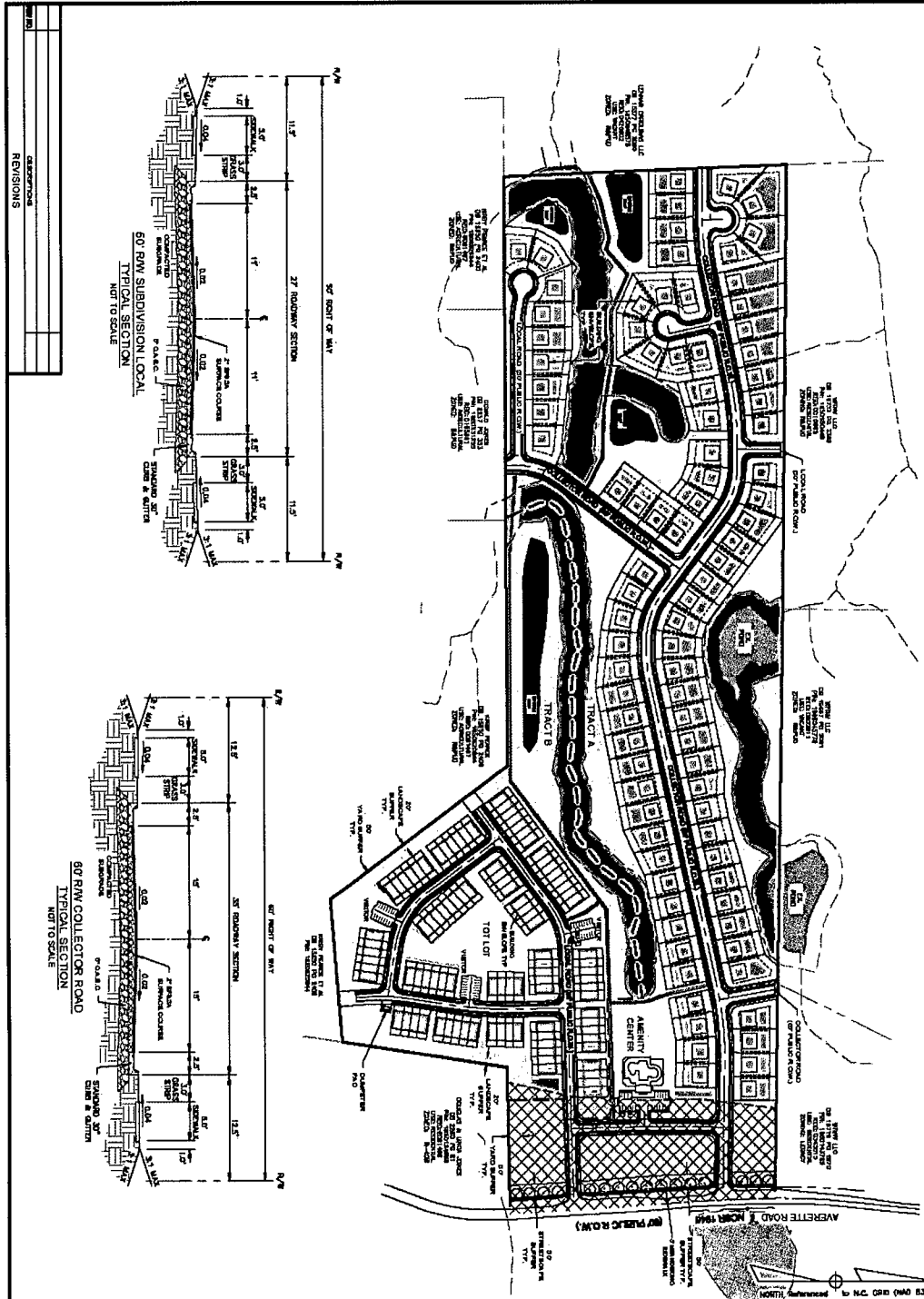
TRACT M (SINGLE FAMILY)	NONE
STREETSCAPE AVERETTE ROAD:	0'
TRACT T (TOWNHOUSES)	30' TYPE B LANDSCAPE
CLASS III ADJOINING CLASS III:	0' PERIMETER AND BUFFER

RECREATION & OPEN SPACE

TRACT M (SINGLE FAMILY)	5.98 AC
10% OF 59.1281 AC:	5.91 AC
PROPOSED:	2.32 AC
TRACT T (SINGLE FAMILY)	21.19 AC
10% OF 212.939 AC:	21.29 AC
PROPOSED:	4.17 AC
TRACT T (TOWNHOUSES)	17.02 AC
PROPOSED PASSIVE OPEN SPACE:	17.02 AC

TRACT T (TOWNHOUSES)

10% OF 111.0211 AC:	3.47 AC
PROPOSED:	1.22 AC
TRACT T (TOWNHOUSES)	3.16 AC
PROPOSED PASSIVE OPEN SPACE:	3.16 AC



PRELIMINARY MASTER PLAN FOR REVIEW
2-13-18

MASTER PUD PLAN

SUBDIVISION PLANS ELIZABETH HEIGHTS

1205 AVERETTE ROAD WAKE FOREST, NC 27687



Bateman Civil Survey Company
Engineers • Surveyors • Planners
2524 Rollins Avenue, Apex, North Carolina 27509
Phone: 919.515.1000 Fax: 919.515.1031
NCBSL'S FIRM No. C-2378



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Please retain yellow trailer page

It is part of the recorded document and must be submitted with the original for re-recording.

Charles P. Gilliam

Register of Deeds

Wake County Justice Center
300 South Salisbury Street, Suite 1700
Raleigh, NC 27601

New Time Stamp

\$25 Non-Standard Fee

Additional Document Fee

Additional Reference Fee

This Customer Group

_____ # of Excessive Entities

_____ # of Time Stamps Needed

This Document

___10___ # of Pages

AP