

## PLANNED UNIT DEVELOPMENT APPLICATION

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Application #: \_\_\_\_\_ Submittal Date: \_\_\_\_\_  
Fee Paid \$ \_\_\_\_\_ Check # \_\_\_\_\_

## PETITION TO AMEND THE OFFICIAL ZONING DISTRICT MAP

Project Name: North Salem Station  
Address(es): 0 Candun Dr., 0 Laura Duncan Rd., 0 N. Salem St.  
PIN(s) 0753024120, 0753026029, 0753028181, 0753019925, 0753019769, 0753016795  
0753015606, 0753013228, 0743908968 Acreage: 10.39 Acres  
Current Zoning: PC (7 Parcels) & B1 (2 Parcels) Proposed Zoning: PUD - CZ  
Current 2045 LUM Designation: High-Density Residential & Commercial; High-Density Residential & Office 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:	<u>N/A</u>
Area proposed as non-residential development:	Acreage:	<u>N/A</u>
Percent of mixed use area proposed as non-residential:	Percent:	<u>N/A</u>

## Applicant Information

Name: Ana Wadsorth  
Address: 120 N. Boylan Avenue  
City: Raleigh State: NC Zip: 27603  
Phone: 919-828-0531 E-mail: awadsworth@thewootencompany.com

## Owner Information

Name: David J & Marilyn B Martin Irrevocable Trust  
Address: 1201 Buck Jones Rd.  
City: Raleigh State: NC Zip: 27606  
Phone: 919-420-1568 E-mail: blake.thomas@avisonyoung.com

## Agent Information

Name: Jeff Shifflett  
Address: 230 Court Square, Suite 202  
City: Charlottesville State: VA Zip: 22902  
Phone: 434-531-6301 E-mail: jshifflett@castledp.com  
Other contacts: Jess Achenbach - jachenbach@castledp.com

## PLANNED UNIT DEVELOPMENT APPLICATION

Application #: \_\_\_\_\_

Submittal Date: \_\_\_\_\_

### PLANNED UNIT DEVELOPMENT DISTRICT STANDARDS:

In return for greater flexibility in site design requirements, Planned Development (PD) Districts are expected to deliver exceptional quality community designs that preserve critical environmental resources; provide high quality community amenities; incorporate creative design in the layout of buildings, Resource Conservation Area and circulation; ensure compatibility with surrounding land uses and neighborhood character; provide high quality architecture; and provide greater efficiency in the layout and provision of roads, utilities, and other infrastructure. The Planned Development (PD) Districts shall not be used as a means of circumventing the Town's adopted land development regulations for routine developments. The PD text and plan should demonstrate how the standards of Sec. 2.3.4.F are met by the proposed rezoning.

### 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.

**North Salem Station PUD-CZ is consistent with the High-Density Residential Overlays that were adopted into the 2045 LUM in February 2020 and the proposed design is compatible with the uses and character of the surrounding properties.**

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 proposed zoning district PUD-CZ is allowed within the High-Density Residential Use per the 2045 Town of Apex's Land Use Map. The development proposes a density of 23 units per acre. The proposed location of the development is compatible with the character of the surrounding land uses.**

3) *Zoning district supplemental standards.* The proposed Conditional Zoning (CZ) District use's compliance with Sec 4.4 *Supplemental Standards*, if applicable.

**Supplemental standards pertaining to multi-family development, as well as, the future use of the non-residential parcels will be incorporated into the final design.**

## PETITION PROCESS INFORMATION

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.

Design will adhere to Town of Apex design standards to minimize adverse impacts to surrounding land. Architectural guidelines and controls will ensure that an appropriate aesthetic is incorporated that is consistent with local architecture and maintains a high level of quality. The project will not create any significant or uncommon nuisances to the surrounding properties.

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.

Design will minimize environmental impacts by adhering to all Town of Apex site planning requirements and any necessary mitigation efforts. The project will incorporate a 20% RCA factor and include additional conditions beneficial to environmental impacts such as solar panels, pump station improvements (if necessary) and electric vehicle charging stations.

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.

CZ use will not create any unique or uncommon impacts on public facilities. Any impacts to public facilities will be mitigated by public improvements at the Property or fees in lieu, as required by the Town of Apex.

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.

CZ use will meet all applicable guidelines for health, safety or welfare of the residents of the Town of Apex.

8) *Detrimental to adjacent properties.* Whether the proposed Conditional Zoning (CZ) District use is substantially detrimental to adjacent properties.

CZ use is in compliance with the Town of Apex's recommended use for the Property, as determined in the 2045 Land Use Map. Proposed residential and office/flex uses are consistent with adjacent properties. Increased building setbacks have been incorporated on property lines in close proximity to existing residences.

**PETITION PROCESS INFORMATION**

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.

CZ use will not create or constitute a nuisance or hazard. A TIA will be included with this application to recommend any traffic impact mitigation improvements necessary as a result of the CZ use. The project will comply with traffic mitigation improvements, as required by the Town of Apex.

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.

CZ use will comply with all standards imposed on it by all other applicable provision of this Ordinance for use, layout and general development characteristics.

## DEVELOPMENT NAME APPROVAL APPLICATION

Application #: \_\_\_\_\_

Submittal Date: \_\_\_\_\_

Fee for Initial Submittal: No Charge

Fee for Name Change after Approval: \$500\*

### Purpose

To provide a consistent and clearly stated procedure for the naming of subdivisions and/or developments and entrance roadways (in conjunction with *Town of Apex Address Policy*) so as to allow developers to define and associate the theme or aesthetics of their project(s) while maintaining the Town's commitment to preserving the quality of life and safety for all residents of Apex proper and extraterritorial jurisdiction.

### Guidelines

- ✓ The subdivision/development name shall not duplicate, resemble, or present confusion with an existing subdivision/development within Apex corporate limits or extraterritorial jurisdiction except for the extension of an existing subdivision/development of similar or same name that shares a continuous roadway.
- ✓ The subdivision/development name shall not resemble an existing street name within Apex corporate limits or extraterritorial jurisdiction unless the roadway is a part of the subdivision/development or provides access to the main entrance.
- ✓ The entrance roadway of a proposed subdivision/development shall contain the name of the subdivision/development where this name does not conflict with the Town of Apex *Road Name Approval Application* and *Town of Apex Address Policy* guidelines.
- ✓ The name "Apex" shall be excluded from any new subdivision/development name.
- ✓ Descriptive words that are commonly used by existing developments will be scrutinized more seriously in order to limit confusion and encourage distinctiveness. A list of commonly used descriptive words in Apex's jurisdiction is found below.
- ✓ The proposed subdivision/development name must be requested, reviewed and approved during preliminary review by the Town.
- ✓ A \$500.00 fee will be assessed to the developer if a subdivision/development name change is requested after official submittal of the project to the Town.\*

\*The imposed fee offsets the cost of administrative changes required to alleviate any confusion for the applicant, Planning staff, other Town departments, decision-making bodies, concerned utility companies and other interested parties. There is no charge for the initial name submittal.

### Existing Development Titles, Recurring

	Residential	Non-Residential
10 or more	Creek, Farm(s), Village(s),	Center/Centre
6 to 9	Crossing(s), Park, Ridge, Wood(s)	Commons, Park
3 to 5	Acres, Estates, Glen(s), Green*, Hills	Crossing(s), Plaza, Station, Village(s)

\*excludes names with Green Level

## DEVELOPMENT NAME APPROVAL APPLICATION

Application #: \_\_\_\_\_ Submittal Date: \_\_\_\_\_

### Proposed Subdivision/Development Information

Description of location: Nine parcels at intersection of Laura Duncan, Candun Drive and North Salem Street  
Nearest intersecting roads: Laura Duncan Road, Candun Drive and North Salem Street  
Wake County PIN(s): 0753024120, 0753026029, 0753028181, 0753019925, 0753019769, 0753016795, 0753015  
Township: Cary and White Oak

### Contact Information (as appropriate)

Contact person: Jeff Shifflett  
Phone number: 434-531-6301 Fax number: \_\_\_\_\_  
Address: 230 Court Square, Suite 202, Charlottesville, VA 22902  
E-mail address: jshifflett@castledp.com  
Owner: DAVID J & MARILYN B MARTIN IRREVOCABLE TRUST  
Phone number: 919-420-1568 Fax number: \_\_\_\_\_  
Address: 1201 BUCK JONES RD., RALEIGH NC 27606-5635  
E-mail address: blake.thomas@avisonyoung.com

### Proposed Subdivision/Development Name

1<sup>st</sup> Choice: North Salem Station  
2<sup>nd</sup> Choice (Optional): \_\_\_\_\_

### Town of Apex Staff Approval:

\_\_\_\_\_  
Town of Apex Planning Department Staff Date

**AGENT AUTHORIZATION FORM**

Application #: \_\_\_\_\_ Submittal Date: \_\_\_\_\_

DAVID J & MARILYN B MARTIN IRREVOCABLE TRUS\* is the owner\* of the property for which the attached application is being submitted:

- Land Use Amendment
- 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 Candun Drive

The agent for this project is: Jeff Shifflett

I am the owner of the property and will be acting as my own agent

Agent Name: Jeff Shifflett

Address: 230 Court Square, Suite 202, Charlottesville, VA 22902

Telephone Number: 434-531-6301

E-Mail Address: jshifflett@castledp.com

Signature(s) of Owner(s)\*  
DAVID J. AND MARILYN B. MARTIN IRREVOCABLE TRUST DATED THE 24TH DAY OF NOVEMBER, 2010  
Donna Evenson, Trustee Donna M. Evenson, Trustee 11/29/2021  
 \_\_\_\_\_  
 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 #: \_\_\_\_\_

Submittal Date: \_\_\_\_\_

The undersigned, Donna Evenson (the "Affiant") first being duly sworn, hereby swears or affirms as follows:

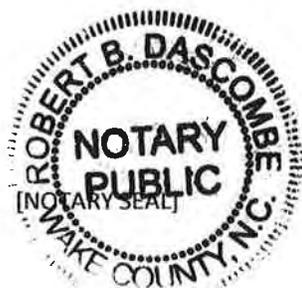
- Affiant is over eighteen (18) years of age and authorized to make this Affidavit. The Affiant is the sole owner, or is the authorized agent of all owners, of the property located at 0 Candun Drive, Apex, NC and legally described in **Exhibit "A"** attached hereto and incorporated herein (the "Property").
- This Affidavit of Ownership is made for the purpose of filing an application for development approval with the Town of Apex.
- If Affiant is the owner of the Property, Affiant acquired ownership by deed, dated 12/30/2010, and recorded in the Wake County Register of Deeds Office on 12/30/2010, in Book 014220 Page 01310-01315 & 01346-01350.
- 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).
- If Affiant is the owner of the Property, from the time Affiant was deeded the Property on 12/30/2010, 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 12/31/2010, 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 29 day of NOVEMBER, 2021  
 David J. & Marilyn B. Martin Irrevocable Trust dated the 24th day of November, 2010  
Donna M. Evenson (seal)  
 Donna Evenson, Trustee

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 DONNA M. EVENSON, 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.



Robert B. Dascombe  
 Notary Public  
 State of North Carolina  
 My Commission Expires: 11-14-2026

**AFFIDAVIT OF OWNERSHIP: EXHIBIT A – LEGAL DESCRIPTION**

Application #: \_\_\_\_\_

Submittal Date: \_\_\_\_\_

**Insert legal description below.**

I. Being all of Lots 2 and 3 as shown on that plat entitled "Survey for David J. Martin-Irrevocable Trust" as recorded in Book of Maps 1992, Page 1399 Wake County Registry.

II. Being all of Lots 4, 6, 7, 8, 9 and 10 on that "Subdivision Map Lots 1-2, 4-10, Parkway Station" as recorded in Book of Maps 1992, Page 344 Wake County Registry.

III. Being all of Lot 3 as shown on that "Subdivision Map Duncan Plaza Phase One" as recorded in Book of Maps 1989, Page 1135 Wake County Registry.

**TOWN OF APEX UTILITIES OFFER AND AGREEMENT**

Application #: \_\_\_\_\_ Submittal Date: \_\_\_\_\_

**Town of Apex  
73 Hunter Street  
P.O. Box 250 Apex, NC 27502  
919-249-3400**

WAKE COUNTY, NORTH CAROLINA CUSTOMER SELECTION AGREEMENT

North Salem Station

\_\_\_\_\_  
Nine parcels at intersection of Laura Duncan, Candun Drive and North Sale  
\_\_\_\_\_  
(the "Premises")

The Town of Apex offers to provide you with electric utilities on the terms described in this Offer & Agreement. If you accept the Town's offer, please fill in the blanks on this form and sign and we will have an Agreement once signed by the Town.

Old Apex Associates LP, the undersigned customer ("Customer") hereby irrevocably chooses and selects the Town of Apex (the "Town") as the permanent electric supplier for the Premises. Permanent service to the Premises will be preceded by temporary service if needed.

The sale, delivery, and use of electric power by Customer at the Premises shall be subject to, and in accordance with, all the terms and conditions of the Town's service regulations, policies, procedures and the Code of Ordinances of the Town.

Customer understands that the Town, based upon this Agreement, will take action and expend funds to provide the requested service. By signing this Agreement the undersigned signifies that he or she has the authority to select the electric service provider, for both permanent and temporary power, for the Premises identified above.

Any additional terms and conditions to this Agreement are attached as Appendix 1. If no appendix is attached this Agreement constitutes the entire agreement of the parties.

Acceptance of this Agreement by the Town constitutes a binding contract to purchase and sell electric power.

Please note that under North Carolina General Statute §160A-332, you may be entitled to choose another electric supplier for the Premises.

Upon acceptance of this Agreement, the Town of Apex Electric Utilities Division will be pleased to provide electric service to the Premises and looks forward to working with you and the owner(s).

ACCEPTED:

CUSTOMER: Old Apex Associates LP

TOWN OF APEX

BY:   
Authorized Agent

BY: \_\_\_\_\_  
Authorized Agent

DATE: 12/1/21

DATE: \_\_\_\_\_

## Wake County Residential Development Notification

Please complete each section of this form and submit with your application.

Town of Apex staff will enter this information into the online WCPSS form.

Please send any questions about this form to:  
[studentassignment-gis-group@wcpss.net](mailto:studentassignment-gis-group@wcpss.net)

Developer Company Information	
<b>Company Name</b>	Old Apex Associates, LP
<b>Company Phone Number</b>	434-531-6301
<b>Developer Representative Name</b>	Jeff Shifflett
<b>Developer Representative Phone Number</b>	434-531-6301
<b>Developer Representative Email</b>	jshifflett@castledp.com

New Residential Subdivision Information	
<b>Date of Application for Subdivision</b>	12/1/21
<b>City, Town or Wake County Jurisdiction</b>	Town of Apex
<b>Name of Subdivision</b>	North Salem Station
<b>Address of Subdivision (if unknown enter nearest cross streets)</b>	Candun Drive and Laura Duncan Road, Apex, NC 27523
<b>REID(s)</b>	0192936, 0192937, 0192940, 0192939, 0192938, 0192934, 0179933, 0062452, 0025354
<b>PIN(s)</b>	0753024120, 0753026029, 0753028181, 0753019925, 0753019769, 0753016795, 0753015606, 0753013228, 0743908968

Projected Dates Information	
<b>Subdivision Completion Date</b>	7/1/2025
<b>Subdivision Projected First Occupancy Date</b>	1/1/2025

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																	
Townhomes																	
Condos																	
Apartments	240			105	111	24		650	1450	1250	2000	2025	240				
Other																	

THE LAND REFERRED TO HEREIN BELOW IS SITUATED IN THE COUNTY WAKE, STATE OF NORTH CAROLINA, AND IS DESCRIBED AS FOLLOWS:

TRACT I

BEING ALL OF LOTS 4, 6, 7, 8, 9 AND 10 OF PARKWAY STATION ACCORDING TO A MAP ENTITLED "SUBDIVISION MAP LOTS 1-2, 4-10 PARKWAY STATION" PREPARED BY SULLIVAN SURVEY COMPANY DATED JULY 11, 1989 AND REVISED JULY 22, 1989 AND MARCH 12, 1992, SAME BEING RECORDED IN BOOK OF MAPS 1992, PAGE 344, WAKE COUNTY REGISTRY, REFERENCE TO WHICH IS HEREBY MADE FOR GREATER CERTAINTY OF DESCRIPTION.

TOGETHER WITH THE RIGHTS OF WAY SHOWN ON THAT MAP RECORDED IN BOOK OF MAPS 1992, PAGE 344, WAKE COUNTY REGISTRY.

TRACT II

THAT CERTAIN LOT, PIECE OR PARCEL OF LAND, LYING AND BEING IN WAKE COUNTY, NORTH CAROLINA, KNOWN AND DESIGNATED AS "LOT 2", CONTAINING 1.001 ACRES, MORE OR LESS, AS SHOWN ON THAT CERTAIN PLAT ENTITLED "SURVEY FOR DAVID J. MARTIN - IRREVOCABLE TRUST, WHITE OAK TOWNSHIP, WAKE COUNTY, N.C.", DATED NOVEMBER 13, 1992, MADE BY SMITH AND SMITH SURVEYORS, AND RECORDED IN PLAT BOOK 1992, PAGE 1399, WAKE COUNTY REGISTRY.

TRACT III

THAT CERTAIN LOT, PIECE OR PARCEL OF LAND, LYING AND BEING IN WAKE COUNTY, NORTH CAROLINA, KNOWN AND DESIGNATED AS "LOT 3", CONTAINING 1.544 ACRES, MORE OR LESS, AS SHOWN ON THAT CERTAIN PLAT ENTITLED "SURVEY FOR DAVID J. MARTIN - IRREVOCABLE TRUST, WHITE OAK TOWNSHIP, WAKE COUNTY, N.C.", DATED NOVEMBER 13, 1992, MADE BY SMITH AND SMITH SURVEYORS, AND RECORDED IN PLAT BOOK 1992, PAGE 1399, WAKE COUNTY REGISTRY.

TRACT IV

BEING ALL OF LOT 3, CONTAINING 1.25 ACRES, OF DUNCAN PLAZA, PHASE ONE, AS SHOWN ON MAP RECORDED IN BOOK OF MAPS 1989, PAGE 1135, WAKE COUNTY REGISTRY, REFERENCE TO WHICH IS HEREBY MADE FOR GREATER CERTAINTY OF DESCRIPTION.

SEE ALSO BOOK OF MAPS 1992, PAGE 344, WAKE COUNTY REGISTRY.

Planned Unit Development

# NORTH SALEM STATION DEVELOPMENT

Laura Duncan Road · Candun Drive · North Salem Street  
Apex, North Carolina  
PUD PLAN

March 14, 2022



# **NORTH SALEM STATION**

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## **Planned Unit Development**

**Prepared for The Town of Apex, North Carolina**

### **Developer**

Castle Development Partners  
230 Court Square, Suite 202  
Charlottesville, VA 22902



### **Architect**

Dynamik Design  
5901 Peachtree Dunwoody Rd.  
Building C, Suite 250  
Atlanta, GA 30328



### **Civil Engineer**

The Wooten Company  
120 N. Boylan Ave.  
Raleigh, NC 27603



### **Traffic Engineer**

Ramey Kemp & Associates  
120 N. Boylan Ave.  
Raleigh, NC 27603



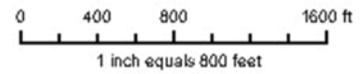
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- A. Building Elevations
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- C. Existing Conditions Sheet
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## VICINITY MAP



***Disclaimer***  
*Maps 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.*



## PROJECT DATA

- 1. Name of Project:** North Salem Station
  
- 2. Applicant:** Castle Development Partners  
230 Court Square, Suite 202  
Charlottesville, VA 22902
  
- 3. Prepared By:** The Wooten Company  
120 N. Boylan Ave.  
Raleigh, NC 27603
  
- 4. Current Zoning:** PC – Planned Commercial (7 Parcels) and  
B1 - Neighborhood Business (2 Parcels)
  
- 5. Proposed Zoning:** PUD–CZ: Planned Unit Development  
Conditional Zoning
  
- 6. Current 2045 LUM:  
Designation** High-Density Residential, Apartments Only/  
Commercial Services (7 Tracts- North of N. Salem Street)  
High-Density Residential / Office Employment (2 Tracts-  
South of N. Salem Street)
  
- 7. Area of Tract(s):** 10.39 Acres
  
- 8. Areas Designated as Mixed Use on 2045 LUM:** 0 Acres
  
- 9. Area of Mixed-Use Property Proposed as Non-Residential:** 0 Acres
  
- 10. Percent of Mixed-Use Areas Proposed as Non-Residential:** 0%

## PURPOSE STATEMENT

North Salem Station development site is comprised currently of nine (9) individual parcels. It is intended that some of these parcels be recombined, resulting in a total of six (6) parcels. Of these parcels, three (3) will be dedicated for residential uses, one (1) for non-residential uses, and two (2) for Resource Conservation Area.

The following information provides a brief summary of how the Development Parameters in the Planned Unit Development District (PUD-CZ) will be met:

The proposed uses designated above for each group of parcels, are permitted uses per §4.2.2 *Use Table* in the Town of Apex's UDO.

North Salem Station includes both residential and non-residential parcels. The residential development will consist of multi-family housing with a maximum of 239 units. The non-residential development will consist of a single building with a maximum area of 10,000 SF.

The proposed development has provided dimensional standards that either meet or exceed compliance with the Town of Apex's UDO. In addition, this development will follow all other requirements of the UDO, North Carolina Building Code and North Carolina Fire Code.

Public sidewalks will be constructed along all right-of-way frontages associated with the development. Per the Town's Parks, Recreation, Greenways and Open Space Master Plan, a ten (10) foot side path will also be constructed along the eastern side of Laura Duncan Road. Internal sidewalks with associated crosswalks and ADA accessible ramps throughout the development will be provided to promote a walkable community for residents.

North Salem Station PUD-CZ is consistent with the High-Density Residential, Apartments only Land Use Designation that was adopted in the 2045 LUM in February 2021 and the proposed design is compatible with the uses and character of the surrounding properties.

North Salem Station will provide quality through enhanced materials and design features, as outlined in the Architectural Controls section below. Sample elevations found in this document illustrate a sample of the style of both residential and non-residential development will provide.

The following information provides a brief summary of how this development proposes site-specific standards and conditions consistent with all Conditional Zoning (CZ) District Standards found in the Town of Apex's UDO §2.3.3 *Conditional Zoning Districts*:

The proposed zoning district PUD-CZ is allowed within the High-Density Residential Use per the 2045 Town of Apex's Land Use Map. The development proposes a maximum density of 23 units per acre.

The proposed location of the development is compatible with the character of the surrounding land uses.

Supplemental standards pertaining to multi-family development, as well as the future use of the non-residential parcels will be incorporated into the final design.

Design will adhere to the Town of Apex's design standards to minimize adverse impacts to the surrounding land. Architectural guidelines and controls will ensure that an appropriate aesthetic is incorporated that is consistent with local architecture and maintains a high level of quality. The project will not create any significant or uncommon nuisances to the surrounding properties.

Design will minimize environmental impacts by adhering to all the Town of Apex's site planning requirements and necessary mitigation efforts. The project will designate 20% of the site as RCA and include additional conditions beneficial to environmental impacts such as solar panels, sanitary sewer pump station improvements (if required) and electric vehicle charging stations for residential uses.

The proposed PUD-CZ will not create any unique or uncommon impacts on public facilities. Any impacts to public facilities will be mitigated by public improvements at the property or fees in lieu, as required by the Town of Apex.

The proposed PUD-CZ will meet all applicable guidelines for health, safety, or welfare of the residents of the Town of Apex.

The proposed PUD-CZ is in compliance with the Town of Apex's recommended use for the Property, as determined in the 2045 Land Use Map. Proposed residential and office/flex uses are consistent with adjacent properties. Increased building setbacks have been incorporated on property lines near existing residences.

The proposed PUD-CZ will not create or constitute a nuisance or hazard. A TIA will be included with this application to recommend any traffic impact mitigation improvements necessary because of the CZ use. The project will comply with traffic mitigation improvements, as required by the Town of Apex.

The proposed PUD-CZ will comply with all standards imposed on it by all other applicable provision of this ordinance for use, layout, and general development characteristics.

## PERMITTED 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.

Permitted Residential Use Categories: Parcels 2, 3, and 4	
Multi-Family/Apartment	Accessory apartment
Condominium	Utility minor
Townhouse	Park, active
Duplex	Park, passive
Triplex	Private Recreation Facility
Quadplex	



Permitted Non-Residential Use Categories: Parcel 6	
<b>Recreational Uses:</b>	<b>Food and Beverage Services:</b>
Park Active/Park Passive	Restaurant, General
<b>Office and Research:</b>	<b>Industrial Services:</b>
Medical or Dental Office or Clinic	Woodworking or cabinetmaking
Medical or Dental Laboratory	Manufacturing and processing, minor (S)
Office (Business or Professional)	Microbrewery
Research Facility	Micro Distillery
<b>Retail Sales and Services:</b>	
Artisan Studio	Barber and Beauty Shop
Book Store	Floral Shop
Financial Institution	Grocery, General
Grocery, Specialty	Health/fitness center or spa
Kennel	Printing and copying service
Real estate sales	Retail sales, general
Studio for art	Tailor shop
Upholstery shop	Pet services



## SITE DESIGN CONTROLS

Total Site Acreage: 10.39 acres

### Residential Use Parcels

1. **Maximum Overall Gross Density** – 23 Units/Acre
2. **Maximum Number of Units** - 239
3. **Maximum Building Height** – 60 feet (Maximum 4 Stories)
4. **Maximum Built Upon Area** –70% of Total Area
5. **Building Setbacks**

<b>Parcel 1</b>	
RCA- No Setbacks	
<b>Parcel 2</b>	
Front:	10 feet (South, Candun Drive)
Side:	20 feet (East, Laura Duncan Drive)
Side:	0 feet (West, Parcel 1)
Rear:	Required Buffer + 5 Feet (North)
<b>Parcel 3</b>	
Front:	50 feet (West, South of Candun Drive) 20 feet (West, North of Candun Drive)
Side:	50 feet (South, Old Apex Road)
Side:	Required Buffer + 5 Feet (North)
Rear:	60 feet (East)
<b>Parcel 4</b>	
Front:	50 feet (South, N. Salem Street)
Side:	50 feet (East, Laura Duncan Road)
Side:	10 feet (West, Candun Drive)
Rear:	10 feet (North, Candun Drive)

## 6. Buffers

Perimeter	
Northern Buffer	10 feet – Type A Buffer
Eastern Buffer	15 feet – Type A Buffer
North Salem Street	30 feet – Type A Buffer*
Western Buffer	0 feet
Laura Duncan Road	0 feet

\*The overhead Duke Energy electric easement along North Salem Street shall be counted towards the required buffer standards as identified within various UDO sections. Vegetation planted under the buffer shall be chosen to be 20 feet or less tall, so as to avoid impacting the overhead utility lines.



**Non-Residential Use Parcels**

1. **Maximum Building Height** – 40 feet (Maximum 2 Stories)
2. **Maximum Built Upon Area** –70% of Total Area
3. **Maximum Square Footage**- 10,000 SF
4. **Building Setbacks**

Parcel 5	
RCA- No Setbacks	
Parcel 6	
Front:	Required Buffer + 10 feet (North, North Salem St.)
Side:	10 feet
Rear:	10 Feet (South, CSX Rail)

5. **Buffers**

Perimeter	
North Salem Street	20 feet – Type A Buffer
Eastern Buffer	0 feet
Southern Buffer	0 feet
Western Buffer	0 feet



## ARCHITECTURAL DESIGN CONTROLS

The proposed development offers the following architectural controls to ensure a consistency of character throughout the development, while allowing for enough variety to create interest and avoid monotony. Elevations included are limited examples of multiple options available. Changes to the exterior materials, roof, windows, doors, process, trim, etc. are allowable with administrative approval at the staff level. Further details shall be provided at the time of Site Plan submittal.

### Residential (all product types):

1. Proposed materials and styles will be of a similar palette to provide consistency of character along with visual interest. Exterior materials that may be incorporated into any of the residential buildings include:
  - a. Cementitious siding
  - b. Wood or synthetic wood siding
  - c. Stone or synthetic stone
  - d. Brick
  - e. Additional building materials may be included with administrative staff approval. Substitute materials shall be allowed by staff approval if the Planning Director determine them to be adequately similar.
2. Vinyl siding is not permitted; however, vinyl windows, decorative elements and trim are permitted.
3. For multi-family/apartment buildings, the roofs may be pitched or flat. All other housing types shall have pitched roofs.
4. Siding materials shall be varied in type and/or color on 30% of each facade on each building.
5. Windows that are not recessed must be trimmed.
6. Rooflines cannot be a single mass; they must be varied with the use of gables or parapets.
7. Solar conduit will be provided on all buildings to accommodate the future installation of solar panels.
8. The proposed residential unit mix will cap 3-bedroom units at 10% of the total unit count.

### Non-Residential:

1. Architectural treatments such as varying roof forms, façade articulation, breaks in roof, walls with texture materials and ornamental details as well as landscaping shall be incorporated to add visual interest. Large expanses of blank walls, greater than 20 feet in length or height, shall be broken up with windows or other architectural features to reduce visual impacts.
2. Roof features may include flat roofs with parapet, hip roofs or awnings with metal or canvas material.
3. Two (2) or more materials shall be used on each building.
4. Permitted materials include:
  - a. Brick, stone, or synthetic stone masonry
  - b. Decorative concrete block (integral color or textured)
  - c. Stone accents
  - d. Aluminum storefront windows/doors with anodized or pre-finished colors
  - e. EIFS cornices and parapet trim

- f. EIFS or synthetic stucco shall not be used in the first four feet above grade and shall be limited to 25% of each building facade.
  - g. Precast concrete
  - h. Cementitious siding
5. Prohibited materials include:
- a. Vinyl siding is not permitted; however, vinyl windows, decorative elements and trim are permitted.
  - b. Painted, smooth faced concrete block
  - c. Metal Walls. Decorative metal accents and panels may be accepted.
6. Exterior lighting shall not exceed a color temperature of 3,500K and shall meet UDO requirements for full cut off lights.

## PARKING AND LOADING

Parking calculations and dimensions for this PUD will comply with UDO Section 8.3 (Off-Street Parking and Loading) of the Town of Apex's Unified Development Ordinance unless otherwise stated in this document.

This development proposes a minimum of 1.3 spaces/residential unit and a maximum of 1.6 spaces/residential unit for all surface lot spaces serving the residential lots. This cap on the maximum parking count was incorporated after discussions with Town Council members and is intended to reduce the number of parking spaces from what the ordinance would require otherwise to maximize green space and promote the use of public transit. The parking count will be based on all unit types and not specify a requirement per number of bedrooms. No more than 10% of the total unit count shall be 3-bedroom units.

As a consideration for the number of residents this development will bring to the area, Castle Development aims to reduce the amount of traffic and promote the use of public transportation by reducing parking spaces on site. The residential development shall construct two bus stops along North Salem Street/Old Apex Road and coordinate the final location with the Town of Apex and Town of Cary in accordance with GoApex and Regional Transit requirements.

Parking associated with the non-residential use lots shall comply with UDO Section 8.3. Bicycle and ADA parking will be provided as required.

Electrical vehicle (EV) charging spaces for the residential development shall be based on the number of parking spaces required by the UDO rather than the reduced parking ratio proposed by the PUD. EV charging spaces shall be provided in accordance with UDO Sec. 8.3.11.

Boat, Boat Trailer and Recreational Vehicle (RV) parking shall be prohibited on site.

Trash pick-up shall be contracted with a private company and limited to the hours of 7:00 AM to 7:00 PM, Monday through Saturday.

## SIGNAGE COMPLIANCE

All signage for this PUD will comply with Section 8.7 (Signs) of the Town of Apex UDO.

## NATURAL RESOURCE AND ENVIRONMENTAL DATA

### 1. Primary or Secondary Watershed Protection Overlay District –

This project is located within the Cape Fear River Basin. Most of the proposed site (parcels north of N. Salem St.) is located within the Secondary Watershed Protection Overlay District as shown on the Town of Apex Watershed Protection Map. The two (2) parcels south of N. Salem St. are located within the Primary Watershed Protection Overlay District. This PUD will comply with section 6.1.7 of the UDO, High-Density Development Option.

### 2. FEMA Designated 100 Year Floodplain –

The proposed PUD site is not located in a designated current or future 100-year floodplain as shown on the Town of Apex FEMA map and FIRM Panels 3720074300J and 3720075300J, effective 5/02/06.

### 3. Resource Conservation Area (RCA)

The PUD will be subject to and meet the requirements of Sections 8.1.2 and 2.3.2 of the Town of Apex UDO. Since the site is located to the east of NC 540, a minimum 20% of the gross site acreage shall be designated as RCA.

RCA BREAKDOWN	
Total Site Area:	10.39 acres/452,588 SF
Total RCA Required (20%):	2.08 acres/90,518 SF
Total RCA Provided (20.8%):	2.16 acres/93,944 SF

Applicant intends to dedicate 0.7 acres of land (**Parcel 1**) at the northwest corner of the site solely for open space/RCA dedication. This land will prohibit construction of any kind. It is currently grassy and will be planted to meet the UDO's requirements for planted RCA.

In addition, approximately 1.17 acres of land located on the south side of North Salem Street (**Parcel 5**) will be dedicated as RCA. The proposed plan will also prohibit construction to occur within this area for the purposes of this development.

### 4. Evidence of Historic Structure On-Site -

Per the North Carolina State Historic Preservation Office National Historic Places, there are no historic structures present within the proposed project boundary.

## STORMWATER MANAGEMENT

The proposed PUD shall meet all stormwater management quality and quantity requirements in accordance with 6.1.7 of the Town of Apex's Unified Development Ordinance.

- ❖ Post-development peak runoff shall not exceed pre-development peak runoff for the 24-hour, 1- and 10-year storm events.
- ❖ Treatment will be provided for the 1<sup>st</sup> inch of runoff and will provide a minimum of 85% removal of total suspended solids.

Due to site constraints, stormwater control measures may include, but not be limited to, underground detention systems with NCDEQ approved Storm Filter and Filterra Systems for treatment and bioretention areas and/or construction stormwater wetlands in and around parking lots. If elevation change is feasible, an above ground stormwater detention pond may be added to a portion of the lot on the south side of N. Salem Street. All stormwater control measures shall be approved and designed according to the NCDEQ Design Manual as well as the Town of Apex's UDO.

## PARKS, RECREATION AND CULTURAL RESOURCES

This PUD proposes a fee-in-lieu of dedication. The rate is based on the time of PUD and PRCR Advisory Commission Approval.

**\$2,226.05 per multi-family unit**

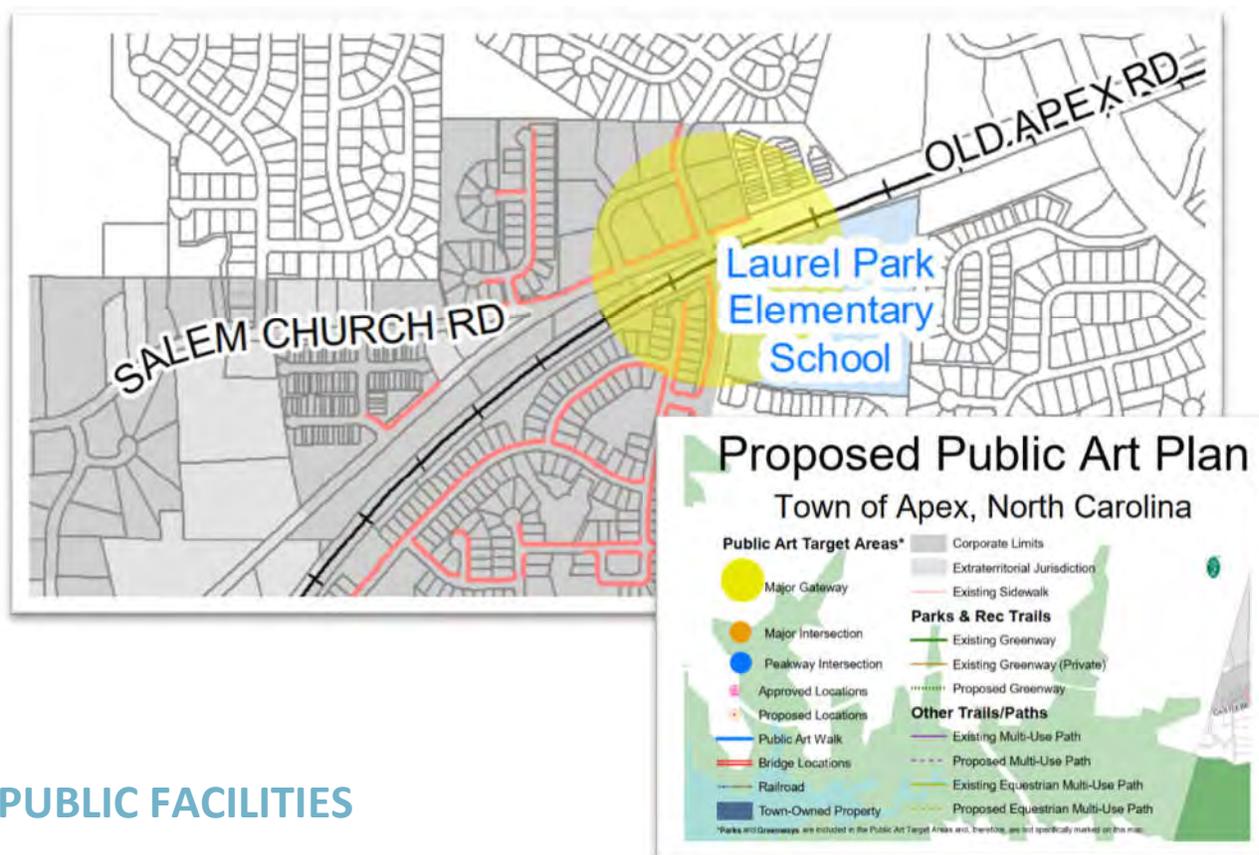
However, per the Town of Apex's Parks, Recreation, Greenways and Open Space Master Plan, a new 'Greenway Trail' is proposed along the Northern Property Boundary (Along Proposed Parcels 1 and 2) and a 'Sidepath' is proposed along the Eastern side of Laura Duncan Drive.

The PRCR Advisory Commission reviewed the North Salem Station PUD at the February 23, 2022 meeting. The Advisory Commission made a recommendation for a fee-in-lieu of dedication for a maximum of 239 multi-family units with credit for construction of greenway as shown on the Parks, Recreation, Greenways and Open Space Master Plan. The Advisory Commission made a recommendation for the timing of completion of the greenway trail that is different than UDO Sec 14.1.5.C.5 based on the timing of financing and construction sequencing. The recommendation is that the greenway shall be completed prior to the receipt of the final residential building CO.

### Proposed Public Art

The Town of Apex's Public Art Plan designates the area around the intersection of Laura Duncan and North Salem as a "Major Gateway" into Apex. To help promote the Town's Public Art Plan, the Applicant proposes to dedicate an easement for the installation of public art. Location of the art installation will be agreed upon and determined during site plan review.

Application proposes to donate \$10,000 to the Citizens for Apex Parks to be allocated towards an art installation to be erected within this development area.



## **PUBLIC FACILITIES**

The proposed PUD shall meet all public facilities requirements in accordance with the Town of Apex's UDO, Advance Apex: The 2045 Transportation Plan, and Standard Specifications and Details.

### Roadway Infrastructure

See Right-of-Way Improvements Section of this document for a summary of how proposed roadway infrastructure and right-of-way dedications will be consistent with the Town of Apex's UDO and Transportation Plan.

### Pedestrian Connectivity

All sidewalks installed per the Right of Way Improvements section herein shall be a minimum five (5) feet wide to enhance pedestrian connectivity and safety. All sidewalks will include ADA accessible ramps, detectable warning strips and crosswalks where necessary.

A ten (10) foot wide side path along the eastern side of Laura Duncan Road will be constructed in accordance with the Town of Apex's Parks, Recreation, Greenways and Open Space Master Plan.

#### Water and Sanitary Sewer

All lots within the project will be served by the Town of Apex for water and sanitary sewer. The proposed design will meet the Town's current standard details and specifications for all connections to the public system.

A capacity study is in progress that analyzes existing and proposed wastewater flows. A final report and analysis will be provided to the Town of Apex to determine if any improvements are required. Any upgrades required to the system will be a condition of site plan approval.

A fire flow test will be conducted to analyze current static and residual pressures around the site.

## PROJECT PHASING

Phasing for the project shall be determined during site plan or master subdivision plan review and coordinated with the Technical Review Committee.

## CONSISTENCY WITH LAND USE PLAN

The proposed land use is consistent with the Advance Apex: 2045 Land Use Map Update.

The 2045 Land Use Map designates the subject parcels to the North of N. Salem St. (2-4) as High-Density Residential, Apartments Only and Commercial Services. The proposed land use for these parcels is High-Density Residential, which is consistent with the Land Use Map designation.

The 2045 LUM designates the subject parcels to the South of N. Salem St. as High-Density Residential and Office Employment. The proposed land uses designated for parcel 6 are consistent with those listed in the zoning districts under Office Employment. Those uses are consistent with the 2045 Land Use Map designation.

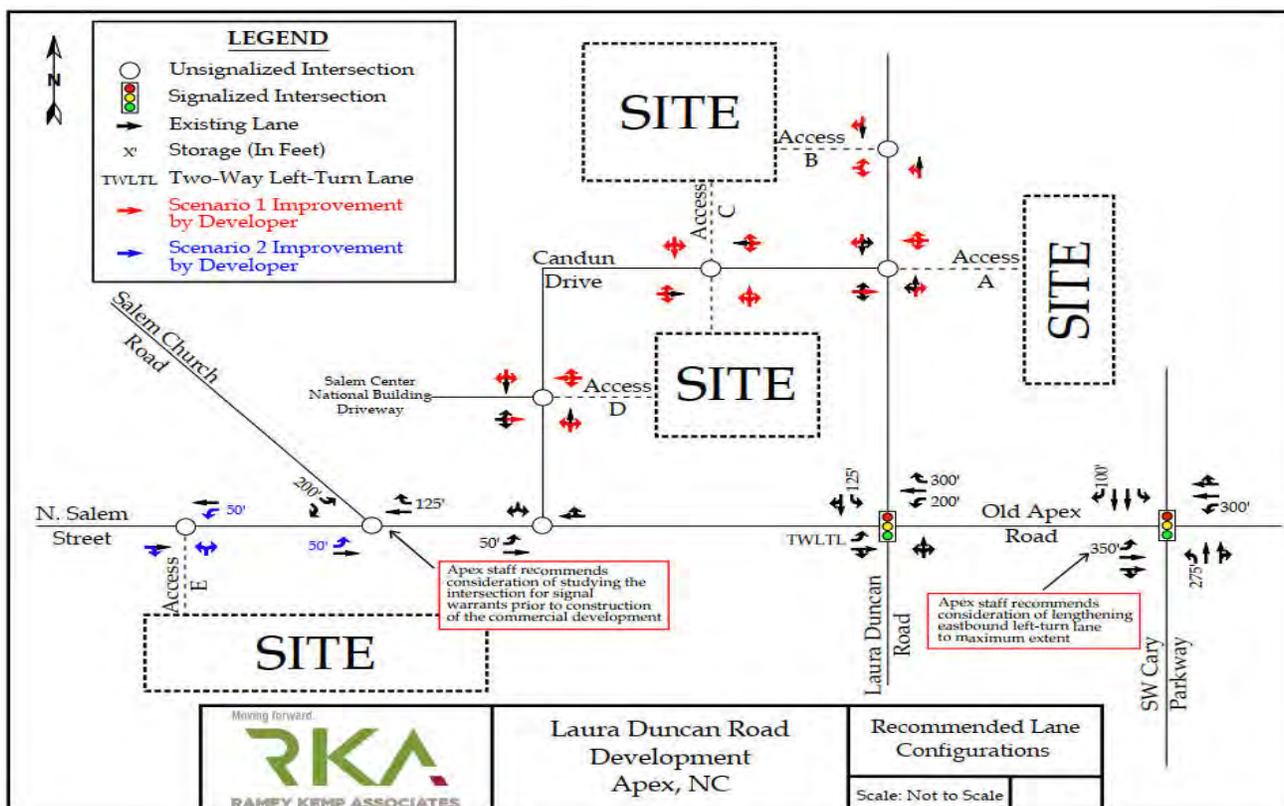
## COMPLIANCE WITH UNIFIED DEVELOPMENT ORDINANCE

The proposed PUD-CZ and associated development is consistent with all applicable requirements of the Town's Unified Development Ordinance.

## RIGHT-OF-WAY IMPROVEMENTS

The following recommendations were provided as part of the Traffic Impact Analysis (TIA) prepared by Ramey Kemp and Associates in November of 2021. Refer to the figure below for an illustration of the recommended lane configuration. The full TIA is provided as an attachment to the PUD re-zoning submittal.

1. **Laura Duncan Road and Candun Drive/Access A:**
  - a. Construct the westbound approach with one ingress and one egress lane.
  - b. Provide stop control for the westbound approach.
  
2. **Laura Duncan Road and Access B:**
  - a. Construct the eastbound approach with one ingress and one egress lane.
  - b. Provide Stop control for the eastbound approach.
  
3. **Laura Duncan Road and Access C:**
  - a. Construct the northbound and southbound approaches with one ingress and one egress lane.
  - b. Provide Stop control for the northbound and southbound approaches.
  
4. **Laura Duncan Road and Access D:**
  - a. Align access D with existing driveway on Candun Drive.
  - b. Construct the westbound approach with one ingress and one egress lane.
  - c. Provide Stop control for the westbound approach.
  
5. **North Salem Street and Access E (Will Complete for the Development of the Non-Residential Lots):**
  - a. Provide an exclusive westbound left-turn lane with a minimum of a 50' storage lane and appropriate deceleration and taper on North Salem Street.
  - b. Construct the northbound approach with one ingress and one egress lane.
  - c. Provide stop control for the northbound approach.
  
6. **North Salem Street and Salem Church Road (Will Complete for the Development of the Non-Residential Lots):**
  - a. Construct an exclusive eastbound left turn lane with a minimum of a 50' storage lane and appropriate deceleration and taper on North Salem Street.
  
7. **Old Apex Road and SW Cary Parkway**
  - a. The Town of Apex staff recommends consideration of lengthening eastbound left-turn lane to maximum extent. Developer will consider these improvements only if NCDOT requires only grinding of existing paint lines, not mill and overlay of full roadway width.



## TRANSPORTATION ZONING CONDITIONS

1. All proposed driveway access and improvements on state-maintained roadways are subject to NCDOT review and approval.
2. All development frontage improvements along North Salem Street shall be based on a minimum 41' back-to-back 3-lane roadway on 80' right-of-way. As part of the non-residential site plan, a maximum of one (1) access point shall be proposed on North Salem Street, to be located west of Salem Church Road and serving the south parcel.
3. All development frontage along Laura Duncan Road shall include a 5' sidewalk on the west side and 10' Side Path on the east side. A maximum of two (2) access points shall be proposed, one located north of Candun Drive serving the west side and one across from Candun Drive serving the east side.
4. All development frontage along both sides of Candun Drive shall include a 5' sidewalk. A maximum of three (3) access points shall be proposed, two located across from each other west of Laura Duncan Road serving the north and south side and one north of North Salem Street serving the east side.
5. Developer shall provide a 50' building setback along Laura Duncan Road from North Salem Street to Candun Drive and along the entire development frontage of North Salem Street in consideration of the planned grade separation of Laura Duncan Road at the railroad tracks.
6. Developer shall perform a warrant study for the intersection of Salem Church Road at North Salem Street if directed by Apex staff prior to site plan approval of the non-residential parcel south of North Salem Street and install a traffic signal if determined by warrant study and required by NCDOT. If not required at that time, developer shall have no future responsibility for a traffic signal.

7. Developer will dedicate a maximum of 0.24 acres of additional right of way as shown on the Site Layout based on a conceptual future single-lane roundabout at the intersection of North Salem Street and Salem Church Road.
8. At the time of constructing driveway access to the non-residential parcel located south of North Salem Street, developer shall widen North Salem Street to provide a two-way left-turn lane (TWLTL) between the driveway access and Salem Church Road serving left turns at both intersections.
9. Prior to the first Site Plan Final Plat for the residential parcels, Developer shall lengthen the eastbound left turn lane on Old Apex Road approaching Cary Parkway to the maximum extent possible by restriping the existing painted median island for additional storage length only if NCDOT allows this work to be done without milling and asphalt overlay. If NCDOT requires milling and asphalt overlay then this work shall not be required of the Developer.
10. Developer shall construct two bus stops per Town of Apex standards with amenity pad, bench, bicycle parking, and trash receptacle. Bus stops shall be constructed to accommodate a shelter, but shelters shall not be provided by the applicant. The bus stops shall be paired, to serve both sides of North Salem Street, the final location to be determined by Apex staff during site plan review. If needed, a Transit Access Easement shall be provided for public access to the bus stops.

## ADDITIONAL RIGHT-OF-WAY IMPROVEMENTS

Currently, sidewalks exist along the western side of Laura Duncan and along the North Salem Street frontage. A 10' side path will be built along the eastern side of Laura Duncan to connect with Town of Cary's side path.

At the time of the development of the residential parcels, additional sidewalks, ADA ramps and crosswalks will be added along the street frontage of all residential parcels to enhance pedestrian connectivity around the development. A sidewalk along the south side of North Salem Street will be constructed from the intersection of Laura Duncan Road westward to the proposed bus stop located on the south side of North Salem Street. If permission is not granted by CSX Railroad, installation of this sidewalk will not be a condition of this rezoning.

At the time of the development of the non-residential parcels, a sidewalk will be constructed along the property frontage of Lots 5 and 6, continuing eastward to the proposed bus stop located on the south side of North Salem Street.

A crosswalk will be added across Laura Duncan Road on the south side of North Salem Street if allowed by CSX Railroad. If permission is not granted by CSX Railroad, installation of this crosswalk will not be a condition of this rezoning.

Future right-of-way and/or easement dedication (Developer is flexible on locations) is provided as a part of this proposal for the following:

- Two Bus Stop Locations to promote public transportation (Along N. Salem St.)
- Future Traffic Circle near the N. Salem St. and Salem Church Rd. intersection. (This will be dedicated only during the development of the Non-Residential Lots).
- Public Art Installation

## ENVIRONMENTAL ADVISORY BOARD RECOMMENDATIONS

The following environmental commitments were discussed and approved by the Apex Environmental Board on August 19, 2021. This summary describes each concern and how the applicant plans to address these recommendations.

<p><b>#1: Project shall apply for sustainable building certification.</b></p>
<p>Response: The residential parcels shall apply for the National Green Building Standard Certification at the Bronze level and will be designed and constructed to meet those standards. The application process would begin at the start of architectural design for the residential buildings). The Certification would be obtained within 1 year of the building Certificate of Occupancy. A third-party energy management consultant will be contracted as a part of the design team to ensure that the standards are met.</p>
<p><b>#2: Pet waste stations shall be installed throughout the neighborhood.</b></p>
<p>Response: Pet waste stations shall be installed at 3 or more locations throughout the development.</p>
<p><b>#3: Site shall include electric vehicle charging stations.</b></p>
<p>Response: Electric Vehicle (EV) Parking for the residential development shall be based on the number of parking spaces required by the UDO rather than the reduced parking ratio proposed by the PUD. EV charging spaces shall be provided in accordance with UDO Sec. 8.3.11.</p>
<p><b>#4: Follow the International Dark Sky Association compliance standards.</b></p>
<p>Response: International Dark Sky Association Compliance Standards is already intended for this project, as this is a standard practice at all Castle Development sites.</p> <ol style="list-style-type: none"> <li>a. Outdoor lighting shall be shielded in a way that focuses lighting to the ground.</li> <li>b. Lighting that minimizes the emission of blue light to reduce glare shall be used.</li> <li>c. Lighting with a color temperature of 3000K or less shall be used for outside installations.</li> </ol>
<p><b>#5: Reserve pervious surface areas for residents with pets.</b></p>
<p>Response: Since the EAB has reviewed the conceptual site plan, additional green space has been added to designate a dog park within the community.</p>
<p><b>#6: Recommendation of decreasing housing density to accommodate the following:</b></p> <ul style="list-style-type: none"> <li>• <b>Double the set-back from N. Salem Street/Old Raleigh to accommodate a minimum 30-foot-wide “A” type buffer.</b></li> <li>• <b>Provide an “A” type buffer around the remainder of the development.</b></li> <li>• <b>Use canopy trees in the parking lot and add six trees internal to the lot.</b></li> <li>• <b>Add a retention pond that will serve a 25-year storm with maximum residual volume allowed for the pond surface area.</b></li> </ul>
<p>Response:</p> <ul style="list-style-type: none"> <li>• All setbacks and buffers have been adjusted to provide an appropriate width and screening for surrounding streets and properties. A 30’ wide Type A Buffer and a 50’ Building Setback have been added along the street frontage of N. Salem Street.</li> </ul>

<ul style="list-style-type: none"> <li>• Type A Buffers have been added to the remainder of the development.</li> <li>• If site design allows, applicant agrees to installing additional trees where appropriate.</li> <li>• Due to site constraints, an underground detention system with other surface stormwater control measures will be proposed to detain and treat runoff from the 1- and 10- year/24-hour storm events.</li> </ul>
<p><b>#7: Install solar PV systems on the south facing rooftops of a minimum size that will support the common electrical energy requirements. This includes the recreational room and pool. If there is additional rooftop available, install solar energy PV systems that provide electricity to individual apartments.</b></p>
<p>Response:</p> <ul style="list-style-type: none"> <li>• Applicant will install Solar PV System (minimum 4KW DC Solar PV System). to power community clubhouse building in residential area.</li> <li>• Solar conduits will be installed in all residential buildings for future PV systems.</li> </ul>

## TOWN OF APEX’S SUGGESTED CONDITIONS

In previous meetings, the Town Council has expressed several areas of concern. Below is a summary of how the applicant plans to address some of these concerns.

<p><b>Concern #1: Affordable Housing</b></p>
<p>Response:</p> <p>To support the need for affordable housing within the Town of Apex, the Developer proposes that for a minimum affordability period of seven (7) years from the issuance of the first residential certificate of occupancy (the “Affordability Period”), at least five percent (5%) of the total number of dwelling units built on the Property shall be designated as low-income restricted units (the “Affordable Dwelling Units”). The Affordable Dwelling Units shall be rented to and occupied by low-income households during the Affordability Period at maximum rent limits per bedroom size and income limits adjusted for family size, no greater than seventy percent (70%) of the Raleigh, NC Metropolitan Statistical Area (MSA) Area Median Income (AMI) as most recently published by the U.S. Department of Housing and Urban Development (HUD) and stipulated by the most recently published North Carolina Housing Finance Agency (NCHFA) Low-Income Housing Tax Credit (LIHTC) Multifamily Tax Subsidy Program (MTSP) income and rent limits for the Wake Metropolitan area. Allocation of the Affordable Dwelling Units between 1, 2 and 3-bedroom units will be at the discretion of the Developer, so long as a minimum of five percent (5%) of the Project’s total units are maintained as Affordable Dwelling Units. During the Affordability Period, the Developer shall be responsible for performing all property management and administration duties for the Affordable Dwelling Units. Following completion of the Affordability Period, this affordable housing condition shall expire, the Developer shall be relieved of all obligations set forth in this affordable housing condition, and the Affordable Dwelling Units may be freely marketed and leased at market-rate rents. A restrictive covenant (i.e. affordable housing agreement) between the Town and Applicant shall be recorded against the property prior to the first Certificate of Occupancy to memorialize the affordable housing terms and conditions of the approved zoning condition.</p>
<p><b>Concern #2: Tree Preservation</b></p>
<p>Response:</p>

The existing site is mostly clear. However, areas around the perimeter include natural vegetation. A tree survey will be conducted to ensure the species and size of trees surrounding the site. Areas within a portion of the landscape buffers will be used for RCA. Any cleared areas designated as RCA shall be planted to the standards listed in the UDO.

A Type A Buffer is also proposed for all landscape buffers throughout the site. Although not anticipated, any existing trees greater than 18" in diameter that are removed by site development shall be replaced by planting a 1.5" caliper native tree from the Town of Apex Design and Development Manual either on-site or at an alternative location approved by Town Planning Staff, beyond standard UDO requirements.

Landscape will follow the Town's UDO to provide the required plantings on site throughout the development, as well.

### **Concern #3: Solar Energy**

Response:

- Lots 2-4: The residential clubhouse building will incorporate a solar PV system (minimum 4KW DC Solar PV System). Solar conduits will be included in all residential buildings for potential future installations. All solar installation required by this condition shall be completed or under construction prior to the final building Certificate of Occupancy.
- Lot 6: No solar PV system requirement included.

## **NEIGHBORHOOD CONCERNS**

### **Concern #1: Traffic Impacts**

**Most common concern among all residents.**

**Community expressed traffic is already a major concern along adjacent spans of Laura Duncan Road, Salem Church Road, North Salem Street and Old Apex Road.**

Response/Proposed Mitigation:

- A full Traffic Impact Analysis has been conducted and is part of this rezoning package.
- Based on the findings of that TIA, multiple improvements are proposed accommodate future traffic conditions. See "Right-of-Way Improvements" section above as well as the full TIA attached.
- Additionally, a separate TIA was conducted to compare the traffic impact of multiple by-right scenarios (office/commercial) to the proposed rezoned use (high-density residential).
  - Based on the TIA findings, the proposed high-density residential development will generate significantly less traffic impact than if the properties were to be developed per the in-place, By-Right zoning designations. See full finding of traffic engineer's study attached to this submittal.
- Land shall be dedicated to the Town of Apex for a future traffic circle at Salem Church Road and North Salem St.
- Parking has been reduced to a minimum of 1.3 spaces per unit and a maximum of 1.6 spaces/unit to promote public transit.

- The project shall construct two bus stops to promote public transit.
- The proposed plan shall meet Town of Apex's Transportation plan and will include the necessary right-of-way width to accommodate for future roadway improvements.

**Concern #2: Stormwater Runoff and Drainage**

**Neighboring property owners expressed concern that the increased impervious area in the development would create water runoff that current drainage conditions are not equipped to manage, creating erosion and flooding issues.**

Response/Proposed Mitigation:

All Stormwater Control Measures and Erosion Control Measures will be designed to comply with the following:

- NC DEQ and Town of Apex standards and requirements
- Design will consider existing drainage patterns and maintain current discharge points.
- Maximum built-upon area will be 70% or less.
- All new stormwater runoff associated with development will be detained and treated per the Town's nutrient and peak flow requirements.
- All stormwater runoff will be reduced to pre-development conditions to ensure no net increase.
- May consist of above and underground detention facilities throughout the site. The best SCM will be chosen once design has begun.
- By-Right development of the site would have an equal or greater amount of impervious area.

**Concern #3: Proximity of Development to Neighboring Homes**

**Neighboring property owners to the east expressed concerns about proximity of their homes to the property line and the impact the new apartment buildings will have on their viewshed.**

Response/Proposed Mitigation:

- Setbacks in these areas have been increased more than the 10-foot requirement where feasible.
- A voluntary 60-foot building setback has been added to eastern side of the site to reduce the impact to these neighbors.
- Development will preserve existing trees and plant additional trees on site to the greatest extent possible.
- All buffer types have been upgraded to a Type A Buffer surrounding the development for enhanced screening.
- All residential buildings will be a maximum of 4 stories, which has been reduced from the allowed 5-story construction.

#### **Concern #4: Property Devaluation**

**Neighbors to the east expressed concern that the proximity of apartment buildings to their homes will devalue their property values.**

##### Response/Proposed Mitigation:

- The subject properties were zoned for commercial uses in 1986, prior to the development of the nearby subdivisions (Linville Ridge, 1993) (The Trace, 2007) (Laurel Crossing, 2014)—therefore, development of these properties has been anticipated for as long as any of the homes have existed.
- The home devaluation concern reflects comparing the current home values (with an undeveloped field) to future home values (developed with apartments).
  - Future home values inclusive of a By-Right development should also be considered—By-Right development could include strip malls, gas stations, fast food drive-throughs, car washes, auto service stations and other businesses that are typically regarded as more obtrusive than apartments.
- The proposed rezoning will include voluntary building setbacks and increased buffer densities that ensure appropriate transitions to nearby residential uses.

#### **Concern #5: Impact on School Capacity**

**Community expressed concerns that the apartment dwellings will lead to more school age children in a school system that is already at or over capacity.**

##### Response/Proposed Mitigation:

- The proposed residential unit mix will cap 3-bedroom units at 10% of the total unit count.
- Applicant's comparable properties average fewer than .06 school age children per unit, which would yield 10-14 school age children at the proposed community.
- In similar projects (4-story, interior corridor) in the market, the number of school-aged children is further reduced.
- December 2019 (pre-pandemic levels) from applicable schools:
  - Laurel Park Elementary School had a capacity of 854 students and an enrollment of 888 students—operating at 104% of capacity
  - Salem Middle School had a capacity of 1,274 students and an enrollment of 1,027 students—operating at 80% of capacity.
  - Apex High School had a capacity of 2,222 students and an enrollment of 2,158 students—operating at 97% of capacity.
  - None of these three schools are subject to enrollment caps.
- **Wake County Public School System has reviewed the proposed rezoning application through the Wake County Residential Development Notification Database and has confirmed that schools at all grade levels with the current assignment area for the proposed rezoning/development are anticipated to have sufficient capacity for future students.**

**Concern #6: Pedestrian Safety**

**As part of the general traffic concern, residents expressed concerns around pedestrian safety resulting from the increased traffic—particularly due to the railroad track and nearby elementary school.**

Response/Proposed Mitigation:

- Currently, sidewalks exist along the western side of Laura Duncan and along the north side of North Salem Street.
- A 10' side path will be added along the eastern side of Laura Duncan to connect with Town of Cary's side path.
- At the time of the development of the residential parcels, additional sidewalks, ADA ramps and crosswalks will be added along the street frontage of all residential parcels to enhance pedestrian connectivity around the development. A sidewalk along the south side of North Salem Street will be constructed from the intersection of Laura Duncan Road westward to the proposed bus stop located on the south side of North Salem Street. If permission is not granted by CSX Railroad, installation of this sidewalk will not be a condition of this rezoning.
- At the time of the development of the non-residential parcels, a sidewalk will be constructed along the property frontage of Lots 5 and 6, continuing eastward to the proposed bus stop located on the south side of North Salem Street.
- A crosswalk will be added across Laura Duncan Road on the south side of North Salem Street if allowed by CSX Railroad. If permission is not granted by CSX Railroad, installation of this crosswalk will not be a condition of this rezoning.
- TIA analysis shows that By-Right development of the site would generate a higher traffic count and therefore greater potential impact on pedestrian safety.
- Site will be designed and constructed in full compliance with the traffic impact analysis, the Town of Apex and NCDOT's review and requirements.

**Concern #7: Preservation of Existing Field and Open Space**

**The neighboring community has grown accustomed to and enjoys the open field condition of the site currently.**

Response/Proposed Mitigation:

- Proposed site plan will dedicate 0.7 acres at the northwest corner of the site (Parcel 1) solely as greenspace. This will be used to count towards the RCA requirement as well as to provide a buffer between the neighboring property.
- 1.17 acres will also be dedicated RCA within the non-residential parcels (Parcel 5). The subject properties have been zoned for development since 1986, in one of the fastest growing MSAs in America—development of these properties, By-Right or otherwise, is unavoidable.

## APPENDIX

REVISIONS

PROGRESS DRAWING  
DO NOT USE FOR  
CONSTRUCTION

# CASTLE DEVELOPMENT PARTNERS

## APEX, NORTH CAROLINA

# NORTH SALEM STATION

## MARCH 2022

**PROJECT DATA TABLE:**

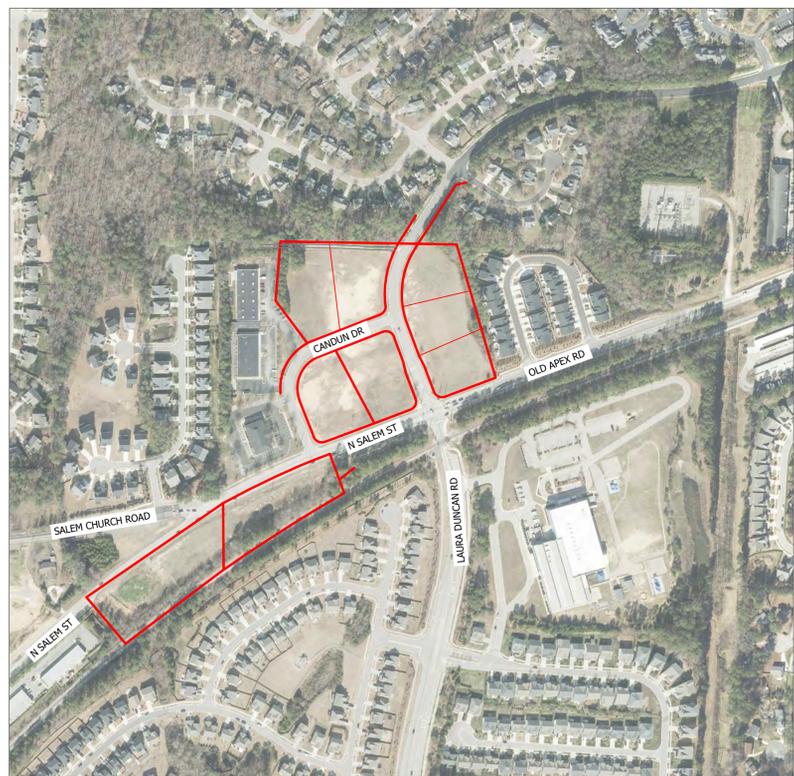
NAME OF PROJECT:	NORTH SALEM STATION
PREPARED BY:	THE WOOTEN COMPANY 919-828-0531 120 N BOYLAN AVE RALEIGH, NC
OWNER:	OLD APEX ASSOCIATES LP 230 COURT SQUARE SUITE 202 CHARLOTTESVILLE, VA 22902
PURCHASER:	CASTLE DEVELOPMENT PARTNERS 230 COURT SQUARE, SUITE 202 CHARLOTTESVILLE, VA 22902
CURRENT 2045 LAND USE:	HIGH DENSITY RESIDENTIAL
PROPOSED 2045 LAND USE:	HIGH DENSITY RESIDENTIAL
AREA OF TRACT(S):	10.39 AC
AREA DESIGNATED AS MIXED USE OF 2045 LUM:	0 SF/0%
AREA OF MIXED USE PROPERTY PROPOSED AS NON-RESIDENTIAL DEVELOPMENT:	0 SF
PERCENT OF MIXED USE AREA PROPOSED AS NON-RESIDENTIAL DEVELOPMENT:	0%
EXISTING AND PROPOSED GROSS SQUARE FOOTAGE OF BUILDINGS:	EX.: 0 SF
PROPOSED GROSS SQUARE FOOTAGE BY FLOOR AREA:	MULTIFAMILY: APPROX. 275,000 SF (TOTAL, 4 STORIES) COMMERCIAL/OFFICE: APPROX. 10,000 SF (TOTAL)
PROPOSED HEIGHT OF THE BUILDING AND NUMBER OF STORIES:	60' & MAX OF 4 STORIES (RESIDENTIAL) 40' & MAX OF 2 STORIES (NON-RESIDENTIAL)
MAXIMUM OVERALL GROSS DENSITY:	23 UNITS/ACRE
NUMBER OF PARKING SPACES REQUIRED:	MAXIMUM 1.6 SPACES PER UNIT (239 UNITS) = 382 MINIMUM 1.3 SPACES PER UNIT (239 UNITS) = 311
REQUIRED FRONT, SIDE, AND REAR YARD SETBACKS:	SEE SETBACKS TABLE
PRIMARY OR SECONDARY WATERSHED PROTECTION OVERLAY DISTRICT:	PRIMARY & SECONDARY
INDICATE IF THE SITE CONTAINS A HISTORIC STRUCTURE:	NO
RECOMMENDATION FROM THE PARKS AND RECREATION ADVISORY BOARD:	FEE IN LIEU w/ REDUCTION OF FEE FOR CONSTRUCTION OF 10' SIDE PATH



**SETBACK TABLE:**

PARCEL #1: NONE (RCA)	PARCEL #4: REAR (N) - 10' SIDE (E) - 50' SIDE (W) - 10' FRONT (S) - 50'
PARCEL #2: REAR (N) - 5' SIDE (E) - 20' SIDE (W) - 0' FRONT (S) - 10'	PARCEL #5: NONE (RCA)
PARCEL #3: REAR (E) - 60' SIDE (N) - 5' SIDE (S) - 50' FRONT (W) - 50' & 20'	PARCEL #6: REAR (S) - 10' SIDE (E/W) - 10' FRONT (N) - 10'

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VICINITY MAP  
1" = 300'

**Wooten**  
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(919) 828-0531 • thewootencompany.com  
License Number : F-0115

**DYNAMIK**  
DESIGN

**RKA**  
RAMEY KEMP ASSOCIATES

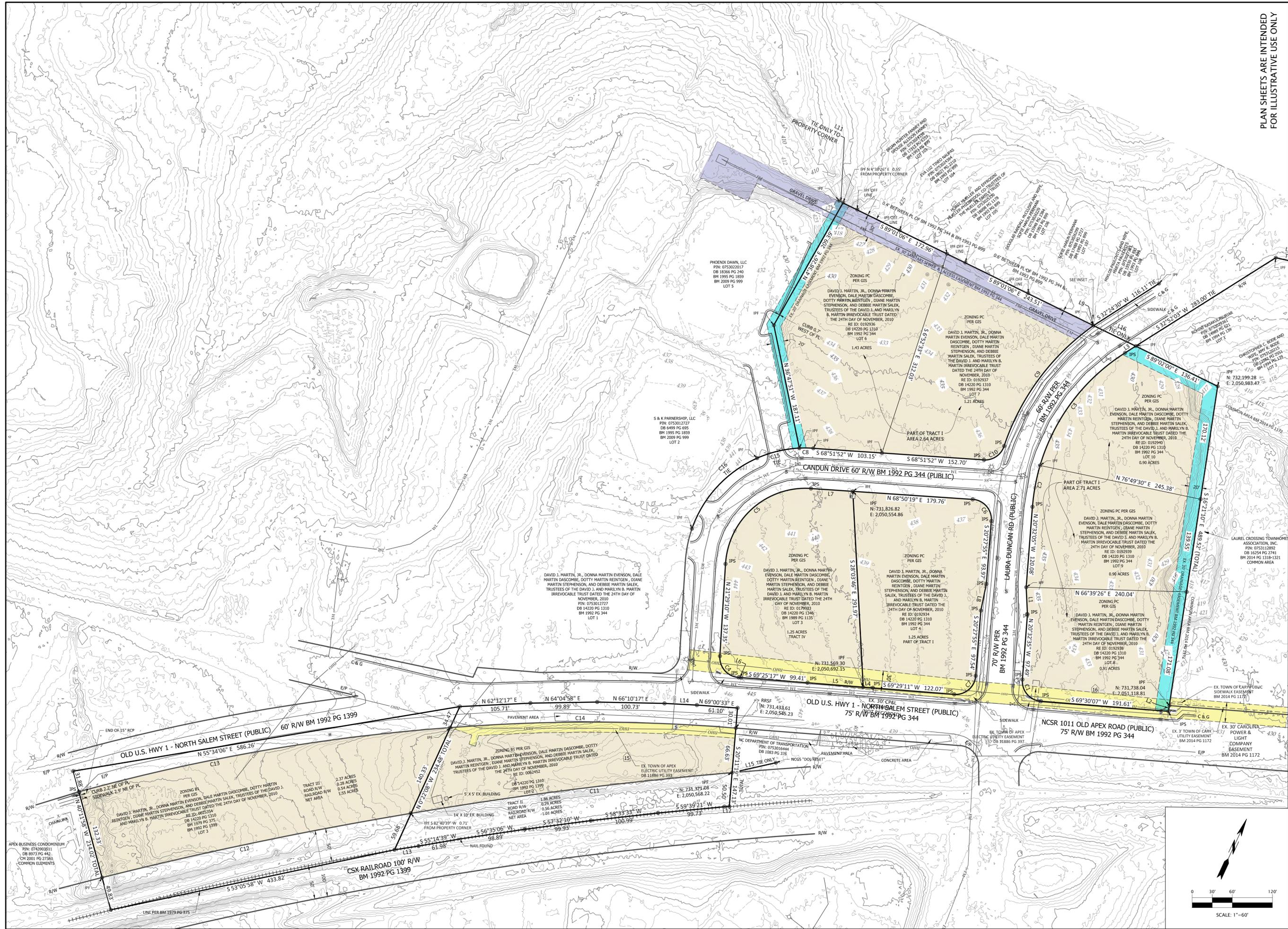
**SHEET INDEX**

C-0.01	COVER SHEET
C-1.00	EXISTING CONDITIONS SHEET
C-1.01	LAYOUT SHEET



PROJECT AREA MAP  
1" = 200'

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PLAN SHEETS ARE INTENDED FOR ILLUSTRATIVE USE ONLY

NO.	DATE	DESCRIPTION

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 (919) 828-0531 • thewootencompany.com  
 License Number: F-0115

CASTLE DEVELOPMENT PARTNERS  
 NORTH SALEM STATION  
 EXISTING CONDITIONS SHEET

DESIGNED BY: AMW  
 DRAWN BY: DAH  
 CHECKED BY: AMW  
 PROJECT NO.: 3376 - B  
 DATE: NOV 2021  
 SCALE: AS NOTED

SCALE: 1"=60'

IF THIS BAR DOES NOT MEASURE 1" THEN DRAWING IS NOT TO FULL SCALE

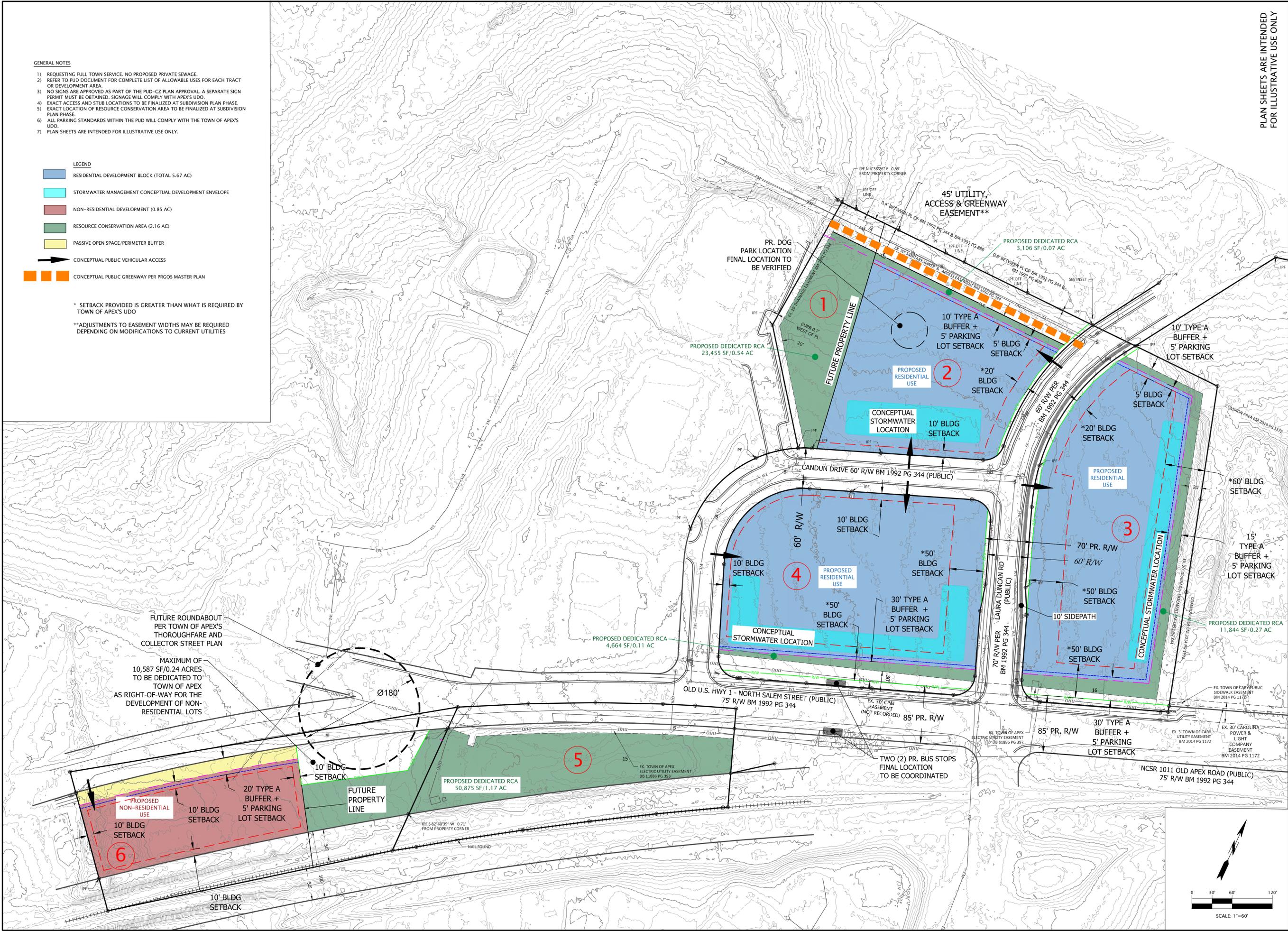
**C-1.00**

- GENERAL NOTES**
- 1) REQUESTING FULL TOWN SERVICE. NO PROPOSED PRIVATE SEWAGE.
  - 2) REFER TO PUD DOCUMENT FOR COMPLETE LIST OF ALLOWABLE USES FOR EACH TRACT OR DEVELOPMENT AREA.
  - 3) NO SIGNS ARE APPROVED AS PART OF THE PUD-CZ PLAN APPROVAL. A SEPARATE SIGN PERMIT MUST BE OBTAINED. SIGNAGE WILL COMPLY WITH APEX'S UDO.
  - 4) EXACT ACCESS AND STUB LOCATIONS TO BE FINALIZED AT SUBDIVISION PLAN PHASE.
  - 5) EXACT LOCATION OF RESOURCE CONSERVATION AREA TO BE FINALIZED AT SUBDIVISION PLAN PHASE.
  - 6) ALL PARKING STANDARDS WITHIN THE PUD WILL COMPLY WITH THE TOWN OF APEX'S UDO.
  - 7) PLAN SHEETS ARE INTENDED FOR ILLUSTRATIVE USE ONLY.



\* SETBACK PROVIDED IS GREATER THAN WHAT IS REQUIRED BY TOWN OF APEX'S UDO  
 \*\*ADJUSTMENTS TO EASEMENT WIDTHS MAY BE REQUIRED DEPENDING ON MODIFICATIONS TO CURRENT UTILITIES

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PLAN SHEETS ARE INTENDED FOR ILLUSTRATIVE USE ONLY

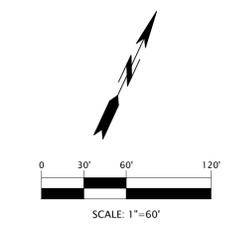
**REVISIONS**

NO.	DESCRIPTION

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 License Number: F-0115

CASTLE DEVELOPMENT PARTNERS  
 NORTH CAROLINA  
 NORTH SALEM STATION  
 LAYOUT SHEET

DESIGNED BY: AMW  
 DRAWN BY: DAH  
 CHECKED BY: AMW  
 PROJECT NO.: 3376 - B  
 DATE: NOV 2021  
 SCALE: AS NOTED



C-1.01



