

Rezoning #22CZ13

St. James Village

Salem Church Rd

Salem Pointe Pl
Salem Pointe

Salem Woods

Bay Bouquet Ln

Ellington Place

Claude Laurel Dr

Salem Woods

Pinedale Rd

Greenlea Dr

N Salem St

Ellington Cove

Ramblewood

Townes at North Salem



PLANNED UNIT DEVELOPMENT-CONDITIONAL ZONING DISTRICT PETITION



PD PLAN/PUD-CZ PETITION SUBMISSION:

Application and fee are due by 12:00 pm on the first business day of each month. See the [Planned Unit Development Schedule](#) on the website for more details.

PD PLAN/PUD-CZ PETITION FEES:

PUD-CZ Request: \$1,600.00 + \$10 an acre
PD Plan Amendment not requiring full TRC Review: \$600.00
Late Fee: \$300

PRE-APPLICATION MEETING: Separate pre-application meetings with the Technical Review Committee (TRC) and the Environmental Advisory Board (EAB) are required to be scheduled prior to the submittal of a PD Plan for PUD-CZ. Pre-application meetings with the TRC are typically scheduled during regular business hours on the 1st, 2nd, and 5th Thursdays of the month and pre-application meetings with the EAB are held at 6 p.m. on the 3rd Thursday of the month during the regularly scheduled EAB meeting.

To schedule a meeting, applicants must e-mail a pdf map of the parcel(s) to be rezoned, a proposed site layout sheet for PUD-CZ, TND-CZ, or MEC-CZ applications, and the [Rezoning Pre-Application Meeting Request](#) form to Planner Lauren Staudenmaier (lauren.staudenmaier@apexnc.org) no later than five (5) working days prior to the desired meeting day.

PURPOSE OF A PUD-CZ (UDO Sec. 3.3.3.C): The purpose of the PUD-CZ is to permit variations in order to allow flexibility for landowners to creatively plan for a site specific, higher quality overall development of their land in a way that is not possible through the strict application of the minimum standards of the Unified Development Ordinance (UDO). This is done through the application of performance standards that: integrate and mix uses where a mix of uses is proposed, possess interconnectivity, reflect the small-town character of Apex, expand opportunities for public transportation, preserve of natural features, integrate resource conservation area into plan for development, and that public facilities are available.

NEIGHBORHOOD MEETING: Neighborhood meetings are required per UDO Sec. 2.2.7 prior to application submission. The applicant is required to notify property owners, tenants, and any neighborhood association that represents citizens that are abutting or within 300 feet of the subject property via first class mail a minimum of 14 days in advance of the neighborhood meeting. The notification list must be obtained by emailing addressing.team@apexnc.org and will be provided within 5-10 business days of the initial request. The applicant shall use their own return address on the envelopes as the meeting is a private meeting between the developer and the neighbors. The applicant shall submit "Neighborhood Meeting Packet" forms included in this application packet with their initial submittal.

ANNEXATION REQUIREMENTS: If a property or portion thereof subject to the PUD is outside the corporate limits and ETJ, an [annexation petition](#) is **REQUIRED** to be submitted on the same day as this application.

Electronic Submittal Requirements (submit in IDT): [Click here to access IDT Plans Website](#)

- PUD-CZ Application including sheets listed below
- PD Plan Text (pdf & Word versions)
- Colored Rendering of Building Elevations – 11"x17"
- Transportation Impact Analysis, if required
- Site Plan Set
 - 24" x 36" size
 - Scale not less than: 1"= 50' horizontal, 1"= 5' vertical
 - Saved as pdf – no scanned plans

Hard Copy Submittal Requirements: Submit to Planning Department

- One (1) complete PUD-CZ Application
- Written Metes and Bounds Legal Description
- Certified List of Neighboring Property Owners
- Development Name Approval Application
- Town of Apex Utilities Offer & Agreement
- Agent Authorization Form
- Affidavit of Ownership
- WCPSS Residential Development Notice Form
- Neighborhood Meeting Packet
- Notification list including property owners of the land subject to the application, all property owners and tenants abutting and located within 300 feet of the land subject to the application, and any neighborhood association that represents citizens within the notification area. This list must be obtained by emailing addressing.team@apexnc.org and will be provided within 5-10 business days of the initial request.
- One (1) bound copy of the Transportation Impact Analysis and one (1) copy of the TIA & traffic analysis files on disk or FTP site at first submittal (if required)
- If applicable: Annexation Petition, map, legal description and \$200.00 fee
- Two (2) sets of envelopes addressed to property owners subject to the application and to those on the notification list.
 - Addresses must be from the notification list obtained by emailing addressing.team@apexnc.org
 - Affixed with first class stamps and the following return address: Town of Apex
Planning and Community Development
P.O. Box 250
Apex, NC 27502
- Petition Fee by one of the following forms of payment:
 - Visa or Master Card;
 - Cash (exact amount only); or
 - Check payable to 'Town of Apex'

NEIGHBORHOOD MEETING: Neighborhood meetings are required per UDO Sec. 2.2.7 prior to application submission. The applicant is required to notify property owners, tenants, and any neighborhood association that represents citizens that are abutting or within 300 feet of the subject property via first class mail a minimum of 14 days in advance of the neighborhood meeting. The notification list must be obtained by emailing addressing.team@apexnc.org and will be provided within 5-10 business days of the initial request. The applicant shall use their own return address on the envelopes as the meeting is a private meeting between the developer and the neighbors. In their initial submittal, the applicant shall submit the “Neighborhood Meeting Packet” forms included in this application packet. The Neighborhood Meeting Packet is located at the very end of this document.

REVIEW FOR SUFFICIENCY: Incomplete plans will be returned to the applicant and sufficiently complete applications are forwarded to TRC staff for review.

REVIEW BY STAFF: TRC staff reviews the application to determine compliance with the Unified Development Ordinance (UDO). If the application is determined not to be compliant with the UDO, comments will be sent to the applicant. The applicant must address all staff comments before any public hearings are scheduled.

PUBLIC HEARING NOTIFICATION: Notification of the public hearing will take place by three different methods.

1. A written notice will be prepared by Planning staff and sent to property owners, tenants, and neighborhood associations abutting and within 300 feet of the land subject to the application not more than 25 days nor less than 10 days prior to the public hearings, as required by the UDO.
2. A notice will be published on the Town of Apex website (www.apexnc.org) no less than 10 days, but not more than 25 days, prior to the public hearings.
3. A public hearing sign will be posted at the land subject to the application at least 10 days prior to the public hearings.

1ST PUBLIC HEARING/PLANNING BOARD MEETING: The Planning Board will consider the application, relevant support materials, the Staff Report, and public testimony given at the public hearing. After the public hearing the Planning Board will make a recommendation to the Town Council. The Planning Board may recommend approval, approval with conditions, or disapproval. The application is then forwarded to the Town Council. The Planning Board meets at 4:30 p.m. in the Town Hall Council Chambers on the date indicated on the Planned Unit Development Schedule.

2ND PUBLIC HEARING/TOWN COUNCIL MEETING: The Town Council will consider the application, relevant support materials, the Staff Report, the Planning Board recommendation, and public testimony given at the public hearing. After the public hearing the Town Council will vote to approve, approve with conditions, or disapprove the rezoning. The Town Council meets at 6:00 p.m. in the Town Council Chambers on the date indicated on the Planned Unit Development Schedule.

PLANNED UNIT DEVELOPMENT APPLICATION

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 #: 22CZ13 Submittal Date: 5/2/22
Fee Paid: \$ Check #: _____

PETITION TO AMEND THE OFFICIAL ZONING DISTRICT MAP

Project Name: 2021 N Salem St.
Address(es): 2021 N Salem St., Apex, NC 27523
PIN(s) 0742891824

_____ Acreage: 6.00
Current Zoning: RA - Residential Agriculture Proposed Zoning: PUD-CZ
Current 2045 LUM Designation: Medium Density Residential

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>0.00</u>
Area proposed as non-residential development:	Acreage:	<u>0.00</u>
Percent of mixed use area proposed as non-residential:	Percent:	<u>0.00</u>

Applicant Information

Name: Brendie Vega, WithersRavenel
Address: 115 MacKenan Dr.
City: Cary State: NC Zip: 27511
Phone: (919) 469-3340 E-mail: bvega@withersravenel.com

Owner Information

Name: Susan R. Jewett & William C. Mann
Address: 200 Singleton St.
City: Raleigh State: NC Zip: 27606
Phone: _____ E-mail: _____

Agent Information

Name: Brendie Vega, WithersRavenel
Address: 115 MacKenan Dr.
City: Cary State: NC Zip: 27511
Phone: (919) 469-3340 E-mail: bvega@withersravenel.com

Other contacts: _____

PLANNED UNIT DEVELOPMENT APPLICATION

Application #: 22CZ13 Submittal Date: 5/2/22

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.

The proposal is consistent with the 2045 Land Use Map. Planned Unit Development is an allowable zoning district in the Medium Density Residential land use map classification and the proposed conditions maintain the density within the 3-7 dwelling units per acre range.

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 PUD-CZ district is appropriate for the proposed location because it will be compatible with the surrounding uses. There is an existing single-family neighborhood to the west, Salem Woods, and subdivisions to the northeast; Salem Pointe and Ellington Place.

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

There are no supplemental standards listed for attached townhouse units.

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.

The development will minimize adverse impact. It will have landscaped buffers on all sides which will ameliorate any disturbance to neighbors and visually screen the development. Limiting the permitting uses to townhouse units will significantly reduce any impacts to surrounding properties.

Adding less than 40 units will create minimal disturbance. Traffic will be directed away from adjacent properties onto N. Salem Street. This should not impact the road's capacity.

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 development minimizes environmental impacts. The site is proposed to meet UDO standards for design controls, including minimization and avoidance of environmentally sensitive areas, limited site impacts. SCMs will be provided in compliance with Town standards.

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.

The site will have minimal impact on public facilities. Based on discussions with the Town, it is our understanding that there will be sufficient public facilities to accommodate the 40 or less units in the development. Further discussion can be held at the construction phase.

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 proposed CZ district will prove beneficial for residents of the Town in relation health, safety, and/or welfare. The land use will assist in satisfying housing needs and promoting density, a goal of the Town's comprehensive plan. Additionally, the development will decrease potential overcrowding and increase the tax base, supporting public services and as a result the health, safety, and welfare of all residents.

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

The CZ district's land use is not substantially detrimental to adjacent properties. Instead, the land use assist in solidifying the residential nature of the area, increasing land values and the subsequent desirability to reside in neighboring properties.

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.

The proposed CZ will not constitute a nuisance or hazard as residential traffic generates modest noise and therefore the land use is consistent with the character of traffic in the vicinity of the proposed rezoning. Moreover, traffic generated by the 40 or less units will minimally impact surrounding roads in the metrics of both noise and volume, by redirecting traffic

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 proposed Conditional Zoning District land use will comply with all standards imposed on it by all other applicable provisions of the Town's ordinance, for use, layout, and general development characteristics. Close consideration was given to the ordinance in the development of this proposal.

Beginning at a point, said point being an existing iron pipe at the easternmost corner of Lot 8 as shown on a plat recorded in Book of Maps 1985, Page 2255 in the Wake County Registry, said point also being on the northern right of way margin of N. Salem Street as shown on said plat and having North Carolina State Plane coordinates of N=729,563.29 and E=2,047,973.17; Thence, along the eastern line of said Lot 8 N13°33'06"W, 239.13 feet to a point, said point being an existing iron pipe at the northernmost corner of said Lot 8, said point also being at the easternmost corner of Lot 9 as shown on a plat recorded in Book of Maps 1986, Page 427 in said registry; Thence, along the eastern line of said Lot 9 N13°32'12"W, 109.19 feet to a point, said point being at the northeast corner of said Lot 9, said point also being at the southeast corner of Lot 10 as shown on said Book of Maps 1986, Page 427; Thence, along the eastern line of said Lot 10 N13°32'45"W, 212.95 feet to a point, said point being an existing iron pipe on the southern line of Lot 26 as shown on a plat recorded in Book of Maps 1994, Page 1633 in said registry; Thence, along said southern line of Lot 26 S87°59'52"E, 131.75 feet to a point, said point being an existing iron pipe at the southeast corner of said Lot 26, said point also being at the southwest corner of Lot 28 as shown on said Book of Maps 1994, Page 1633; Thence, along the southern line of said Lot 28 S88°00'52"E, 176.57 feet to an existing iron pipe at the southeast corner of said Lot 28; Thence, N03°09'22"W, 59.47 feet to an existing iron pipe at the southernmost corner of Lot 29 as shown on said plat; Thence, N02°52'45"W, 89.97 feet to an existing iron pipe; Thence, S88°06'26"E, 110.25 feet to a point, said point being an iron pipe set at the southeast corner of said Lot 29, said point also being on the western line of the David H. & Rose M. Abbott tract as recorded in Book 6171, Page 674 in said registry; Thence, along said western line S02°53'46"E, 149.64 feet to an existing iron pipe; Thence, cornering and along the southern line of said Abbott tract S89°37'55"E, 412.11 feet to an existing iron pipe at the southeast corner of said Abbott tract, said point also being on said northern right of way margin of N. Salem Street; Thence, along said right of way the following courses and distances: Thence, S46°40'56"W, 159.24 feet to a point; Thence, along a curve to the right having a radius of 11,364.91 feet, an arc length of 171.93 and a chord of S48°42'54"W, 171.93 feet to a point; Thence, along a curve to the right having a radius of 3,609.06 feet, an arc length of 167.35 and a chord of S49°17'16"W, 167.33 feet to a point; Thence, along a curve to the right having a radius of 1,885.59 feet, an arc length of 168.45 and a chord of S53°33'30"W, 168.39 feet to a point; Thence, S59°10'30"W, 218.52 feet to a point; Thence, N13°33'06"W, 15.83 feet to the Place and Point of Beginning, containing an area of 263,285 square feet or 6.04 acres, more or less.

OWNER	MAILING ADDRESS	MAILING ADDRESS 2	MAILING ADDRESS 3	SITE ADDRESS	PIN NUM
ABBOTT, DAVID H ABBOTT, ROSE M	2161 N SALEM ST	APEX NC 27523-8209		2161 N SALEM ST	0743805330
ALLEN, JOSHUA GREYSON ALLEN, MEGAN SPELL	1001 GREENLEA DR	APEX NC 27523-6600		1001 GREENLEA DR	0742794431
APEX BUSINESS CONDOMINIUM	YORK PROPERTIES INC	2108 CLARK AVE	RALEIGH NC 27605-1606	2166 N SALEM ST	0743903511
ARNS ASSOCIATES LLC	314 N DIXON AVE	CARY NC 27513-4427		2160 N SALEM ST	0742897839
ARNS ASSOCIATES LLC	2160 N SALEM ST	APEX NC 27523-8208		0 N SALEM ST	0743809076
BECTON, RALPH NEAL JR BECTON, GINA THERESA	1102 GREENLEA DR	APEX NC 27523-9298		1102 GREENLEA DR	0743707025
BRYANT, GILMER D BRYANT, SHARON M	1504 FAIR WEATHER CT	APEX NC 27523-5987		1504 FAIR WEATHER CT	0743801307
COLEMAN, CHARLES C COLEMAN, OITA C	1112 GREENLEA DR	APEX NC 27523-9298		1112 GREENLEA DR	0743708333
COMPITELLO, WILLIAM M III COMPITELLO, MARTHA P	1502 FAIR WEATHER CT	APEX NC 27523-5987		1502 FAIR WEATHER CT	0743709391
DOHM, PHILIP G DOHM, SUSAN M	1108 GREENLEA DR	APEX NC 27523-9298		1108 GREENLEA DR	0743707179
ECONOMY EXTERMINATORS INC	2160 N SALEM ST	APEX NC 27523-8208		0 N SALEM ST	0742894566
GARRITY, THOMAS M GARRITY, MARY J	1000 GREENLEA DR	APEX NC 27523-9297		1000 GREENLEA DR	0742798622
HEILSNIS, WALTER HEILSNIS, JUDY B	1506 FAIR WEATHER CT	APEX NC 27523-5987		1506 FAIR WEATHER CT	0743801574
HESTER, EDWARD L III HESTER, PATSY P	1512 SALEM CHURCH RD	APEX NC 27523-7563		1512 SALEM CHURCH RD	0743805704
HINTON, CHARLES A HINTON, KIMBERLY B	1109 GREENLEA DR	APEX NC 27523-6601		1109 GREENLEA DR	0743704292
JEWETT, SUSAN R	WILLIAM C. MANN	200 SINGLETON ST	RALEIGH NC 27606-1139	2021 N SALEM ST	0742891824
MROZEK, EDWARD JOHN MANGIAPANE, NICOLE	1113 GREENLEA DR	APEX NC 27523-6601		1113 GREENLEA DR	0743705334
PEAKSTONE PARTNERS LLC	2206 GOLDEN PLOVER DR	APEX NC 27502-1796		2000 N SALEM ST	0742799174
RIGGSBEE, PEGGY S	PO BOX 1659	APEX NC 27502-3659		1100 GREENLEA DR	0742797842
SALEM POINTE OWNERS ASSOCIATION INC	REALMANAGE	PO BOX 803555	DALLAS TX 75380-3555	1604 SALEM CHURCH RD	0743809469
SMITH, BRADLEY EDWARD SMITH, LYNNE O	1105 GREENLEA DR	APEX NC 27523-6601		1105 GREENLEA DR	0742794937
TOWN & COUNTRY KENNELS	2010 N SALEM ST	APEX NC 27523-8206		2010 N SALEM ST	0742891288
TOWN OF APEX	PO BOX 250	APEX NC 27502-0250			
Current Tenant	1100 Greenlea DR	APEX NC 27523			
Current Tenant	2000 N Salem ST	APEX NC 27523			
Current Tenant	2021 Salem ST	APEX NC 27523			
Current Tenant	2161 Salem ST	APEX NC 27523			
Current Tenant	2166 N Salem ST	APEX NC 27523			
Current Tenant	2172 N Salem ST	APEX NC 27523			
Current Tenant	2180 N Salem ST	APEX NC 27523			
Current Tenant	2186 N Salem ST	APEX NC 27523			
Current Tenant	2190 N Salem ST	APEX NC 27523			
WithersRavenel, Brendie Vega	137 S. Wilmington St #200	Raleigh, NC 27601			
Baker Residential of the Carolinas, Inc.	7001 Weston Parkway	Cary, NC 27513			

DEVELOPMENT NAME APPROVAL APPLICATION

Application #: 22CZ13

Submittal Date: 5/2/22

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 #: 22CZ13 Submittal Date: 5/2/22

Proposed Subdivision/Development Information

Description of location: 2021 North Salem Street

Nearest intersecting roads: N Salem Street and Greenlea Drive

Wake County PIN(s): 0742891824

Township: White Oak

Contact Information (as appropriate)

Contact person: Brendie Vega

Phone number: (919) 469-3340 Fax number: _____

Address: 115 MacKenan Drive

E-mail address: bvega@withersravenel.com

Owner: Susan R. Jewett & William C. Mann

Phone number: _____ Fax number: _____

Address: _____

E-mail address: _____

Proposed Subdivision/Development Name

1st Choice: _____

2nd Choice (Optional): _____

Town of Apex Staff Approval:

Town of Apex Planning Department Staff

Date

AGENT AUTHORIZATION FORM

Application #: 22CZ13 Submittal Date: 22CZ13

_____ 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: 2021 North Salem Street

The agent for this project is: WithersRavenel, Brendie Vega

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

Agent Name: Brendie Vega

Address: 115 MacKenan Dr., Cary, NC 27511

Telephone Number: 919.469.3340

E-Mail Address: bvega@withersravenel.com

Signature(s) of Owner(s)*



F7ZZ7CZ2EC064B4...

Susan Castlebury

4/29/2022

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 #: 22CZ13

Submittal Date: 22CZ13

_____ 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: 2021 North Salem Street

The agent for this project is: WithersRavenel, Brendie Vega

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

Agent Name: Brendie Vega

Address: 115 MacKenan Dr., Cary, NC 27511

Telephone Number: 919.469.3340

E-Mail Address: bvega@withersravenel.com

Signature(s) of Owner(s)*

William C. Mann 4-30-22

William C Mann

4/30/2022

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.

FILED

STATE OF NORTH CAROLINA
COUNTY OF WAKE

2021 JUN 17 PM 2:00
THE GENERAL COURT OF JUSTICE
SUPERIOR COURT DIVISION
WAKE CO., C.S.C. 20-CVS-6957

BY _____

WILLIAM C. MANN and SUSAN
CASTLEBURY,

Plaintiff,

v.

SUSAN RAWLINGS JEWETT, ANN SINCLAIR
FREEMAN GAZENBEEK, JUDITH LOUISE
FREEMAN, JOY RUTH FREEMAN TILLEY,
WILLIAM HARDIN FREEMAN, ALBERT
WOMBLE, CHARLES MANN, RACHEL
JORDAN, GERALD MANN, PHILIP MANN,
KENNETH MANN, and DAVID MANN,

Defendants.

CONSENT JUDGMENT

This matter appearing before the Court after resolution by the appropriate parties at a mediated settlement conference, and with the consent of the appropriate parties, the Court enters the following:

FINDINGS OF FACT

1. Plaintiffs filed suit asserting causes of action for Quiet Title and Declaratory Judgment regarding proper title in a parcel of Wake County real property located at 2021 North Salem Street, Apex, North Carolina 27523, with PIN 0742891824 and further described in that deed recorded in the Wake County Registry in Book 686, Page 436 (the "Property").

2. The following Defendants did not answer, plead, or appear: ANN SINCLAIR FREEMAN GAZENBEEK, JUDITH LOUIS FREEMAN, JOY RUTH FREEMAN TILLEY, WILLIAM HARDIN FREEMAN, ALBERT WOMBLE, CHARLES MANN, RACHEL JORDAN, GERALD MANN, ESTATE OF PHILIP MANN, KENNETH MANN, and DAVID

MANN. They each were subsequently found in Default upon motion of Plaintiffs. (These specific defendants are collectively referred to as the “Defaulting Defendants.”)

3. Defendant SUSAN RAWLINGS JEWETT (“Jewett”) answered Plaintiffs’ Complaint and asserted Counterclaims against Plaintiffs, identical Crossclaims against Defaulting Defendants, and Affirmative Defenses. Jewett’s Counterclaims and Crossclaims sought relief under claims to Quiet Title and for Declaratory Judgment regarding ownership of the Property; Adverse Possession after both twenty and seven years; Betterments; and Waiver, Estoppel, and/or Laches.

4. Plaintiffs filed a Reply to Jewett’s Counterclaims and Affirmative Defenses. Defaulting Defendants did not.

5. Upon motion by Jewett, Defaulting Defendants were also found in default on Jewett’s crossclaims.

CONCLUSIONS OF LAW

6. The Court has jurisdiction over the subject matter and parties to this case.

7. All necessary parties have been joined and properly served.

8. Plaintiffs and Defaulting Defendants are cousins, identically situated, and the proper residuary heirs under the will of Pauline Bradley, probated in Wake County file 82-E-527.

9. Jewett is the heir under the will of Marsha Reams, probated in Wake County file 09-E-1938.

10. The matters for which the Parties sought declaratory relief are appropriate for determination pursuant to N.C.G.S. § 1-253.

NOW WHEREFORE, with the Consent of the appropriate parties, the Court hereby orders and adjudges as follows:

1. The Property is to be sold to satisfy the claims of the various parties.
2. Private sale of the Property is authorized.
3. Title to the real property located in Wake County located at 2021 North Salem Street, Apex, North Carolina 27523, with PIN 0742891824 and more further described in that deed recorded with the Wake County Registry in Book 686, Page 436 is vested in fee simple to the following parties as tenants-in-common: WILLIAM C. MANN, SUSAN CASTLEBURY, ANN SINCLAIR FREEMAN GAZENBEEK, JUDITH LOUISE FREEMAN, JOY RUTH FREEMAN TILLEY, WILLIAM HARDIN FREEMAN, ALBERT WOMBLE, CHARLES MANN, RACHEL JORDAN, GERALD MANN, ESTATE OF PHILIP MANN, KENNETH MANN, AND DAVID MANN.
4. A Memorandum is to be recorded with the Wake County Register of Deeds to provide notice of this Judgment.
5. The Plaintiffs shall have full authority to list, contract for, sell, and convey fee simple title to the Property without need of joinder by any other party. Plaintiffs' execution of all documents, governmental applications, and authorizations related to the sale of the Property shall be binding upon Defaulting Defendants and of the nature of acting as attorneys-in-fact as described in N.C.G.S. § 32C-2-204(2) for Defaulting Defendants.
6. Jewett shall bear no expense related to the listing, contract for, or sale of the Property.
7. Jewett shall receive the first \$180,000.00 realized from the closing of the sale of the property with no offset of any kind.
8. The Property shall be listed for sale by a licensed real estate broker within sixty (60) days after entry of this Judgment.

9. The Property shall remain continuously listed and good faith efforts made to effectuate a sale until a sale is finalized.

10. The sale must be to a third-party and cannot be to any Party to this action.

11. The Property shall not be sold for a sum insufficient to pay Jewett \$180,000.00.

12. Jewett shall be paid from the proceeds from closing directly by the closing attorney, payment to be made to Jewett and delivered to her attorney, Sandra Martin Clark, Manning Fulton & Skinner, PO Box 20389, Raleigh, NC 27619-0389

13. The proceeds of the sale, after Jewett shall be paid \$180,000.00, shall first go to Plaintiffs for attorney fees and costs incurred in this matter. Thereafter, the remaining proceeds shall be evenly divided between WILLIAM C. MANN, SUSAN CASTLEBURY, ANN SINCLAIR FREEMAN GAZENBEEK, JUDITH LOUISE FREEMAN, JOY RUTH FREEMAN TILLEY, WILLIAM HARDIN FREEMAN, ALBERT WOMBLE, CHARLES MANN, RACHEL JORDAN, GERALD MANN, ESTATE OF PHILIP MANN, KENNETH MANN, AND DAVID MANN.

14. Entry of this Judgment, along with the contemporaneous entry of a Consent Declaratory Judgment resolves all outstanding claims of the parties and constitutes a final Judgment.

15. The Parties hereto, their heirs, purchasers, and assigns, and anyone claiming through them (including the Defaulting Defendants), agree and are deemed to release each other from any and all claims relating to the ownership, occupancy, rents, profits, proceeds or condition of the Property, except as specifically set forth above.

This 12 day of May, 2021.

CONSENTED TO:

Plaintiffs:



WILLIAM C. MANN

Attorney for Plaintiffs:
Hatch, Little & Bunn, LLP



SEAN G. DELANEY

SUSAN CASTLEBURY

Defendant:

Attorney for Defendant:
Manning, Fulton & Skinner, P.A.

SUSAN RAWLINGS JEWETT

WILLIAM C. SMITH

20 cws 6957

This 15 day of May, 2021.

CONSENTED TO:

Plaintiffs:

Attorney for Plaintiffs:
Hatch, Little & Bunn, LLP

WILLIAM C. MANN

SEAN G. DELANEY



SUSAN CASTLEBURY

Defendant:

Attorney for Defendant:
Manning, Fulton & Skinner, P.A.

SUSAN RAWLINGS JEWETT

WILLIAM C. SMITH

This 7 day of ^{July} ~~May~~, 2021.


SUPERIOR COURT JUDGE PRESIDING

CONSENTED TO:

Plaintiffs:

Attorney for Plaintiffs:
Hatch, Little & Bunn, LLP

WILLIAM C. MANN

SEAN G. DELANEY


SUSAN CASTLEBURY

Defendant:

Attorney for Defendant:
Manning, Fulton & Skinner, P.A.



SUSAN RAWLINGS JEWETT



WILLIAM C. SMITH

Prepared by: Sean G. Delaney, Esq.
Return to : Hatch, Little & Bunn, LLP, P.O. Box 527, Raleigh, NC 27602

MEMORANDUM OF TITLE BY JUDGMENT

Property: 2021 North Salem Street, Apex, NC 27523
Real Estate ID: 0007533
PIN: 0742891824
Mailing Address: 200 Singleton Street, Raleigh, NC 27606

This Notice is made and given this 8th day of July, 2021. By Judgment entered by the Superior Court of Wake County in file number 20-CVS-6957, title to the above-described property is vested in the following individuals:

WILLIAM C. MANN, SUSAN CASTLEBURY, ANN SINCLAIR FREEMAN
GAZENBEEK, JUDITH LOUISE FREEMAN, JOY RUTH FREEMAN TILLEY,
WILLIAM HARDIN FREEMAN, ALBERT WOMBLE, CHARLES MANN, RACHEL
JORDAN, GERALD MANN, ESTATE OF PHILIP MANN, KENNETH MANN,
AND DAVID MANN.

Attention is directed to the final Judgment entered in 20-CVS-6957 for full explanation of the rights and powers of the parties.

HATCH, LITTLE & BUNN, LLP
*Attorneys for William C. Mann and
Susan Castlebury*

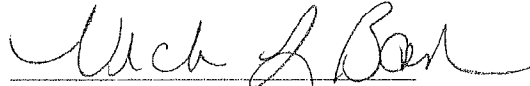


Sean G. Delaney

STATE OF NORTH CAROLINA
COUNTY OF WAKE

I certify that the following person(s) personally appeared before me this day, each acknowledging to me that he or she voluntarily signed the foregoing document for the purpose stated therein and in the capacity indicated: **SEAN G. DELANEY**

Date: July 8, 2021

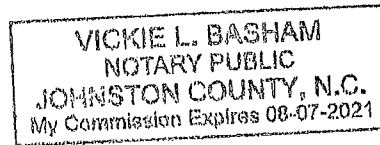


Official Signature of Notary



Printed Name of Notary Public

My Commission expires: _____



AFFIDAVIT OF OWNERSHIP

Application #: 22CZ13

Submittal Date: 5-2-22

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

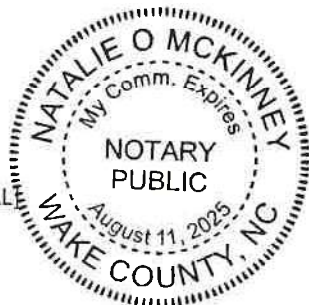
1. Affiant is over eighteen (18) years of age and authorized to make this Affidavit. The Affiant is the sole owner, or is the authorized agent of all owners, of the property located at 2021 N Salem St., Apex, NC 27523 and legally described in **Exhibit "A"** attached hereto and incorporated herein (the "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 6/11/2009, and recorded in the Wake County Register of Deeds Office on 6/11/2009, in Book 09-E Page 1938.
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 _____, 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 _____, 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 2nd day of May, 2022.

Brendie Vega (seal)
Brendie Vega
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 Brendie Vega, Affiant, personally known to me or known to me by said Affiant's presentation of said Affiant's Brendie Vega, personally appeared before me this day and acknowledged the due and voluntary execution of the foregoing Affidavit.



[NOTARY SEAL]

Natalie O. McKinney
Notary Public
State of North Carolina
My Commission Expires: 8/11/2025

Developer Company Information	
Company Name	Baker Residential
Company Phone Number	9842752223
Developer Representative Name	Mark Bowles
Developer Representative Phone Number	9196561291
Developer Representative Email	mbowles@bakerresidential.com

New Residential Subdivision Information	
Date of Application for Subdivision	May 2, 2022
City, Town or Wake County Jurisdiction	Town of Apex
Name of Subdivision	TBD
Address of Subdivision (if unknown enter nearest cross streets)	2021 N Salem St., Apex, NC 27523
REID(s)	0007533
PIN(s)	0742891824

Projected Dates Information	
Subdivision Completion Date	2026
Subdivision Projected First Occupancy Date	2024

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
Single Family																
Townhomes					10	30		2,100	2,100	\$400k	\$500k	2026	40			
Condos																
Apartments																
Other																

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



SPANGLER ENVIRONMENTAL, INC.

Environmental Planning Environmental Permitting Environmental Consulting Environmental Construction Management Expert Testimony

15 December 2021

Mr. V. Mark Bowles
Director of Land Acquisition, Raleigh
Baker Residential
7001 Weston Parkway, Suite 150
Cary, NC 27513

RE: **2021 N Salem St. – Wetland/Stream Delineation Memo**

Mr. Bowles:

Upon your authorization Spangler Environmental, Inc. (SEI) visited the subject property, located at 2021 N Salem St., Wake County, North Carolina (Wake County PIN# 0742891824) on 30 November 2021 to determine if the subject property contains Waters of the United States (WOTUS), or waters of the state subject to the Clean Water Act (CWA), the Isolated Wetland and other state Rules, the Neuse Buffer Rules and/or Wake County ordinances.

Wetland Delineation/Stream Determination:

During the field investigation SEI did not identify any wetland or stream features in the project area. The 1970 Natural Resources Conservation Service Soil Survey map (Sheet 56) and the 2019 Cary, NC USGS Quadrangle do not depict any stream features within the property, and therefore no NC Protected Riparian Buffer areas are located on the site.

Attached is a map showing the property boundary over an aerial photo, as well as USGS and NRCS maps.

Conclusions & Recommendations:

Based on the absence of wetland and stream features delineated by SEI during the site reconnaissance, we recommend that additional steps be taken to obtain regulatory confirmation prior to site development activities. Specifically, we recommend that a Preliminary Jurisdictional Determination (PJD) be requested from USACE. Should you wish to proceed with the PJD, please advise and we will provide scope and fee for this.

Please feel free to contact us should you have questions regarding these data or recommendations.

Sincerely,
Spangler Environmental, Inc.

Lisa Long
Environmental Scientist – Land & Water Resources

Ward Marotti
Director – Land & Water Resources

Attachments:

- Stream and Wetland Delineation Map
- USGS Topographic Map
- NRCS Soil Survey Map

References:

- Wake County GIS website.
- USGS Cary, NC 7.5 Minute Topographic Quadrangle (2019).
- Natural Resource Conservation Service. Soil Survey of Wake County (1970) (Sheet 56).

Vega, Brendie

Subject: FW: 2021 N. Salem street pics
Attachments: House 2.jpg; House 4.jpg; House 6.jpg; 2021 N Salem Street letter 6-8-22.pdf



From: Scott Thompson <scott@jsthompson.com>
Sent: Wednesday, June 8, 2022 4:54 PM
To: Scott Thompson <scott@jsthompson.com>
Subject: 2021 N. Salem street pics







































Sincerely,

Scott

(Sent from my cell phone; please pardon typos and brevity)

J. Scott Thompson, PE
President
J.S. Thompson Engineering, Inc.
606 Wade Avenue
Raleigh, NC. 27605

----- This message may contain proprietary information of Baker Residential. The information in this email and in any attachments is confidential and intended solely for the attention and use of the named addressee(s). This e-mail is not intended to create or constitute a legal agreement between sender and receiver or to modify any agreement which may already exist. Only authorized persons of the organization have the ability to enter the Company into a binding agreement. If you received this message in error, please notify the sender and destroy the message.



Legend

 Property Boundary

Source: Esri, Maxar, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AeroGRID, IGN, and the GIS User Community

2021 N Salem St

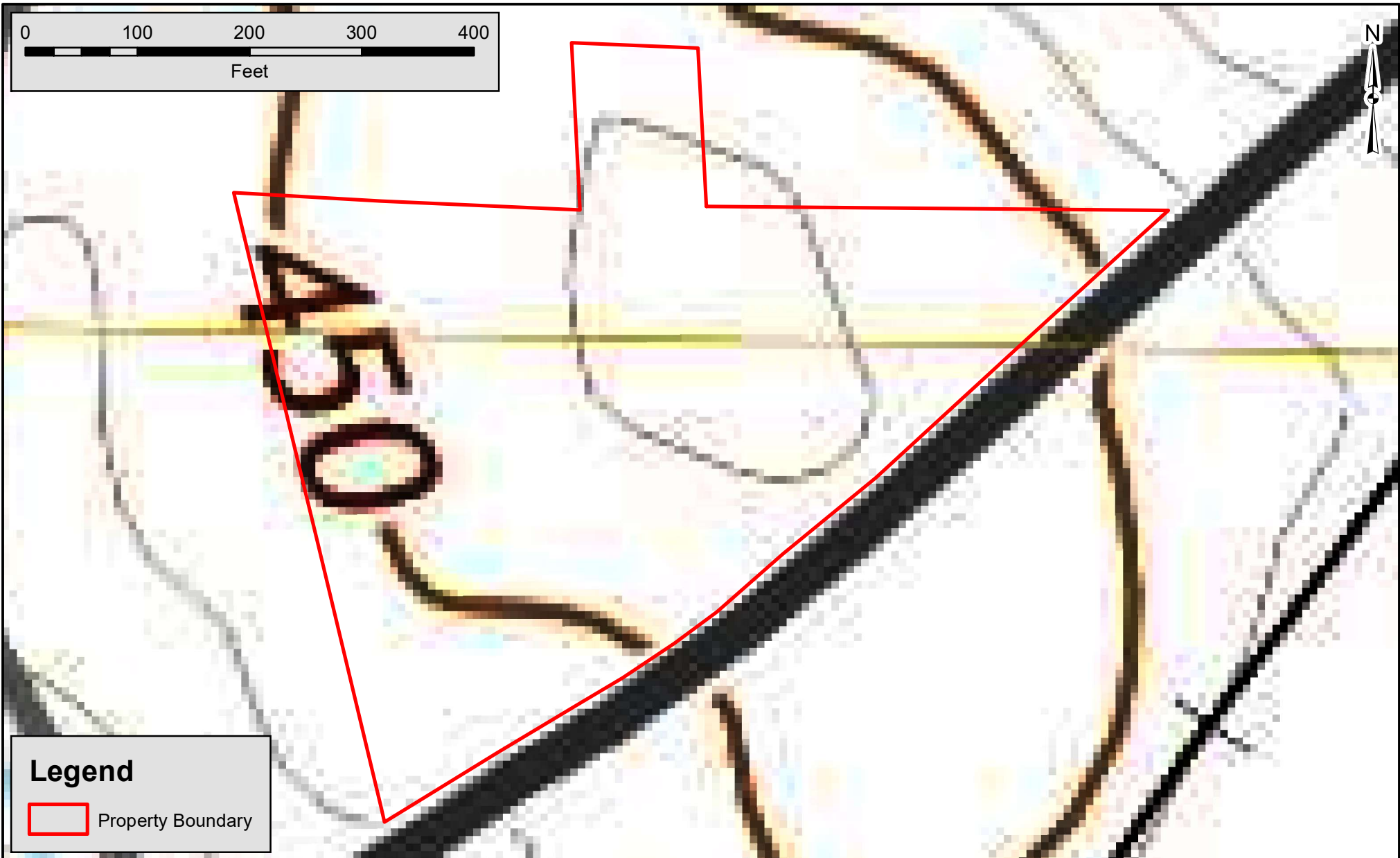
2021 N Salem St
Apex, NC
6.0 acres December 2021 20211116




4338 Bland Road (919) 875-4288
Raleigh, North Carolina SpanglerEnvironmental.com

**Stream & Wetland
Delineation Map**

Map Source:
Wake County GIS



Legend
 Property Boundary

2021 N Salem St

2021 N Salem St
Apex, NC
6.0 acres December 2021 20211116



4338 Bland Road (919) 875-4288
Raleigh, North Carolina SpanglerEnvironmental.com

USGS Topographic Map

Map Source:
USGS Cary, NC 7.5 Minute
Topographic Quadrangle (2019)



2021 N Salem St

2021 N Salem St
 Apex, NC
 6.0 acres December 2021 20211116



4338 Bland Road (919) 875-4288
 Raleigh, North Carolina SpanglerEnvironmental.com

NRCS Soil Survey Map

Map Source:
 NRCS 1970 Soil Survey of
 Wake County (Sheet 56)



April 4, 2022

RE: 2021 N Salem St. (PIN 0742891824)

Neighboring Residents and Property Owners:

You are invited to attend a neighborhood meeting on April 19, 2022, at the Halle Cultural Arts Center of Apex. Additional details follow.

Event: 2021 N Salem St. Neighborhood Meeting
Location: Halle Cultural Arts Center of Apex
Address: 237 N Salem St., Apex, NC, 27502
Time: 6 pm - 8 pm

The purpose of this meeting is to discuss a proposed rezoning of the property located at 2021 N Salem St. (PIN 0742891824). This site is currently located in the Town of Apex's extraterritorial jurisdiction (ETJ). The request is to annex the property into the Town of Apex's corporate limits and rezone PIN 0742891824 from Residential Agricultural (RA) to Planned Unit Development - Conditional Zoning (PUD-CZ).

If you have further questions about the rezoning request or would like to submit written comments, contact Brendie Vega at bvega@withersravenel.com or call (919) 469-3340. You can also contact the Town of Apex Planning Department by calling (919) 249-3426.

Sincerely,
WithersRavenel

Brendie Vega, AICP
Director of Planning

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.

04/04/2022

Date

Dear Neighbor:

You are invited to a neighborhood meeting to review and discuss the development proposal at

2021 North Salem St.

0742891824

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/Planning-Community-Development>.

A Neighborhood Meeting is required because this project includes (check all that apply):

Application Type		Approving Authority
<input checked="" type="checkbox"/>	Rezoning (including Planned Unit Development)	Town Council
<input type="checkbox"/>	Major Site Plan	Technical Review Committee (staff)
<input type="checkbox"/>	Special Use Permit	Board of Adjustment (QJPH*)
<input type="checkbox"/>	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 (also see attached map(s) and/or plan sheet(s)):

Proposal to rezone this site from RA to PUD-CZ. The anticipated unit breakdown is about 30 townhouse units.

Estimated submittal date: May 2, 2022

MEETING INFORMATION:

Property Owner(s) name(s): Susan R. Jewett & William C. Mann

Applicant(s): WithersRavenel

Contact information (email/phone): Brendie Vega, bvega@withersravenel.com

Meeting Address: The Halle Cultural Arts Center, 237 N. Salem St., Apex, NC 27502

Date/Time of meeting** : April 19th 6 pm - 8 pm

Welcome: 6 pm Project Presentation: 6:15 pm Question & Answer: 6:45 pm

**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 and Community Development 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/Planning-Community-Development>.

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: N. Salem St. Zoning: RA

Location: 2021 N. Salem St., Apex, NC

Property PIN(s): 0742891824 Acreage/Square Feet: 6.00

Property Owner: Susan R. Jewett & William C. Mann

Address: 200 Singleton St.

City: Raleigh State: NC Zip: 27606

Phone: _____ Email: _____

Developer: Baker Residential of the Carolinas, LLC

Address: 7001 Weston Parkway, Suite 150

City: Cary State: NC Zip: 27513

Phone: _____ Fax: _____ Email: _____

Engineer: WithersRavenel, Brendie Vega

Address: 115 MacKenan Drive

City: Cary State: NC Zip: 27511

Phone: _____ Fax: _____ Email: bvega@withersravenel.com

Builder (if known): _____

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 and Community Development 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 and Greenways Planner	(919) 249-7468
Public Works - Transportation Russell Dalton, Senior Transportation Engineer	(919) 249-3358
Water Resources Department Jessica Bolin, Environmental Engineering Manager (Stormwater, Sedimentation & Erosion Control)	(919) 249-3537
James Gregg, Utility Engineering Manager (Water & Sewer)	(919) 249-3324
Electric Utilities Division Rodney Smith, Electric Technical Services Manager	(919) 249-3342

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 a.m. to 8:30 p.m. 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 through Friday from 8:00 a.m. to 5:00 p.m. Report violations of construction hours and other noise complaints to the Non-Emergency Police phone number at 919-362-8661.

Construction Traffic:	James Misciagno	919-372-7470
------------------------------	------------------------	---------------------

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:	Water Resources – Infrastructure Inspections	919-362-8166
---	---	---------------------

There can be issues with roadway damage, roadway improvements, and traffic control. Potholes, rutting, inadequate lanes/signing/stripping, poor traffic control, blocked sidewalks/paths are all common issues that should be reported to Water Resources – Infrastructure Inspections at 919-249-3427. 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:	James Misciagno	919-372-7470
--------------------------	------------------------	---------------------

Sediment (dirt) and mud gets into the existing roads due to rain events and/or vehicle traffic. These incidents should be reported to James Misciagno. He will coordinate the cleaning of the roadways with the developer.

Dirt on Properties or in Streams:	James Misciagno Danny Smith	919-372-7470 Danny.Smith@ncdenr.gov
--	--	--

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 to James Misciagno at 919-372-7470 so that he can coordinate the appropriate repairs with the developer. Impacts to the streams and stream buffers should also be reported to Danny Smith (danny.smith@ncdenr.gov) with the State.

Dust:	James Misciagno	919-372-7470
--------------	------------------------	---------------------

During dry weather dust often becomes a problem blowing into existing neighborhoods or roadways. These incidents should be reported to James Misciagno at 919-372-7470 so that he can coordinate the use of water trucks onsite with the grading contractor to help control the dust.

Trash:	James Misciagno	919-372-7470
---------------	------------------------	---------------------

Excessive garbage and construction debris can blow around on a site or even off of the site. These incidents should be reported to James Misciagno at 919-372-7470. He will coordinate the cleanup and trash collection with the developer/home builder.

Temporary Sediment Basins:	James Misciagno	919-372-7470
-----------------------------------	------------------------	---------------------

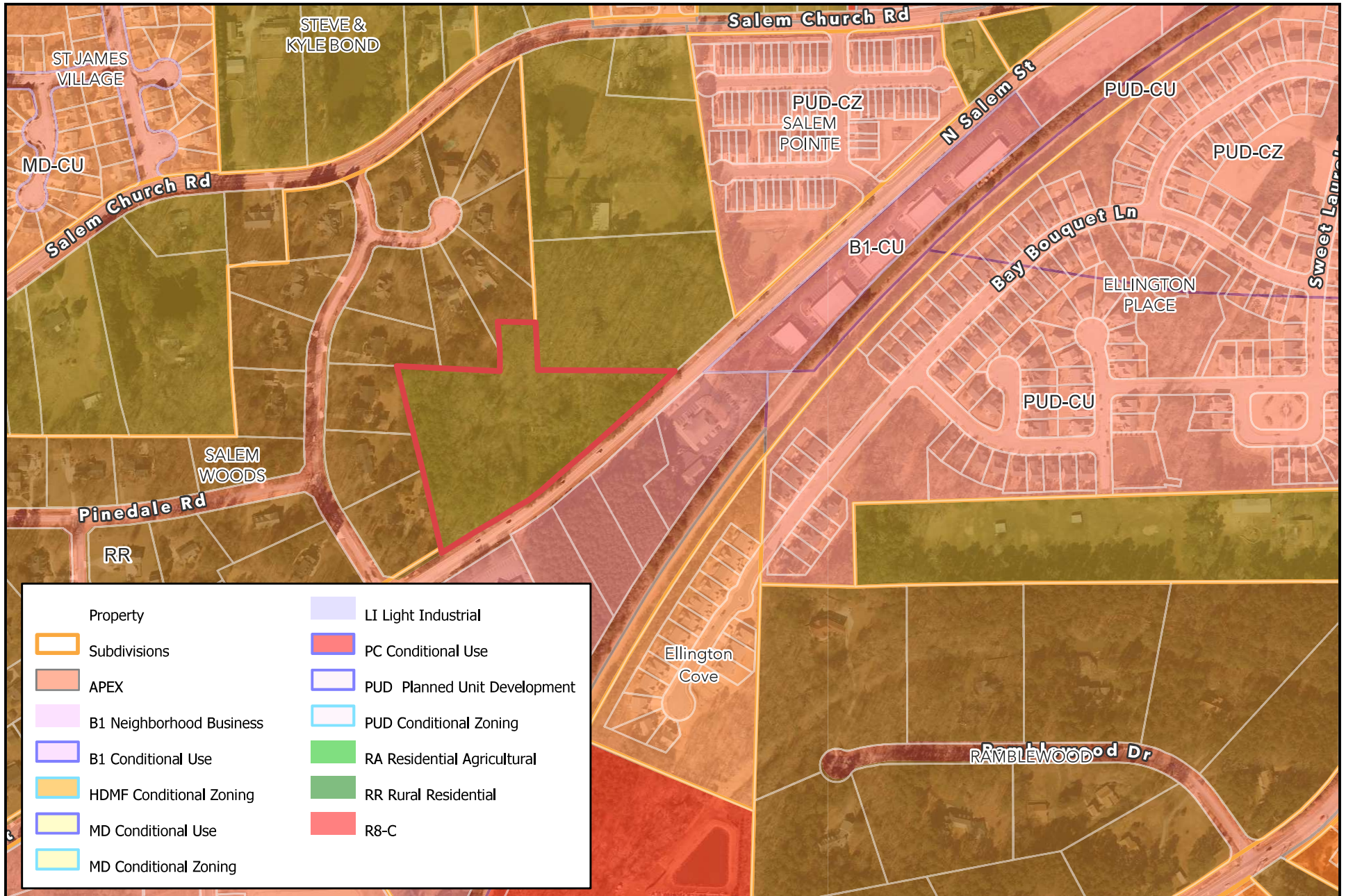
Temporary sediment basins during construction (prior to the conversion to the final stormwater pond) are often quite unattractive. Concerns should be reported to James Misciagno at 919-372-7470 so that he can coordinate the cleaning and/or mowing of the slopes and bottom of the pond with the developer.

Stormwater Control Measures:	Jessica Bolin	919-249-3537
-------------------------------------	----------------------	---------------------

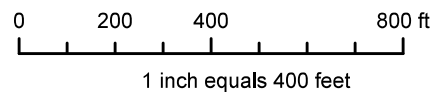
Post-construction concerns related to Stormwater Control Measures (typically a stormwater pond) such as conversion and long-term maintenance should be reported to Jessica Bolin at 919-249-3537.

Electric Utility Installation:	Rodney Smith	919-249-3342
---------------------------------------	---------------------	---------------------

Concerns with electric utility installation can be addressed by the Apex Electric Utilities Department. Contact Rodney Smith at 919-249-3342.



Zoning Exhibit



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.

OWNER	MAILING ADDRESS	MAILING ADDRESS 2	MAILING ADDRESS 3	SITE ADDRESS	PIN NUM
ABBOTT, DAVID H ABBOTT, ROSE M	2161 N SALEM ST	APEX NC 27523-8209		2161 N SALEM ST	0743805330
ALLEN, JOSHUA GREYSON ALLEN, MEGAN SPELL	1001 GREENLEA DR	APEX NC 27523-6600		1001 GREENLEA DR	0742794431
APEX BUSINESS CONDOMINIUM	YORK PROPERTIES INC	2108 CLARK AVE	RALEIGH NC 27605-1606	2166 N SALEM ST	0743903511
ARNS ASSOCIATES LLC	314 N DIXON AVE	CARY NC 27513-4427		2160 N SALEM ST	0742897839
ARNS ASSOCIATES LLC	2160 N SALEM ST	APEX NC 27523-8208		0 N SALEM ST	0743809076
BECTON, RALPH NEAL JR BECTON, GINA THERESA	1102 GREENLEA DR	APEX NC 27523-9298		1102 GREENLEA DR	0743707025
BRYANT, GILMER D BRYANT, SHARON M	1504 FAIR WEATHER CT	APEX NC 27523-5987		1504 FAIR WEATHER CT	0743801307
COLEMAN, CHARLES C COLEMAN, OITA C	1112 GREENLEA DR	APEX NC 27523-9298		1112 GREENLEA DR	0743708333
COMPITELLO, WILLIAM M III COMPITELLO, MARTHA P	1502 FAIR WEATHER CT	APEX NC 27523-5987		1502 FAIR WEATHER CT	0743709391
DOHM, PHILIP G DOHM, SUSAN M	1108 GREENLEA DR	APEX NC 27523-9298		1108 GREENLEA DR	0743707179
ECONOMY EXTERMINATORS INC	2160 N SALEM ST	APEX NC 27523-8208		0 N SALEM ST	0742894566
GARRITY, THOMAS M GARRITY, MARY J	1000 GREENLEA DR	APEX NC 27523-9297		1000 GREENLEA DR	0742798622
HEILSNIS, WALTER HEILSNIS, JUDY B	1506 FAIR WEATHER CT	APEX NC 27523-5987		1506 FAIR WEATHER CT	0743801574
HESTER, EDWARD L III HESTER, PATSY P	1512 SALEM CHURCH RD	APEX NC 27523-7563		1512 SALEM CHURCH RD	0743805704
HINTON, CHARLES A HINTON, KIMBERLY B	1109 GREENLEA DR	APEX NC 27523-6601		1109 GREENLEA DR	0743704292
JEWETT, SUSAN R	WILLIAM C. MANN	200 SINGLETON ST	RALEIGH NC 27606-1139	2021 N SALEM ST	0742891824
MROZEK, EDWARD JOHN MANGIAPANE, NICOLE	1113 GREENLEA DR	APEX NC 27523-6601		1113 GREENLEA DR	0743705334
PEAKSTONE PARTNERS LLC	2206 GOLDEN PLOVER DR	APEX NC 27502-1796		2000 N SALEM ST	0742799174
RIGGSBEE, PEGGY S	PO BOX 1659	APEX NC 27502-3659		1100 GREENLEA DR	0742797842
SALEM POINTE OWNERS ASSOCIATION INC	REALMANAGE	PO BOX 803555	DALLAS TX 75380-3555	1604 SALEM CHURCH RD	0743809469
SMITH, BRADLEY EDWARD SMITH, LYNNE O	1105 GREENLEA DR	APEX NC 27523-6601		1105 GREENLEA DR	0742794937
TOWN & COUNTRY KENNELS	2010 N SALEM ST	APEX NC 27523-8206		2010 N SALEM ST	0742891288
TOWN OF APEX	PO BOX 250	APEX NC 27502-0250			
Current Tenant	1100 Greenlea DR	APEX NC 27523			
Current Tenant	2000 N Salem ST	APEX NC 27523			
Current Tenant	2021 Salem ST	APEX NC 27523			
Current Tenant	2161 Salem ST	APEX NC 27523			
Current Tenant	2166 N Salem ST	APEX NC 27523			
Current Tenant	2172 N Salem ST	APEX NC 27523			
Current Tenant	2180 N Salem ST	APEX NC 27523			
Current Tenant	2186 N Salem ST	APEX NC 27523			
Current Tenant	2190 N Salem ST	APEX NC 27523			
WithersRavenel, Brendie Vega	137 S. Wilmington St #200	Raleigh, NC 27601			
Baker Residential of the Carolinas, Inc.	7001 Weston Parkway	Cary, NC 27513			

NEIGHBORHOOD MEETING SIGN-IN SHEET

This document is a public record under the North Carolina Public Records Act and may be published on the Town's website or disc used to third parties.

Meeting Address: Halle Cultural Arts Center of Apex 237 N Salem St., Apex, NC 27502
 Date of meeting: April 19, 2022 Time of meeting: 6 - 8 p.m.
 Property Owner(s) name(s): Susan R Jewett and William C Mann
 Applicant(s): WithersRavenel

Please print your name below, state your address and/or affiliation with a neighborhood group, and provide your phone number and email address. Providing your name below does not represent support or opposition to the project; it is for documentation purposes only. For virtual meetings, applicants must include all known participants and request the information below.

	NAME/ORGANIZATION	ADDRESS	PHONE #	EMAIL	SEND PLANS & UPDATES
1.	John C. Economy EXT	1000 CARR FINE COURT 2160 N. SALEM ST	919-669-2800		s.com
2.	ANN MORGAN Carm Morgan	2729 TOWNEDGE CT RALEIGH, NC 27612	919-781-6691		yes
3.	Gregory Collins Economy EXT	2307 Eagle Watch Ct. Apex, NC 27502	919-961-5729		for
4.	WILLIAM R. MANN	RALEIGH, N.C. 27606 200 SINGLETON ST.	919-851-3745		yes
5.	Judy Heilsnis	1506 Fair Weather Ct	919-924-4841		yes
6.	Brendie Vega	1375 Wilmington Rle	919 535 5212		
7.	Caroline Richardson	1375 Wilmington St.	803 603 2883		venel.com
8.	Mark Bowles	7001 Weston Pkwy Cary 27513	919-656-1291		
9.	ED TANG	115 Macken Dr.	919-238-0338		
10.					
11.					
12.					
13.					
14.					

Use additional sheets, if necessary.

SUMMARY OF DISCUSSION FROM THE 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.

Property Owner(s) name(s): Susan R Jewett and William C Mann
Applicant(s): WithersRavenel
Contact information (email/phone): bvega@withersravenel.com
Meeting Address: Halle Cultural Arts Center of Apex 237 N Salem St, Apex, NC 27502
Date of meeting: April 19, 2022 Time of meeting: 6 - 8 p.m.

Please summarize the questions/comments and your responses from the Neighborhood Meeting or emails/phone calls received in the spaces below (attach additional sheets, if necessary). Please state if/how the project has been modified in response to any concerns. The response should not be "Noted" or "No Response". There has to be documentation of what consideration the neighbor's concern was given and justification for why no change was deemed warranted.

Question/Concern #1:

Traffic. Residents expressed concern about the visibility along N Salem St. They also were worried about increased traffic volumes.

Applicant's Response:

The applicant explained that they would be working closely with NCDOT and the Town of Apex to determine a safe location for neighborhood access along N Salem St. The applicant explained that a TIA would not be required for a project of this size.

Question/Concern #2:

Buffers and RCAs. Residents asked about the placement, width, and opacity of the perimeter and streetscape buffers on the site.

Applicant's Response:

The applicant displayed a concept plan with the required buffers. They explained that Resource Conservation Areas would not be disturbed.

Question/Concern #3:

Density. The neighbors asked for an explanation of how the density was calculated.

Applicant's Response:

The applicant explained that the density was based on gross, not net, acreage.

Question/Concern #4:

Timeline. Residents wanted to know the timeline for approvals and construction.

Applicant's Response:

The builder provided a tentative timeline. Rezoning would be addressed by Council in the fall. Construction would likely begin approximately one year later at the earliest.

SUMMARY OF DISCUSSION FROM THE 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.

Property Owner(s) name(s): Susan R Jewett and William C Mann
Applicant(s): WithersRavenel
Contact information (email/phone): bvega@withersravenel.com
Meeting Address: Halle Cultural Arts Center of Apex 237 N Salem St, Apex, NC 27502
Date of meeting: April 19, 2022 Time of meeting: 6 - 8 p.m.

Please summarize the questions/comments and your responses from the Neighborhood Meeting or emails/phone calls received in the spaces below (attach additional sheets, if necessary). Please state if/how the project has been modified in response to any concerns. The response should not be "Noted" or "No Response". There has to be documentation of what consideration the neighbor's concern was given and justification for why no change was deemed warranted.

Question/Concern #1:
Housing Product. Residents asked about the product type.

Applicant's Response:
The builder explained that the townhome product would be two stories with an attic on some units. The builder also provided examples of its existing developments including McKenzie Ridge and Weddington. The homes are planned to have slab foundations.

Question/Concern #2:
Stormwater Management. Residents asked about plans for stormwater runoff.

Applicant's Response:
The applicant shared that there would be at least two stormwater ponds on the side to collect and treat runoff. The locations shown on the existing concept plan are approximate.

Question/Concern #3:
Tree Health. One resident shared that her property was experiencing tree decay and disease. She asked how the applicant would protect existing trees.

Applicant's Response:
The applicant explained that tree protection fencing would be required during construction. In addition, disturbance is not permitted in Resource Conservation Areas and most buffers.

Question/Concern #4:

Applicant's Response:

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, Brendie Vega, do hereby declare as follows:
Print Name

1. I have conducted a Neighborhood Meeting for the proposed Rezoning, Major Site Plan, Residential Master Subdivision Plan, or Special Use Permit in accordance with UDO Sec. 2.2.7 *Neighborhood Meeting*.
2. The meeting invitations were mailed to the Apex Department of Planning and Community Development, all property owners and tenants abutting and within 300 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 237 N Salem St, Apex, NC 27502 (location/address) on April 19, 2022 (date) from 6 p.m. (start time) to 8 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.

5/2/2022
Date

By: Brendie Vega

STATE OF NORTH CAROLINA
COUNTY OF WAKE

Sworn and subscribed before me, Natalie O. McKinney, a Notary Public for the above State and County, on this the 2nd day of May, 2022.

SEAL



Natalie O. McKinney
Notary Public
Natalie O. McKinney
Print Name

My Commission Expires: 8/11/2025



May 24, 2022

RE: 2021 N Salem St. (PIN 0742891824)

Neighboring Residents and Property Owners:

You are invited to attend a virtual neighborhood meeting on June 8th, 2022. Additional details follow.

Event: 2021 N Salem St. Neighborhood Meeting
Location: Virtual
Address: WebEx - Register at <https://bit.ly/3ISXWdL>
Time: 5:00 pm - 7:00 pm

Dear resident,

On April 19th, 2022 we held a neighborhood meeting for a rezoning of 2021 N. Salem St. One of the residents in attendance at that neighborhood meeting pointed out that the mailing included “30 dwelling units,” as the proposed number of townhomes to be in the rezoning. We sincerely apologize for this error as we are requesting up to 40 dwelling units as part of our rezoning request. In light of the error on the notice, we will be holding a second neighborhood meeting. This meeting will be virtual.

The purpose of the meeting is to discuss a proposed rezoning of the property located at 2021 N Salem St. (PIN 0742891824). This site is currently located in the Town of Apex’s extraterritorial jurisdiction (ETJ). The request is to annex the property into the Town of Apex’s corporate limits and rezone PIN 0742891824 from Residential Agricultural (RA) to Planned Unit Development – Conditional Zoning (PUD-CZ).

If you have further questions about the rezoning request or would like to submit written comments, contact Brendie Vega at bvega@withersravenel.com or call (919) 469-3340. You can also contact the Town of Apex Planning Department by calling (919) 249-3426.

Sincerely,
WithersRavenel

Brendie Vega, AICP
Director of Planning

LOT 26
 PHILIP G. &
 SUSAN M. DOHM
 DB 6609, PG 602
 BM 1994, PG 1633
 PIN: 0743-70-7179

LOT 28
 WILLIAM M., III. &
 MARTHA P. COMPITELLO
 DB 12459, PG 2138
 BM 1994, PG 1633
 PIN: 0743-70-9391

DAVID H. &
 ROSE M. ABBOTT
 DB 6171, PG 674
 PIN: 0743-80-5330

LOT 10
 RALPH N., JR. &
 GINA T. BECTON
 DB 8479, PG 1895
 BM 1986, PG 427
 PIN: 0743-70-7025

LOT 9
 PEGGY S. RIGGSBEE
 WB 15-E, PG 1703
 BM 1986, PG 427
 PIN: 0742-79-7842

LOT 8
 THOMAS M. &
 MARY J. GARRITY
 DB 3980, PG 589
 BM 1985, PG 2255
 PIN: 0742-79-8622

OPEN SPACE (RCA)

TOWNHOMES

SCM

SCM

20' TYPE B PERIMETER BUFFER

20' TYPE B PERIMETER BUFFER

20' TYPE B PERIMETER BUFFER

30' TYPE B THOROUGHFARE BUFFER

30' TYPE B THOROUGHFARE BUFFER

N SALEM STREET

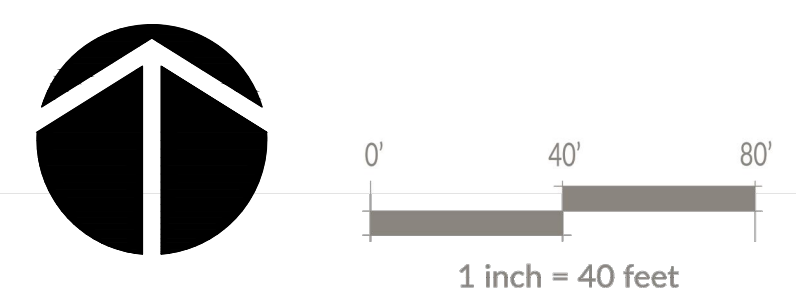
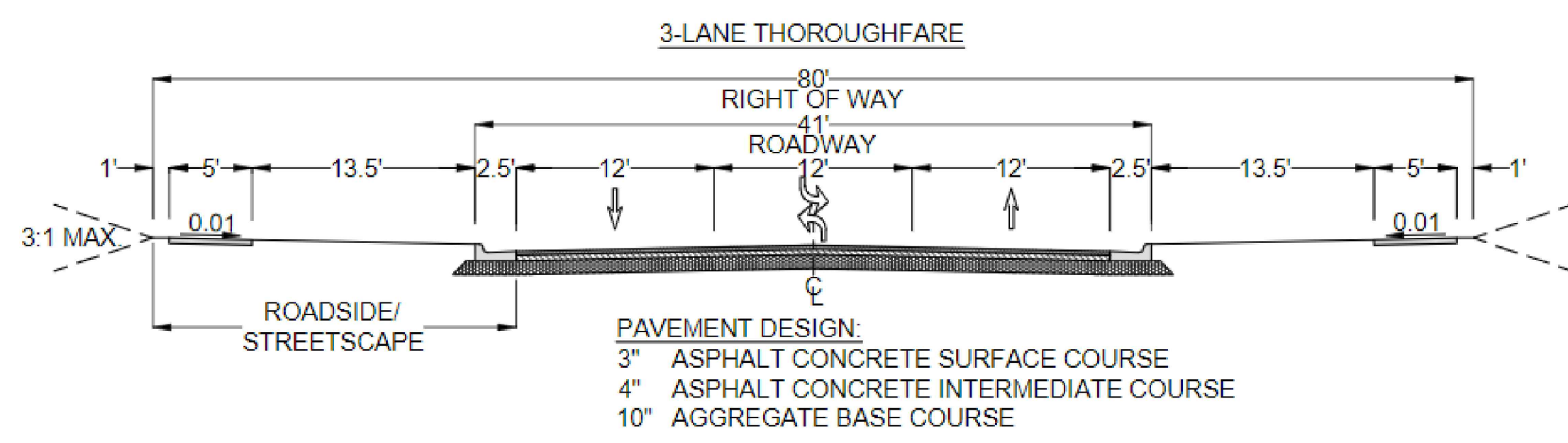
PROPOSED R/W LINE
 10' OFF EXISTING R/W
 TO MEET HALF OF THE
 ULTIMATE 3 LANE CROSS
 SECTION

LOCATION OF DRIVEWAY
 WILL DEPEND ON SIGHT
 DISTANCE AND SUBJECT
 TO NCDOT APPROVAL

LEGEND

- PERIMETER BUFFER
- CONCEPTUAL ROAD CONNECTION
- CONCEPTUAL SCM LOCATION
- OPEN SPACE
- TOWNHOMES

NOTE: REQUIRED RCA 20%
 PER UDO SECTION 8.1.2.C.4



*This plan is conceptual and illustrates design intent. The plan has not been reviewed or approved by the Town of Apex.

No.	Revision	Date	By	Designer	Scale
				WR	AS NOTED
				WR	04/20/2022
				ET	02211366.0

2021 N. SALEM STREET PUD
 WAKE COUNTY
 NORTH CAROLINA

CONCEPTUAL PUD PLAN

WithersRavenel
 Engineers | Planners | Surveyors
 115 MacKenan Drive | Cary, NC 27511 | t: 919.469.3340 | license #: F-1479 | www.withersravenel.com

Sheet No.
2

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.

05/24/2022

Date



Use the QR code or register at: <https://bit.ly/3ISXWdL>

Dear Neighbor:

You are invited to a neighborhood meeting to review and discuss the development proposal at 2021 North Salem St. 0742891824

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/Planning-Community-Development>.

A Neighborhood Meeting is required because this project includes (check all that apply):

Application Type		Approving Authority
<input checked="" type="checkbox"/>	Rezoning (including Planned Unit Development)	Town Council
<input type="checkbox"/>	Major Site Plan	Technical Review Committee (staff)
<input type="checkbox"/>	Special Use Permit	Board of Adjustment (QJPH*)
<input type="checkbox"/>	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 (also see attached map(s) and/or plan sheet(s)):

Proposal to rezone this site from RA to PUD-CZ. The anticipated unit breakdown is up to 40 townhouse units.

Estimated submittal date: June 2022

MEETING INFORMATION:

Property Owner(s) name(s): Susan R. Jewett & William C. Mann

Applicant(s): WithersRavenel

Contact information (email/phone): Brendie Vega, bvega@withersravenel.com

Meeting Address: https://bit.ly/3ISXWdL or call-in at US Toll +1-415-655-0001 / Access Code: 24303922232

Date/Time of meeting**: June 8th, 2022 / 5:00 pm - 7:00 pm

Welcome: 5:00 pm Project Presentation: 5:15 pm Question & Answer: 5:30 pm

**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 and Community Development 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/Planning-Community-Development>.

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: N. Salem St. Zoning: RA

Location: 2021 N. Salem St., Apex, NC

Property PIN(s): 0742891824 Acreage/Square Feet: 6.00

Property Owner: Susan R. Jewett & William C. Mann

Address: 200 Singleton St.

City: Raleigh State: NC Zip: 27606

Phone: _____ Email: _____

Developer: Baker Residential of the Carolinas, LLC

Address: 7001 Weston Parkway, Suite 150

City: Cary State: NC Zip: 27513

Phone: _____ Fax: _____ Email: _____

Engineer: WithersRavenel, Brendie Vega

Address: 115 MacKenan Drive

City: Cary State: NC Zip: 27511

Phone: 919-535-5212 Fax: _____ Email: bvega@withersravenel.com

Builder (if known): Baker Residential

Address: same as developer

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 and Community Development 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 and Greenways Planner	(919) 249-7468
Public Works - Transportation Russell Dalton, Senior Transportation Engineer	(919) 249-3358
Water Resources Department Jessica Bolin, Environmental Engineering Manager (Stormwater, Sedimentation & Erosion Control)	(919) 249-3537
James Gregg, Utility Engineering Manager (Water & Sewer)	(919) 249-3324
Electric Utilities Division Rodney Smith, Electric Technical Services Manager	(919) 249-3342

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 a.m. to 8:30 p.m. 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 through Friday from 8:00 a.m. to 5:00 p.m. Report violations of construction hours and other noise complaints to the Non-Emergency Police phone number at 919-362-8661.

Construction Traffic:	James Misciagno	919-372-7470
------------------------------	------------------------	---------------------

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:	Water Resources – Infrastructure Inspections	919-362-8166
---	---	---------------------

There can be issues with roadway damage, roadway improvements, and traffic control. Potholes, rutting, inadequate lanes/signing/stripping, poor traffic control, blocked sidewalks/paths are all common issues that should be reported to Water Resources – Infrastructure Inspections at 919-249-3427. 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:	James Misciagno	919-372-7470
--------------------------	------------------------	---------------------

Sediment (dirt) and mud gets into the existing roads due to rain events and/or vehicle traffic. These incidents should be reported to James Misciagno. He will coordinate the cleaning of the roadways with the developer.

Dirt on Properties or in Streams:	James Misciagno Danny Smith	919-372-7470 Danny.Smith@ncdenr.gov
--	--	--

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 to James Misciagno at 919-372-7470 so that he can coordinate the appropriate repairs with the developer. Impacts to the streams and stream buffers should also be reported to Danny Smith (danny.smith@ncdenr.gov) with the State.

Dust:	James Misciagno	919-372-7470
--------------	------------------------	---------------------

During dry weather dust often becomes a problem blowing into existing neighborhoods or roadways. These incidents should be reported to James Misciagno at 919-372-7470 so that he can coordinate the use of water trucks onsite with the grading contractor to help control the dust.

Trash:	James Misciagno	919-372-7470
---------------	------------------------	---------------------

Excessive garbage and construction debris can blow around on a site or even off of the site. These incidents should be reported to James Misciagno at 919-372-7470. He will coordinate the cleanup and trash collection with the developer/home builder.

Temporary Sediment Basins:	James Misciagno	919-372-7470
-----------------------------------	------------------------	---------------------

Temporary sediment basins during construction (prior to the conversion to the final stormwater pond) are often quite unattractive. Concerns should be reported to James Misciagno at 919-372-7470 so that he can coordinate the cleaning and/or mowing of the slopes and bottom of the pond with the developer.

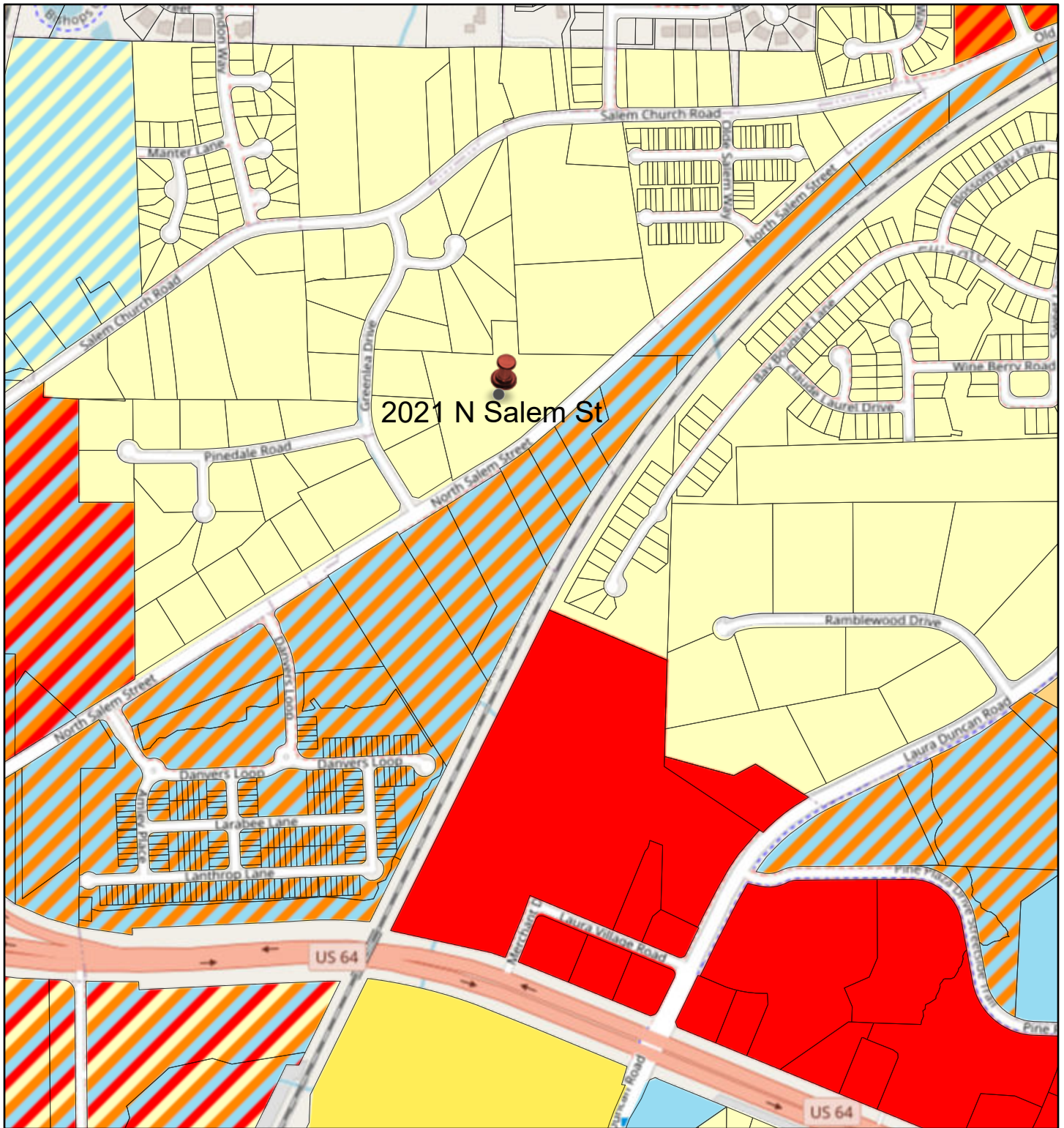
Stormwater Control Measures:	Jessica Bolin	919-249-3537
-------------------------------------	----------------------	---------------------

Post-construction concerns related to Stormwater Control Measures (typically a stormwater pond) such as conversion and long-term maintenance should be reported to Jessica Bolin at 919-249-3537.

Electric Utility Installation:	Rodney Smith	919-249-3342
---------------------------------------	---------------------	---------------------

Concerns with electric utility installation can be addressed by the Apex Electric Utilities Department. Contact Rodney Smith at 919-249-3342.

2021 N Salem Street - Future Land Use Map



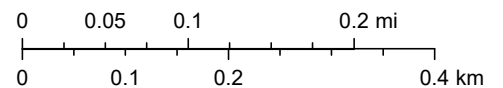
5/23/2022, 3:27:10 PM

1:9,028

Future Land Use

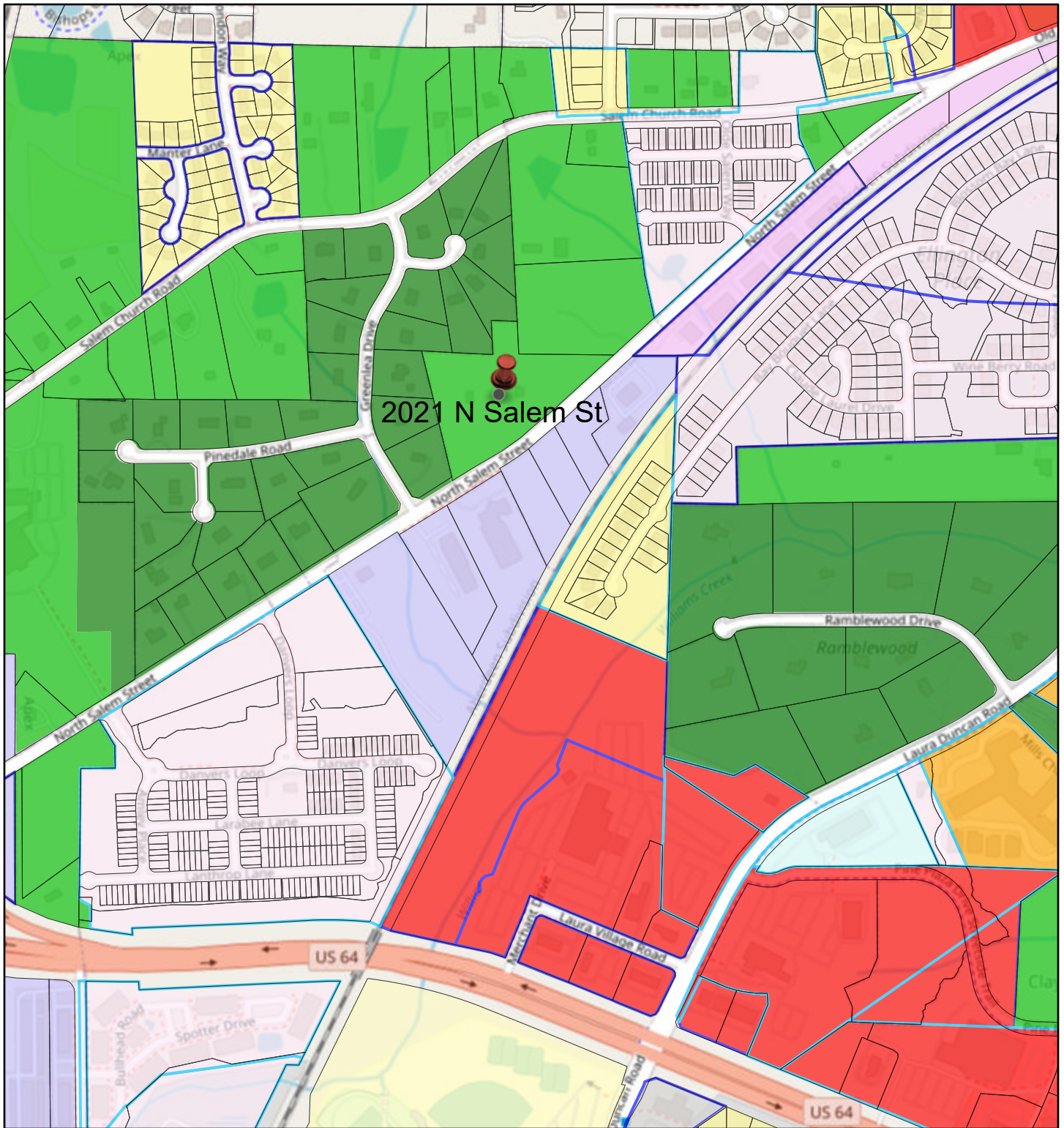
- Protected Open Space
- Rural Density Residential
- Golf Course
- Low Density Residential
- Low Density Residential, Office Employment
- Low Density Residential, Commercial Services

Medium Density Residential



© OpenStreetMap (and) contributors, CC-BY-SA, Created and maintained by the Town of Apex Department of Planning and Community Development

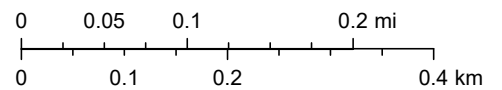
2021 N Salem St Zoning



5/23/2022, 3:32:48 PM

1:9,028

- | | |
|-------------------------------|----------------------------|
| Parcels (Zoom In to See) | MD Conditional Zoning |
| Zoning Districts | LD Low Density Residential |
| B1 Neighborhood Business | LI Light Industrial |
| B1 Conditional Use | LI Conditional Use |
| HDMF Conditional Zoning | O&I Conditional Use |
| MD Medium Density Residential | PC Planned Commercial |
| MD Conditional Use | |



© OpenStreetMap (and) contributors, CC-BY-SA

Attendance Count	Event Name	Event Start Date	Event Start Time	Event End Time	Event/Recording Duration	User Type	FirstName
1	N. Salem St. Neighborhood Meeting	June 8, 2022 New York Time	5:00 pm New York Time	7:00 pm New York Time	120.0 mins	Panelist	Brendie
2	N. Salem St. Neighborhood Meeting	June 8, 2022 New York Time	5:00 pm New York Time	7:00 pm New York Time	120.0 mins	Host	WithersRavenel
3	N. Salem St. Neighborhood Meeting	June 8, 2022 New York Time	5:00 pm New York Time	7:00 pm New York Time	120.0 mins	Attendee	Rose
4	N. Salem St. Neighborhood Meeting	June 8, 2022 New York Time	5:00 pm New York Time	7:00 pm New York Time	120.0 mins	Attendee	christian
6	N. Salem St. Neighborhood Meeting	June 8, 2022 New York Time	5:00 pm New York Time	7:00 pm New York Time	120.0 mins	Attendee	Ann
7	N. Salem St. Neighborhood Meeting	June 8, 2022 New York Time	5:00 pm New York Time	7:00 pm New York Time	120.0 mins	Panelist	Ed

LastName	Email	Attended	Join Time	Registration Date/Time	Registration ID	Okay to send email	Phone
Vega		Yes	4:55 pm New York Time			0 No	1-
Raleigh		Yes	4:48 pm New York Time			0 No	1-
Motley-Abbott		Yes	4:55 pm New York Time	June 8, 2022 4:06 pm New York Time	815956	No	1-
campbell		Yes	5:03 pm New York Time	June 8, 2022 5:03 pm New York Time	885048	No	1-
Morgan		Yes	5:00 pm New York Time	June 8, 2022 2:31 pm New York Time	203194	No	1-9197816691
Tang		Yes	5:01 pm New York Time			0 No	1-

All sessions in Eastern Daylight Time (New York, GMT-04:00)

Session detail for 'N. Salem St. Neighborhood Meeting':

*Attention to Duration ratio: Attentiveness based on total duration of the event.

**Attention to Attendance ratio: Attentiveness based on how long participant was in the event.

Participant	Audio Type	Name	Date	Invited	Registered	Start time	End time	Duration	*Attention to Duration ratio	**Attention to Attendance ratio
1		WithersRavenel Raleigh	6/8/2022	No	No	4:48 PM	7:02 PM	135 mins	100%	100%
2		WithersRavenel Raleigh	6/8/2022	No	No	4:56 PM	7:02 PM	127 mins	94%	100%
3		christian campbell	6/8/2022	No	Yes	5:05 PM	6:08 PM	64 mins	47%	100%
4		christian campbell	6/8/2022	No	Yes	5:03 PM	5:05 PM	3 mins	2%	100%
5		Ed Tang	6/8/2022	Yes	No	5:01 PM	5:44 PM	43 mins	32%	100%
6		ann morgan	6/8/2022	No	Yes	5:06 PM	6:51 PM	106 mins	79%	100%
7		Rose Motley-Abbott	6/8/2022	No	Yes	5:00 PM	5:43 PM	44 mins	32%	100%
8	Call-in	Call-in User_2	6/8/2022			5:01 PM	5:52 PM	51 mins		

June 10, 2022

**RE: Baker Residential – 2021 N. Salem St.
Neighborhood Meeting Summary
2021 North Salem Street PUD Project No. 22CZ13
WR Project No. 02211366.00**

1. Rose: What are the structures CAP has identified
 - ▶ **Brendie: There are about 7 structures**
 - ▶ **The 2-story brick house and the tobacco barn**
2. Rose: what about the trees
 - ▶ **We are looking at a stormwater pond on the NE**
 - ▶ **There will have that 20-foot buffer and houses have to be at least 10 feet from it**
3. Rose: For the peninsula, you said the trees would be undisturbed?
 - ▶ **Brendie: Yes, that is what we anticipate at this time**
4. David: Where will the entrance be located? It wouldn't be where the old driveway was, correct?
 - ▶ **Brendie: correct, we have shown it where we think site distance will be best but it is subject to Apex and NCDOT approval**
 - 1) Rose's husband, David: that's good
5. Rose: would trees be preserved?
 - ▶ **Brendie: yes, there will be trees preserved, at this time it is too early to tell which but we will try to save those in the peninsula and those in the perimeter buffers**
 - a. Rose: what will that mean?
 - ▶ **Brendie: Those that we can save we will have tree protection fencing around them**
6. Rose Abbott: it was originally 30, not 40 townhomes?
 - ▶ **Brendie: It was always intended to be 40 units, the first letter unfortunately went out with a typo. We discovered the typo at the first neighborhood meeting when a neighbor brought it up.**
7. Rose's husband, David: what are you planning to do with the pump house?
 - ▶ **Brendie: it will be removed, and this project will connect to public utilities**
8. Rose: when is the public hearing?
 - ▶ **Brendie: we have submitted our application, we have received comments and we will resubmit the application on Friday, once we have addressed comments we will move to public hearings, We submitted last month in May, August 8th and 23rd will be the earliest we can go. It's always possible we could get delayed. You will get a letter about 2 weeks prior to the hearing from the Town of Apex and you can also sign up on the Town's website for alerts on public hearings.**

9. Rose's husband, David: do you have any info on active construction?

- ▶ **Brendie: Infrastructure, and road improvements will start first, once complete and inspected, then it will go into vertical construction of the homes. The road work could be as soon as next summer.**
- ▶ **Ed: Home construction may end in 2025.**

10. David Abbott: Is that a 3-lane section for N Salem?

- ▶ **Ed: yes, the town has amended the Transportation plan in this area to a 3-lane section.**

11. Rose: Baker is the builder?

- ▶ **Brendie: yes, Baker is the developer and builder.**

Sincerely,

WithersRavenel



Brendie Vega, AICP, CNU-A
Director of Planning

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, Edward Tang, do hereby declare as follows:
Print Name

1. I have conducted a Neighborhood Meeting for the proposed Rezoning, Major Site Plan, Residential Master Subdivision Plan, or Special Use Permit in accordance with UDO Sec. 2.2.7 *Neighborhood Meeting*.
2. The meeting invitations were mailed to the Apex Department of Planning and Community Development, all property owners and tenants abutting and within 300 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 via WebEx (location/address) on June 8, 2022 (date) from 5:00 PM EST (start time) to 7:00 PM EST (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.

8/1/2022
Date

By: Edward Tang

STATE OF NORTH CAROLINA
COUNTY OF WAKE

Sworn and subscribed before me, Karen Hancock, a Notary Public for the above State and County, on this the 1st day of August, 2022.

SEAL



Karen Hancock
Notary Public
Karen Hancock
Print Name

My Commission Expires: 5-13-2025

2021 N SALEM ST

PLANNED UNIT DEVELOPMENT

Apex, North Carolina

First Submittal ♦ May 2, 2022

Second Submittal ♦ June 10, 2022

Third Submittal ♦ July 8, 2022

Fourth Submittal ♦ July 25, 2022

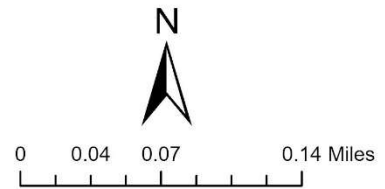
TABLE OF CONTENTS

I.	Vicinity Map	3
II.	Project Information.....	4
III.	Purpose Statement	5
IV.	Permitted Uses.....	6
V.	Proposed Conditions.....	6
VI.	Design Controls	7
VII.	Architectural Controls.....	8
VIII.	Signage	8
IX.	Parking and Loading.....	8
X.	Environmental Advisory Board Recommendations.....	9
XI.	Natural Resource and Environmental Data	9
XII.	Stormwater Management	10
XIII.	Public Facilities Requirements	10
XIV.	Phasing.....	11
XV.	Affordable Housing	11
XVI.	Consistency with Advance Apex 2045	12
XVII.	Consistency with the UDO	13
XVIII.	Consistency with Thoroughfare and Collector Street Plan Map	13
XIX.	Consistency with the Parks & Recreation Master Plan	13
XX.	Consistency with the BicyCle and Pedestrian System Plan	13

I. VICINITY MAP



N. Salem St. Parcel



II. PROJECT INFORMATION

Project	2021 N Salem St. PUD
PIN	0742891824
Preparer Information	WithersRavenel 115 MacKenan Drive Cary, NC 27511 Brendie Vega, AICP, CNU-A Ed Tang, PE P: 919.469.3340 F: 919.467.6008 bvega@withersravenel.com etang@withersravenel.com
Current Zoning Designation	Residential Agriculture (RA)
Proposed Zoning Designation	Planned Unit Development (PUD-CZ)
Current 2045 Land Use Map Designation	Medium Density Residential
Area of Tract	6.00 acres

III. PURPOSE STATEMENT

A. Unified Development Ordinance (UDO) Sections 2.3.4.F.1.

- ◆ The PD Plan encourages cluster and compact development to the greatest extent possible. The PD plan will provide the required right-of-way dedication to the recently adopted amendment for a 3-lane section along North Salem Street. The layout provides one point of access to N. Salem St. and a stub to the eastern parcel which remains a single-family, large lot residential home. The internal pedestrian network will connect to the sidewalk provided along N. Salem St.
- ◆ The development is compatible in character with the townhomes in the area with a density between 3-7 dwelling units per acre.
- ◆ The site is near several commercial areas which allow future residents to access many necessities while minimizing vehicle trips traveled and trip length.
- ◆ The PD Plan proposes architectural standards that are exceptional and provide high-quality design while incorporating energy saving features.

B. Conditional Zoning Standards - UDO Sections 2.3.3.F.1-10

- ◆ The PUD Plan is consistent with the 2045 Land Use Map, which has identified this area as Medium Density Residential which allows for single-family homes, duplexes, and townhouses. The proposed conditions maintain the density within the 3-7 dwelling units per acre range required by the zoning district.
- ◆ The proposed development is adjacent to existing single-family neighborhood to the west, Salem Woods, and subdivisions to the northeast; Salem Pointe and Ellington Place. Therefore, the proposed development is consistent with the developing residential character of the area.
- ◆ The zoning district supplemental standards do not apply to the uses in this proposed development.
- ◆ Adverse impacts will be minimal since there are currently similar residences in the surrounding area that are served by the Town.
- ◆ The proposed District will meet or exceed the Town's requirements which are meant to protect the health, safety, and welfare of the Town and ETJ residents.
- ◆ There will be no substantial detriment to the adjacent properties. The addition of residential at a slightly higher density than what is existing will not be a substantial detriment to adjacent properties.
- ◆ The use will not constitute a nuisance or hazard as residential uses are inherently intended for the use, enjoyment, and safety of residents in their homes.
- ◆ The proposed Conditional Zoning district use will meet or exceed the applicable provisions of the Ordinance except where noted in this document and as permitted by the Conditional Zoning process.

IV. 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.

- ◆ Townhouse
- ◆ Accessory apartment
- ◆ Utility, Minor
- ◆ Park, Active
- ◆ Park, Passive

V. PROPOSED CONDITIONS

1. Homeowner Association covenants shall not restrict the construction of accessory dwelling units.
2. The development shall provide an amenity pad and lighting consistent with the Town of Apex standards to accommodate a future bus stop and shelter along the North Salem Street frontage. The location of the bus stop along the project's frontage is subject to review and approval by the Town of Apex and NCDOT. Additional right-of-way dedication required to accommodate the bus stop will be determined at time of subdivision plan. If additional right-of-way is required, it may encroach into the required buffer and shall not impact the site's calculation of RCA.

VI. DESIGN CONTROLS

A. Intensity and Density

Maximum Density	6.7 dwelling units per acre		
Maximum Dwelling Units	40		
Maximum Building Height	42 ft; 2 stories maximum		
Setbacks, Townhouses	Front: 19 ft from garage to lot line and 20ft from garage to back of sidewalk	Side: 5 ft Corner Side: 10 ft Building to Building: 10 ft	Rear: 10 ft
Minimum Lot Width	20 ft		
Maximum Built Upon Area Permitted	70%		
Maximum Built Upon Area Proposed	Up to 70%		

B. Perimeter Buffers

North	20 ft Type B
South (N. Salem St.)	30 ft Undisturbed Type B* 50 ft Disturbed Type B *
East	20 ft Type B
West	20 ft Type B

*An encroachment into the buffer may be required for a Town of Apex bus stop. If an encroachment is required, the encroachment into the buffer shall continue to be counted as buffer and RCA for purposes of meeting the UDO and Conditional Zoning.

VII. ARCHITECTURAL CONTROLS

Townhouses

1. Vinyl siding is not permitted; however, vinyl windows, decorative elements and trim are permitted.
2. The roofline cannot be a single mass; it must be broken up horizontally and vertically between every unit.
3. Garage doors must have windows, decorative details, or carriage-style adornments on them.
4. Building facades shall have horizontal relief achieved by the use of recesses and projections.
5. The rear and side elevations of the units that can be seen from the right-of-way shall have trim around the windows.
6. Elevations shall have a minimum of three colors.
7. The visible side of a townhome on a corner lot facing the public street shall contain a decorative element such as, but not limited to, the following elements:
 - Windows
 - Trim around the windows
 - Decorative air vents on gable
 - Decorative gable

VIII. SIGNAGE

All signage in the N. Salem St. PUD will comply with the requirements in Section 8.7 of the Town of Apex UDO.

The sign(s) for *Section X. Environmental Advisory Board Recommendations* shall be installed in locations that are publicly accessible, such as adjacent to, but outside of public property and/or public easement(s), amenity centers, sidewalks, greenways, or side paths.

IX. PARKING AND LOADING

The parking requirements of the Town of Apex UDO Section 8.3 will be met.

X. ENVIRONMENTAL ADVISORY BOARD RECOMMENDATIONS

The 2021 N. Salem St. PUD was heard at the EAB on April 21, 2022. The applicant has agreed to the following conditions:

Water Quality

The project shall install one (1) sign to reduce pet waste per SCM, in locations that are publicly accessible, such as adjacent to amenity centers, sidewalks, greenways, or side paths.

The project shall install at least one (1) sign per SCM about not using fertilizer near an SCM drainage area. The sign(s) shall be installed in locations that are publicly accessible, such as adjacent to amenity centers, sidewalks, greenways, or side paths.

Planting and Landscaping

The project shall ensure that at least 75% of the landscaping shall be native species. Landscaping shall be coordinated with and approved by the Planning Department at site or subdivision review.

The project shall plant warm season grasses in order to minimize the need for irrigation and chemical use.

A minimum of 4 native hardwood tree species shall be used for the landscaping on site.

Waste Reduction

The project shall install at least one (1) pet waste station per SCM, in locations that are publicly accessible, such as adjacent to amenity centers, sidewalks, greenways or side paths.

Clean Energy

All homes shall be pre-configured with conduit for a solar energy system.

XI. NATURAL RESOURCE AND ENVIRONMENTAL DATA

A. Watershed

The property in the PD Plan is located in the Primary Overlay District and the Williams Creek Basin (Neuse River Basin).

B. FEMA Floodplain

No regulatory FEMA mapped floodplain exists on site.

C. Resource Conservation Area

The site is subject to the Resource Conservation Area requirements outlined in the Town of Apex UDO in Section 8.1. A minimum of 20% of the overall site area will be set aside to satisfy the requirements for the resource conservation area (RCA) upon subdivision plan submittal.

D. Cultural Resources

According to the North Carolina Historic Preservation Office's records, the subject site does contain historic structures.

XII. STORMWATER MANAGEMENT

The proposed development will meet the standard requirements set forth in the UDO by the Town of Apex.

XIII. PUBLIC FACILITIES REQUIREMENTS

A. Sanitary Sewer Service

Sewer is available at an outfall at the tributary of the Williams Creek outfall that runs through the Town of Apex ROW on N. Salem St. The nearest pump station is located approximately 0.5 miles away at Apex Community Park.

A capacity study shall be provided during Construction Drawing submittal.

B. Water Service

Extension of water shall be provided to the proposed development with access to water 12" water line on N. Salem St.

C. Gas and Electric Service

Electric services will be extended to the site. If natural gas is available, it will be extended to the site.

D. Roadways

The subdivision will have an internal public roadway network. The transportation system shall be consistent with the Town of Apex Transportation Plan and the Town of Apex Standard Specifications and Standard Details.

Development frontage improvements along North Salem Street shall be constructed based on a minimum 41' back-to-back curb and gutter 3-lane thoroughfare on minimum 80' right-of-way (40' from roadway center line) with 5' sidewalk. A maximum of one (1) access point shall be proposed on North Salem Street, to be located a minimum of 500 feet east of Greenlea Drive, subject to Apex and NCDOT review and approval.

A center left turn lane shall be extended along the property frontage between Greenlea Drive and the Economy Exterminators Driveway and provide a left turn lane for access to the development, subject to Apex and NCDOT review and approval.

E. Transit

The proposed site exists along, though not within, the Transit Oriented Development Context Area as outlined in the Advance Apex 2045 Transportation Plan. Additionally, the proposed site is along the future Apex-Cary Express (ACX) bus and commuter rail lines. The nearest transit stop for the local GoApex Route 1 is proposed to be located at the intersection of N Salem St. and Apex Peakway.

A bus stop, subject to review and approval by the Town of Apex and NCDOT, will be located along the frontage of the PUD to accommodate a future stop for the ACX.

F. Pedestrian Facilities

A minimum 5' sidewalk shall be provided along the frontage of N Salem St., in accordance with the Transportation Plan & UDO.

Sidewalks shall be provided on both sides of all internal streets, including cul-de-sac(s).

G. Parks and Recreation Dedication

A fee-in-lieu of dedication will be provided per UDO Section 14.1.2 Exemptions.

XIV. PHASING

The site is anticipated to be completed in one phase.

XV. AFFORDABLE HOUSING

Of the forty (40) permitted townhouse dwellings, at least one (1) residential restricted median-income affordable housing townhouse ownership units (Affordable Housing Units) shall be constructed on-site and sold at a mutually agreeable maximum affordable housing median-income ownership initial sales price (includes unit price and lot price) that is calculated based

upon the one-hundred percent (100%) 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).

- The Affordable Housing Unit shall be occupied by low or median-income households earning no more than one-hundred percent (100%) of the Raleigh, NC MSA AMI, adjusted for family size as most recently published by HUD.
- A restrictive covenant (i.e. resale deed restriction) with a minimum affordability period of ten (10) years shall be recorded against each Affordable Housing Unit concurrently at the close of escrow upon the sale of each Affordable Housing Unit to memorialize the affordable housing terms and conditions.
- The Affordable Housing Unit lot shall be identified on the Master Subdivision Final Plat, which may be amended from time to time.
- A restrictive covenant (i.e. affordable housing agreement) between the Town and Applicant shall be recorded against the Affordable Housing Unit lot prior to the issuance of a building permit for such lots to memorialize the affordable housing terms and conditions of the approved zoning condition.
- Final Affordable Housing Unit floor plan selection which includes the unit size and bedroom size will be at the discretion of the developer.
- Developer will be responsible for performing marketing, applicant screening and selection process and management of the Affordable Housing Units during the affordability period with oversight and support provided by Town staff.

XVI. CONSISTENCY WITH ADVANCE APEX 2045

The proposed development is consistent with the Advance Apex 2045 Plan and Future Land Use Map.

The Apex 2045 Future Land Use Map identifies the subject parcels as Medium Density Residential. Medium Density Residential lands are characterized by single-family homes, duplexes, quadplexes, and townhomes with densities no less than three (3) and no more than seven (7) dwelling units per acre. Medium Density Residential provides a transition from the more urbanized areas of Apex to low-density neighborhoods.

The proposed density of 6.7 dwelling units per acre meet the Medium Density Residential standards. The proposed townhome use also meets the Medium Density Residential standards. Lastly, if established, the proposed development will soften the land use transition between large rural lands and residential neighborhoods and commercial areas.

XVII. CONSISTENCY WITH THE UDO

The proposed development is consistent with all applicable requirements of the Town of Apex UDO.

XVIII. CONSISTENCY WITH THOROUGHFARE AND COLLECTOR STREET PLAN MAP

The proposed development will be consistent with the Thoroughfare and Collector Street Plan.

XIX. CONSISTENCY WITH THE PARKS & RECREATION MASTER PLAN

The proposed development is in the extraterritorial jurisdiction and is not located within any future Parks & Recreation trails or projects.

XX. CONSISTENCY WITH THE BICYCLE AND PEDESTRIAN SYSTEM PLAN

The proposed development will comply with the BPS Plan.

PLANNED UNIT DEVELOPMENT

2021 N. SALEM STREET

TOWN OF APEX, WAKE COUNTY, NORTH CAROLINA

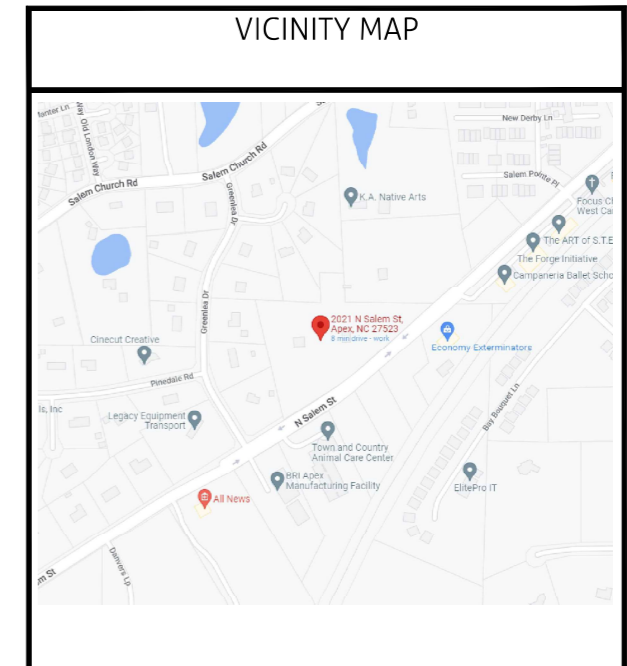
1ST SUBMITTAL: MAY 2, 2022
 2ND SUBMITTAL: JUNE 10, 2022
 3RD SUBMITTAL: JULY 8, 2022
 PLANNING BOARD SUBMITTAL: JULY 25, 2022

PLANNED UNIT DEVELOPMENT
 FOR: 2021 N. SALEM
 WR PROJECT NO.: 02211966.0

SITE DATA	
LAND OWNERS:	SUSAN JEWETT AND WILLIAM C. MANN 200 SINGLETON ST RALEIGH, NC 27606
2045 LAND USE PLAN DESIGNATION	CURRENT: MEDIUM DENSITY RESIDENTIAL PROPOSED: NO CHANGE
SITE ZONING	CURRENT: RESIDENTIAL AGRICULTURAL (RA) PROPOSED: PUD-CZ
AREA OF TRACTS IN PROPOSED PUD	0742-89-1824, 6.04 AC.
REQUESTED SEWER CAPACITY	300 GPD PER DWELLING UNIT X 40 UNITS = 12,000 GPD
PARKING REQUIREMENTS	TOWNHOMES: 2 SPACES PER UNIT PLUS 0.25 FOR GUEST PARKING
PARKING PROVIDED	TOWNHOMES: 2 SPACES PER UNIT X 40 UNITS = 80 SPACES TOWNHOMES GUEST PARKING: 0.25 FOR GUEST PARKING X 40 UNITS = 10 SPACES TOTAL = 90 SPACES
RESIDENTIAL DENSITY	MAXIMUM: 6.7 DU/ACRE
PROPOSED UNITS	MAXIMUM: 40 UNITS
BUILDING HEIGHT	MAXIMUM: 42 FT - 2.5 STORY
TOWNHOUSE SETBACKS	FRONT: 20 FT** REAR: 10 FT SIDE: 5 FT 10 FT BUILDING TO BUILDING CORNER SIDE: 10 FT
WATERSHED	PROPERTY LOCATED WITHIN THE PRIMARY WATERSHED PROTECTION OVERLAY DISTRICT.
REQUIRED RCA	20% PER UDO SECTION 8.1.2.C.4
MAX. BUILT UPON AREA	70% IMPERVIOUS
HISTORIC STRUCTURES	ACCORDING TO THE NORTH CAROLINA HISTORIC PRESERVATION OFFICE'S RECORDS, THE SUBJECT SITE DOES NOT CONTAIN HISTORIC STRUCTURES.
COMMUNITY AMENITIES	PERMANENT FEATURES MAY INCLUDE, BUT NOT LIMITED TO: FIRE PIT WITH SEATING, BENCHES ALONG PEDESTRIAN PATHWAYS, LAWN GAME SPACES, PEDESTRIAN PLAZAS WITH PLANTERS. COMMUNITY AMENITIES SHALL MEET THE REQUIREMENTS OF UDO SECTION 6.4
SITE BUFFERS	NORTH: 20' TYPE B BUFFER WEST: 20' TYPE B BUFFER SOUTH (N. SALEM ST): UNITS ORIENTED AWAY FROM THE STREET: 30' TYPE B BUFFER
**19' FROM GARAGE TO LOT LINE AND 20' FROM GARAGE TO BACK OF SIDEWALK	




INDEX OF SHEETS	
0	COVER
1	EXISTING CONDITIONS
2	CONCEPTUAL PUD PLAN
3	CONCEPTUAL UTILITY PLAN
4	CONCEPTUAL STORMWATER PLAN
5	ARCHITECTURAL ELEVATIONS



NOTE: THE PARCEL AT 2021 N. SALEM STREET DOES NOT ABUT AN EXISTING OR PLANNED PARK OR GREENWAY. PER UDO SECTION 14.1.2, THE PROPOSED SUBDIVISION MEETS THE EXEMPTION FOR SUBDIVISIONS CONTAINING 45 SINGLE FAMILY, ATTACHED UNITS OR LESS AND ONLY THE PAYMENT OF FEES-INCLUDED SHALL FOLLOW THE PUBLISHED TOWN OF APEX FEE SCHEDULE. THE RATE OF THE FEE IS SET AT THE TIME OF TOWN COUNCIL APPROVAL OF THE REZONING, IS BASED ON A MAXIMUM OF 40 ATTACHED UNITS AND RUNS WITH THE LIFE OF THE PROJECT. IF APPROVED IN 2022, THE RATE WOULD BE \$2,528.25 FOR SINGLE FAMILY ATTACHED UNITS.

TRANSPORTATION ZONING CONDITIONS	
1.	DEVELOPMENT FRONTAGE IMPROVEMENTS ON N. SALEM STREET, SHALL BE CONSTRUCTED BASED ON A MINIMUM 41' BACK TO BACK CURB AND GUTTER 3-LANE THOROUGHFARE ON A MINIMUM 80' ROW (40' FROM ROADWAY CENTERLINE) WITH 5' SIDEWALK, A MAXIMUM OF ONE (1) ACCESS POINT SHALL BE PROPOSED ON N. SALEM STREET, TO BE LOCATED A MINIMUM OF 500 FT EAST OF GREENLEA DRIVE, SUBJECT TO APEX AND NCDOT REVIEW AND APPROVAL.
2.	A CENTER LEFT TURN LANE SHALL BE EXTENDED ALONG THE PROPERTY FRONTAGE BETWEEN GREENLEA DRIVE AND THE ECONOMY EXTERMINATORS DRIVEWAY AND PROVIDE A LEFT TURN LANE FOR ACCESS TO THE DEVELOPMENT, SUBJECT TO APEX AND NCDOT REVIEW AND APPROVAL.

PREPARED BY:



WithersRavenel
 Engineers | Planners | Surveyors

115 MacKenan Drive | Cary, NC 27511 | t: 919.469.3340 | license #: F-1479 | www.withersravenel.com

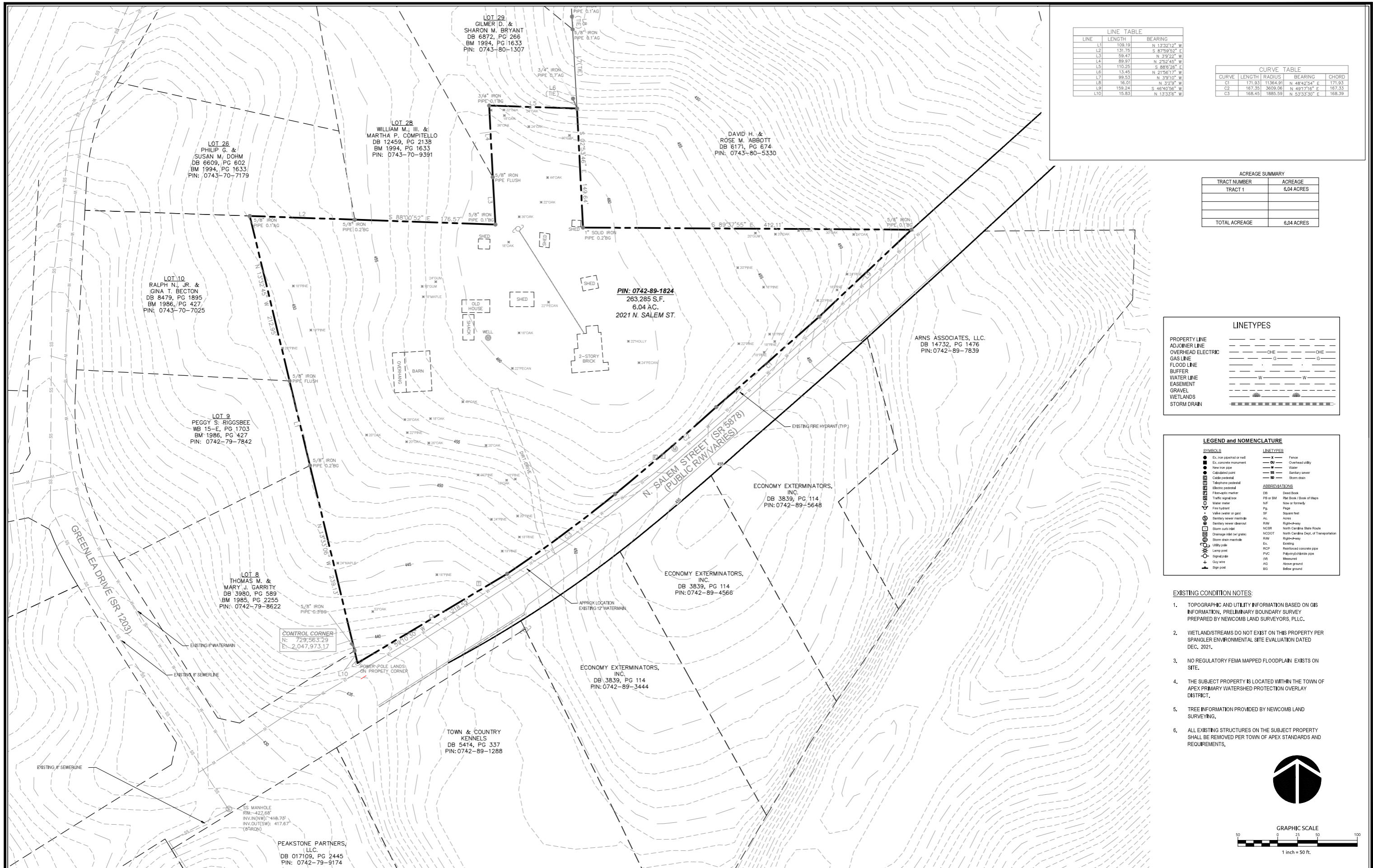
PLANNER: BRENDIE VEGA, AICP
 BVEGA@WITHERSRAVENEL.COM

CIVIL ENGINEER: ED TANG, PE
 ETANG@WITHERSRAVENEL.COM

DEVELOPER

BAKER RESIDENTIAL OF THE CAROLINAS
 7001 WESTON PKWY, SUITE 150
 CARY, NC 27513
 ATTN: MARK BOWLES

K:\3131-1560\21196-Subar-Residential- N. Salem S\UDO\Drawing Set\PUD PLAN\0_Cover.dwg - Monday, July 25, 2022 12:16:02 PM - TANG, ED



LINE	LENGTH	BEARING
L1	109.19	N 133°21'12" W
L2	131.75	S 87°59'52" E
L3	59.47	N 3°32'22" W
L4	89.97	N 23°24'45" W
L5	110.25	S 88°30'21" E
L6	13.45	N 21°56'17" W
L7	99.53	N 3°31'10" W
L8	16.01	N 3°29'2" W
L9	159.24	S 46°40'56" W
L10	15.83	N 13°33'6" W

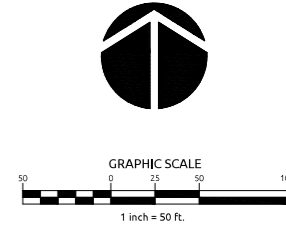
CURVE	LENGTH	RADIUS	BEARING	CHORD
C1	171.93	11364.91	N 48°42'54" E	171.93
C2	167.35	3609.06	N 49°17'16" E	167.35
C3	168.45	1885.59	N 53°33'30" E	168.39

TRACT NUMBER	ACREAGE
TRACT 1	6.04 ACRES
TOTAL ACREAGE	6.04 ACRES

PROPERTY LINE	ADJOINER LINE	OVERHEAD ELECTRIC	GAS LINE	FLOOD LINE	BUFFER	WATER LINE	EASEMENT	GRAVEL	WETLANDS	STORM DRAIN
---	---	---	---	---	---	---	---	---	---	---

SYMBOLS	LINE TYPES
●	Electric polehead or nail
○	Concrete monument
○	New iron pipe
○	Calculated point
○	Circle pedestal
○	Telephone pedestal
○	Electric pedestal
○	Fluorescent meter
○	Traffic signal box
○	Water meter
○	Fire hydrant
○	Valve meter or post
○	Sanitary sewer manhole
○	Sanitary sewer cleanout
○	Storm clean inlet
○	Drainage inlet (w/ grate)
○	Storm drain manhole
○	Utility pole
○	Lamp post
○	Signal pole
○	IM
○	Guy wire
○	Sign post
---	Fence
---	Overhead utility
---	Water
---	Sanitary sewer
---	Storm drain
---	Dead Book
---	Red Book Block of Maps
---	HP
---	Now or formerly
---	Page
---	Square feet
---	Ac.
---	Right-of-Way
---	North Carolina State Route
---	NCCDOT
---	North Carolina Dept. of Transportation
---	Right-of-Way
---	Ending
---	Reinforced concrete pipe
---	PVC
---	Plastic/ethylene pipe
---	Measured
---	Above ground
---	Below ground

- EXISTING CONDITION NOTES:**
- TOPOGRAPHIC AND UTILITY INFORMATION BASED ON GIS INFORMATION, PRELIMINARY BOUNDARY SURVEY PREPARED BY NEWCOMB LAND SURVEYORS, PLLC.
 - WETLAND/STREAMS DO NOT EXIST ON THIS PROPERTY PER SPANGLER ENVIRONMENTAL SITE EVALUATION DATED DEC. 2021.
 - NO REGULATORY FEMA MAPPED FLOODPLAIN EXISTS ON SITE.
 - THE SUBJECT PROPERTY IS LOCATED WITHIN THE TOWN OF APEX PRIMARY WATERSHED PROTECTION OVERLAY DISTRICT.
 - TREE INFORMATION PROVIDED BY NEWCOMB LAND SURVEYING.
 - ALL EXISTING STRUCTURES ON THE SUBJECT PROPERTY SHALL BE REMOVED PER TOWN OF APEX STANDARDS AND REQUIREMENTS.



No.	Revision	Date	By	Designer	Scale
				WR	AS NOTED
				WR	04/20/2022
				ET	02211366.0

2021 N. SALEM STREET PUD
 WAKE COUNTY NORTH CAROLINA

EXISTING CONDITIONS

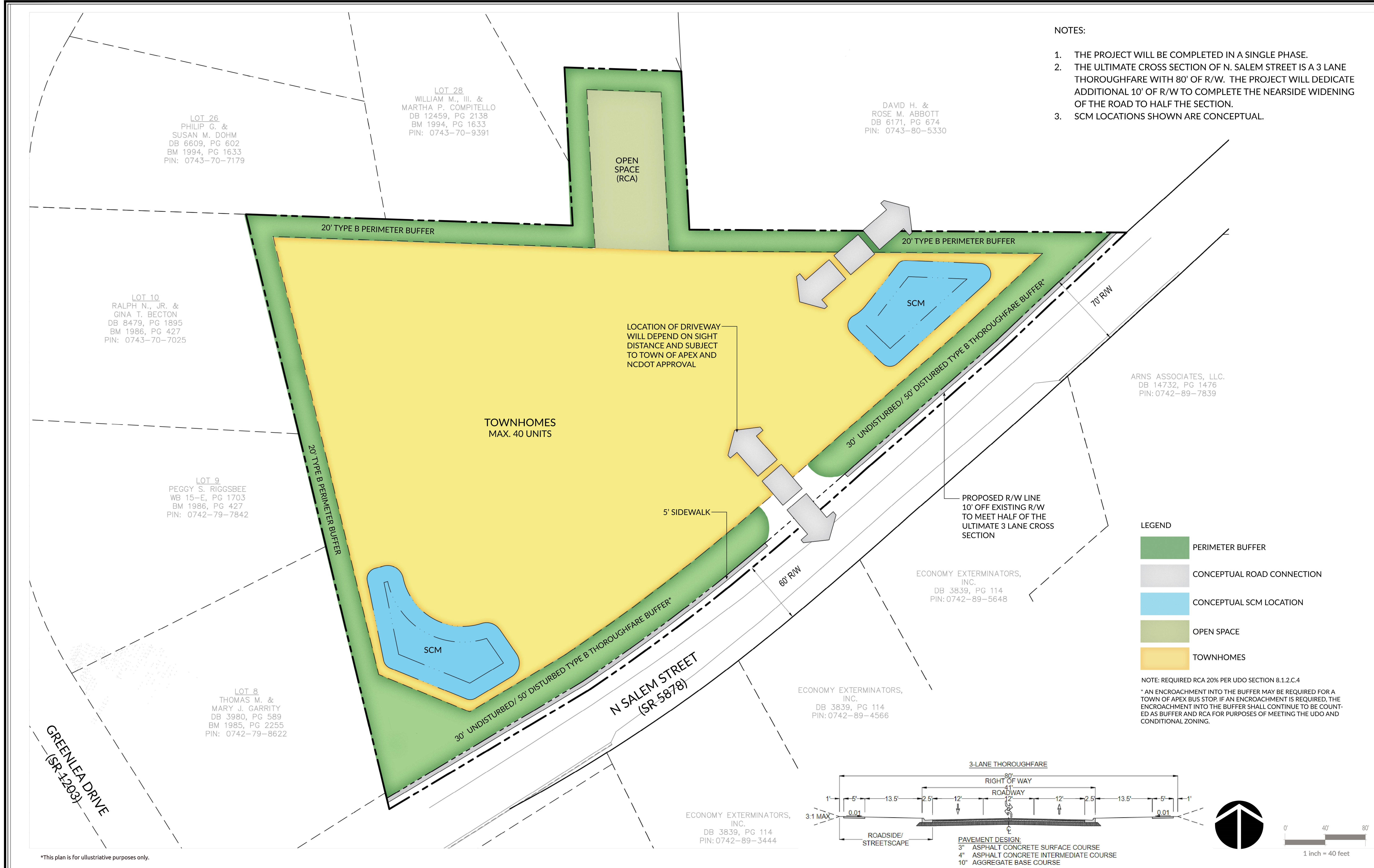
WithersRavenel
 Engineers | Planners | Surveyors
 115 MacKenran Drive | Cary, NC 27511 | T: 919.469.3340 | F: 919.469.3340 | www.withersravenel.com

Sheet No.
1

4/20/22 11:02:13 AM User: [unreadable] Plot: [unreadable] Scale: [unreadable] Date: 04/20/2022 11:02:13 AM User: [unreadable]

NOTES:

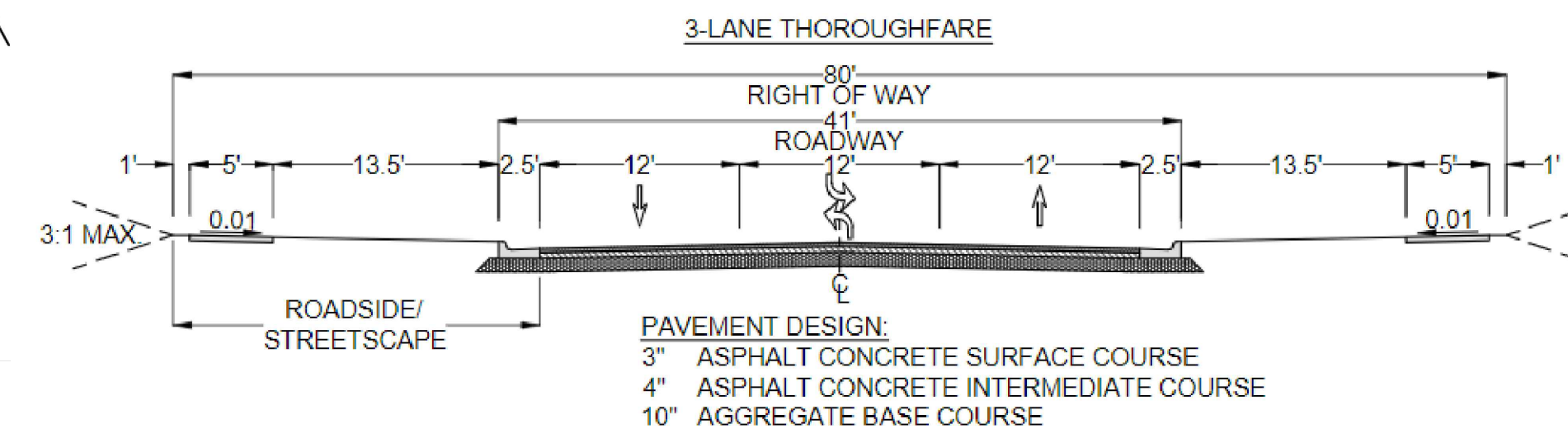
1. THE PROJECT WILL BE COMPLETED IN A SINGLE PHASE.
2. THE ULTIMATE CROSS SECTION OF N. SALEM STREET IS A 3 LANE THOROUGHFARE WITH 80' OF R/W. THE PROJECT WILL DEDICATE ADDITIONAL 10' OF R/W TO COMPLETE THE NEARSIDE WIDENING OF THE ROAD TO HALF THE SECTION.
3. SCM LOCATIONS SHOWN ARE CONCEPTUAL.



LEGEND

- PERIMETER BUFFER
- CONCEPTUAL ROAD CONNECTION
- CONCEPTUAL SCM LOCATION
- OPEN SPACE
- TOWNHOMES

NOTE: REQUIRED RCA 20% PER UDO SECTION 8.1.2.C.4
 * AN ENCROACHMENT INTO THE BUFFER MAY BE REQUIRED FOR A TOWN OF APEX BUS STOP. IF AN ENCROACHMENT IS REQUIRED, THE ENCROACHMENT INTO THE BUFFER SHALL CONTINUE TO BE COUNTED AS BUFFER AND RCA FOR PURPOSES OF MEETING THE UDO AND CONDITIONAL ZONING.



ECONOMY EXTERMINATORS, INC.
 DB 3839, PG 114
 PIN: 0742-89-3444

ECONOMY EXTERMINATORS, INC.
 DB 3839, PG 114
 PIN: 0742-89-5648

ECONOMY EXTERMINATORS, INC.
 DB 3839, PG 114
 PIN: 0742-89-4566

LOT 26
 PHILIP G. &
 SUSAN M. DOHM
 DB 6609, PG 602
 BM 1994, PG 1633
 PIN: 0743-70-7179

LOT 28
 WILLIAM M., III. &
 MARTHA P. COMPITELLO
 DB 12459, PG 2138
 BM 1994, PG 1633
 PIN: 0743-70-9391

DAVID H. &
 ROSE M. ABBOTT
 DB 6171, PG 674
 PIN: 0743-80-5330

LOT 10
 RALPH N., JR. &
 GINA T. BECTON
 DB 8479, PG 1895
 BM 1986, PG 427
 PIN: 0743-70-7025

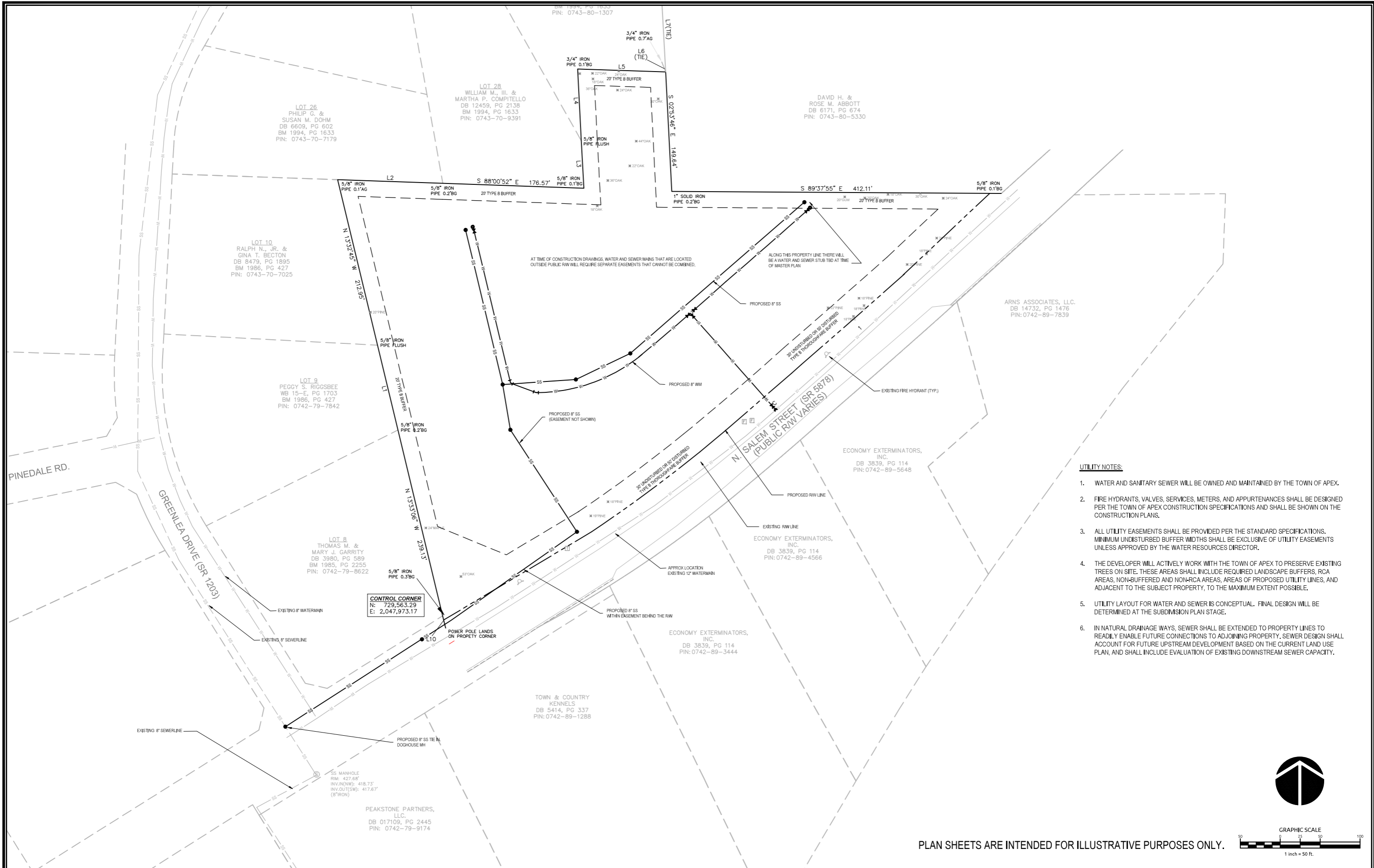
LOT 9
 PEGGY S. RIGGSBEE
 WB 15-E, PG 1703
 BM 1986, PG 427
 PIN: 0742-79-7842

LOT 8
 THOMAS M. &
 MARY J. GARRITY
 DB 3980, PG 589
 BM 1985, PG 2255
 PIN: 0742-79-8622

GREENLEA DRIVE
 (SR-1203)

*This plan is for illustrative purposes only.

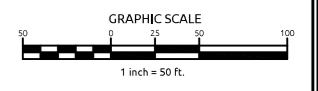
No.	Revision	Date	By	Designer	Scale
				WR	AS NOTED
				WR	07/29/2022
				ET	02211366.0



UTILITY NOTES:

1. WATER AND SANITARY SEWER WILL BE OWNED AND MAINTAINED BY THE TOWN OF APEX.
2. FIRE HYDRANTS, VALVES, SERVICES, METERS, AND APPURTENANCES SHALL BE DESIGNED PER THE TOWN OF APEX CONSTRUCTION SPECIFICATIONS AND SHALL BE SHOWN ON THE CONSTRUCTION PLANS.
3. ALL UTILITY EASEMENTS SHALL BE PROVIDED PER THE STANDARD SPECIFICATIONS. MINIMUM UNDISTURBED BUFFER WIDTHS SHALL BE EXCLUSIVE OF UTILITY EASEMENTS UNLESS APPROVED BY THE WATER RESOURCES DIRECTOR.
4. THE DEVELOPER WILL ACTIVELY WORK WITH THE TOWN OF APEX TO PRESERVE EXISTING TREES ON SITE. THESE AREAS SHALL INCLUDE REQUIRED LANDSCAPE BUFFERS, RCA AREAS, NON-BUFFERED AND NON-RCA AREAS, AREAS OF PROPOSED UTILITY LINES, AND ADJACENT TO THE SUBJECT PROPERTY, TO THE MAXIMUM EXTENT POSSIBLE.
5. UTILITY LAYOUT FOR WATER AND SEWER IS CONCEPTUAL. FINAL DESIGN WILL BE DETERMINED AT THE SUBMISSION PLAN STAGE.
6. IN NATURAL DRAINAGE WAYS, SEWER SHALL BE EXTENDED TO PROPERTY LINES TO READILY ENABLE FUTURE CONNECTIONS TO ADJOINING PROPERTY. SEWER DESIGN SHALL ACCOUNT FOR FUTURE UPSTREAM DEVELOPMENT BASED ON THE CURRENT LAND USE PLAN, AND SHALL INCLUDE EVALUATION OF EXISTING DOWNSTREAM SEWER CAPACITY.

PLAN SHEETS ARE INTENDED FOR ILLUSTRATIVE PURPOSES ONLY.



No.	Revision	Date	By

Designer	WR	Scale	AS NOTED
Drawn By	WR	Date	04/20/2022
Checked By	ET	Job No.	02211366.0

2021 N. SALEM STREET PUD
 APEX WAKE COUNTY NORTH CAROLINA

CONCEPTUAL UTILITY PLAN


WithersRavenel
 Engineers | Planners | Surveyors
115 MacKenan Drive | Cary, NC 27511 | T: 919.469.3340 | F: 919.469.3341 | www.withersravenel.com

Sheet No.
3

4/20/22 10:02:13 AM: 2021 N. SALEM STREET PUD CONCEPTUAL UTILITY PLAN - 11/20/22

