

## PLANNED UNIT DEVELOPMENT APPLICATION

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Application #: 23CZ04 Submittal Date: 1/31/2023  
Fee Paid: \$ Check #: \_\_\_\_\_

## PETITION TO AMEND THE OFFICIAL ZONING DISTRICT MAP

Project Name: Castleberry Reserve  
Address(es): See attached application Exhibit A  
PIN(s) See attached application Exhibit A

\_\_\_\_\_ Acreage: 89.90  
Current Zoning: R-80W (Wake County) Proposed Zoning: Planned Unit Development Conditional Zoning (PUD-CZ)  
Current 2045 LUM Designation: Rural 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>N/A</u>
Area proposed as non-residential development:	Acreage:	<u>N/A</u>
Percent of mixed use area proposed as non-residential:	Percent:	<u>N/A</u>

## Applicant Information

Name: Inspire Commercial, LLC c/o Matthew Carpenter  
Address: 301 Fayetteville Street, Suite 1400  
City: Raleigh State: NC Zip: 27601  
Phone: 919-835-4032 E-mail: matthewcarpenter@parkerpoe.com

## Owner Information

Name: See attached Exhibit A  
Address: \_\_\_\_\_  
City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_  
Phone: \_\_\_\_\_ E-mail: \_\_\_\_\_

## Agent Information

Name: Matthew Carpenter  
Address: 301 Fayetteville Street, Suite 1400  
City: Raleigh State: NC Zip: 27601  
Phone: 919-835-4032 E-mail: matthewcarpenter@parkerpoe.com  
Other contacts: Jeff Roach, Peak Engineering  
jroach@peakengineering.com

## PLANNED UNIT DEVELOPMENT APPLICATION

Application #: 23CZ04

Submittal Date: 1/31/2023

### 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.

Although the proposed development contemplates greater density than recommended by the property's Rural Density Residential Land Use Map ("LUM") designation, it is generally consistent with the purposes, goals, objectives, and policies of the Apex Comprehensive Plan (the "Comp Plan"). The proposed rezoning will facilitate the development of a low density single-family detached residential community, consistent with existing neighborhoods in the area. Castleberry Estates to the east has an overall density of 1 unit/acre with large lot custom homes selling for over \$1.5 million. Lake Castleberry to the north has a maximum overall density of 1.28 units/acre with homes on lots as small as 10,000 sf selling for over \$1 million. The project proposes an overall density of 2 units/acre (which the LUM considers Low Density) with a variety of lot sizes, configured to respect the sites environmental features and add to the mix of housing types in the area.

2) *Compatibility.* The proposed Conditional Zoning (CZ) District use's appropriateness for its proposed location and compatibility with the character of surrounding land uses.

The proposed single-family homes and overall density of 2 units/acre are compatible with existing residential neighborhoods along Castleberry Road and Wimberly Road. Additionally, proposed buffers and architectural standards in the PUD Text will ensure the neighborhood is compatible with the character of existing homes in the area.

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

The proposed PUD-CZ will comply with any applicable standards in UDO Section 4.4.

## 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.

Buffers and RCAs have been located to help minimize adverse effects on adjacent properties, including the Army Corp property adjacent to the south. A Traffic Impact Analysis has been completed to analyze the project's impact on transportation infrastructure.

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.

As shown in the Concept Plan, there will be no construction within the riparian buffers throughout the site. Additionally, RCAs will be located to preserve sensitive environmental areas. Stormwater ponds will be designed to meet the 25-year storm standard. Other environmental commitments include:

- Commitment to treat stormwater quality in addition to stormwater quantity;
- Max built-upon area of 45% (70% required);
- A minimum of 5 units will be pre-configured with solar;
- Larger minimum lot sizes closest to the Army Corps property;
- Preservation of a historic cemetery.

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 proposed project will not have adverse impacts on public facilities or services. Rather, the project will add to the Town's housing stock and improve vehicular and pedestrian infrastructure in the area. The project will include:

- Construction of 2 access points providing greater emergency access;
- Construct sidewalks throughout the project and along Castleberry Road where no sidewalks currently exist;
- Construct a pedestrian connection along Wimberly Road to connect the existing sidewalk to the American Tobacco Trail.

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 zoning will facilitate the construction of additional housing supply for the Town as housing prices in Apex continue to rise. Streets and sidewalks proposed by the project will improve vehicular and pedestrian connectivity in the area.

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

The proposed single-family detached homes will be of similar size, scale, and quality to existing homes in nearby neighborhoods. Uses that could be harmful to adjacent properties will be prohibited by the PUD Text. Other conditions in the PUD Text - including buffers, setbacks, and minimum architectural requirements - will ensure that the project is not detrimental to adjacent properties. Additionally, RCA has been placed along the southern boundary of the property to mitigate any effects to the adjacent Army Corps property.

## 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 project will not create a nuisance or hazard, but rather will be similar in size, scale, and quality to existing homes in the area. A TIA is being conducted to identify and mitigate increases in traffic congestion caused by the project.

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 district will comply with all standards imposed by the UDO and additional standards set forth in the PUD Text which exceed the base requirements of the UDO.

## DEVELOPMENT NAME APPROVAL APPLICATION

Application #: 23CZ04

Submittal Date: 1/31/2023

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 #: 23CZ04

Submittal Date: 1/31/2023

**Proposed Subdivision/Development Information**

Description of location: South side of Castleberry Road

Nearest intersecting roads: Castleberry Rd./Wimberly Rd.

Wake County PIN(s): See attached

Township: White Oak

**Contact Information (as appropriate)**

Contact person: Matthew Carpenter

Phone number: 919-835-4032 Fax number: N/A

Address: 301 Fayetteville Street, Suite 1400, Raleigh, NC 27601

E-mail address: matthewcarpenter@parkerpoe.com

Owner: See attached

Phone number: \_\_\_\_\_ Fax number: \_\_\_\_\_

Address: \_\_\_\_\_

E-mail address: \_\_\_\_\_

**Proposed Subdivision/Development Name**

1<sup>st</sup> Choice: Castleberry Reserve

2<sup>nd</sup> Choice (Optional): \_\_\_\_\_

**Town of Apex Staff Approval:**

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

\_\_\_\_\_  
Date