

PLANNING BOARD REPORT TO TOWN COUNCIL

Rezoning Case: #25CZ12 Apex Baptist Church

Planning Board Meeting Date: February 9, 2026



Report Requirements:

Per NCGS §160D-604(b), all proposed amendments to the zoning ordinance or zoning map shall be submitted to the Planning Board for review and comment. If no written report is received from the Planning Board within 30 days of referral of the amendment to the Planning Board, the Town Council may act on the amendment without the Planning Board report. The Town Council is not bound by the recommendations, if any, of the Planning Board.

Per NCGS §160D-604(d), the Planning Board shall advise and comment on whether the proposed action is consistent with all applicable officially adopted plans, and provide a written recommendation to the Town Council that addresses plan consistency and other matters as deemed appropriate by the Planning Board, but a comment by the Planning Board that a proposed amendment is inconsistent with the officially adopted plans shall not preclude consideration or approval of the proposed amendment by the Town Council.

PROJECT DESCRIPTION:

Acreage: ±1.05

PIN(s): 0742302925

Current Zoning: Mixed Office-Residential-Retail-Conditional Use (MORR-CU #05CU11)/
Small Town Character Overlay District

Proposed Zoning: Office & Institutional-Conditional Zoning (O&I-CZ)/
Small Town Character Overlay District

2045 Land Use Map: Medium Density Residential/Office Employment

Town Limits: Town Limits

Applicable Officially Adopted Plans:

The Board must state whether the project is consistent or inconsistent with the following officially adopted plans, if applicable. Applicable plans have a check mark next to them.

2045 Land Use Map
 Consistent Inconsistent Reason: _____

Apex Transportation Plan
 Consistent Inconsistent Reason: _____

Parks, Recreation, Open Space, and Greenways Plan
 Consistent Inconsistent Reason: _____

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Legislative Considerations:

The applicant shall propose site-specific standards and conditions that take into account the following considerations, which are considerations that are relevant to the legislative determination of whether or not the proposed conditional zoning district rezoning request is in the public interest. These considerations do not exclude the legislative consideration of any other factor that is relevant to the public interest.

1. *Consistency with 2045 Land Use Plan.* 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 Plan.

Consistent Inconsistent Reason: _____

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

Consistent Inconsistent Reason: Due to intensity of the proposed

use in a transitional district.

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

Consistent Inconsistent Reason: _____

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.

Consistent Inconsistent Reason: Visual impact, increased traffic,

light pollution compared to existing use

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.

Consistent Inconsistent Reason: _____

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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.

Consistent Inconsistent Reason: _____

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.

Consistent Inconsistent Reason: _____

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

Consistent Inconsistent Reason: The proposed use would be

detrimental with regard to traffic, safety, home value, and noise.

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.

Consistent Inconsistent Reason: Use would be a nuisance due to

noise and the number of people using the site.

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.

Consistent Inconsistent Reason: Proposed conditions to allow

relocation of one structure and demo of another without the 48-month waiting period based on the historic designation of the property and precedent that would be set.

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Planning Board Recommendation:

Motion: Motion to deny

Introduced by Planning Board member: Kristy Yule

Seconded by Planning Board member: Mary Petersen

- Approval:* the project is consistent with all applicable officially adopted plans and the applicable legislative considerations listed above.
- Approval with conditions:* the project is not consistent with all applicable officially adopted plans and/or the applicable legislative considerations as noted above, so the following conditions are recommended to be included in the project in order to make it fully consistent:

- Denial:* the project is not consistent with all applicable officially adopted plans and/or the applicable legislative considerations as noted above.

With 6 Planning Board Member(s) voting "aye"

With 2 Planning Board Member(s) voting "no"

Reasons for dissenting votes:

See attached

This report reflects the recommendation of the Planning Board, this the 9th day of February 2026.

Attest:

Keith Braswell, Planning Board Chair

Amanda Bunce

Digitally signed by Amanda Bunce
Date: 2026.02.09 18:49:04 -05'00'

Amanda Bunce, Assistant Planning Director

PLANNING BOARD REPORT TO TOWN COUNCIL
Dissenting Member Comments



Planning Board Member Name: Tim Royal

Meeting Date: 2/9/2026

Rezoning # 25CZ12 Apex Baptist Church

Long Range Plan amendment(s) _____

Other _____

Reason(s) for dissenting vote:

The rezoning should carry due to the overall benefit to the church and town. Reasons to support:

1. The church plans to build the structure at no cost to the town and has historically provided parking to our residents.
2. The proposed area of construction allows for minimal height above grade. Nowhere else can you build a 2 story parking deck where the topography already supports such structure and minimally impacts visual disturbances.
3. Preservation of the Bailey house. I believe that the church has every intention on saving the structure despite the condition offered by the applicant.

PLANNING BOARD REPORT TO TOWN COUNCIL
Dissenting Member Comments



Planning Board Member Name: Keith Braswell

Meeting Date: Feb 9 2026

Rezoning # 25CZ12

Long Range Plan amendment(s) _____

Other _____

Reason(s) for dissenting vote:

I believe we the town should look at this from the perspective of when is another property owner willing to build a parking deck within walking distance to the Downtown Historic District? Apex Baptist has been and still is extremely cooperative in allowing roughly 300 parking spaces to be used now for public events. And are asking to build a parking deck within a very short walking distance to the historic district, when is this going to happen again? I really believe an opportunity can be made. Imagine Apex Baptist not allowing public parking on their lot, I believe the town needs that mutual understanding of allowing parking.