

**STATEMENT OF THE APEX TOWN COUNCIL PURSUANT TO G.S. 160A-383
ADDRESSING ACTION ON ZONING PETITION #20CZ11**

Justin Michela/Matthew & Michelle Michela, Justin & Maryann Michela and Matthew & Michelle Michela, and Justin & Maryanne Michela, owner/applicant (the "Applicant"), submitted a completed application for a conditional zoning on the 1st day of October 2020 (the "Application"). The proposed conditional zoning is designated #20CZ11.

The Director of Planning & Community Development for the Town of Apex, Dianne Khin, caused proper notice to be given (by publication and posting) of a public hearing on #20CZ11 before the Planning Board held on the 11th day of January 2021.

Pursuant to G.S. §160A-384 and Sec. 2.2.11(E) of the Unified Development Ordinance, the Director of Planning & Community Development caused proper notice to be given (by publication and posting), of a public hearing on #20CZ11 before the Town Council on the 26th day of January 2021.

The Apex Planning Board held a public hearing on the 11th day of January 2021, gathered facts, received public comments and, following a 24-hour public comment period, on the 13th day of January 2021, formulated a recommendation regarding the application for conditional zoning #20CZ11. A motion was made at the Apex Planning Board to recommend approval; the motion passed unanimously for the application for #20CZ11.

The Apex Town Council held a public hearing on the 26th day of January 2021. Sarah Van Every, Senior Planner, presented the Planning Board's recommendation at the public hearing.

All persons who desired to present information relevant to the application for #20CZ11 and who were residents of Apex or its extraterritorial jurisdiction, or who owned property adjoining the property for which the conditional zoning is sought, were allowed to present evidence at the public hearing before the Apex Town Council. No one who wanted to speak was turned away.

The Town Council, following a 24-hour public comment period, on the 1st day of February 2021 by a vote of 4 to 1 approved Application #20CZ11 rezoning the subject tract located at 7517 Roberts Road, 2310 Pollard Place, and 2000 Cabin Cove Road from Rural Residential (RR) to Planned Unit Development-Conditional Zoning (PUD-CZ).

The Apex Town Council finds that the approval of the rezoning is consistent with the 2045 Land Use Plan and other adopted plans in that: The 2045 Land Use Map designates this area as Medium Density Residential. This designation on the 2045 Land Use Map includes the zoning district Planned Unit Development-Conditional Zoning (PUD-CZ) and the Apex Town Council has further considered that the proposed rezoning to Planned Unit Development-Conditional Zoning (PUD-CZ) will maintain the character and appearance of the area and provide the flexibility to accommodate the growth in population, economy, and infrastructure consistent with that contemplated by the 2045 Land Use Map.

STATEMENT OF THE APEX TOWN COUNCIL ZONING PETITION #20CZ11
PAGE 2

The Apex Town Council finds that the approval of the rezoning is reasonable and in the public interest in that: it is consistent with the 2045 Land Use Map, which classifies the subject property as Medium Density Residential. The proposed rezoning allows for infill single-family residential development consistent and compatible with existing single-family residential development in the area. The rezoning will encourage compatible development of the property and increase the tax base.

Jacques K. Gilbert
Mayor

ATTEST:

Donna B. Hosch, MMC, NCCMC
Town Clerk

Date