

**STATEMENT OF THE APEX TOWN COUNCIL PURSUANT TO G.S. 160A-383
ADDRESSING ACTION ON ZONING PETITION #19CZ09**

Charlie Yokley, McAdams Company/Kristi Dillard Dan Ryan Builders, Crescent Apex, LLC owner/applicant (the "Applicant"), submitted a completed application for a conditional zoning on the 1st day of May 2019 (the "Application"). The proposed conditional zoning is designated #19CZ09.

The Planning Director for the Town of Apex, Dianne Khin, caused proper notice to be given (by publication and posting) of a public hearing on #19CZ09 before the Planning Board held on the 12th day of August 2019.

Pursuant to G.S. §160A-384 and Sec. 2.2.11(E) of the Unified Development Ordinance, the Planning Director caused proper notice to be given (by publication and posting), of a public hearing on #19CZ09 before the Town Council on the 20th day of August 2019.

The Apex Planning Board held a public hearing on the 12th day of August 2019, gathered facts, received public comments and formulated a recommendation regarding the application for conditional zoning #19CZ09. A motion was made at the Apex Planning Board to recommend approval; the motion passed unanimously for the application for #19CZ09.

The Apex Town Council held a public hearing on the 20th day of August 2019. Liz Loftin, Senior Planner presented the Planning Board's recommendation at the public hearing.

All persons who desired to present information relevant to the application for #19CZ09 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 by a vote of 3 to 2 approved Application #19CZ09 rezoning the subject tract located at 2236 Olive Chapel 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.

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The Apex Town Council finds that the approval of the rezoning is reasonable and in the public interest in that the density will be in keeping with surrounding approved development; further the annexation of the property will add to the existing tax base.

Lance Olive
Mayor

ATTEST:

Donna B. Hosch, MMC, NCCMC
Town Clerk

Date