

**STATEMENT OF THE APEX TOWN COUNCIL PURSUANT TO G.S. 160A-383
ADDRESSING ACTION ON ZONING PETITION #21CZ02**

Isabel Worthy Mattox, Mattox Law Firm, applicant (the “Applicant”), submitted a completed application for a conditional zoning on the 4th day of January, 2021 (the “Application”). The proposed conditional zoning is designated #21CZ02.

The Planning and Community Development Director for the Town of Apex, Dianne Khin, caused proper notice to be given (by publication and posting) of a public hearing on #21CZ02 before the Planning Board held on the 8th day of March 2021.

The Apex Planning Board held a public hearing on the 8th day of March 2021, gathered facts, received public comments and formulated a recommendation regarding the application for conditional zoning #21CZ02. A motion was made at the Apex Planning Board to recommend approval; the motion passed 5-1 for the application for #21CZ02.

Pursuant to G.S. §160A-384 and Sec. 2.2.11(E) of the Unified Development Ordinance, the Planning and Community Development Director caused proper notice to be given (by publication and posting), of a public hearing on #21CZ02 before the Town Council on the 23rd day of March 2021.

The Apex Town Council held a public hearing on the 23rd day of March 2021. 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 #21CZ02 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 25th day of March 2021 by a vote of 5 and 0 approved Application #21CZ02 rezoning the subject tract located at 0 W. Williams Street from Planned Unit Development-Conditional Use (PUD-CU #02CU13) 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 the subject property as High Density Multifamily/Commercial Services (A). 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 proposed rezoning is reasonable and in the public interest because the rezoning will allow the project to be developed as a residential use that will help support the existing non-residential uses in the area. Additionally, the PUD requires that the residential be affordable senior housing. The proximity of this site to shopping and future transit make it an ideal location for senior affordable housing. This is in keeping with the goals of Advance Apex and the Apex Affordable Housing Plan.

Jacques K. Gilbert
Mayor

ATTEST:

Donna B. Hosch, MMC, NCCMC
Town Clerk

Date