

**STATEMENT OF THE APEX TOWN COUNCIL PURSUANT TO G.S. 160D-605
ADDRESSING ACTION ON ZONING PETITION #25CZ12**

Apex Baptist Church, Inc. owner/applicant (the "Applicant") submitted a completed application for a conditional zoning on the 1st day of August 2025 (the "Application"). The proposed conditional zoning is designated #25CZ12.

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 #25CZ12 before the Apex Planning Board on the 9th day of February 2026.

The Apex Planning Board held a public hearing on the 9th day of February 2026, gathered facts, received public comments and formulated a recommendation regarding the application for conditional zoning #25CZ12. A motion was made by the Apex Planning Board to recommend denial; the motion passed by a vote of 6-2 for the application for #25CZ12.

Pursuant to G.S. §160D-601 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 #25CZ12 before the Town Council on the 24th day of February 2026.

The Apex Town Council held a public hearing on the 24th day of February 2026. Amanda Bunce, Assistant Planning Director, presented the Planning Board's recommendation at the public hearing.

All persons who desired to present information relevant to the application for #25CZ12 were allowed to present evidence at the public hearing before the Apex Town Council. No one who wanted to speak was turned away.

The Apex Town Council by a vote of 5 to 0 rejected Application #25CZ12 rezoning the subject tract located at 111 Jones Street from Mixed Office-Residential-Retail-Conditional Use (MORR-CU #05CU11) to Office & Institutional-Conditional Zoning (O&I-CZ).

Although the rezoning is consistent with the 2045 Land Use Map which designates this area as Medium Density Residential/Office Employment & Commercial Services, and permits the zoning district Office & Institutional-Conditional Zoning (O&I-CZ) within the Office Employment land use designation, the Apex Town Council finds that the proposed rezoning is not consistent with the Apex Peak Plan 2045 in that it does not meet the UDO standards for preservation of historic structures and would introduce a land use that is not compatible with the adjacent residential uses. The denial of the proposed rezoning is reasonable and in the public interest for the following reasons:

1. The rezoning would allow for the demolition of the historic concrete house without the 48-month waiting period to submit a development application and the relocation of the historic Bailey House, which is not otherwise permitted by the UDO.
2. The rezoning would remove the requirement for a preservation easement and rehabilitation agreement for the relocated Bailey House as is required for all other historic structure relocations in the Town and ETJ.
3. The rezoning would allow for the construction of a table-top parking structure or parking lot for the adjacent church. A table-top parking structure is atypical for this area and expansion of the parking to the west encroaches into the residential character of the neighborhood. An expanded parking area, whether as a table top parking structure or surface parking lot, with access to Jones Street would bring more vehicular activity any time the parking is open to the public and not just during church services.

STATEMENT OF THE APEX TOWN COUNCIL ZONING PETITION #25CZ12

ATTEST:

Allen Coleman, CMC, NCCCC
Town Clerk

Jacques K. Gilbert
Mayor

Date