

**STATEMENT OF THE APEX TOWN COUNCIL PURSUANT TO G.S. 160A-383
ADDRESSING ACTION ON ZONING PETITION #19CZ20**

Peter Cnossen, Jones & Cnossen Engineering, PLLC./Otha Mckoy Heirs, owner/applicant (the "Applicant"), submitted a completed application for a conditional zoning on the 1st day of October 2019 (the "Application"). The proposed conditional zoning is designated #19CZ20.

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 #19CZ20 before the Planning Board held on the 9th day of December 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 #19CZ20 before the Town Council on the 17th day of December 2019.

The Apex Planning Board held a public hearing on the 9th day of December 2019, gathered facts, received public comments and formulated a recommendation regarding the application for conditional zoning #19CZ20. A motion was made at the Apex Planning Board to recommend approval; the motion passed unanimously for the application for #19CZ20.

The Apex Town Council held a public hearing on the 17th day of December 2019. Lauren Staudenmaier, Planner I, presented the Planning Board's recommendation at the public hearing.

All persons who desired to present information relevant to the application for #19CZ20 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 5 to 0 approved Application #19CZ20 rezoning the subject tract located at 2708 Blazing Trail Drive from Rural Residential (RR) to Medium Density Residential-Conditional Zoning (MD-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 Medium Density Residential-Conditional Zoning (MD-CZ) and the Apex Town Council has further considered that the proposed rezoning to Medium Density Residential-Conditional Zoning (MD-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 will continue the single-family development pattern from the north and provide a public pedestrian connection to Blazing Trail Drive from the adjacent properties to the north. The rezoning will encourage compatible development of the property and increase the tax base.

Jacques Gilbert
Mayor

ATTEST:

Donna B. Hosch, MMC, NCCMC
Town Clerk

Date