

**STATEMENT OF THE APEX TOWN COUNCIL PURSUANT TO G.S. 160D-605
ADDRESSING ACTION ON ZONING PETITION #22CZ20**

Raj Baksha, SRP Signature Homes, LLC., owner/applicant (the "Applicant"), submitted a completed application for a conditional zoning on the 3rd day of October 2022 (the "Application"). The proposed conditional zoning is designated #22CZ20.

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 #22CZ20 before the Apex Planning Board on the 12th day of December 2022.

The Apex Planning Board held a public hearing on the 12th day of December 2022, gathered facts, received public comments and formulated a recommendation regarding the application for conditional zoning #22CZ20. A motion was made by the Apex Planning Board to recommend approval; the motion passed with a vote 6-2 for the application for #22CZ20.

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 #22CZ20 before the Town Council on the 10th day of January 2023.

The Apex Town Council held a public hearing on the 10th day of January 2023. Shelly Mayo, Planner II, presented the Planning Board's recommendation at the public hearing.

All persons who desired to present information relevant to the application for #22CZ20 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 Apex Town Council by a vote of 4 to 0 rejected Application #22CZ20 rezoning the subject tract located at 1305 Holt Road from Rural Residential (RR) to Medium Density Residential-Conditional Zoning (MD-CZ).

Although the rezoning is consistent with the 2045 Land Use Map which designates this area as Medium Density Residential, and permits the zoning district Medium Density Residential-Conditional Zoning (MD-CZ) within those land use designations, the Apex Town Council finds that the proposed rezoning is not compatible with the character of the surrounding land uses. The denial of the proposed rezoning is reasonable and in the public interest because the proposed use and architectural standards are not compatible with the adjacent age restricted housing community and the proposed development would not provide the density required to deliver pedestrian connectivity along Holt Road.

ATTEST:

Jacques K. Gilbert
Mayor

Allen Coleman, CMC, NCCCC
Town Clerk

Date