

**STATEMENT OF THE APEX TOWN COUNCIL PURSUANT TO G.S. 160A-383
ADDRESSING ACTION ON ZONING PETITION #21CZ01**

Josh Swindell, Envision Homes, LLC/Tony Streeter & Timothy V. Karr, Billy Ray Wolfe, Sarah W. Ronk, Willie T. Jr and Donna G. Wolfe, William D. II and Gaile E. Bunce, and John Terry Paton, owner/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 #21CZ01.

The Director of Planning & Community Development for the Town of Apex, Dianne Khin, caused proper notice to be given (by publication and posting) of a public hearing on #21CZ01 before the Planning Board held on the 8th day of February 2021.

Pursuant to G.S. §160A-384 and Sec. 2.2.11(E) of the Unified Development Ordinance, the Director of Planning & Community Development caused proper notice to be given (by publication and posting), of a public hearing on #21CZ01 before the Town Council on the 23rd day of February 2021.

The Apex Planning Board held a public hearing on the 8th day of February 2021, gathered facts, received public comments and, following a 24-hour public comment period, on the 10th day of February 2021, formulated a recommendation regarding the application for conditional zoning #21CZ01. A motion was made at the Apex Planning Board to recommend approval; the motion passed unanimously for the application for #21CZ01.

The Apex Town Council held a public hearing on the 23rd day of February 2021. Sarah Van Every, Senior Planner, presented the Planning Board's recommendation at the public hearing.

All persons who desired to present information relevant to the application for #21CZ01 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 February 2021 by a vote of 5 to 0 approved Application #21CZ01 rezoning the subject tract located at 1405, 1409, 1209, & 1401 Wimberly Road and 1012 & 1000 Double Helix Road from Planned Unit Development-Conditional Zoning (PUD-CZ #19CZ22) 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 Low 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.

The Apex Town Council finds that the approval of the rezoning is reasonable and in the public interest in that: it is consistent with the 2045 Land Use Map, which classifies the subject property as Low Density Residential. The proposed rezoning allows flexibility necessary to ensure cohesive development plans for future Capital Projects.

Jacques K. Gilbert
Mayor

ATTEST:

Donna B. Hosch, MMC, NCCMC
Town Clerk

Date