

**STATEMENT OF THE APEX TOWN COUNCIL PURSUANT TO G.S. 160A-383  
ADDRESSING ACTION ON ZONING PETITION #20CZ16**

Joseph D. Cusumano, owner/applicant (the "Applicant"), submitted a completed application for a conditional zoning on the 1<sup>st</sup> day of December 2020 (the "Application"). The proposed conditional zoning is designated #20CZ16.

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 #20CZ16 before the Planning Board held on the 8<sup>th</sup> 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 #20CZ16 before the Town Council on the 23<sup>rd</sup> day of February 2021.

The Apex Planning Board held a public hearing on the 8<sup>th</sup> day of February 2021, gathered facts, received public comments and, following a 24-hour public comment period, on the 10<sup>th</sup> day of February 2021, formulated a recommendation regarding the application for conditional zoning #20CZ16. A motion was made at the Apex Planning Board to recommend approval; the motion passed unanimously for the application for #20CZ16.

The Apex Town Council held a public hearing on 23<sup>rd</sup> day of February 2021. 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 #20CZ16 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 25<sup>th</sup> day of February 2021 by a vote of 5 to 0 approved Application #20CZ16 rezoning the subject tract located at 2609 New Hill Olive Chapel Road from Wake County Residential (R-40W) 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 it will permit single-family residential development consistent and compatible with the surrounding area. In addition, the proposed rezoning will allow the property to connect to Town water and sewer services.

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Jacques K. Gilbert  
Mayor

ATTEST:

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Donna B. Hosch, MMC, NCCMC  
Town Clerk

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Date