

**STATEMENT OF THE APEX TOWN COUNCIL PURSUANT TO G.S. 160A-383
ADDRESSING ACTION ON ZONING PETITION #19CZ24**

Cara Powell/Capital Area Preservation, Inc., owner/applicant (the "Applicant"), submitted a completed application for a conditional zoning on the 1st day of November 2019 (the "Application"). The proposed conditional zoning is designated #19CZ24.

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 #19CZ24 before the Planning Board held on the 13th day of January 2020.

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 #19CZ24 before the Town Council on the 21st day of January 2020.

The Apex Planning Board held a public hearing on the 13th day of January 2020, gathered facts, received public comments and formulated a recommendation regarding the application for conditional zoning #19CZ24. A motion was made at the Apex Planning Board to recommend approval; the motion passed unanimously for the application for #19CZ24.

The Apex Town Council held a public hearing on the 21st day of January 2020. 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 #19CZ24 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 #19CZ24 rezoning the subject tract located at 7213 Roberts Road from Rural Residential (RR) to Office & Institutional-Conditional Zoning (O&I-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 Office Employment. This designation on the 2045 Land Use Map includes the zoning district Office & Institutional-Conditional Zoning (O&I-CZ) and the Apex Town Council has further considered that the proposed rezoning to Office & Institutional-Conditional Zoning (O&I-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 provide for a variety of options for the use of the large historic home on the subject property. The historic structure was acquired by Capital Area Preservation (CAP) and moved to this site in 2015 and has been on the market since then. A historic preservation easement has been recorded on the property, which will ensure preservation of the house in a manner to maintain the Landmark status of the house. As the existing structure is residential in nature, the property will remain consistent with the appearance of the area. The rezoning will encourage compatible development of the property and increase the tax base.

Jacques K. Gilbert
Mayor

ATTEST:

Donna B. Hosch, MMC, NCCMC
Town Clerk

Date