

**STATEMENT OF THE APEX TOWN COUNCIL PURSUANT TO G.S. 160A-383  
ADDRESSING ACTION ON ZONING PETITION #19CZ15**

Lector Atwater & Jerome Kenneth Atwater Heirs/Vaughn King/ Jeff Roach, Peak Engineering & Design, PLLC / owner/applicant (the "Applicant"), submitted a completed application for a conditional zoning on the 1<sup>st</sup> day of July 2019 (the "Application"). The proposed conditional zoning is designated #19CZ15.

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 #19CZ15 before the Planning Board held on the 14<sup>th</sup> day of October 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 #19CZ15 before the Town Council on the 15<sup>th</sup> day of October 2019.

The Apex Planning Board held a public hearing on the 14<sup>th</sup> day of October 2019, gathered facts, received public comments and formulated a recommendation regarding the application for conditional zoning #19CZ15. A motion was made at the Apex Planning Board to recommend approval; the motion passed unanimously for the application for #19CZ15.

The Apex Town Council held a public hearing on the 15<sup>th</sup> day of October 2019. 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 #19CZ15 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 4 to 0 approved Application #19CZ15 rezoning the subject tract located at 2504, 2508, 2512, 2516 & 2600 Mt. Zion Church Road from Rural Residential (RR) 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 Medium 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

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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 will allow this property to develop in a way that is consistent with the surrounding areas and provides increased perimeter buffer widths over the UDO standards and sidewalks along both sides of internal streets. The rezoning will encourage compatible development of the property and increase the tax base.

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Lance Olive  
Mayor

ATTEST:

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Donna B. Hosch, MMC, NCCMC  
Town Clerk

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Date