

**STATEMENT OF THE APEX TOWN COUNCIL PURSUANT TO G.S. 160D-605
ADDRESSING ACTION ON ZONING PETITION #25CZ21**

Arden Building applicant (the “Applicant”) submitted a completed application for a conditional rezoning on the 1st day of December 2025 (the “Application”). The proposed conditional zoning is designated #25CZ21.

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 #25CZ21 before the Apex Planning Board on the 13th day of April 2026.

The Apex Planning Board held a public hearing on the 13th day of April 2026, gathered facts, received public comments and formulated a recommendation regarding the application for conditional zoning #25CZ21. A motion was made by the Apex Planning Board to recommend approval; the motion passed by a vote of 7-0 for the application for #25CZ21.

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 #25CZ21 before the Town Council on the 28th day of April 2026. The public hearing on #25CZ21 was continued at the April 28th, 2026 Town Council Meeting and came before the Apex Town Council on the 28th day of May, 2026.

The Apex Town Council held a public hearing on the 28th day of May 2026. Elise Bielen, Senior Planner, presented the Planning Board's recommendation at the public hearing.

All persons who desired to present information relevant to the application for #25CZ21 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 #25CZ21 rezoning on the 28th of May 2026 for the subject tract located at 2728 Holland Road from Rural Residential (RR) to Medium Density Residential – Conditional Zoning (MD-CZ).

Although the rezoning is generally consistent with the 2045 Land Use Map which designates this area as Medium Density Residential, the Apex Town Council finds that the proposed rezoning is not consistent with the Unified Development Ordinance in that it does not provide sufficient points of access by proposing to add thirteen homes that would be accessed through the existing Holland Farm subdivision, which already has more than 50 single family units on a single point of access. The denial of the proposed rezoning is reasonable and in the public interest because the proposed conditions would circumvent the Town's Unified Development Ordinance.

ATTEST:

Allen Coleman, CMC, NCCC
Town Clerk

Jacques K. Gilbert
Mayor

Date