

**STATEMENT OF THE APEX TOWN COUNCIL PURSUANT TO G.S. 160A-383
ADDRESSING ACTION ON ZONING PETITION #20CZ10**

Charles Duane Taylor, Jr and Sherry Bailey Taylor, owners/applicants (the "Applicant"), submitted a completed application for a conditional zoning on the 18th day of September 2020 (the "Application"). The proposed conditional zoning is designated #20CZ10.

The Planning & Community Development Director for the Town of Apex, Dianne Khin, caused proper notice to be given (by publication and posting) of a public hearing on #20CZ10 before the Planning Board held on the 12th day of October 2020.

The Apex Planning Board held a public hearing on the 12th day of October 2020, gathered facts, received public comments and formulated a recommendation regarding the application for conditional zoning #20CZ10. A motion was made at the Apex Planning Board to recommend approval; the motion passed unanimously for the application for #20CZ10.

Pursuant to G.S. §160A-384 and Sec. 2.2.11.E of the Unified Development Ordinance, the Planning & Community Development Director caused proper notice to be given (by publication and posting), of a public hearing on #20CZ10 before the Town Council on the 20th day of October 2020.

The Apex Town Council held a public hearing on the 20th day of October 2020. Amanda Bunce, Current Planning Manager presented the Planning Board's recommendation at the public hearing.

All persons who desired to present information relevant to the application for #20CZ10 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 #20CZ10 rezoning the subject tract located at 109 Holleman Street from Office and Institutional (O&I) to Mixed Office-Residential-Retail-Conditional Zoning (MORR-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/Office Employment. This designation on the 2045 Land Use Map includes the zoning district Mixed Office-Residential-Retail-Conditional Zoning (MORR-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.

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The Apex Town Council finds that approval of the rezoning is reasonable and in the public interest in that the rezoning will allow the existing single-family home to once again be a conforming use while also allowing a limited number of nonresidential uses that could utilize the existing historic structure. The rezoning will also encourage compatible development of the property and increase the tax base.

Jacques K. Gilbert
Mayor

ATTEST:

Donna B. Hosch, MMC, NCCMC
Town Clerk

Date