

**STATEMENT OF THE APEX TOWN COUNCIL PURSUANT TO G.S. 160A-383
ADDRESSING ACTION ON ZONING PETITION #19CZ22**

Josh Swindell, Envision Homes, LLC/Tony Streeter & Timothy V. Karr, Billy Ray Wolfe, Sarah W. Ronk, Willie T. Jr and Donna G. Wolfe, William D. II and Gaile E. Bunce, and John Terry Paton, owner/applicant (the "Applicant"), submitted a completed application for a conditional zoning on the 1st day of October 2019 (the "Application"). The proposed conditional zoning is designated #19CZ22.

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 #19CZ22 before the Planning Board held on the 8th day of June 2020.

Pursuant to G.S. §160A-384 and Sec. 2.2.11(E) of the Unified Development Ordinance, the Planning and Community Development Director caused proper notice to be given (by publication and posting), of a public hearing on #19CZ22 before the Town Council on the 16th day of June 2020.

The Apex Planning Board held a public hearing on the 8th day of June 2020, gathered facts, received public comments and formulated a recommendation regarding the application for conditional zoning #19CZ22. A motion was made at the Apex Planning Board to recommend approval; the motion passed unanimously for the application for #19CZ22.

The Apex Town Council held a public hearing on the 16th day of June 2020. Sarah Van Every, Senior Planner presented the Planning Board's recommendation at the public hearing.

All persons who desired to present information relevant to the application for #19CZ22 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 #19CZ22 rezoning the subject tract located at 1405, 1409, 1209 & 1401 Wimberly Road and 1012 & 1000 Double Helix Road from Wake County R-80W and Rural Residential (RR) to Planning 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 Low 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 the growth in population, economy, and infrastructure consistent with that contemplated by the 2045 Land Use Map.

STATEMENT OF THE APEX TOWN COUNCIL ZONING PETITION #19CZ22
PAGE 2

The Apex Town Council finds that the approval of the rezoning is reasonable and in the public interest in that it will allow for additional land for a future public park and development of single-family residential uses that will be compatible with the single-family uses to the north, south, and east. 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