

**STATEMENT OF THE APEX TOWN COUNCIL PURSUANT TO G.S. 160A-383  
ADDRESSING ACTION ON ZONING PETITION #20CZ03**

Patrick Kiernan, Jones & Cnossen Engineering, PLLC/Cathleen & Kenneth Watson, owner/applicant (the "Applicant"), submitted a completed application for a conditional zoning on the 3<sup>rd</sup> day of February 2020 (the "Application"). The proposed conditional zoning is designated #20CZ03.

The Planning and 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 #20CZ03 before the Planning Board held on the 8<sup>th</sup> day of June 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 #20CZ03 before the Town Council on the 16<sup>th</sup> day of June 2020.

The Apex Planning Board held a public hearing on the 8<sup>th</sup> day of June 2020, gathered facts, received public comments and formulated a recommendation regarding the application for conditional zoning #20CZ03. A motion was made at the Apex Planning Board to recommend approval; the motion passed unanimously for the application for #20CZ03.

The Apex Town Council held a public hearing on the 16<sup>th</sup> day of June 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 #20CZ03 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 #20CZ03 rezoning the subject tract located at 1200 James Street from Medium Density Residential (MD) to Tech/Flex-Conditional Zoning (TF-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 Industrial Employment & Office Employment. This designation on the 2045 Land Use Map includes the zoning district Tech/Flex-Conditional Zoning (TF-CZ) and the Apex Town Council has further considered that the proposed rezoning to Tech/Flex-Conditional Zoning (TF-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 an opportunity for non-residential uses to serve the surrounding area, while being incorporated in to the Peak City Business Park or known as the Schieffelin Industrial Non-Residential Master Subdivision Plan. The proposed rezoning will maintain the character and appearance of the area and provide uses similar to those approved for the adjacent non-residential subdivision. The rezoning will encourage compatible development of the property and increase the tax base.

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Jacques K. Gilbert  
Mayor

ATTEST:

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Donna B. Hosch, MMC, NCCMC  
Town Clerk

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Date