

Agenda

Planning Board and Board of Commissioners Joint Public Hearing

7:00 PM August 20, 2026

Board Meeting Room, Town Hall Annex, 105 E. Corbin St.



1. Call to order, confirmation of quorum, and public charge

The Hillsborough Board of Commissioners and Planning Board pledge to the community of Hillsborough their respect. The boards ask participants to conduct themselves in a respectful, courteous manner with the boards and with fellow participants. At any time should any member of the boards or any participant fail to observe this public charge, the Planning Board chair or their designee will ask the offending person to leave the meeting until that individual regains personal control. Should decorum fail to be restored, the Planning Board chair or their designee will recess the meeting until such time that a genuine commitment to this public charge is observed.

2. Agenda changes and approval

3. Minutes review and approval

A. Minutes from Planning Board regular meeting on March 19, 2026

B. Minutes from joint public hearing on May 21, 2026

4. Open the public hearing

5. Public hearing items

A. Annexation and rezoning requests for 2101 & 2109 NC 86 S (applicant-initiated)

6. Close the public hearing

7. Planning Board regular business

A. Recommendations

B. Appointment of Megan Kimball as Parks and Recreation Board Representative

C. Updates from board representatives, staff, and other board members

8. Adjournment

Interpreter services or special sound equipment for compliance with the American with Disabilities Act is available on request. If you are disabled and need assistance with reasonable accommodations, call the Town Clerk's Office at 919-296-9443 a minimum of two business days in advance of the meeting.

101 E. Orange St., PO Box 429, Hillsborough, NC 27278
919-732-1270 | www.hillsboroughnc.gov | @HillsboroughGov

Public Comment Instructions

For agenda items and items not on the agenda.

Public Comment — Written

Members of the public may send written comments to planning@hillsboroughnc.gov or hand-deliver them to Town Hall (101 E. Orange Street). Written comments must be submitted by noon on the day of the hearing.

Please include the following information with your comments:

- Date of the meeting
- Agenda item you are writing about
- Your name, address, email, and phone number

Public Comment — Verbal

Members of the public can sign up to speak at the hearing. There will be a sign-in sheet at the front door of the meeting room. Staff will explain the public hearing process to the audience before the public hearings begin. Please contact Planning staff at 919-296-9470 or planning@hillsboroughnc.gov with any questions.

Minutes

PLANNING BOARD

Regular meeting

7 p.m. March 19, 2026

Town Hall Annex Board Meeting Room, 105 E. Corbin St.



Present

Planning Board: Chair Hooper Schultz, Vice Chair Sherra Lawrence, and members Jeanette Benjey, Robert Iglesias, Kimberly Landaverde, and Carrie Winkler

Absent: Planning Board member Sean Kehoe

Staff: Assistant Town Manager Matt Efird, Planning and Economic Development Manager Shannan Campbell, Senior Planner Tom King, Senior Planner Molly Boyle, Town Attorney Bob Hornik, and Jay McLeod and Erin Anderson with Inspire Placemaking Collective

1. Call to order, confirmation of quorum, and public charge

Chair Hooper Schultz called the meeting to order at 7:00 PM, confirmed that a quorum was present, and noted the public charge on the agenda.

2. Agenda changes and approval

Chair Schultz asked for a motion to approve the agenda or to approve the agenda with changes.

Motion: Planning Board member Robert Iglesias moved to approve the agenda as presented. Vice Chair Sherra Lawrence seconded.

Vote: 6-0. Motion passed.

3. Minutes review and approval

Chair Schultz confirmed that all members had reviewed the minutes from both the January regular meeting and the February joint public hearing.

A. Minutes from the Planning Board Regular Meeting on January 15, 2026

Motion: Planning Board member Jeanette Benjey motioned to approve the minutes. Iglesias seconded.

Vote: 6-0. Motion passed.

B. Minutes from the Joint Public Hearing on February 19, 2026

Motion: Iglesias motioned to approve the minutes. Seconded by Vice Chair Lawrence.

Vote: 6-0. Motion passed.

4. Public comment period for matters not on the agenda

Senior Planner Molly Boyle noted that two members of the public had signed up to speak on an agenda item, and they would be heard at the appropriate time. No members of the public signed up to speak on any non-agenda topics.

101 E. Orange St., PO Box 429, Hillsborough, NC 27278
919-732-1270 | www.hillsboroughnc.gov | [@HillsboroughGov](https://twitter.com/HillsboroughGov)

5. Business meeting

Items 5A and 5B were discussed together and decided with one motion and one vote.

A. Appointment of Board of Adjustment representative

Boyle explained that, unlike the chair and vice chair elections, the rules of procedure allow for volunteers to fill representative positions. Board Member Iglesias confirmed his willingness to continue serving as the Board of Adjustment representative. Staff noted that the Board of Adjustment meets on the second Wednesday of each month, though meeting frequency varies based on caseload. The prior year was relatively quiet, while the current year had seen increased activity.

B. Appointment of Parks and Recreation Board representative

Boyle noted that Chair Schultz had been serving as the Parks and Recreation Board representative and that, given his new role as chair, it might be desirable to have another member volunteer. Vice Chair Lawrence expressed interest but was uncertain about the time commitment. Boyle described the Parks and Recreation Board as meeting monthly on Tuesday evenings, with meetings rarely exceeding one hour. Given the anticipated addition of two new Planning Board members, including one expected to be appointed the following Monday, the board agreed to temporarily reappoint Chair Schultz and revisit the matter once the new members joined.

Motion: Vice Chair Lawrence motioned to reappoint Robert Iglesias as the Board of Adjustment representative and Chair Schultz as the Parks and Recreation Board representative. Seconded by Planning Board member Carrie Winkler.

Vote: 6-0. Motion passed.

6. Closed session

Motion: Chair Schultz motioned to enter closed session as authorized by North Carolina General Statute Section 143.318.11(a)(3) to consult with the town attorney in order to preserve the attorney-client privilege. Seconded by Winkler.

Vote: 6-0. Motion passed.

The Planning Board, Town Attorney Hornik, Assistant Town Manager Matt Efird, and Planning and Economic Development Manager Shannan Campbell left the room at 7:07 pm to go into closed session. The group returned to open session at 7:18 pm.

7. Old business**A. Rezoning and development agreement requests for 715 US Hwy 70 East; PIN 9874-49-0155 (applicant-initiated)**

Chair Schultz announced that the board had returned to open session and was proceeding with Item 7A. Boyle explained that, as this matter had been heard at the joint public hearing in February, staff and applicant presentations would not be repeated. The board was to discuss, ask questions, and make its recommendation. Boyle noted that two members of the public had requested to speak, and while the public hearing was closed, the board had the discretion to allow public comment if it wished. The board members decided to hear the comments.

Lynn Parker, president of the Corbinton Commons Homeowners Association, addressed the board. She reiterated concerns raised at the hearing about the pedestrian bridge, specifically that the Homeowners Association thinks the bridge needs reconstruction, not repair, and that the cost of the reconstruction should be borne by the developer. She further stated that when residents purchased their homes in Corbinton Commons, the adjacent property had been marketed by the same developer as a future 55+ retirement community of similar character, which she thought would still be a more appropriate use of the property.

Bruce Chinery, also a Corbinton Commons resident, echoed Ms. Parker's comments. He recalled a prior development nearby that had been scaled back following significant community opposition and suggested the current proposal could face similar scrutiny. He expressed that while he did not oppose development outright, he believed the site should be developed as a 55+ community, given that it had been zoned for assisted living for the past twenty years. He raised concerns about increased traffic through the community and the character of the surrounding area.

Shannan Campbell, Planning and Economic Development Manager, clarified for the board that the existing special use zoning allowed only the construction of either a Medicaid-Approved Housing Services (MAHS) facility or a Continuing Care Retirement Community (CCRC), which were uses the developer no longer wanted to pursue. The applicant was therefore seeking to rezone to multi-family residential to construct an alternative product. Without rezoning, the property would either need to remain undeveloped or the applicant would need to modify the special use permit.

In response to questions from Iglesias, Campbell noted that the prior assisted living plan had projected approximately 200 to 300 units. The current proposal called for 67 townhome units, which she indicated was a reduction in density.

The board discussed the possibility of a 55+ age restriction. Campbell explained that age-restricted communities are governed through deed restrictions enforced by the Homeowners Association, not through local zoning. It was confirmed that the developer had already considered this and declined to pursue a 55+ restriction, as it would significantly limit the pool of eligible renters.

Iglesias observed that the board's role was to assess whether the proposed rezoning was consistent with the town's future land use goals, and not to dictate what the developer must build. He noted that 67 units represented a more manageable outcome than the 200–300 units that had been projected under the prior plan, and that keeping the land undeveloped was not an ideal outcome either.

Winkler acknowledged the difficulty of the decision and expressed genuine empathy for residents who had been promised a different outcome when they purchased their homes. She nonetheless noted that the site's proximity to a high school and a grocery store made it a reasonable location for multi-family housing.

Chair Schultz raised the question of whether conversations had occurred with the developer regarding the Homeowners Association's requests, particularly relating to the pedestrian bridge and a contribution toward the existing pedestrian connection to downtown.

Town Attorney Bob Hornik confirmed that the proposed development agreement would require the developer to either repair, restore, or construct a new pedestrian bridge meeting all applicable building codes. Campbell noted that the draft development agreement specified "necessary repairs or restoration of the existing pedestrian bridge or construction of a new pedestrian bridge."

The board noted that the development agreement added meaningful restrictions beyond a standard rezoning, including the 67-unit cap, water and sewer timing requirements, and the affordable housing payment-in-lieu obligation. Hornik confirmed that the payment-in-lieu provision meant the units themselves would be market-rate, with a financial contribution to be made to the town's affordable housing fund.

Motion: Winkler motioned to recommend approval of both the rezoning request for the parcel at 715 US Highway 70 East to the multi-family district and the associated development agreement. Chair Schultz seconded.

Vote: 6-0. Motion passed.

Boyle reminded the public in attendance that no final decision was made at the meeting. The Planning Board's recommendation, along with staff analysis and public input, would be presented to the town board for final decision at an upcoming town board meeting.

8. New business

A. Discussion of potential zoning district changes with UDO consultant

Senior Planner Tom King introduced Jay McLeod and Erin Anderson of Inspire Placemaking Collective, the consulting firm engaged to assist with the town's Unified Development Ordinance (UDO) update. King said the presentation was intended to solicit early reactions to the direction proposed. [Inspire Placemaking's PowerPoint presentation from the meeting is enclosed with these minutes.]

McLeod opened by noting that Hillsborough currently has a significant number of zoning districts. He said the goal of the UDO update is to simplify the zoning structure, provide flexibility, and support a diversity of housing types and price points while preserving community character.

The consultants proposed consolidating the existing residential districts into four primary categories:

- Suburban Neighborhood Residential (SNR):
Larger-lot development, primarily in the extraterritorial jurisdiction (ETJ), where water and sewer availability limits density. Lot sizes of approximately one-half acre; single-family detached use is the expected predominant outcome.
- Traditional Neighborhood Residential (TNR):
Reflects the character of the historic core residential neighborhoods; generally 8,000 to 12,000 square foot lots with primarily single-family use and some allowance for duplexes, triplexes, and quadplexes under appropriate design standards.
- Compact Neighborhood Residential (CNR):
A denser pattern suited to new greenfield development, where townhomes, quadplexes, and small apartment buildings (up to twelve units) would be the expected development type.
- Urban Neighborhood Residential (UNR):
A new, higher-density district intended for locations where concentrated density is appropriate, such as near transit nodes or adjacent to the commercial core.

McLeod noted that while all housing types are technically permitted in each district, the lot size requirements, setbacks, and widths are calibrated so that the market will naturally gravitate toward certain housing types in each zone. He also emphasized that rezoning to any of these districts would still require a town board decision.

McLeod walked through sample dimensional tables and development scenarios for the proposed districts. Winkler asked where in Hillsborough these districts would realistically apply, particularly the quadruplex and apartment housing. McLeod said that most of the new construction would likely occur in the Compact

Neighborhood Residential district on greenfield sites, while the Traditional Neighborhood Residential district would likely see smaller infill projects.

Erin Anderson then presented the proposed commercial zoning districts. She noted that Hillsborough currently has eleven commercial or non-residential zoning districts, which is likely cumbersome to administer for a town of this size. The proposed update would consolidate these into four categories:

- Core Commercial (formerly Central Commercial):
The traditional downtown character district (*e.g.*, buildings pulled to the street, walkable, mixed-use). The renaming to "Core" was proposed to signal that this form could appropriately extend to other walkable commercial areas such as West Hillsborough, rather than being perceived as exclusively downtown.
- High Intensity Commercial:
Auto-oriented uses along major transportation corridors; large-scale retail and light industrial.
- Industrial:
Supports industrial and manufacturing uses.
- Urban Activity Center (UAC):
A new district emerging from the Comprehensive Sustainability Plan's vision for transit-oriented development. Intended for high-density residential and commercial development near high-traffic transit nodes, particularly in anticipation of the new train station area. Maximum height in this district is proposed at seven stories, reflecting the economic "sweet spot" for mid-rise construction. This district would not be applied broadly; its placement would be subject to board rezoning decisions at specific, appropriate nodes.

Anderson noted that all proposed commercial districts would permit upper-story residential uses, and that the Urban Activity Center would additionally allow high-density apartment buildings at ground level.

Winkler expressed curiosity about the visual impact of a seven-story building relative to existing structures, noting the town's relatively low-rise skyline. McLeod acknowledged that such a development would require substantial private investment and would almost certainly be accompanied by structured parking and a public investment anchor, such as a transit stop; it would not be a routine occurrence.

Anderson then introduced the concept of "corner stores" as permitted uses in every residential zoning district. The concept, modeled on establishments such as the Village Diner, would allow small-scale commercial uses on corner lots without requiring rezoning to a commercial district. She covered suggested development standards for corner stores, such as operating hours of 6:00 am – 10:00 pm and a maximum gross floor area of 3,000 square feet. Permitted types of corner stores would include restaurants, cafes, retail boutiques, personal services, art studios, and fitness studios; prohibited uses would include bars, drive-throughs, gas stations, and vape stores.

Campbell noted that the Planning Department regularly receives inquiries from residents and entrepreneurs wanting to open small neighborhood businesses. The corner store provision is intended to increase opportunities for such businesses. She also noted several examples of existing corner stores in Hillsborough that had been established under prior zoning but would not be permissible today.

Board members noted that Homeowners Association covenants in many subdivisions would effectively prevent corner stores regardless of the zoning change. Campbell confirmed this possibility.

Winkler raised a question about whether tattoo parlors would be considered analogous to art studios under the permitted uses. Anderson acknowledged the ambiguity and indicated that the list of permitted and

prohibited uses remained a work in progress. McLeod confirmed that this feedback was exactly the type of input sought at this stage.

Lawrence asked whether the proposed framework incorporated any provisions for green space or conservation uses. McLeod noted that parks are generally permitted in almost any district, and that the subdivision standards include open space requirements for new neighborhoods. Campbell added that while the town does strategically acquire properties for parks when possible, the primary intent of the UDO update is to concentrate development on the town's available land to help prevent sprawl.

The board discussed parking minimums, acknowledging a tension between the planning trend of removing mandatory parking minimums and the reality that Hillsborough is currently a suburban, auto-dependent community.

Chair Schultz asked about the timeline for the Unified Development Ordinance update. McLeod said the staff review of the first draft was still underway. This would be followed by a second full draft for broader review, and ultimately an adoption draft that would undergo public input, hearings, and town board decision. Staff and consultants discussed the merits of presenting the document to the Planning Board for review in sections rather than all at once. No formal action was taken.

9. Updates

A. Board of Adjustment

Iglesias reported the Board of Adjustment had not met since the last Planning Board meeting, so there were no updates.

B. Parks & Recreation Board

Chair Schultz reported that the Parks and Recreation Board had met on Tuesday and recommended approval of the Kings Highway Natural Area master plan (formerly referred to as the Riverwalk master plan). No updates were available on the Ridgewalk project, though Senior Planner King noted that Ridgewalk had received an updated stormwater management plan approval earlier that day.

C. Staff and board members

Staff noted that Planning Board member Tiffney Marley had resigned due to PhD study commitments. Megan Kimball, an attorney with the Southern Environmental Law Center with prior service on the town's Historic District Commission and Tourism Board, had volunteered to fill the vacancy and was expected to be appointed by the town board at its Monday meeting.

10. Adjournment

Motion: Iglesias motioned to adjourn the meeting. Seconded by Lawrence.

Vote: 6-0. Motion passed.

The meeting was adjourned at 8:59 pm.

Respectfully submitted,

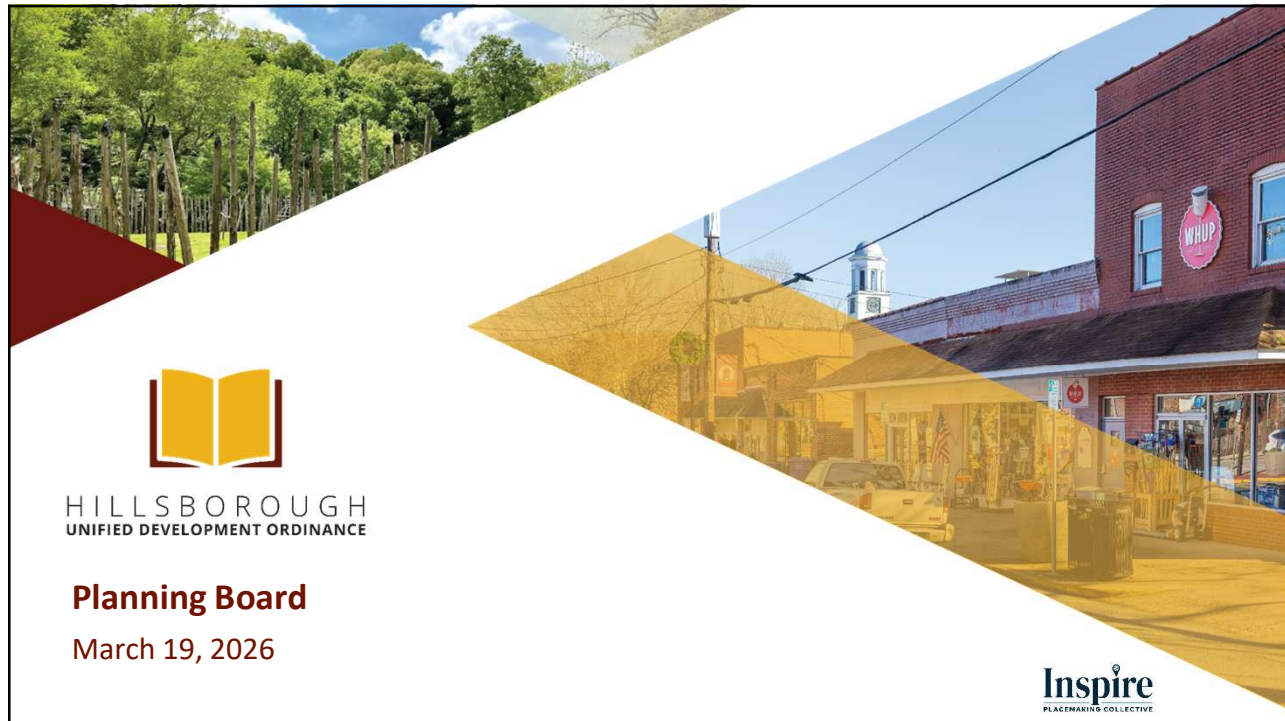


Molly Boyle

Senior Planner

Staff support to the Planning Board

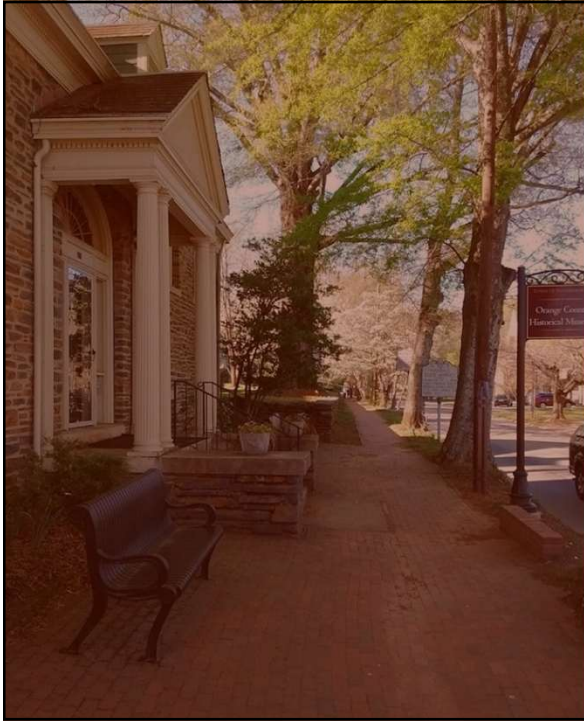
Approved: Month X, 202X



1

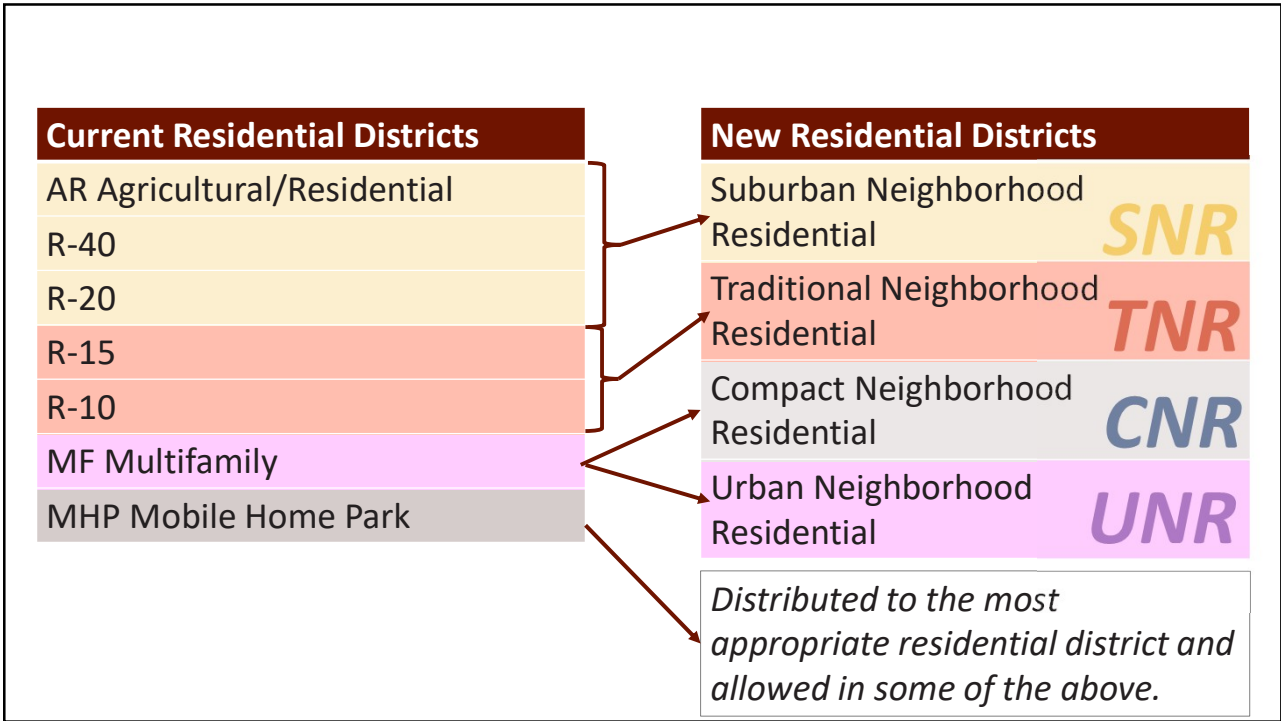


2

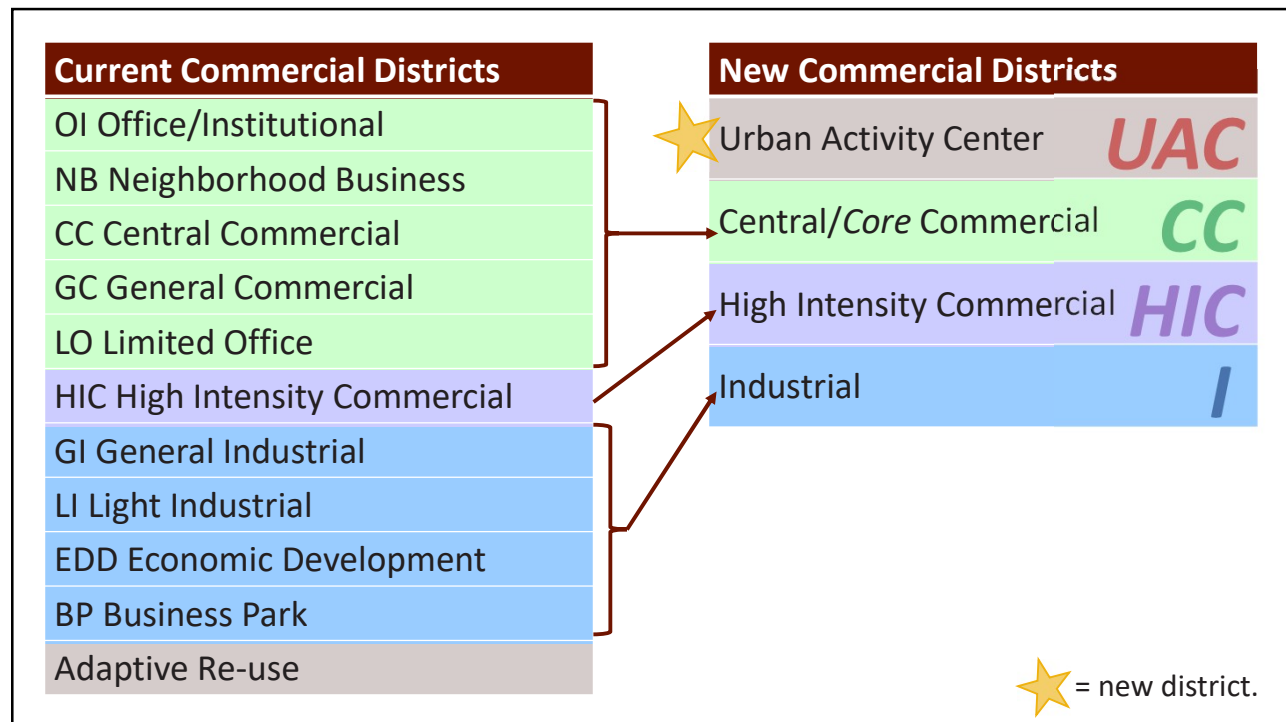


Current Zoning Comparison

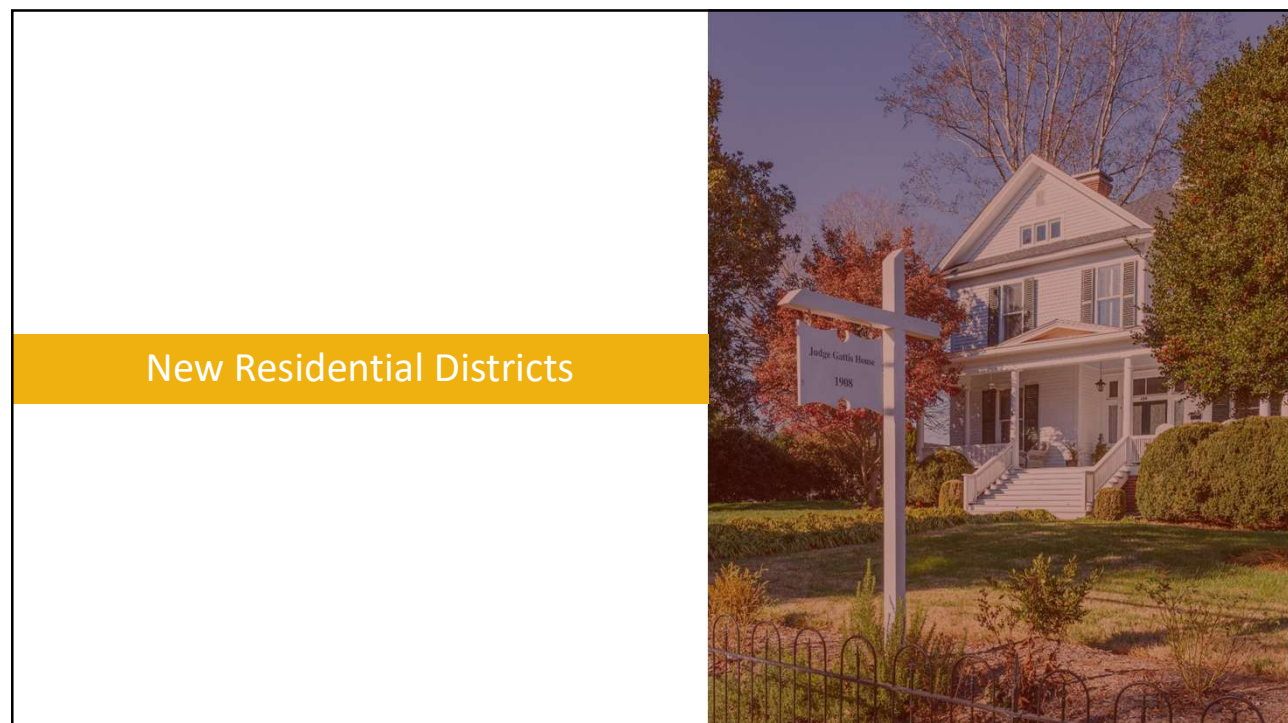
3



4



5



6

Residential Districts Overview



HILLSBOROUGH
UNIFIED DEVELOPMENT ORDINANCE

Suburban/Rural

More Urban

SNR



Suburban
Neighborhood

Up to 3 stories
Mostly single-family
detached

TNR



Traditional
Neighborhood

Up to 3 stories
Mostly single-family
and duplex

CNR



Compact
Neighborhood

Up to 3 stories
Mostly triplex and
quadplex

UNR



Urban
Neighborhood

Up to 5 stories
Mostly townhomes and
apartments

*Less walkable
Fewer neighbors*

*More walkable
More neighbors*

7

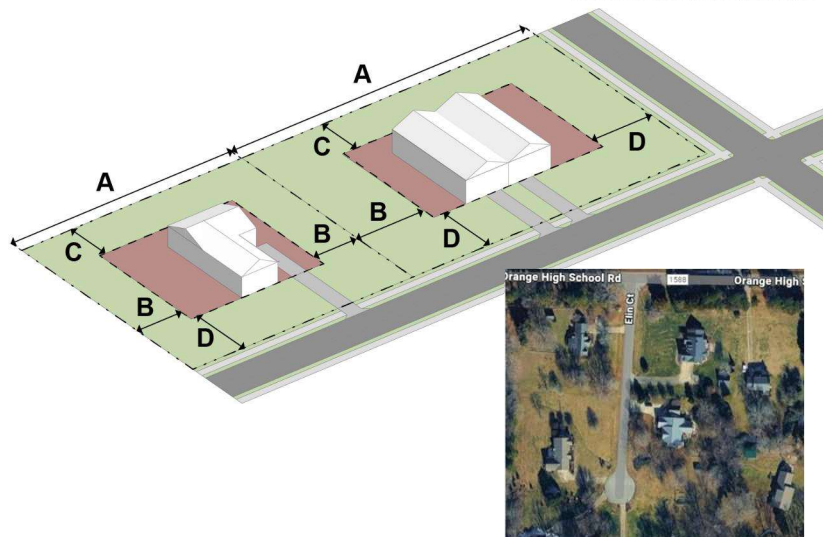
SNR: Suburban Neighborhood Residential



HILLSBOROUGH
UNIFIED DEVELOPMENT ORDINANCE

Representative Land Uses

- ✓ Single-family, detached
- ✓ Duplex
- ✓ Triplex
- ✓ Quadplex



8

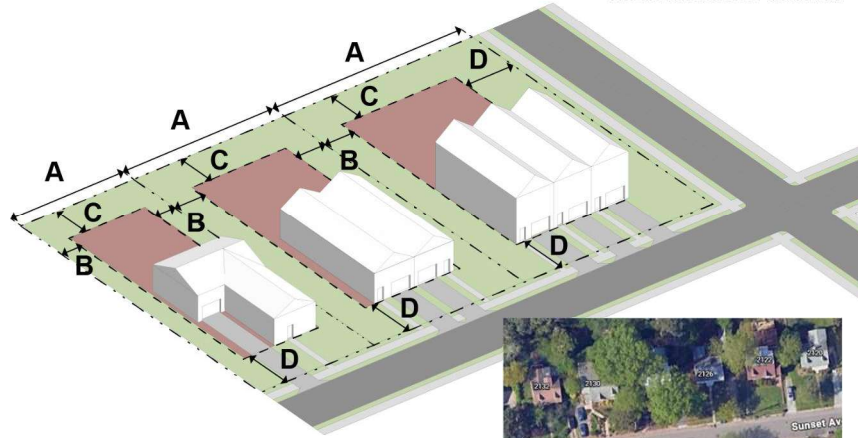
TNR: Traditional Neighborhood Residential



HILLSBOROUGH
UNIFIED DEVELOPMENT ORDINANCE

Representative Land Uses

- ✓ Single-family, detached
- ✓ Duplex
- ✓ Triplex
- ✓ Quadplex



9

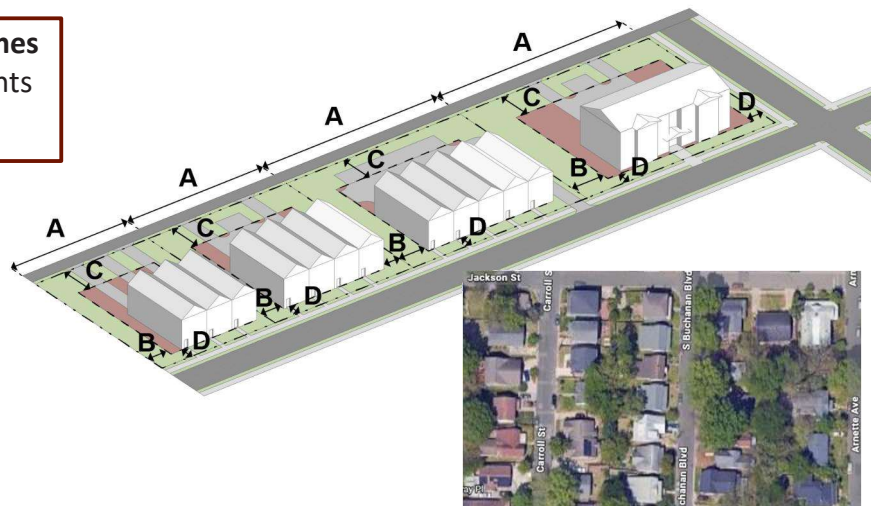
CNR: Compact Neighborhood Residential



HILLSBOROUGH
UNIFIED DEVELOPMENT ORDINANCE

Representative Land Uses

- ✓ Duplex
- ✓ Triplex
- ✓ Quadplex
- ✓ Townhomes
- ✓ Apartments



10

How the Numbers Shake Out Example: Compact Neighborhood Residential

	Single-Family Detached	Two-Unit Attached / Duplex	Three-Unit Attached / Triplex	Four-Unit Attached / Quadplex	Five- to Six- Unit Townhomes	Five- to Twelve- Unit Apartments	Non-Residential
Dwelling units per structure	1	2	3	4	6	12	
Max. Residential Density (Dwelling Units / Acre)	8	8	8	10	12	12	N/A
Min. Lot or Site Area (sq ft)	5,000	9,000	12,000	14,000	16,000	18,000	N/A
Dwelling Unit Yield Per Acre*	7.0	7.7	8.7	10.0	13.1	23.2	N/A
Min. Lot or Site Width (ft)	40	65	90	110	130	150	40
Min. Side Setback (ft)	5	10	15	15	20	25	10
Min. Rear Setback (ft) (front parked / rear parked)	20 / 25	20 / 25	20 / 25	20 / 25	20 / 25	N/A / 25	20 / 25
Min. Front Setback (ft) (front parked / rear parked)	25 / 10	25 / 10	25 / 10	25 / 10	25 / 10	N/A / 10	25 / 10
Max. Building Height (ft)	35	35	35	35	35	35	35
Min. Parking Area Setback – Side and Rear	5	5	5	5	5	5	5
Min. Dwelling Unit Width for Townhome Style Units (ft)	N/A	16	16	16	16	N/A	N/A

*Assuming 20% of the lot/site area is required for rights-of-way.

11

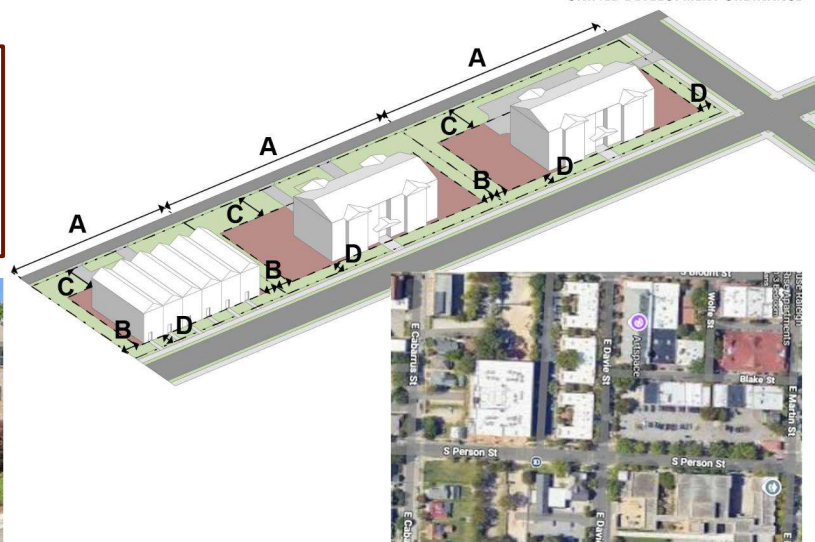
UNR: Urban Neighborhood Residential



HILLSBOROUGH
UNIFIED DEVELOPMENT ORDINANCE

Representative Land Uses

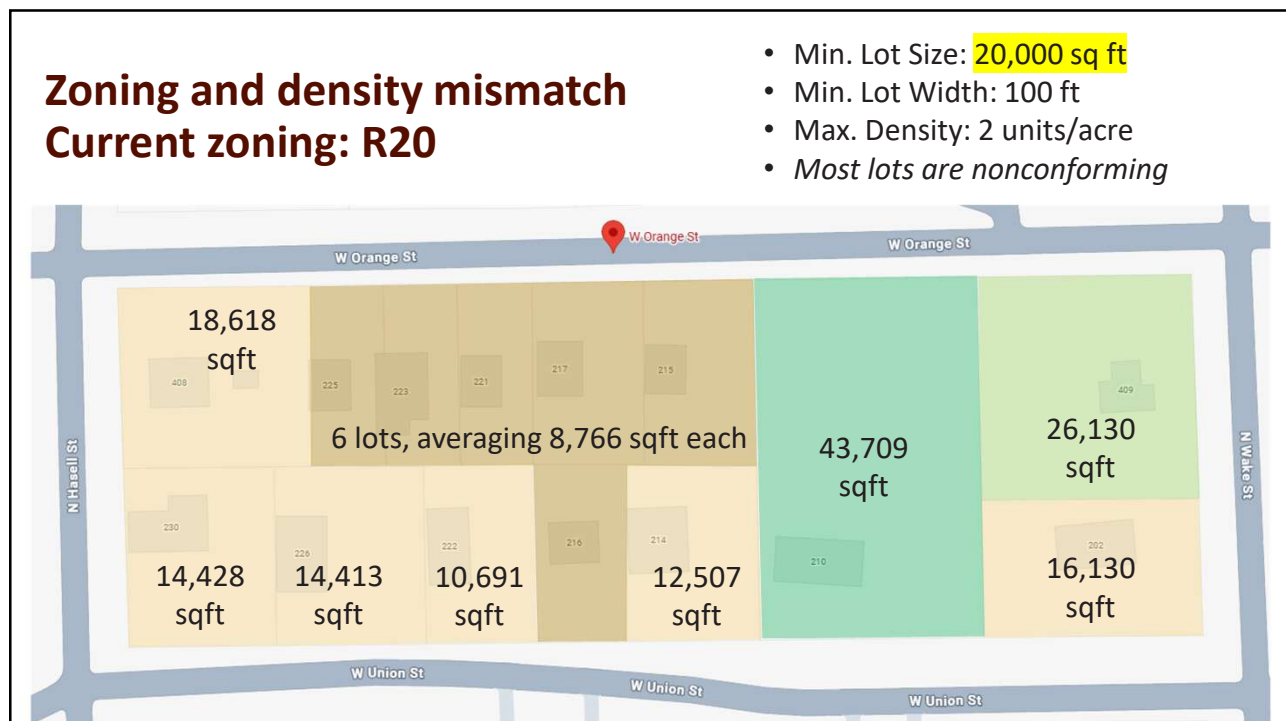
- ✓ Duplex
- ✓ Triplex
- ✓ Quadplex
- ✓ Townhomes
- ✓ Apartments
- ✓ Limited commercial, retail, office, and services



12

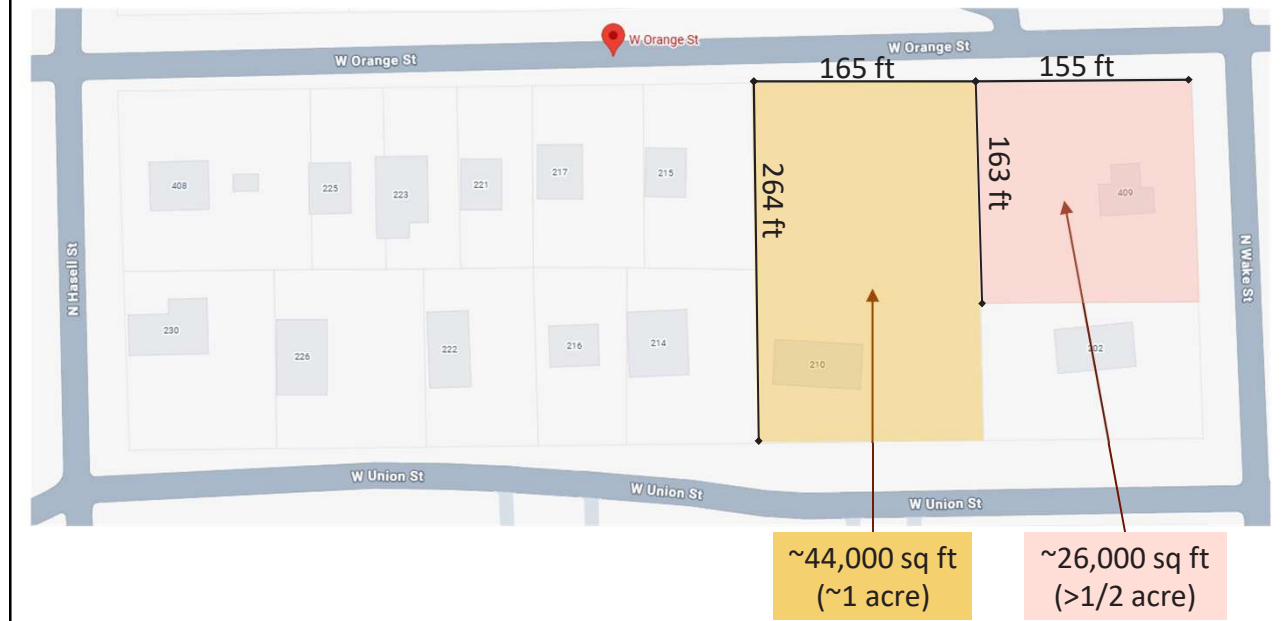


13



14

Gentle Infill Example

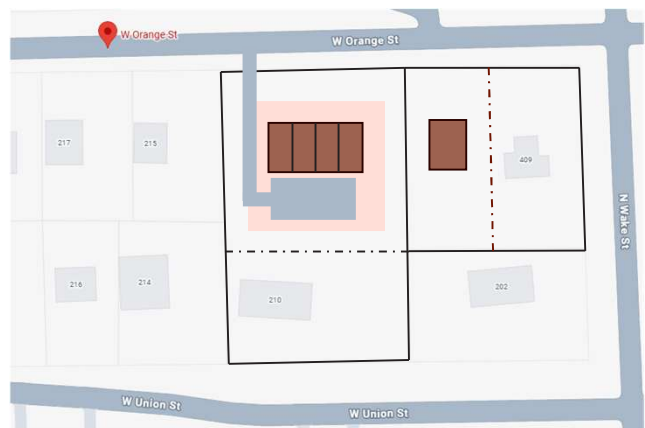


15

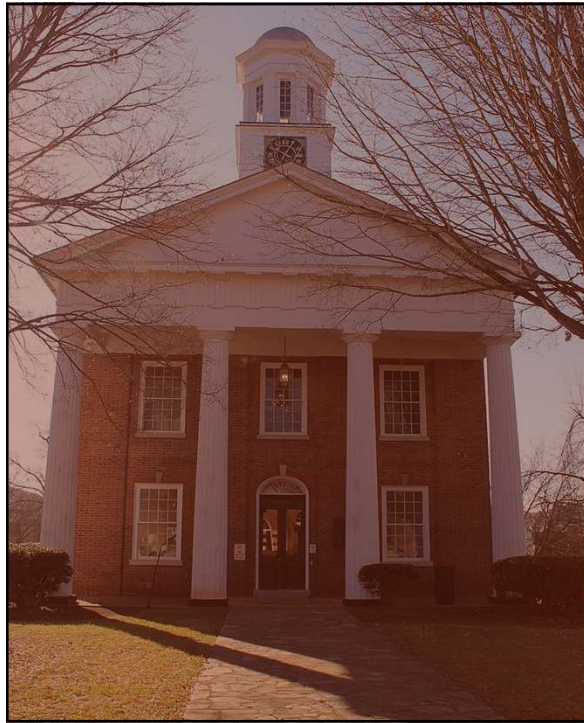
Gentle Infill Example

Proposed Zoning: TNR (matches most of the neighborhood)

- Min. Lot Size: 7,000 sq ft (SFD) up to 19,000 sq ft (Quadplex)
- Min. Lot Width: 60 ft (SFD) up to 120 ft (Quadplex)
- Max. Density:
 - 5 units/acre for Single-Family detached and Duplex
 - 7 units/acre for Triplex and Quadplex

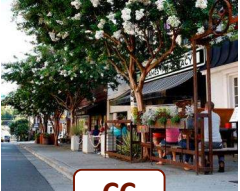
From: <https://missingmiddlehousing.com/>From: architecturaldesigns.com

16



Commercial Districts and Corner Stores

17

Commercial Dimensional Standards					 HILLSBOROUGH UNIFIED DEVELOPMENT ORDINANCE
District	Description	Residential		Height (stories)	
 UAC	Urban Activity Center	High intensity residential and nonresidential, with tall buildings and an urban feel	✓	✓	7
 CC	Central (or Core) Commercial	Traditional downtown feel in a historic core with well-balanced mix of uses		✓	4
 HIC	High Intensity Commercial	Large scale commercial and light industrial uses along major transportation corridors		✓	6
 I	Industrial	High impact industrial, manufacturing, or research and development uses		✓	6

18

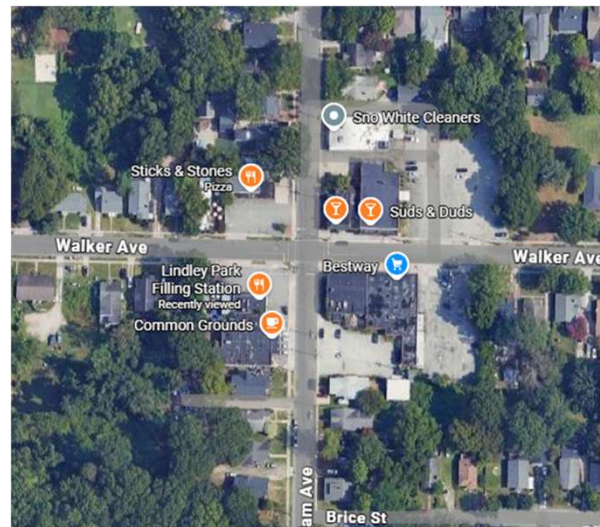
Corner Stores



HILLSBOROUGH
UNIFIED DEVELOPMENT ORDINANCE

- Located on a corner lot or on a lot adjacent to a corner lot with a nonresidential primary use
- Maximum gross floor area: 3-4,000 sq ft
- Hours of operation limited from 6 AM to 10 PM
- Requires 6' tall privacy fence when abutting residential

Allows small-scale commercial in residential neighborhoods while limiting impacts to neighbors.



Example: Lindley Park, Greensboro, NC

19

Allows:

- Restaurant (dine-in), deli, café, coffee shop
- Retail sales/rental of goods
- Personal services businesses
- Artisan, arts, or craft stores or studios
- Health/Fitness Club
- Arts Schools

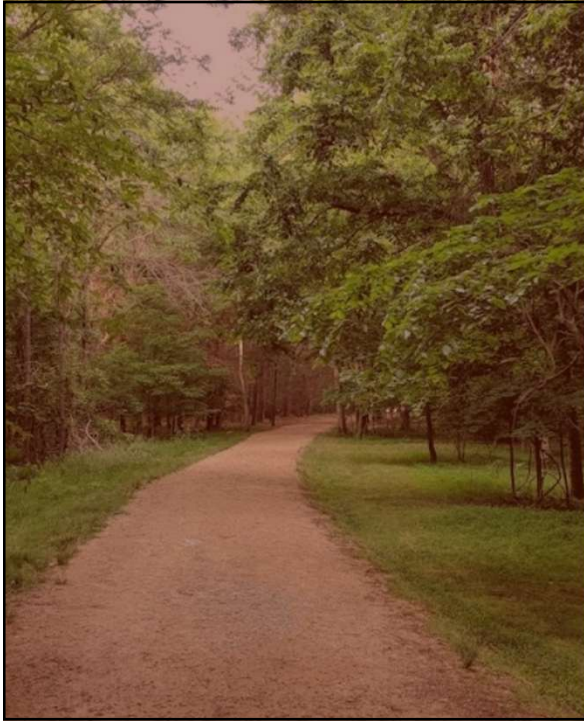


Example from Durham (but there are many in town, too).

Prohibits:

- Adult businesses
- Assembly hall
- Bars
- Building/Trade Contractors Office
- Drive-thrus
- Dry Cleaners
- Food Preparation Business
- Restaurant, Convenience (aka drive-thru restaurant)
- Gas pumps or fueling stations
- Kennels
- Place of Worship
- Vape/CBD stores
- Outdoor sales areas
- Tattoo studios
- Any use from the Industrial use category

20



Discussion

21

Thank you!

22

Minutes

PLANNING BOARD AND BOARD OF COMMISSIONERS

Joint public hearing

7 p.m. May 21, 2026

Town Hall Annex Board Meeting Room, 105 E. Corbin St.



Present

Town Board: Mayor Mark Bell and commissioners Meaghun Darub, Robb English, Kathleen Ferguson, and Matt Hughes

Planning Board: Chair Hooper Schultz, Vice Chair Sherra Lawrence, and members Jeanette Benjey, Robert Iglesias, Megan Kimball, and Carrie Winkler

Absent: Board of Commissioners: Evelyn Lloyd; Planning Board: Sean Kehoe and Kimberly Landaverde

Staff: Senior Planner Molly Boyle and Town Attorney Bob Hornik

1. Call to order and confirmation of quorum

Mayor Mark Bell called the meeting to order. He noted the public charge and requested that everyone use the microphone when speaking. Mayor Bell then passed the gavel to Planning Board Chair Hooper Schultz.

2. Agenda changes and approval

Chair Schultz asked for a motion to approve the agenda or to approve the agenda with changes.

Motion: Planning Board member Robert Iglesias moved to approve the agenda as presented. Commissioner Kathleen Ferguson seconded.

Vote: 10-0. Motion passed.

3. Open the public hearing

Chair Schultz asked for a motion to open the public hearing.

Motion: Commissioner Ferguson moved to open the public hearing. Planning Board member Iglesias seconded.

Vote: 10-0. Motion passed.

Senior Planner Molly Boyle addressed the audience and explained the public hearing process before presenting the first hearing item.

4. Public hearings

A. Rezoning request for 515 Meadowlands Drive (owner-initiated)

Boyle presented the staff report for the rezoning request. She explained that the owner was proposing to rezone the 1.44-acre property from High Intensity Commercial (HIC) to Economic Development District (EDD). The property is located on the eastern side of the Meadowlands office park, adjacent to the Sportsplex.

Boyle provided relevant background: Grace Hill Church began leasing units in the multi-tenant building in 2010, at which time a place of worship was a permissible use in High Intensity Commercial. In 2018, a planning-director-initiated text amendment removed places of worship from the list of permitted uses in High Intensity Commercial, rendering the church a nonconforming use. The church purchased the property in 2022

and still operates from it; the church also leases a few units on the property to an electrical contractor. In 2026, the church sought to expand into additional units within the building to create a larger sanctuary space but was unable to do so because of its nonconforming status, prompting the rezoning application.

The proposed zoning district, Economic Development District (EDD), allows both a church and a building trade contractor's office by right, so both existing tenants would comply. The Economic Development District designation is also compatible with the property's Future Land Use Map designation of Light Industrial. Staff recommended approval of the rezoning request.

Mike Musser, an elder representing Grace Hill Church, then addressed the boards. He confirmed that the purpose of the rezoning is to enable a building renovation that would increase the sanctuary's square footage by approximately 50 percent and convert an existing sanctuary space into a multipurpose room for youth programming and community use. He noted that the renovation plans were catalyzed by water damage to a portion of the building caused by Chantal in July 2025. Musser emphasized that the church's usage of the property would not fundamentally change and that the rezoning would bring the church into compliance. He also noted the importance of ensuring that the current lessee, E&W Electric, would remain a conforming use under the proposed zoning district.

Musser outlined the church's community engagement activities, including hosting annual HOA meetings for the neighboring Forest Ridge community, partnering with Orange Congregations in Mission (OCIM) through financial contributions and food drives, hosting Orange Middle School events, and conducting outreach to nearby senior care facilities. He noted that the church would be the closest house of worship to the incoming Aumen Village development.

In response to board questions, Musser confirmed that the building has approximately 40 parking spaces, that the new sanctuary is planned to seat approximately 135–140 people, and that the church had reviewed the changes in permitted uses between High Intensity Commercial and Economic Development District and was comfortable with the trade-offs.

Planning Board member Megan Kimball noted that the rezoning to Economic Development District does reduce the total number of permitted uses compared to High Intensity Commercial—from approximately 60 to 40—and specifically highlighted that certain uses such as pharmacies and adult day care would no longer be permitted. Musser acknowledged this and stated the church considered the change a reasonable compromise.

Hearing no further questions from the boards, Boyle began calling on members of the public who had signed up to speak.

Allyson Van Wyck was first to address the boards. She said that she had been a Hillsborough resident since 2010 and a Grace Hill Church member since 2015. She described the church community as a vital support system, particularly during multiple serious medical recoveries, and expressed strong support for the rezoning.

Ralph Loren Erickson, a retired Army officer and Forest Ridge resident, said that Grace Hill is the closest church to the Forest Ridge neighborhood and has hosted the community's annual HOA meetings. He highlighted the church's five-year membership in OCIM and its broader role as an integral part of the Hillsborough community.

Lindsay Day described the church's community outreach efforts, including an annual Christmas event in partnership with Orange County Strong NC, which has provided Christmas gifts for 80–100 children of approximately 50 families in need. She also described community closet events that bring together residents from diverse economic and ethnic backgrounds to exchange clothing and household goods at no cost.

Evelyn Day, age 11, spoke about the importance of the church's youth program as a safe and welcoming space for young people, noting that the current shared lobby space for middle and high school Sunday school groups is too cramped and noisy for meaningful engagement. She expressed that the expanded space would help more young people feel connected to the community. Day was the last member of the public who signed up to speak on this item.

Commissioner Matt Hughes asked whether the church owned the entire parcel or just the building. Boyle confirmed the church owned the parcel. He also sought clarification on the practical distinction between the current zoning and the proposed zoning. Boyle said it was primarily one of intensity; Economic Development District is more oriented toward flex space, light warehousing, and job generators, and High Intensity Commercial is primarily intended for large-scale retail development.

Commissioner Ferguson raised a concern about reducing the range of commercially viable uses in an area experiencing significant residential growth from developments such as Aumen Village, Altera at Meadowlands, and Forest Ridge. She was particularly concerned about the removal of retail and restaurants as permitted uses. Kimball clarified that retail and restaurants remain permitted in the Economic Development District; it is only retail with outdoor displays that is excluded.

Mayor Bell asked whether the existing nonconforming status posed any long-term risk to the church's continued operations. Boyle clarified that, even if the proposed rezoning is not approved, the church could continue operating as it is. However, it could not expand unless the rezoning was approved.

Commissioner Hughes raised the question of whether a use-specific waiver could have been employed to avoid having to rezone the property. Boyle explained that no such mechanism exists for general use rezonings under North Carolina land use law; the only other path would have been a text amendment to allow churches in the High Intensity Commercial district, which staff did not think was in the best interest of the town at large. Staff also considered recommending the Office/Institutional zoning district instead, but that would make the electrical contractor's office in the building a nonconforming use.

Town Attorney Bob Hornik asked if staff has any concerns about spot zoning. Boyle noted that staff discussed it. She said the Planning and Economic Development Manager was not concerned about spot zoning because the existing use was congruent with the surrounding uses, so she did not anticipate a spot zoning challenge.

B. Text amendment to Unified Development Ordinance Section 2.5, Administration – Historic District Commission (staff-initiated)

Senior Planner Boyle noted that the first draft of this amendment was presented at the public hearing in February, at which time concerns were raised about potential unintended consequences of the language. A revised draft was prepared for the May meeting.

The revised amendment proposed three primary changes: (1) reducing the size of the Historic District Commission (HDC) from seven to five members by eliminating two long-vacant seats; (2) updating membership qualification language from "be qualified by special interest" to "have demonstrated special

interest," bringing the ordinance into closer alignment with the applicable state statutes; and (3) updating quorum and voting requirements to be consistent with state law.

With respect to the voting language, Boyle directed the boards' attention to Section 2.5.7.2, which provides that "a concurring vote of a majority of the appointed members shall be required" to decide quasi-judicial matters. She noted this language was drawn directly from the state statutes and had been vetted with Town Attorney Bob Hornik.

Most of the subsequent discussion centered on whether the language in Sections 2.5.7.1 (quorum) and 2.5.7.2 (voting requirements) was sufficiently clear to avoid ambiguity in practice.

Mayor Bell expressed concern that the phrase "majority of the appointed members" in Section 2.5.7.2 could be read to require a majority of all appointed members rather than a majority of those present, which is an important distinction in quasi-judicial proceedings. Town Attorney Hornik confirmed that this was intentional: requiring a majority of the full board, rather than just a majority of members present, is consistent with the quasi-judicial nature of the Historic District Commission and protects against decisions being made by a very small number of members. For example, if only three members are present (the minimum for quorum), a vote of 2-1 could theoretically decide a matter – a result Town Attorney Hornik characterized as insufficiently weighty for quasi-judicial purposes.

Kimball raised the concern that the second sentence of Section 2.5.7.2, which provides that vacancies and disqualified members do not count toward the required majority, created an ambiguity about how the majority threshold is calculated. She and others questioned whether the language adequately protected against a scenario where two members of a five-member board could decide a matter.

Hornik and Boyle both noted that in practice, if quorum is barely achieved due to vacancies, disqualifications, and absences, staff would advise the applicant that they could request to table the item to a subsequent meeting when a full board was present. This approach is consistent with how the Board of Adjustment handles similar situations.

Planning Board member Iglesias summarized the core concern: the board is meant to be representative, and no single member or a very small minority should be able to decide a quasi-judicial matter. He suggested the primary practical issue was making the language clear enough to prevent that outcome.

The discussion converged on the term "appointed members" as a source of confusion, since all board members are, by definition, appointed. Town Attorney Hornik suggested simply removing the word "appointed" and replacing references to "appointed members" with "members." Kimball and others suggested that the phrase "filled seats" might be more intuitive for lay readers, making clear that vacant seats do not count toward the required majority.

Planning Board Chair Schultz suggested that the responsibility for ensuring Historic District Commission members understand the voting process ultimately rests with staff, and Boyle agreed. Boyle acknowledged that the language, while technically accurate and drawn from statute, could be made more user-friendly without losing its legal effect. She indicated that if needed, further clarification could be added to the Historic District Commission's Rules of Procedure as well.

5. Close the public hearing

Planning Board Chair Schultz asked for a motion to close the public hearing.

Motion: Commissioner Ferguson motioned to close the public hearing. Planning Board member Iglesias seconded.

Vote: 10-0. Motion passed.

The mayor and Board of Commissioners were excused. The Planning Board took a five-minute recess before taking up its regular business.

6. Planning Board recommendations

Rezoning Request for 515 Meadowlands Drive

The Planning Board expressed general comfort with the rezoning request. Members noted that the application is consistent with the Future Land Use Map designation, that the loss of certain permitted uses is limited in practical impact given the character of the Meadowlands office park, and that the rezoning resolves a long-standing nonconformity for a use that has been established on the property for over 15 years.

Motion: Planning Board member Robert Iglesias moved that the proposed rezoning is consistent with the Town's comprehensive sustainability plan with respect to land use and recommended approval. Planning Board Chair Schultz seconded.

Vote: 6-0. Motion passed.

Text Amendment to Unified Development Ordinance Section 2.5, Administration – Historic District Commission

The Planning Board recommended approval of the text amendment with one modification: that references to "appointed members" in Sections 2.5.7.1 and 2.5.7.2 be replaced with "filled seats" to provide greater clarity regarding how quorum and voting thresholds are calculated in the event of vacancies.

Motion: Planning Board member Iglesias moved to recommend approval with the amendment replacing "appointed members" with "filled seats" in Sections 2.5.7.1 and 2.5.7.2. Planning Board member Jeanette Benjey seconded.

Vote: 6-0. Motion passed.

7. Updates

A. Board of Adjustment

Planning Board member Iglesias, serving as the Planning Board's representative to the Board of Adjustment, reported that the board met the previous week to hear a matter related to a code enforcement action at the Nathan Hooker House on Corbin Street, a historic property that had fallen into disrepair. The property had been declared an unsafe structure with a 90-day compliance deadline.

At the hearing, several community members testified to the property's historical significance, and the owner indicated that 90 days was insufficient to complete the necessary rehabilitation. The Board of Adjustment granted an extension. Town Attorney Hornik noted that the structure dates to the early 1800s. Iglesias noted that those who had inspected the interior reported impressive original architectural features.

B. Parks & Recreation Board

Planning Board Chair Schultz reported that he was unable to attend the most recent Parks and Recreation Board meeting and had no update to provide. Senior Planner Boyle noted that Schultz was now chair, so it was advisable for another Planning Board member to take his place as representative to the Parks and Recreation Board. Planning Board Member Kimball expressed interest in the position. Boyle said the appointment could be confirmed on the next meeting agenda.

C. Staff and board members

Boyle reported that the consultant for the Unified Development Ordinance rewrite had submitted a draft zoning map to Senior Planner Tom King. She noted that the consultant's originally proposed timeline for ordinance adoption had been too aggressive, and the rewrite would take more time. She confirmed that the draft ordinance would be presented to the board in manageable sections rather than all at once, and that adequate opportunities for public comment would be built into the process.

8. Adjournment

Motion: Planning Board member Carrie Winkler motioned to adjourn the meeting. Planning Board member Benjey seconded.

Vote: 6-0. Motion passed.

The meeting was adjourned at 8:28 pm.

Respectfully submitted,



Molly Boyle, Senior Planner
Staff support to the Planning Board

Approved: Month X, 202X



Agenda Abstract

JOINT PUBLIC HEARING

Meeting Date: August 20, 2026
 Department: Planning and Development Services
 Agenda Section: Public hearing items
 Public hearing: Yes
 Date of public hearing: August 20, 2026

PRESENTER/INFORMATION CONTACT

Molly Boyle, Senior Planner

ITEM TO BE CONSIDERED

Subject: Annexation and rezoning requests for 2101 and 2109 NC 86 S (applicant-initiated)

Attachments:

1. Submitted annexation and rezoning applications and supporting documents
2. Vicinity, Zoning, and Future Land Use maps

Summary:

Request Summary	
Parcel ID Numbers (PINs)	9873-68-3437 and 9873-68-4399
Addresses	2101 & 2109 NC 86 S
Location	Intersection of NC 86 S and Old NC 10, abutting Home Depot
Property owners	Charles and Cora Scurlock
Applicant	TriCorp Investments LLC (represented by Ben Harris)
Acreage	+/- 2.54 acres total
Current zoning	Rural Residential (R1) in Orange County
Future Land Use category	Retail Services
Applicant request	• Annex parcels to the Town of Hillsborough (properties are contiguous to existing town limits) and • Rezone the properties from Rural Residential (R1) in Orange County to High Intensity Commercial (HIC) in the Town of Hillsborough

Comprehensive Sustainability Plan goals:

- Land Use and Development Goal 1:
Ensure that future growth and development, including infill and redevelopment, are aligned with smart growth principles and consider infrastructure constraints such as water and wastewater system capacity.
- Strategy:
Develop and adopt plans that contribute to meeting preferred future land use and growth patterns.

- **Action:**
Coordinate all plans, including land use, zoning, utility and infrastructure provision, and annexation policies, to ensure that future growth and development – including infill and redevelopment – establishes and follows land use and growth preferences.

Financial impacts:

If annexed, the properties will be subject to town taxes, and the town will provide municipal services once developed. The developer would be responsible for the cost of extending water and sewer to the property.

Staff comments and recommendation:

Annexation

Staff has investigated the sufficiency of this petition and finds it compliant with the statutory requirements for contiguous annexations ([NC GS § 160A-31, Annexation by Petition](#)).

Rezoning request

Rezoning the parcel to High Intensity Commercial (HIC) would be consistent with the Unified Development Ordinance (UDO) and with the Future Land Use Map/Plan. Unified Development Ordinance Section 4.2.6 (High Intensity Commercial District), says the following about the zoning district:

“The purpose of the High Intensity Commercial district is to accommodate larger scale commercial, service, and light industrial uses and smaller supporting commercial and service uses in areas with good vehicular and/or transit access...[High Intensity Commercial] districts should be located along major transportation corridors...”

The request is also consistent with the [Future Land Use Plan](#), which envisions the property developing as “Retail Services.” The Future Land Use Plan says the following about the Retail Services category:

“These areas focus on retail and commercial uses. They should be located near residential and employment areas to provide good access to commerce and personal services...The larger-scale regional draws are more automobile-oriented and draw people from throughout the region...Smaller, accessory uses can also locate in these areas to provide convenience shopping and can include restaurants and smaller specialty retailers, with locations often on out-parcels or in smaller shopping centers.”

Water and sewer infrastructure

Water and sewer would need to be extended to these properties. The applicant is working with Home Depot on extending water and sewer from the Home Depot property to these two lots.

Staff recommendation

Annexation of this parcel is reasonable given its location and its proximity to existing water and sewer infrastructure. The proposed High Intensity Commercial (HIC) zoning is consistent with the Future Land Use Map/Plan. Staff recommends approval of the requests based on compliance with the town’s adopted ordinances and plans.

Action requested:

Hold the public hearing. Once the public hearing is closed, the Planning Board may make its recommendation if prepared to do so or wait until its next meeting on September 17, 2026.



TOWN OF
HILLSBOROUGH

APPLICATION

Annexation to the Town of Hillsborough

Planning and Economic Development Division
101 E. Orange St., PO Box 429, Hillsborough, NC 27278
919-296-9470 | Fax: 919-644-2390
planning@hillsboroughnc.gov
www.hillsboroughnc.gov

You must submit an Annexation Interest Letter before submitting this application. Letters are reviewed by the Hillsborough Board of Commissioners and may be submitted to staff at the email address above.

If you are requesting to annex property not zoned in town, you will also need to submit a rezoning application. Please contact staff with any questions.

SUBMITTAL REQUIREMENTS

- | | |
|--|--|
| ☒ Prior review/approval of Annexation Interest Letter | ☒ Signed Annexation Application and fee |
| ☒ Written metes and bounds description of the proposed annexation area | ☒ Map of the proposed annexation area, prepared by a professional land surveyor licensed in NC |

PROPERTY OWNER CONTACT

Name Charles & Ora Scurlock
Address 3000 Like Oak St, Round Rock TX 78681
Phone [REDACTED] Email [REDACTED]

APPLICANT CONTACT

Name TriCorp Investments, LLC - Ben Harris
Address 148 River St, Suite 205, Greenville, SC 29601
Phone [REDACTED] Email [REDACTED]

PROPERTY DETAILS

Is this property contiguous (adjacent) to current town limits? ☒ Yes ☐ No
Parcel ID numbers 9873683437 and 9873684399
Acreage to be annexed 2.8 acres
Current land uses _____
Proposed land uses High Intensity Commercial

Signature blocks on next page. Applications without signatures will not be accepted. → → →



20171011000203270 DEED
Bk:RB6376 Pg:530
10/11/2017 04:08:48 PM 1/2

FILED Mark Chilton
Register of Deeds, Orange Co. NC
Recording Fee: \$26.00
NC Real Estate TX: \$251.00

TRUSTEE'S DEED

NORTH CAROLINA

Prepared by: Hutchens Law Firm

Return To: Charles Bryant Scurlock
3000 Live Oak, Round Rock, TX 78681

ORANGE COUNTY

Firm Case No: 1200367 (FC.FAY)

REVENUE: \$251.00

TAX ID: 9873683437

Not the primary residence of the Grantor herein

THIS TRUSTEE'S DEED, made this 2nd day of October, 2017, by Substitute Trustee Services, Inc., Substitute Trustee, of the County of Cumberland, and State of North Carolina, 201 South McPherson Church Road, Suite 232, Fayetteville, NC 28303, party of the first part, to Charles Bryant Scurlock, 3000 Live Oak, Round Rock, TX 78681, party of the second part;

WITNESSETH:

THAT WHEREAS, on the 21st day of December, 2006, Horace C. Grant, Sr. and Gloria Grant, executed and delivered to Craig A. Williamson, Trustee, a certain Deed of Trust, which is recorded in Book RB 4195, Page 1, in the Office of the Register of Deeds of Orange County, North Carolina; and,

WHEREAS, the undersigned, Substitute Trustee Services, Inc., having been substituted as Trustee in said Deed of Trust by an instrument duly recorded in Book 6288, Page 80, Orange County Registry; and,

WHEREAS, in Special Proceeding Number 17 SP 92, under and by virtue of the authority conferred by the said Deed of Trust, and in accordance with the terms and stipulations of the same, and after due advertisement as in said Deed of Trust prescribed and by law provided, the said Substitute Trustee did on the 11th day of September, 2017, at the Courthouse Door, in the City of Hillsborough, North Carolina, expose to public sale the lands hereinafter described, where and when, Charles Bryant Scurlock became the last and highest for the sum of One Hundred Twenty-Five Thousand Twenty Dollars and 00/100(\$125,020.00); and,

WHEREAS, said sale was duly reported to the Office of the Clerk of Superior Court, Orange County, North Carolina and no increased bid has been filed within the time allowed therefore by law;

NOW, THEREFORE, in consideration of the premises and the sum of One Hundred Twenty-Five Thousand Twenty Dollars and 00/100(\$125,020.00), paid to the said party of the first part by the said party of the second part, the receipt of which is hereby acknowledged and under and by virtue of the power and authority by said Deed of Trust conferred, the said Substitute Trustee, as aforesaid, does hereby bargain, sell and convey unto the said Charles Bryant Scurlock, his heirs and assigns, all that certain parcel, lot or tract of land lying and being in the County of Orange, State of North Carolina, and being more particularly described as follows:

All that parcel of land situated in Orange County, North Carolina, described as follows:

Beginning at an iron stake located in the Western margin of the right of way of N.C. Highway No. 86 in the Easternmost corner of the property of Kendrick Estates Management Corporation, as described in Deed Book 230, at Page 720, Orange County Registry; running thence from such beginning point South 19 deg. 32' 33" East 221.87 feet to a stake; running thence South 59 deg. 23' 30" West 210.00 feet to a stake; running thence South 47 deg. 29' 30" West 256.00 feet to a stake; running thence North 70 deg. 13' 11" West 163.41 feet to a stake; running thence North 66 deg. 22' 54" East 169.18 feet to a stake; running thence North 39 deg. 03' 14" East 254.14 feet to a stake; running thence North 38 deg. 27' 26" East 215.26 feet to the point and place of BEGINNING, containing 1.62 acres, more or less, according to the unrecorded survey of Alois Callemyn,



dated June 1980. Together with improvements located thereon; said property being located at 2101 NC Highway 86 South, Hillsborough, North Carolina.

SUBJECT, HOWEVER, to all taxes, special assessments and prior liens or encumbrances of record against said property and any recorded releases.

TO HAVE AND TO HOLD said lands and premises and all privileges and appurtenances thereto belonging unto the said Charles Bryant Scurlock, his heirs and assigns, forever, in as full and ample a manner as the said Substitute Trustee, as aforesaid, is authorized and empowered to convey the same.

IN WITNESS WHEREOF, the Grantor has caused this instrument to be signed in its corporate name by its duly authorized officers, the day and year first above written.

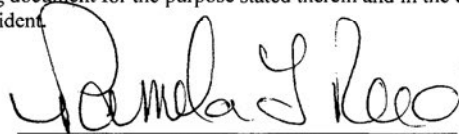
SUBSTITUTE TRUSTEE SERVICES, INC.
SUBSTITUTE TRUSTEE

BY: 
L.W. BLAKE President

NORTH CAROLINA – CUMBERLAND COUNTY

I certify that the following person(s) personally appeared before me this day, each acknowledging to me that he or she voluntarily signed the foregoing document for the purpose stated therein and in the capacity indicated: L.W. BLAKE President

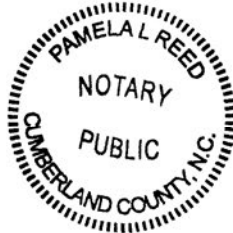
Date: October 2, 2017


Official Notary Signature

Pamela L. Reed Notary Public
Notary Public printed typed name

My Commission Expires: May 15, 2020

Official Seal



PREPARED BY: Sawyer and Loftin, Attorneys at Law, Hillsborough, N. C.

NORTH CAROLINA, ORANGE COUNTY

THIS DEED, MADE AND ENTERED INTO THIS THE 3rd DAY OF October, 1968, BY AND BETWEEN
John W. Nichols and wife, Ada B. Nichols,

PARTY OF THE FIRST PART AND

Cora Gladys Nichols (Single),

PARTY OF THE SECOND PART. WITNESSETH:

THAT THE SAID PARTY OF THE FIRST PART, IN CONSIDERATION OF THE SUM OF TEN DOLLARS AND OTHER GOOD, VALUABLE AND SUFFICIENT CONSIDERATIONS, PAID BY THE SAID PARTY OF THE SECOND PART, THE RECEIPT OF WHICH IS HEREBY ACKNOWLEDGED, HAS BARGAINED AND SOLD AND BY THESE PRESENTS DOES BARGAIN, SELL AND CONVEY UNTO THE SAID PARTY OF THE SECOND PART AND HIS HEIRS AND SUBJECT TO THE LIFE ESTATE HEREINAFTER RESERVED,

ALL THAT CERTAIN TRACT OR PARCEL OF LAND IN Hillsborough

TOWNSHIP ORANGE COUNTY, NORTH CAROLINA, AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

ADJOINING N. C. Highway No. 86 on the East, Josephine Harrison on the Northwest and the Southwest, and BEGINNING at an iron stake in the West right of way line of the said highway, which beginning point is located North 46° 00' West 88.5 feet from the center of said highway at the point where the center of said highway intersects the North side of an overpass constructed over a Southern Railroad track; thence a new line North 46° 00' West 372 feet to an iron stake, a new corner; thence a new line North 54° 48' East 210 feet to an iron stake in the West right of way line of said highway, a new corner; thence with the West right of way line of said highway the following courses and distances: South 16° 23' East 215 feet to an iron stake; South 11° 30' East 177 feet to the place or point of beginning, and containing 0.92 acres, according to plat and survey of Robert A. Jones, Registered Surveyor, dated December, 1960, and entitled "PROPERTY OF JOHN WESLEY NICHOLS".

The above conveyance is made subject to Note and Deed of Trust held by the Hillsborough Savings and Loan Association, Hillsborough, N. C., recorded in Deed of Trust Book 194, Page 402, and the Grantee assumes and agrees to pay, when due, all further monthly installments on said Note.

The grantors expressly reserve unto themselves, jointly and severally, life estates for and during the terms of their joint and several lives, and no longer.

THE ABOVE DESCRIBED PROPERTY WAS CONVEYED TO GRANTEES BY DEED RECORDED IN BOOK _____, PAGE _____, life estates in said TO HAVE AND TO HOLD THE AFORESAID TRACT OR PARCEL OF LAND AND ALL PRIVILEGES AND APPURTENANCES THEREUNTO BELONGING TO THE SAID PARTY OF THE SECOND PART AND HIS HEIRS AND ASSIGNS IN FEE SIMPLE FOREVER, EXCEPT AS SET FORTH ABOVE. AND THE SAID PARTY OF THE FIRST PART DOES COVENANT THAT HE IS SEIZED OF SAID PREMISES IN FEE SIMPLE AND HAS THE RIGHT TO CONVEY THE SAME IN FEE SIMPLE; THAT THE SAME ARE FREE FROM ENCUMBRANCES EXCEPT AS SET FORTH ABOVE, AND THAT HE WILL WARRANT AND DEFEND THE SAID TITLE TO THE SAME AGAINST THE CLAIMS OF ALL PERSONS WHOMSOEVER, EXCEPT ENCUMBRANCES OF RECORD, AND WHEREVER USED HEREIN, THE SINGULAR NUMBER SHALL INCLUDE THE PLURAL, THE PLURAL THE SINGULAR, AND THE USE OF ANY GENDER SHALL BE APPLICABLE TO ALL GENDERS, AS THE CONTEXT MAY INDICATE. IN TESTIMONY WHEREOF THE SAID PARTY OF THE FIRST PART HAS HEREUNTO SET HIS HAND AND SEAL THE DAY AND YEAR FIRST ABOVE WRITTEN.

John W. Nichols (SEAL) X Ada B. Nichols (SEAL) X
John W. Nichols (Ada B. Nichols)

STATE OF NORTH CAROLINA COUNTY OF Orange

Alma Andrews
Notary Public
ORANGE COUNTY, N. C.

I, Alma Andrews

A NOTARY PUBLIC OF SAID COUNTY, DO HEREBY CERTIFY THAT

John W. Nichols and wife, Ada B. Nichols,

GRANTOR, PERSONALLY APPEARED BEFORE ME THIS DAY AND ACKNOWLEDGED THE DUE EXECUTION OF THE FOREGOING DEED.

WITNESS MY HAND AND NOTARIAL SEAL, THIS THE 7th DAY OF October, 1968

(NOTARY SEAL HERE)

MY COMMISSION EXPIRES: 1-6-70

NOTARY PUBLIC

STATE OF _____ COUNTY OF _____

I,

A NOTARY PUBLIC OF SAID COUNTY, DO HEREBY CERTIFY THAT

R/S None

GRANTOR, PERSONALLY APPEARED BEFORE ME THIS DAY AND ACKNOWLEDGED THE DUE EXECUTION OF THE FOREGOING DEED.

WITNESS MY HAND AND NOTARIAL SEAL, THIS THE

19

(NOTARY SEAL HERE)

MY COMMISSION EXPIRES:

NOTARY PUBLIC

STATE OF NORTH CAROLINA—COUNTY OF ORANGE

THE FOREGOING CERTIFICATE IS OF Alma Andrews

A NOTARY (PUBLIC) PUBLIC OF THE DESIGNATED GOVERNMENTAL UNIT IS (SEE) CERTIFIED TO BE CORRECT.

FILED FOR REGISTRATION ON THE 8 DAY OF October

1968 . AT 2:50

O'CLOCK P. M.

AND DULY RECORDED IN THE OFFICE OF THE REGISTER OF DEEDS OF THIS

TY IN BOOK OF DEEDS NO. 217

PAGE 764

BETTY JUNE HAYES, REGISTER OF DEEDS

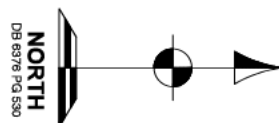
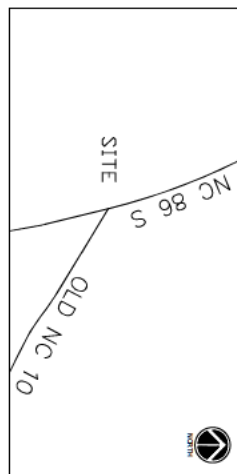
BY:

Leraldine Horner

DEPUTY

RETURN TO: Sawyer & Loftin

BOOK 217 PAGE 764



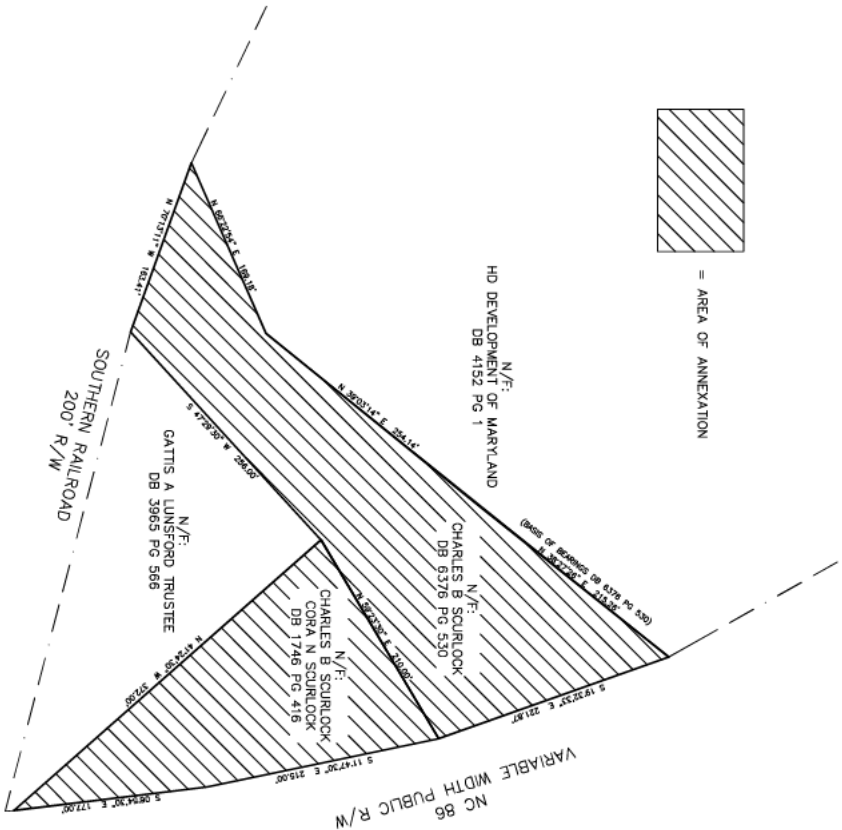
PARCEL DATA
 PG 907366437
 DB 6376 PG 530

ADDRESS

2101 NC 86 S, HILLSBOROUGH, NC
 2109 NC 86 S, HILLSBOROUGH, NC

GENERAL NOTES:

1. THIS IS AN EXHIBIT BASED ON RECORDED LEGAL DESCRIPTIONS.
2. THIS IS NOT A SURVEY.



SMITH SURVEYING SOLUTIONS, PLLC

FIRM NUMBER P-2276

GRAPHIC SCALE
 0 80 160
 1 INCH = 80 FT.



ANNEXATION EXHIBIT FOR:
 BRADYSTREET PARTNERS LLC



APPLICATION General Use Rezoning

Planning and Economic Development Division
101 E. Orange St., PO Box 429, Hillsborough, NC 27278
919-296-9470 | Fax: 919-644-2390
planning@hillsboroughnc.gov
www.hillsboroughnc.gov

This application is to rezone properties to General Use and/or Overlay Zoning Districts. If you want to rezone property to a Planned Development District, please use the Planned Development Rezoning Application.

SUBMITTAL REQUIREMENTS

- ☒ Complete application form, including signature ☒ Application fee per current Planning fee schedule

PROPERTY OWNER CONTACT

Name Charles & Cora Scurlock
Address 3000 Live Oak St, Round Rock TX 78681
Phone [REDACTED] Email [REDACTED]

APPLICANT CONTACT

Name Ben Hems
Address 148 River St, suite 205, Greenville SC 29601
Phone [REDACTED] Email [REDACTED]

PROPERTY DETAILS

Addresses/Location 2101 & 2109 Highway 86 South, Hillsborough NC
Parcel ID Numbers 9873683437 and 9873684399
Existing Land Uses/Structures residential - house & shed
Total Acreage 2.8 acres Current Zoning residential Proposed Zoning HIC

CONSISTENCY WITH THE COMPREHENSIVE SUSTAINABILITY PLAN

Please describe how your proposed amendment is consistent with the town's Comprehensive Sustainability Plan, which is available online at <https://www.hillsboroughnc.gov/about-us/departments/community-services/public-space-and-sustainability/sustainability-initiatives>. You may include additional sheets if necessary.

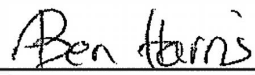
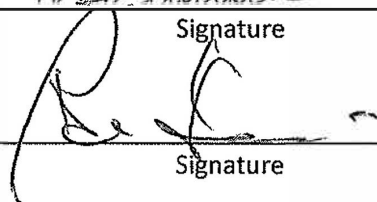
GENERAL STANDARDS CONSIDERED BY THE BOARD OF COMMISSIONERS

A rezoning request is decided legislatively, meaning the Hillsborough Board of Commissioners votes whether to approve or deny the request. When considering the request, the commissioners are to consider ten factors listed in Unified Development Ordinance Sec. 3.7.2, General Standards/Findings of Fact. You can find the Unified Development Ordinance on the town's website at <https://www.hillsboroughnc.gov/about-us/departments/community-services/planning/unified-development-ordinance>.

The ten factors are enclosed. Please describe how your proposed rezoning aligns with these factors. You may include additional sheets if necessary.

SIGNATURES

I hereby agree to conform to all applicable laws and regulations of the Town of Hillsborough, County of Orange, and State of North Carolina as may be applicable to my request, and I certify that the information presented in this application is true and accurate to the best of my knowledge.

* *  _____ Printed name of owner	 _____ Signature	3-23-26 _____ Date
 _____ Printed name of applicant	 _____ Signature	3-23-26 _____ Date

STAFF USE ONLY

Date received	<u>May 8, 2026</u>	Received by	<u>MOB</u>
Fee and receipt number	<u>\$1,702 / 060850</u>	Tentative hearing date	<u>August 20, 2026</u>

CONSISTENCY WITH THE COMPREHENSIVE SUSTAINABILITY PLAN;

The proposed annexation and future development of the subject property are consistent with the goals and objectives outlined in the Town of Hillsborough Comprehensive Sustainability Plan.

The project contemplates a small-scale retail development, anticipated to include two tenants, within an area designated for High Intensity Commercial (HIC) under the Town's future land use plan. As such, the proposed use aligns with the Town's vision for concentrating commercial activity in appropriate locations and supporting compact, efficient development patterns.

Specifically, the project is consistent with the following sustainability principles:

Efficient Land Use and Growth Management

The development supports the Town's objective of directing higher-intensity commercial uses to designated growth areas. By developing a relatively small footprint retail project within an HIC-designated area, the project promotes efficient land utilization and reduces the need for dispersed commercial development.

Economic Vitality

The proposed retail use will contribute to the local economy by providing goods and services to the surrounding community, generating employment opportunities, and expanding the Town's commercial tax base in a manner consistent with adopted planning policies.

Infrastructure Efficiency

Annexation allows the property to be served by municipal utilities and services, supporting more efficient infrastructure use and long-term service delivery consistent with the Town's sustainability goals.

Reduced Vehicle Miles and Community Connectivity

By introducing neighborhood-serving retail in proximity to existing and planned residential areas, the project has the potential to reduce reliance on longer vehicle trips and support more localized access to daily goods and services.

Environmental Responsibility

The development will comply with all applicable Town and State requirements related to stormwater management, erosion control, and environmental protection. Site design will incorporate best management practices to minimize environmental impact and support long-term site sustainability.

In summary, the proposed annexation and development are consistent with the Town’s adopted sustainability framework by supporting appropriate land use patterns, strengthening the local economy, and promoting efficient and responsible growth.

GENERAL STANDARDS CONSIDERED BY THE BOARD OF COMMISSIONERS;

REZONING REQUEST- FINDINGS OF FACT NARRATIVE

The proposed rezoning request has been evaluated in accordance with the applicable standards set forth in Section 3.7.2 of the Unified Development Ordinance. The following statements address each of the required findings of fact:

1. Consistency with the Comprehensive Plan

The proposed rezoning is consistent with the Town’s adopted land use policies, as the subject property is designated for High Intensity Commercial (HIC) use on the future land use map. The requested zoning classification aligns with this designation and supports the Town’s long-term vision for directing higher-intensity commercial uses to appropriate locations.

2. Compatibility with Surrounding Land Uses

The proposed retail development is compatible with surrounding and planned land uses. The scale of the project—anticipated to include two tenants—represents a moderate commercial intensity appropriate for the area and is consistent with the transition of land uses envisioned by the Town.

3. Public Health, Safety, and General Welfare

The rezoning will not adversely impact public health, safety, or welfare. The development will comply with all applicable local, state, and federal regulations, including those governing stormwater, erosion control, and site access.

4. Suitability of the Property for the Proposed Use

The property is suitable for the proposed commercial use given its location, access, and designation under the future land use plan. The site’s characteristics support development under the requested zoning classification.

5. Availability of Public Services and Infrastructure

Annexation and rezoning will allow the property to be served by municipal water, sewer, and other public services. The availability of infrastructure supports the requested zoning and ensures the site can be developed in an efficient and sustainable manner.

6. Impacts on Transportation and Traffic

The proposed development is expected to generate traffic consistent with small-scale retail uses. Access and circulation will be designed in accordance with Town and NCDOT requirements, and impacts are not anticipated to be adverse.

7. Impacts on Natural Environment

The project will comply with all applicable environmental regulations and incorporate appropriate stormwater management and erosion control measures. Development will be designed to minimize environmental impacts to the extent practicable.

8. Consistency with Surrounding Zoning and Development Patterns

The requested zoning is consistent with the Town's planned development pattern for the area and aligns with nearby and future zoning classifications intended for commercial activity.

9. Changed Conditions or Justification for Rezoning

The rezoning is justified by the Town's adopted future land use plan, which designates the property for High Intensity Commercial use. The request implements the Town's policy direction rather than representing a departure from it.

10. Reasonableness and Public Interest

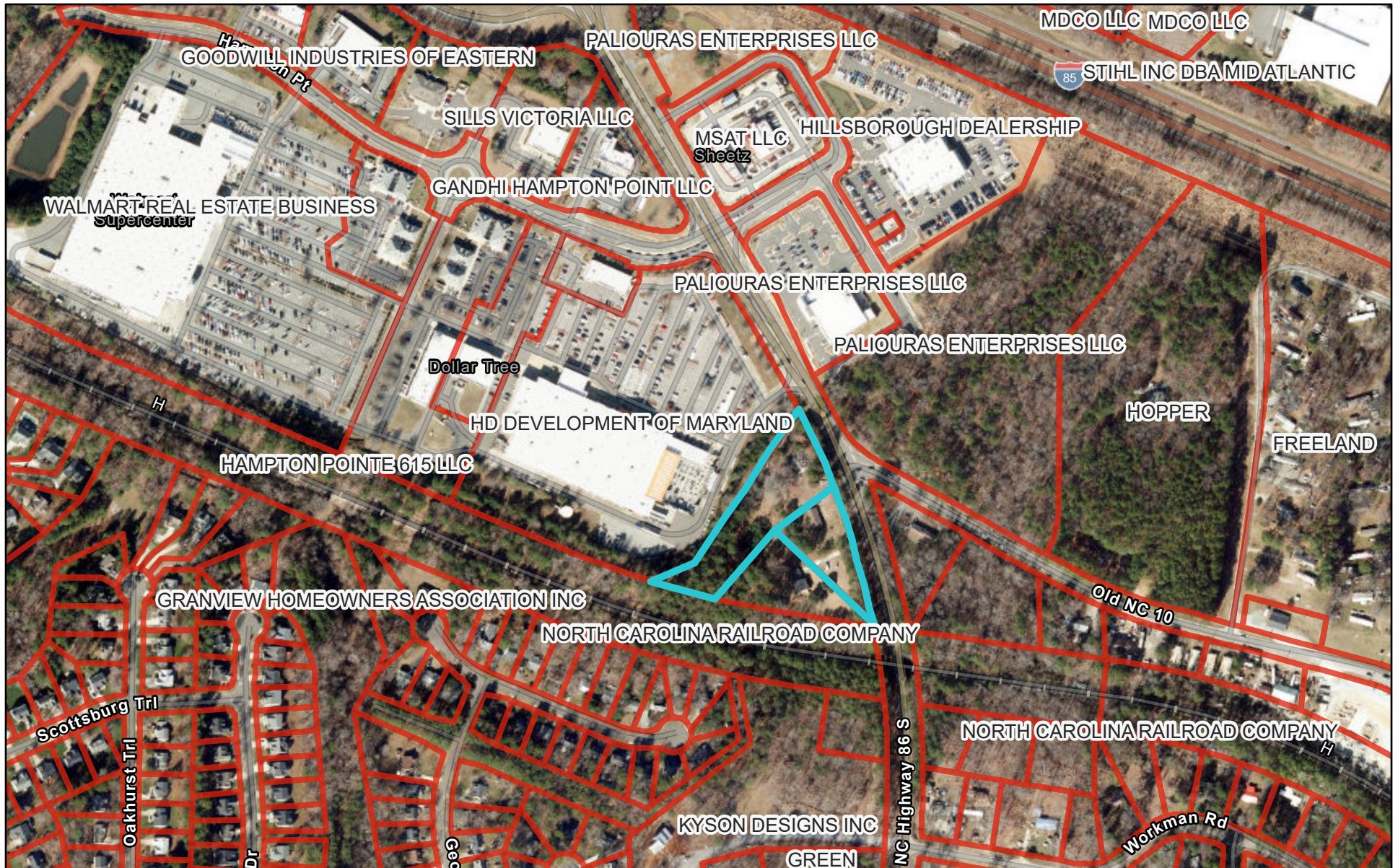
The proposed rezoning is reasonable and in the public interest as it supports economic development, expands the Town's commercial base, and provides services to the surrounding community in a location planned for such uses.

Conclusion

Based on the above, the proposed rezoning is consistent with the Town's adopted plans and policies, is compatible with surrounding uses, and promotes the public health, safety,

and welfare. Accordingly, the request satisfies the findings of fact required under Section 3.7.2 of the Unified Development Ordinance.

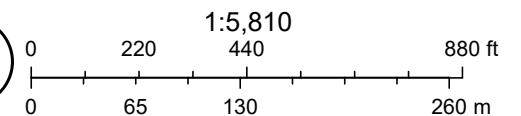
Vicinity Map - 2101 & 2109 NC 86 S



7/30/2026

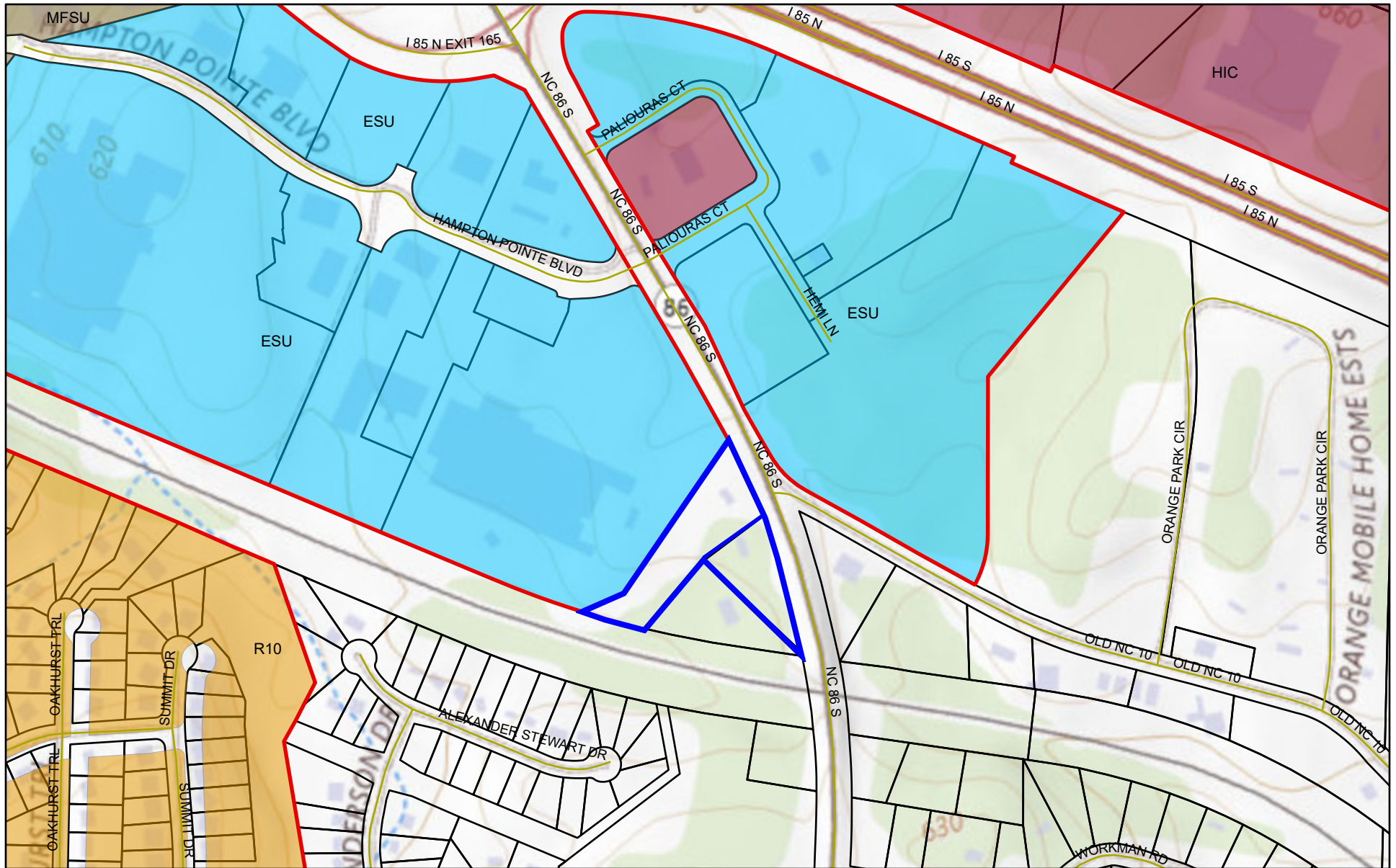
Parcels

2101 & 2109 NC 86 S



Sources: Esri, TomTom, Garmin, FAO, NOAA, USGS, (c) OpenStreetMap contributors, and the GIS User Community, NC CGIA, Vantor

Zoning Map - 2101 & 2109 NC 86 S



8/14/2026

Streets

Hillsborough Town Limits

Zoning

ESU Entranceway Special Use

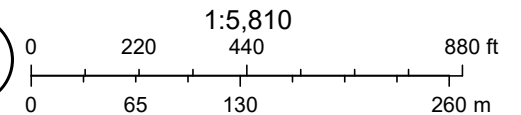
HIC High Intensity Commercial

MFSU Multi-Family Special Use

R10 Residential 10,000 sf min

Parcels

2101 & 2109 NC 86 S



USGS The National Map: National Boundaries Dataset, 3DEP Elevation Program, Geographic Names Information System, National Hydrography

Future Land Use Map - 2101 & 2109 NC 86 S

