



Agenda

Planning Board Regular Meeting

6:30 PM November 21, 2024

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

1. **Call to order and confirmation of quorum**
2. **Agenda changes and approval**
3. **Minutes review and approval**
 - A. [Minutes](#) from joint public hearing on October 17, 2024
4. **Discussion items**
 - A. [3013 Rippy Lane](#) annexation and rezoning requests (applicant-initiated)
 - B. [Text amendment to UDO Sec. 6.18.10, Billboards](#) (staff-initiated)
5. **Planning Board workshop**

General discussion with staff about ideas and goals for 2025
6. **Updates**
 - A. Board of Adjustment
 - B. Parks & Recreation Board
 - C. Staff and board members
7. **Adjournment**

Interpreter services or special sound equipment for compliance with the Americans 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 one business day in advance of the meeting.

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

Minutes

PLANNING BOARD AND BOARD OF COMMISSIONERS

Joint public hearing

Oct. 17, 2024 at 7 p.m.

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



Present

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

Planning Board: Chair Frank Casadonte, Vice Chair Hooper Schultz, and members Jeanette Benjey, John Giglia and Saru Salvi

Absent: Board of Commissioners: Evelyn Lloyd and Matt Hughes; Planning Board: Sherra Lawrence, Christian Schmidt, Robert Iglesias and Tiffney Marley

Staff: Planner II Molly Boyle and Town Attorney Lydia Lavelle

1. Call to order and confirmation of quorum

Mayor Mark Bell called the meeting to order at 7 p.m. He noted the Board of Commissioners would adjourn after item 5c. He cautioned the Planning Board regarding item 7, stating the proposed 10-year deed restriction for the affordable housing units diverges from the town's Comprehensive Sustainability Plan. Thus, town board members have concerns.

2. Agenda changes and approval

The agenda stood as presented.

Motion: Commissioner Kathleen Ferguson moved to approve the agenda as presented. Planning Board Vice Chair Hooper Schultz seconded.

Vote: 8-0. Motion passed.

3. Approval of minutes

A. Draft Planning Board meeting minutes for September 19, 2024

Planner II Molly Boyle relayed that Planning Board member Christian Schmidt had requested a revision to the minutes, which she had forwarded to the other Planning Board members in advance of the meeting. She said she had listened to the audio from the meeting again, and Schmidt's proposed revision was slightly different than what he had said. She proposed the following revision, saying it more accurately reflected the discussion at the meeting and hopefully still provided the additional detail Schmidt was looking for in the minutes:

On page 2, last paragraph, line 3, replace "varying AMIs" with "people not just at the median but at lower incomes. He suggested perhaps decreasing the percentage of affordable units to 25%, but with 10% of those units at 50% AMI or 45% AMI."

Only Planning Board members voted on this item.

Motion: Schultz moved to approve the Planning Board meeting minutes for Sept. 19, 2024, with this revision. Member Saru Salvi seconded.
 Vote: 5-0. Motion passed.

4. Open the public hearing

Motion: Ferguson moved to open the public hearing. Planning Board member John Giglia seconded.
 Vote: 8-0. Motion passed.

5. Public hearing items

A. Annexation and rezoning requests for 3013 Rippy Lane (applicant-initiated)

Boyle stated that the applicant, Michelle Hamilton of Schupp and Hamilton, PLLC, had previously presented an Annexation Interest Letter to the Town Board. The Town Board expressed interest in the annexation and permitted her to proceed with formal annexation and rezoning applications.

The applicant is requesting to rezone the property to the Economic Development (ED) district. Staff found the annexation petition compliant with the general statutes, and the proposed Economic Development zoning in alignment with the Unified Development Ordinance and Future Land Use Plan. Utilities said the existing dwelling could tie on to existing water and sewer lines near the property. Staff recommended approval based on compliance and consistency with town-adopted ordinances and plans.

The applicant addressed the board and offered to answer any questions. No one had any questions, and no residents signed up to speak on the proposal.

No action was taken.

B. Text amendment to UDO Sec. 6.18.10 *Billboards* (staff-initiated)

Boyle reviewed the proposed amendment on behalf of Senior Planner Tom King. Off-premises signs are prohibited under one sub-section of the UDO, and billboards are a type of off-premises sign. Another UDO sub-section includes specific regulations on billboards, which could be construed as billboards being permissible despite being off premises. The proposed text amendment deletes this additional UDO language regarding billboards for clarity. Boyle then showed the text amendment on the screen at Giglia's request. Boyle explained to Giglia that currently billboards are not allowed, and the proposed amendment clarifies this.

No action was taken.

C. Text amendment to UDO Sec. 3.8.11 *Notice of Evidentiary Hearing* (staff-initiated)

Boyle described the proposed text amendment regarding notices for Special Use Permits (SUPs) for quasi-judicial hearings.

Ferguson suggested that eliminating newspaper ads could negatively impact a portion of the population, specifically those who continue to rely on the newspaper for news and notices. Boyle, speaking for King, said the current newspaper ads reach a larger audience, including people who may not have standing to participate in the quasi-judicial hearing. She noted that the advertising fee is also passed on to the applicant via the application fee. Ferguson suggested using alternative wording in newspaper ads so that they notify the public of the hearing but do not invite public comment. Salvi and Planning Board member Jeanette Benjey agreed with Ferguson.

Town Attorney Lydia Lavelle clarified that people with substantial evidence can testify in the quasi-judicial hearings even if they do not have standing. Darub asked if all property owners within 500 ft. have standing or if only abutting property owners have standing. Lavelle said the issue of standing is nuanced. Owning property adjacent to or near the subject property does not guarantee standing.

Ferguson reiterated the need to inform the public of quasi-judicial hearings for the sake of transparency. Schultz asked how much of the application fee could be attributed to the newspaper ad expense. Boyle said she would get that information and report back to the board.

Boyle said she would confer with King about the proposed text amendment. She noted he likely would not want to move forward with the text amendment if it was not the will of the board. If King does wish to move forward with the amendment, staff will revise the amendment to address board concerns before moving forward.

No action was taken.

6. Close the public hearing

Motion: Schultz moved to close the public hearing. Giglia seconded.
Vote: 8-0. Motion passed.

The Board of Commissioners left at 7:19 p.m. and the Planning Board took a break. Commissioner Lloyd arrived at 7:22 p.m., saying she had been delayed because her ride did not pick her up. She asked that staff reflect this in the minutes. The Planning Board reconvened at 7:25 p.m.

7. Planning Board recommendations

A. Paliouras Tract Master Plan (applicant-initiated)

Boyle reviewed the application. She stated the applicant and town staff had negotiated and agreed to the conditions listed in the agenda packet. Boyle noted that, in lieu of the study mentioned in the previous list of conditions, the applicant agreed to pay a \$100,000 contribution to the town's utility system. Salvi inquired if the proposed payment was enough. Boyle said that according to Utilities staff, it was. She also noted that the sewer system for the Paliouras Tract is private, and the contribution is mostly to off-set downstream impacts.

Schultz asked about the proposed 10-year deed restriction for the affordable units. He asked about Waterstone South's deed restriction for comparison. Boyle stated the affordable housing deed restriction for Waterstone South was 99 years.

The board discussed the proposed 10-year deed restriction. Schultz expressed preference for a 99-year deed restriction, which he said aligned with town goals and inclusionary studies. Salvi agreed. Giglia debated between 99 years and something in the middle (*e.g.*, 50 years); he noted that the apartment building may not even exist in 99 years. Salvi added that more low-income and moderate-income housing would be a welcome addition to Hillsborough and that she would like to see the affordable units integrated with the market-rate ones.

Giglia asked if there were any open spaces or public spaces included in the proposal. Boyle explained the UDO includes open space requirements, and the applicant will have to address those when submitting the site plan.

Benjey said she thought 99 years seemed excessive and concurred with Giglia about considering a 50-year restriction instead. Schultz doubted the Board of Commissioners would pass the amendment with anything less than a 99-year restriction.

Motion: Schultz moved to recommend approval with a revision: that the 10-year deed restriction be changed back to 99 years. Giglia seconded.
Vote: 4-1. Motion passed. (Casadonte dissenting.)

8. Updates

Schultz reported on the Parks and Recreation Board, stating the Ridgewalk alternate route has been approved and the project is progressing.

Boyle reported that the Board of Commissioners had denied the General Commercial text amendment, tabled its decision on ADUs/private streets text amendment, and approved the site plan review text amendment. Lastly, Boyle introduced the new town Planning Technician, Seth Brown.

It was Planning Board member Salvi's last meeting, as she was resigning at the end of her term on October 31, 2024. Casadonte recognized Salvi's service on the Planning Board over the last three years.

9. Adjournment

Motion: Schultz motioned to adjourn. Giglia seconded.
Vote: 5-0

Adjourned at 7:45 p.m.

Respectfully submitted,



Molly Boyle, Planner II
Staff support to the Planning Board

Approved: Month X, 202X



Agenda Abstract PLANNING BOARD

Meeting Date: November 21, 2024
 Department: Planning & Economic Development Division
 Agenda Section: Discussion Items
 Public hearing: Yes
 Date of public hearing: October 17, 2024

PRESENTER/INFORMATION CONTACT

Molly Boyle, Planner II

ITEM TO BE CONSIDERED

Subject: Annexation and rezoning request for 3013 Rippy Lane

Attachments:

1. Annexation and rezoning applications
2. Vicinity, Zoning, and Future Land Use maps
3. Draft Planning Board consistency statement

Background:

On June 24, 2024, the property owners of 3013 Rippy Lane presented an Annexation Interest Letter to the Board of Commissioners. The Commissioners indicated interest in the request and allowed the applicant to move forward with formal annexation and rezoning applications.

The joint public hearing for this item was held on October 17, 2024. No members of the public signed up to speak. Draft minutes from the hearing are included as Item 3A in this agenda packet.

Annexation and Rezoning Request Details – 3013 Rippy Lane	
Owner/Applicant	Prague Escapes, LLC
Parcel ID Number	9873-04-5166
Parcel Size	Approximately 6.336 acres
Property Location	3013 Rippy Lane (northwest of the I-40 interchange at Old NC 86)
Request	<ol style="list-style-type: none"> 1) Annex the parcel to the Town of Hillsborough (voluntary, contiguous request) 2) Rezone the property from “Economic Development Hillsborough Limited Office” (EDH-2) in Orange County to “Economic Development District” (EDD) in the Town of Hillsborough

Staff analysis:

Annexation and rezoning

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 the parcel to Economic Development District (EDD) would be consistent with the Unified Development Ordinance (UDO) and with the Future Land Use Map/Plan. UDO Section 4.2.9, *Economic Development District (EDD)*, says the following about the zoning district:

4.2.9 ECONOMIC DEVELOPMENT DISTRICT (EDD)

4.2.9.1 Intent

The intent of the Economic Development District is to provide locations for a wide range of light industrial, distribution, flex space, office, service, and retail uses.

4.2.9.2 Application Criteria

This district will usually be applied where the following conditions exist:

4.2.9.2.a The property is adjacent and has access to an interstate highway by way of a major arterial or collector street. Adjacency to rail facilities for the movement of goods and which offer transit service potential is preferred, but not required.

4.2.9.2.b Public water and sewer service are available or capable of being extended; and

4.2.9.2.c Large, buildable tracts are available for development or division into a range of building site sizes.

On the Future Land Use Map, 3013 Rippy Lane is designated as “Suburban Office Complex,” which is defined as:

Suburban Office Complex. These areas provide opportunities for office and employment enterprises which do not rely on walk-in customers or have a manufacturing component. Businesses may be large or small but will generally arrange themselves in a campus setting with limited walkability and supporting services. Developments of this type should be kept small in nature to limit the peak transportation impact and limited vitality. *Zoning Districts: Limited Office; Office Institutional; Business Park; Economic Development District; Entranceway Special Use; Special Design Special Use*

Water and sewer availability

There is potential to tie on to town utilities given the proximity of the dwelling to existing water and sewer infrastructure. There is a 16” water main in the Rippy Lane right-of-way to the east and a 16” gravity sewer along the southern and western property lines.

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:
Ensure that land use and development regulations are aligned with preferred future land use and growth patterns.

Financial impacts:

If annexed, the property will be subject to town taxes, and the town will provide municipal services for the property. The property owners will cover the costs of their water and sewer connections.

Staff recommendation:

Staff recommends approval of the request based on compliance with the town’s adopted ordinances and plans.

Action requested:

Make a recommendation on the proposed rezoning (the Planning Board does not make recommendations on annexation requests).

received
9.30.24 MB



TOWN OF
HILLSBOROUGH

PETITION FOR
Annexation of Contiguous Property

Planning Department
101 E. Orange Street / P.O. Box 429
Hillsborough, NC 27278
Phone: (919) 296-9471 Fax: (919) 644-2390
Website: www.hillsboroughnc.gov

TO THE BOARD OF COMMISSIONERS OF THE TOWN OF HILLSBOROUGH:

(1) The undersigned, MICHELLE HAMILTON AND CAMILLA SCHUPP, MEMBERS OF PRAGUE ESCAPES, LLC

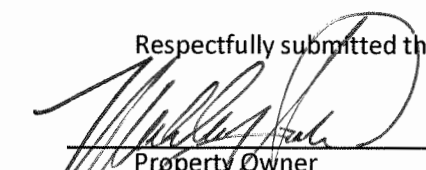
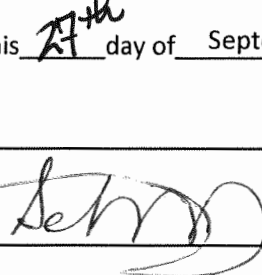
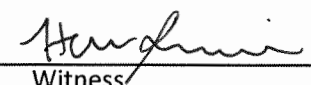
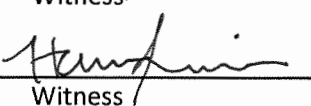
being the owner(s) of all real property located within the area described in paragraph two below requests that such area be annexed to the Town of Hillsborough.

(2) The area to be annexed is contiguous to the Town of Hillsborough and is located 3013 RIPPY LANE, HILLSBOROUGH, NC 27278

(3) A map of the foregoing property, showing its relationship to the existing corporate limits of the town, is attached hereto.

(4) This petition is presented under the authority contained in G.S. 160A-31.

Respectfully submitted this 27th day of September, 2024

 _____ Property Owner	 _____ Property Owner	 _____ Witness	 _____ Witness
---	--	--	--

Property Owner

Witness

Property Owner

Witness

Property Owner

Witness

Property Owner

Witness

SURVEYORS NOTES:

NOTE "A"
SUBSURFACE AND ENVIRONMENTAL CONDITIONS WERE NOT EXAMINED OR CONSIDERED DURING THIS SURVEY. ALL BUILDINGS, SURFACE AND SUBSURFACE IMPROVEMENTS ON AND ADJACENT TO THE SITE ARE NOT NECESSARILY SHOWN HEREON. NO STATEMENT IS MADE CONCERNING THE EXISTENCE OF UNDERGROUND CONTAINERS WHICH MAY AFFECT THE USE OF THIS TRACT.

NOTE "B"
ALL DISTANCES ARE HORIZONTAL GROUND AND AREA BY HILLSBOROUGH TOWN LIMITS.

NOTE "C"
THIS SURVEY WAS DONE WITHOUT A TITLE SEARCH AND IS BASED ON REFERENCED INFORMATION. THERE MAY EXIST OTHER DOCUMENTS OF RECORD WHICH COULD AFFECT THIS PROPERTY.

NOTE "D"
EXCEPT AS SPECIFICALLY NOTED OR SHOWN, THIS SURVEY DOES NOT REPORT ANY OF THE FOLLOWING: EASEMENTS, OTHER THAN THOSE VISIBLE DURING FIELD EXAMINATION, BUILDING SETBACKS, RESTRICTIVE COVENANTS, ZONING OR LAND USE REGULATIONS, AND ANY FACTS WHICH A TITLE SEARCH MAY DISCLOSE.

NOTE "E"
METEANS, JURISDICTIONAL WATERS OR OTHER CONDITIONS WHICH MAY BE REGULATED BY FEDERAL OR STATE OR LOCAL AGENCIES WERE NOT INVESTIGATED DURING THIS SURVEY. RIPARIAN RIGHTS AND OTHER RESTRICTIONS ON DEVELOPMENT MAY BE REQUIRED.

NOTE "F"
SEE PLAT "PROPERTY SURVEY FOR JAMES C. RIPPY" BY ALCOA ALLEMAN, PLS NO. 2644, DATED 20TH DAY OF MAY, 2000 AND RECORDED IN PG 76/31.

NOTE "G"
SEE PLAT "RECOMBINATION OF PROPERTY OF OLD 86 COMMONS, LLC" BY STEVE Y. KOHASE, PLS NO. 2783, DATED 9TH OF AUGUST 2004 AND RECORDED IN PG 89/178.

NOTE "H"
SEE PLAT "CATES CREEK SEWER EASEMENT ACQUISITIONS PLAT" BY ROBERT C. BAUMGARTNER, PLS NO. 4531, DATED 14TH OF NOVEMBER, 2005 AND RECORDED IN PG 98/177.

NOTE "I"
THIS PROPERTY IS IN THE END RIVER WATERSHED, WHICH IS LOCATED IN THE NEUSE RIVER BASIN. THIS PROPERTY IS ALSO LOCATED IN THE "LOWER END UNPROTECTED" DISTRICT.

NOTE "J"
THIS PROPERTY IS PARTIALLY LOCATED IN FLOOD ZONE "AE". SEE FEMA PANEL 9873, MAP NUMBER 3710987300J REVISION 02/02/2007.

NOTE "K"
THE PROPERTY LINE WHICH IS SHOWN AS A DASHED LINE DRAWN FROM BEARINGS AND DISTANCES TAKEN FROM THE PLAT MENTIONED IN NOTE "F". THIS PROPERTY LINE WAS THEN ROTATED AND PROPORTED TO FIT THE PROPERTY CORNERS WHICH WERE FOUND DURING THE FIELD SURVEY. FURTHER SURVEY IS NECESSARY TO FULLY DETERMINE THE LOCATION OF THE DASHED PROPERTY LINES.

NOTE "L"
PROPERTY LINE MAY BE ALONG CENTERLINE OF CATES CREEK. CREEK NOT SPECIFIED AS PROPERTY LINE ON DB 440/283 OR 38/186. DETERMINATION OF SCOPE OF THIS PLAT FOR ANNEXATION. SURVEYOR RECOMMENDS TITLE SEARCH TO CLARIFY.

NOTE "M"
G.S. 160A-31 CERTIFICATE TO THE PLANNING DEPARTMENT OF THE TOWN OF HILLSBOROUGH

NOTE "N"
1. WE THE UNDERSIGNED OWNERS OF REAL PROPERTY BELIEVE THAT THE AREA DESCRIBED IN PARAGRAPH 2 BELOW MEETS THE REQUIREMENTS OF G.S. 160A-31(B) AND RESPECTFULLY REQUEST THAT THE AREA DESCRIBED IN PARAGRAPH 2 BELOW BE ANNEXED TO THE TOWN OF HILLSBOROUGH.
2. THE AREA TO BE ANNEXED IS CONTIGUOUS TO THE TOWN OF HILLSBOROUGH, AND THE BOUNDARIES OF SUCH TERRITORY ARE AS FOLLOWS:

OWNERS SIGNATURE _____ DATE _____

SYMBOL & ABBREVIATION LEGEND

- EP - EXISTING IRON PIPE
- ER - EXISTING IRON ROD
- CP - CALCULATED POINT
- R/W - RIGHT OF WAY
- P.T. PINPOINT
- R.R. RAILROAD

FLOOD ZONE HATCHING LEGEND

- FLOODWAY
- AE FLOOD ZONE
- 0.2% FLOOD ZONE X

LINE LEGEND

- PROPERTY LINE
- LINE NOT SURVEYED
- RIGHT OF WAY LINE
- THE LINE
- NEW TOWN LIMIT
- EXISTING TOWN LIMIT
- SEWER EASEMENT
- 60' EASEMENT
- APPROX. EDGE OF ASPHALT

GRID CERTIFICATION:
I, WILLIAM H. MCCARTHY, JR., PLS NO. 3248, CERTIFY THAT THIS MAP OR GRID DATA SHOWN ON THIS PLAT WAS OBTAINED FROM AN ACTUAL GPS SURVEY MADE UNDER MY SUPERVISION AND THE FOLLOWING INFORMATION WAS USED TO PERFORM THE SURVEY:

- (1) CLASS OF SURVEY: "A"
- (2) POSITIONAL ACCURACY: 0.07'
- (3) TYPE OF GPS FIELD PROCEDURE: VRS
- (4) DATES OF SURVEY: 09/10/2024 - 09/13/2024
- (5) DATUM/EPOCH: 83/11
- (6) PUBLISHED/CONTROL USED: HELD VRS
- (7) GEOID MODEL: 2018
- (8) COMBINED GRID FACTOR: 0.99994222
- (9) UNITS: US SURVEY FEET

SURVEYOR'S CERTIFICATES

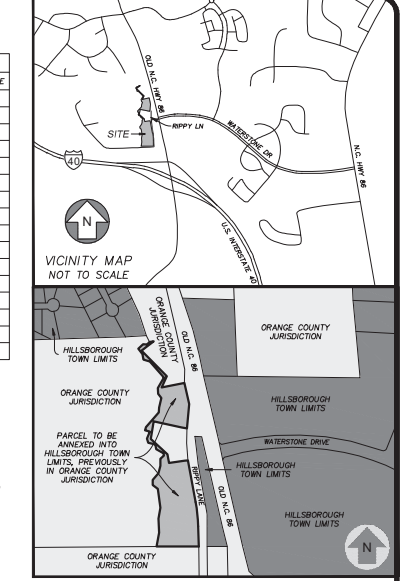
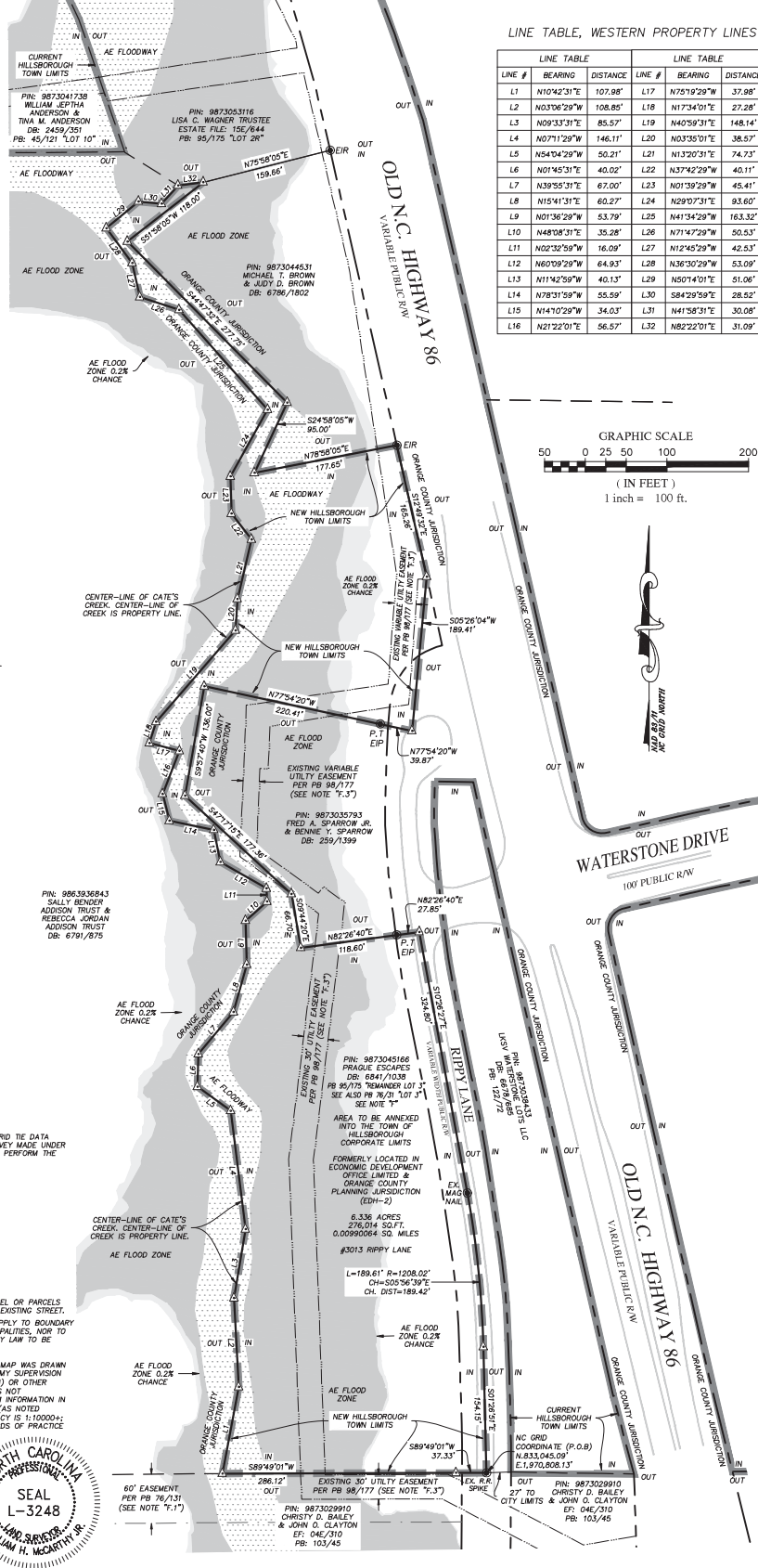
I HEREBY CERTIFY THAT THIS PLAT IS OF THE FOLLOWING TYPE:
G.S. 47-30 (P)(1)(i)(c). THIS SURVEY IS OF AN EXISTING PARCEL OR PARCELS OF LAND AND DOES NOT CREATE A NEW STREET OR CHANGE AN EXISTING STREET.
G.S. 47-30 (j). THE PROVISIONS OF THIS SECTION SHALL NOT APPLY TO BOUNDARY PLATS OF STATE LINES, COUNTY LINES, AREA ANNEXED BY MUNICIPALITIES, NOR TO PLATS OF MUNICIPAL BOUNDARIES, WHETHER OR NOT REQUIRED BY LAW TO BE RECORDED.

I, WILLIAM H. MCCARTHY, JR., PLS NO. 3248, CERTIFY THAT THIS MAP WAS DRAWN UNDER MY SUPERVISION FROM AN ACTUAL SURVEY MADE UNDER MY SUPERVISION (DEED DESCRIPTION RECORDED IN BOOK/PAGE/AS NOTED HEREON) OR OTHER REFERENCE SOURCE(S) AS NOTED HEREON; THAT THE BOUNDARIES NOT SURVEYED ARE INDICATED IN A BROKEN LINE; AS DRAWN FROM INFORMATION IN BOOK/PAGE/AS NOTED HEREON OR OTHER REFERENCE SOURCE(S) AS NOTED HEREON; THAT THE RATIO OF PRECISION OR POSITIONAL ACCURACY IS 1:1000000; AND THAT THIS MAP MEETS THE REQUIREMENTS OF THE STANDARDS OF PRACTICE FOR LAND SURVEYING.

THIS MAP WAS DRAWN IN ACCORDANCE WITH G.S. 47-30 AS AMENDED, WITNESSED BY ORIGINAL SIGNATURE, REGISTRATION NUMBER AND SEAL THIS 2ND DAY OF OCTOBER 2024.

PROFESSIONAL LAND SURVEYOR REG. NUMBER L-3248
SUMMIT CONSULTING-ENGINEERING, ARCHITECTURE AND SURVEYING, L.L.C. REG. NUMBER P-0339

SEAL
L-3248
WILLIAM H. MCCARTHY, JR.
PROFESSIONAL LAND SURVEYOR



PLANNING DIRECTOR CERTIFICATION
THIS TRACT OF LAND IS WITHIN THE TOWN OF HILLSBOROUGH'S JURISDICTION. NO APPROVAL IS REQUIRED OF THE PLANNING BOARD OR CITY COUNCIL.

AUTHORIZED TOWN OFFICIAL
DATE _____

SURVEYOR'S DESCRIPTION
TOWN OF HILLSBOROUGH TOWNSHIP EXTENSION: VOLUNTARY CONTIGUOUS ANNEXATION HILLSBOROUGH TOWNSHIP, ORANGE COUNTY, NC
PIN: 9874315787

LAND BEING SITUATED IN HILLSBOROUGH TOWNSHIP, ORANGE COUNTY, NORTH CAROLINA, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A RAILROAD SPIKE FOUND (NC GRID COORDINATES N.833,045.09 FEET, E.1970,808.13 FEET, 100' (COMBINED GRID FACTOR 0.99994222) IN THE CENTER-LINE OF RIPPY LANE AT THE SOUTHEASTERN CORNER OF PRAGUE ESCAPES (SEE DEED BOOK 6841, PAGE 1038 AND LOT 1 PLAT BOOK 76, PAGE 31 ORANGE COUNTY REGISTRY) IN THE NORTH LINE OF CHRISTY D. BAILEY & JOHN O. CLAYTON (SEE ESTATE BOOK 042/310 AND PLAT BOOK 103/48 ORANGE COUNTY REGISTRY); THENCE LEAVING THE CENTER-LINE OF RIPPY LANE AND PROCEEDING ALONG THE NEW HILLSBOROUGH TOWN LIMIT WITH THE NORTH LINE OF CHRISTY D. BAILEY & JOHN O. CLAYTON SOUTH 88°00'00" WEST, 37.33 FEET TO A CALCULATED POINT; THENCE CONTINUING ALONG THE NEW HILLSBOROUGH TOWN LIMIT WITH THE NORTH LINE OF CHRISTY D. BAILEY & JOHN O. CLAYTON SOUTH 88°00'00" WEST, 286.12 FEET TO A CALCULATED POINT; THENCE CONTINUING ALONG THE CENTERLINE OF CATES CREEK THIRTYONE (31) COURSES AS FOLLOWS: (1) NORTH 10°42'31" EAST, 107.98 FEET TO A CALCULATED POINT, (2) NORTH 3°06'29" WEST, 108.98 FEET TO A CALCULATED POINT, (3) NORTH 9°33'31" EAST, 85.57 FEET TO A CALCULATED POINT, (4) NORTH 7°12'29" WEST, 146.11 FEET TO A CALCULATED POINT, (5) NORTH 54°04'29" WEST, 50.21 FEET TO A CALCULATED POINT, (6) NORTH 1°36'29" WEST, 53.79 FEET TO A CALCULATED POINT, (7) NORTH 39°55'31" EAST, 67.00 FEET TO A CALCULATED POINT, (8) NORTH 15°41'31" EAST, 60.27 FEET TO A CALCULATED POINT, (9) NORTH 1°36'29" WEST, 53.79 FEET TO A CALCULATED POINT, (10) NORTH 48°08'31" EAST, 35.28 FEET TO A CALCULATED POINT, (11) NORTH 2°32'29" WEST, 16.09 FEET TO A CALCULATED POINT, (12) NORTH 60°29'29" WEST, 64.93 FEET TO A CALCULATED POINT, (13) NORTH 11°42'59" WEST, 40.13 FEET TO A CALCULATED POINT, (14) NORTH 78°31'59" WEST, 55.59 FEET TO A CALCULATED POINT, (15) NORTH 14°02'29" WEST, 53.03 FEET TO A CALCULATED POINT, (16) NORTH 21°22'01" EAST, 56.57 FEET TO A CALCULATED POINT, (17) NORTH 82°22'01" EAST, 31.09 FEET TO A CALCULATED POINT, (18) NORTH 17°34'01" EAST, 27.28 FEET TO A CALCULATED POINT, (19) NORTH 40°59'31" EAST, 148.14 FEET TO A CALCULATED POINT, (20) NORTH 3°35'01" EAST, 38.57 FEET TO A CALCULATED POINT, (21) NORTH 13°20'31" EAST, 74.73 FEET TO A CALCULATED POINT, (22) NORTH 37°42'29" WEST, 40.11 FEET TO A CALCULATED POINT, (23) NORTH 71°47'29" WEST, 50.53 FEET TO A CALCULATED POINT, (24) NORTH 50°14'01" EAST, 93.60 FEET TO A CALCULATED POINT, (25) NORTH 41°34'29" WEST, 163.32 FEET TO A CALCULATED POINT, (26) NORTH 75°19'29" WEST, 37.98 FEET TO A CALCULATED POINT, (27) NORTH 12°45'29" WEST, 42.53 FEET TO A CALCULATED POINT, (28) NORTH 36°30'29" WEST, 53.09 FEET TO A CALCULATED POINT, (29) NORTH 84°29'59" EAST, 50.58 FEET TO A CALCULATED POINT, (30) SOUTH 84°29'59" EAST, 28.52 FEET TO A CALCULATED POINT AND (31) NORTH 41°58'31" EAST, 30.08 FEET TO A CALCULATED POINT AT THE SOUTHWEST CORNER OF LISI C. WAGNER TRUSTEE (SEE ESTATE BOOK PAGE 644, AND PLAT BOOK 76, PAGE 175 LOT 28; ORANGE COUNTY REGISTRY); THENCE LEAVING THE CENTERLINE OF CATES CREEK AND CONTINUING ALONG THE NEW HILLSBOROUGH TOWN LIMIT WITH THE SOUTH LINE OF LISI C. WAGNER TRUSTEE NORTH 82°22'01" EAST, 31.09 FEET TO A CALCULATED POINT IN THE NORTH LINE OF MICHAEL T. & JUDY T. BROWN (SEE DEED BOOK 6786, PAGE 1802, ORANGE COUNTY REGISTRY); THENCE CONTINUING ALONG THE NEW HILLSBOROUGH TOWN LIMIT WITH SPARROW ALONG SEVEN (7) COURSES AS FOLLOWS: (1) NORTH 77°54'20" WEST, 39.87 FEET TO A CALCULATED POINT, (2) SOUTH 17°54'20" WEST, 138.00 FEET TO A CALCULATED POINT, (3) SOUTH 47°17'18" EAST, 177.36 FEET TO A CALCULATED POINT, (4) SOUTH 47°17'18" EAST, 177.36 FEET TO A CALCULATED POINT, (5) SOUTH 17°54'20" WEST, 138.00 FEET TO A CALCULATED POINT, (6) NORTH 77°54'20" WEST, 39.87 FEET TO A CALCULATED POINT, (7) NORTH 82°22'01" EAST, 118.60 FEET TO AN EXISTING PINCH-TOP IRON PIPE AND (8) NORTH 82°22'01" EAST, 27.75 FEET TO AN EXISTING POINT IN THE CENTER-LINE OF RIPPY LANE; THENCE CONTINUING ALONG THE NEW HILLSBOROUGH TOWN LIMIT ALONG THE CENTER-LINE OF RIPPY LANE ALONG THREE (3) COURSES AS FOLLOWS: (1) SOUTH 02°08'22" EAST, 34.80 FEET TO AN EXISTING POINT, (2) A CURVE TO THE RIGHT WITH A RADIUS OF 12008.02', AN ARC LENGTH OF 189.61 FEET (CHORD BEARING AND DISTANCE SOUTH 05°56'30" EAST, 189.42.80 FEET) TO A CALCULATED POINT AND (3) SOUTH 84°29'59" WEST, 189.42.80 FEET TO THE POINT AND PLACE OF BEGINNING, CONTAINING 6.336 ACRES OR 0.00990068 SQ. MILES MORE OR LESS, BEING THE ENTIRE INTEREST OF LISI C. WAGNER TRUSTEE AS SHOWN ON PLAT ENTITLED "ANNEXATION PLAT OF VOLUNTARY CONTIGUOUS ANNEXATION FOR TOWN OF HILLSBOROUGH CORPORATE LIMITS EXTENSION" BY WILLIAM H. MCCARTHY, JR., PLS NO. 3248, DATED 09/13/2024; THE DESIGN & ENGINEERING SERVICES PROJECT 24-0216, TO WHICH PLAT REFERENCE IS HEREBY MADE FOR A MORE PARTICULAR DESCRIPTION. THE FOREGOING DESCRIPTION IS DERIVED FROM SOURCES AS REFERENCED IN CONJUNCTION WITH RECOVERY OF PROPERTY CORNERS AS NOTED AND NO CLAIM IS MADE BY GPS SURVEY FOR PURPOSE OF MUNICIPAL ANNEXATION AND IS NOT INTENDED TO REPRESENT A CURRENT BOUNDARY SURVEY OF THE SUBJECT PARCEL.

PROJECT NO.
24-0216
DRAWING NAME
24-0216_ANNEX

PROJECT ENGINEER: N/A
SURVEY PROJECT MGR: WHM
DRAWN BY: JRW
SURVEYED BY: JS
CHECKED BY: WHM

ANNEXATION PLAT OF VOLUNTARY CONTIGUOUS ANNEXATION FOR
TOWN OF HILLSBOROUGH CORPORATE LIMITS EXTENSION
HILLSBOROUGH TOWNSHIP, ORANGE COUNTY, NORTH CAROLINA
FIELD WORK PERFORMED 09/10/2024 - 09/13/2024
PROPERTY AS DESCRIBED IN DEED BOOK 6841 PAGE 1038
STANDING IN THE NAME OF
PRAGUE ESCAPES

SUMMIT
DESIGN AND ENGINEERING SERVICES
License #: P-0339
320 Executive Court
Hillsborough, NC 27278-8551
Phone: (919) 732-3863 Fax: (919) 732-6676
www.summitde.com

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SUMMIT DESIGN AND ENGINEERING SERVICES
DRAWING ALTERATION
IT IS A VIOLATION OF LAW FOR ANY PERSON, UNLESS ACTING UNDER THE DIRECTION OF LICENSED ARCHITECT, PROFESSIONAL ENGINEER, LANDSCAPE ARCHITECT, OR LAND SURVEYOR, TO MAKE ANY CHANGES TO THIS DOCUMENT IN ANY WAY, ANY ALTERS THIS DOCUMENT IS REQUIRED BY THE STATE OF NORTH CAROLINA AND THE STATE OF ILLINOIS BY HIS OR HER SIGNATURE SPECIFIC IDENTIFICATION OF THE ALTERATION.

SURVEYOR'S DESCRIPTION

TOWN OF HILLSBOROUGH TOWN LIMITS EXTENSION: VOLUNTARY CONTIGUOUS ANNEXATION
HILLSBOROUGH TOWNSHIP, ORANGE COUNTY, NC
PIN 9874315787

LYING AND BEING SITUATED IN HILLSBOROUGH TOWNSHIP, ORANGE COUNTY, NORTH CAROLINA, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A RAILROAD SPIKE FOUND (NC GRID COORDINATES N.833,045.09 FEET, E.1,970,808.13 FEET NAD 83/11, (COMBINED GRID FACTOR 0.99994222) IN THE CENTER-LINE OF RIPPY LANE AT THE SOUTHEASTERN CORNER OF PRAGUE ESCAPES (SEE DEED BOOK 6841, PAGE 1038 AND LOT 3 PLAT BOOK 76, PAGE 31 ORANGE COUNTY REGISTRY) IN THE NORTH LINE OF CHRISTY D. BAILEY & JOHN O. CLAYTON (SEE ESTATE BOOK 04E/310 AND PLAT BOOK 103, PAGE 45 ORANGE COUNTY REGISTRY); THENCE LEAVING THE CENTER-LINE OF RIPPY LANE AND PROCEEDING ALONG THE NEW HILLSBOROUGH TOWN LIMIT WITH THE NORTH LINE OF CHRISTY D. BAILEY & JOHN O. CLAYTON SOUTH 89° 49'01" WEST, 37.33 FEET TO A CALCULATED POINT; THENCE CONTINUING ALONG THE NEW HILLSBOROUGH TOWN LIMIT WITH THE NORTH LINE OF CHRISTY D. BAILEY & JOHN O. CLAYTON SOUTH 89° 49'01" WEST, 286.12 FEET TO A CALCULATED POINT IN THE CENTER-LINE OF CATES CREEK AT THE SOUTHEAST CORNER OF THE SALLY BENDER ADDISON TRUST & REBECCA JORDAN ADDISON TRUST (SEE DEED BOOK 6791, PAGE 875 ORANGE COUNTY REGISTRY); THENCE CONTINUING ALONG THE NEW HILLSBOROUGH TOWN LIMIT WITH THE EAST LINE OF SALLY BENDER ADDISON TRUST & REBECCA JORDAN ADDISON TRUST AND ALONG THE CENTERLINE OF CATE'S CREEK THIRTYONE (31) COURSES AS FOLLOWS: (1) NORTH 10° 42'31" EAST, 107.98 FEET TO A CALCULATED POINT , (2) NORTH 3° 06'29" WEST, 108.85 FEET TO A CALCULATED POINT, (3) NORTH 9° 33'31" EAST, 85.57 FEET TO A CALCULATED POINT, (4) NORTH 7° 11'29" WEST, 146.11 FEET TO A CALCULATED POINT, (5) NORTH 54° 04'29" WEST, 50.21 FEET TO A CALCULATED POINT, (6) NORTH 1° 45'31" EAST, 40.02 FEET TO A CALCULATED POINT, (7) NORTH 39° 55'31" EAST, 67.00 FEET TO A CALCUALTED POINT, (8) NORTH 15° 41'31" EAST, 60.27 FEET TO A CALCULATED POINT, (9) NORTH 1° 36'29" WEST, 53.79 FEET TO A CALCULATED POINT, (10) NORTH 48° 08'31" EAST, 35.28 FEET TO A CALCULATED POINT, (11) NORTH 2° 32'59" WEST, 16.09 FEET TO A CALCULATED POINT, (12) NORTH 60° 09'29" WEST, 64.93 FEET TO A CALCULATED POINT, (13) NORTH 11° 42'59" WEST, 40.13 FEET TO A CALCULATED POINT, (14) NORTH 78° 31'59" WEST, 55.59 FEET TO A CALCULATED POINT, (15) NORTH 14° 10'29" WEST, 34.03 FEET TO A CALCULATED POINT, (16) NORTH 21° 22'01" EAST, 56.57 FEET TO A CALCULATED POINT, (17) NORTH 75° 19'29" WEST, 37.98 FEET TO A CALCULATED POINT, (18) NORTH 17° 34'01" EAST, 27.28 FEET TO A CALCULATED POINT, (19) NORTH 40° 59'31" EAST, 148.14 FEET TO A

CALCULATED POINT, (20) NORTH 3° 35'01" EAST, 38.57 FEET TO A CALCULATED POINT, (21) NORTH 13° 20'31" EAST, 74.73 FEET TO A CALCULATED POINT, (22) NORTH 37° 42'29" WEST, 40.11 FEET TO A CALCULATED POINT, (23) NORTH 1° 39'29" WEST, 45.41 FEET TO A CALCULATED POINT, (24) NORTH 29° 07'31" EAST, 93.60 FEET TO A CALCULATED POINT, (25) NORTH 41° 34'29" WEST, 163.32 FEET TO A CALCULATED POINT, (26) NORTH 71° 47'29" WEST, 50.53 FEET TO A CALCULATED POINT, (27) NORTH 12° 45'29" WEST, 42.53 FEET TO A CALCULATED POINT, (28) NORTH 36° 30'29" WEST, 53.09 FEET TO A CALCULATED POINT, (29) NORTH 50° 14'01" EAST, 51.06 FEET TO A CALCULATED POINT, (30) SOUTH 84° 29'59" EAST, 28.52 FEET TO A CALCULATED POINT AND (31) NORTH 41° 58'31" EAST, 30.08 FEET TO A CALCULATED POINT AT THE SOUTHWEST CORNER OF LISA C. WAGNER TRUSTEE (SEE ESTATE BOOK 15E PAGE 644, AND PLAT BOOK 95, PAGE 175 "LOT 2R", ORANGE COUNTY REGISTRY.); THENCE LEAVING THE CENTERLINE OF CATE'S CREEK AND CONTINUING ALONG THE NEW HILLSBOROUGH TOWN LIMIT WITH THE SOUTH LINE OF LISA C. WAGNER TRUSTEE NORTH 82° 22'01" EAST, 31.09 FEET TO A CALCULATED POINT IN THE NORTH LINE OF MICHAEL T. & JUDY T. BROWN (SEE DEED BOOK 6786, PAGE 1802, ORANGE COUNTY REGISTRY); THENCE CONTINUING ALONG THE NEW HILLSBOROUGH TOWN LIMIT WITH MICHAEL T. & JUDY T. BROWN ALONG FOUR (4) COURSES AS FOLLOWS: (1) SOUTH 51° 58'05" WEST, 118.00 FEET TO A CALCULATED POINT, (2) SOUTH 44° 47'32" EAST, 277.75 FEET TO A CALCULATED POINT, (3) SOUTH 24° 58'05" WEST, 95.00 FEET TO A CALCULATED POINT AND (4) NORTH 78° 58'05" EAST, 177.65 FEET TO AN EXISTING IRON STAKE IN THE WESTERN RIGHT OF WAY LINE OF OLD NC HIGHWAY 86; THENCE CONTINUING ALONG THE NEW HILLSBOROUGH TOWN LIMIT WITH THE WESTERN RIGHT OF WAY LINE OF OLD NC HIGHWAY 86 ALONG TWO (2) COURSES AS FOLLOWS: (1) SOUTH 12° 49'32" EAST, 165.26 FEET TO A CALCULATED POINT AND (2) SOUTH 5° 26'04" WEST, 189.41 FEET TO A CALCULATED POINT IN THE CENTER-LINE OF RIPPY LANE ALSO BEING THE NORTHEASTERN PROPERTY CORNER OF FRED A. SPARROW JR. & BENNIE Y. SPARROW (SEE DEED BOOK 259, PAGE 1399 ORANGE COUNTY REGISTRY); THENCE LEAVING THE CENTERLINE OF RIPPY LANE AND CONTINUING ALONG THE NEW HILLSBOROUGH TOWN LIMIT WITH SPARROW ALONG SEVEN (7) COURSES AS FOLLOWS: (1) NORTH 77° 54'20" WEST, 39.87 FEET TO AN EXISTING PINCHTOP IRON PIPE, (2) NORTH 77° 54'20" WEST, 220.41 FEET TO A CALCULATED POINT, (3) SOUTH 9° 57'40" WEST, 136.00 FEET TO A CALCULATED POINT, (4) SOUTH 47° 17'15" EAST, 177.36 FEET TO A CALCULATED POINT, (5) SOUTH 9° 44'20" EAST, 66.70 FEET TO A CALCULATED POINT, (6) NORTH 82° 26'40" EAST, 118.60 FEET TO AN EXISTING PINCH-TOP IRON PIPE AND (7) NORTH 82° 26'40" EAST, 27.85 FEET TO AN EXISTING POINT IN THE CENTER-LINE OF RIPPY LANE; THENCE CONTINUING ALONG THE NEW HILLSBOROUGH TOWN LIMIT ALONG THE CENTER-LINE OF RIPPY LANE ALONG THREE (3) COURSES AS FOLLOWS: (1) SOUTH 10° 26'27" EAST, 324.80 FEET TO AN EXISTING "MAG NAIL", (2) A CURVE TO THE RIGHT WITH A RADIUS OF 1208.02 FEET, AN ARC LENGTH OF 189.61 FEET (CHORD BEARING AND DISTANCE SOUTH 05° 56'39" EAST, 189.42.80 FEET) TO A CALCULATED POINT AND (3) SOUTH 1° 26'51" EAST, 154.15 FEET TO THE POINT AND PLACE

OF BEGINNING, CONTAINING 6.336 ACRES OR 0.0099 SQUARE MILES MORE OR LESS, AND BEING ALL OF THAT PROPERTY AS DESCRIBED IN DEED BOOK 6841, PAGE 1038 ORANGE COUNTY REGISTRY AS SHOWN ON PLAT ENTITLED "ANNEXATION PLAT OF VOLUNTARY CONTIGUOUS ANNEXATION FOR TOWN OF HILLSBOROUGH CORPORATE LIMITS EXTENSION" BY WILLIAM H. MCCARTHY JR., PLS L-3248, DATED 10/02/2024, SUMMIT DESIGN & ENGINEERING SERVICES PROJECT 24-0216, TO WHICH PLAT REFERENCE IS HEREBY MADE FOR A MORE PARTICULAR DESCRIPTION OF SAME. THE FOREGOING DESCRIPTION IS DERIVED FROM SOURCES AS REFERENCED IN CONJUNCTION WITH RECOVERY OF PROPERTY CORNERS AS NOTED AND NC GRID TIE BY GPS SURVEY FOR PURPOSE OF MUNICIPAL ANNEXATION AND IS NOT INTENDED TO REPRESENT A CURRENT BOUNDARY SURVEY OF THE SUBJECT PARCEL.

received
9.30.24 MB



TOWN OF
HILLSBOROUGH

GENERAL APPLICATION
Amendment to Future Land Use Map, Unified
Development Ordinance or Official Zoning
Map

Planning and Economic Development Division
101 E. Orange St., PO Box 429, Hillsborough, NC 27278
919-296-9477 | Fax: 919-644-2390
www.hillsboroughnc.gov

This application is for amendments to the Comprehensive Sustainability Plan, Unified Development Ordinance, and/or Official Zoning Map. Incomplete applications will not be accepted or processed.

OFFICIAL USE ONLY		
Case Number: <i>N/A</i>	Fee: \$ <i>500</i>	Receipt No.:
FLUM Designation: <i>Suburban Office</i>	Zoning District: <i>EDH2(O)</i>	Overlay Zone: <i>N/A</i>

Amendment Type: Future Land Use Map Unified Development Ordinance Text
 Zoning Map – General Use or Overlay District Zoning Map – Planned Development District

PROPERTY LOCATION AND DESCRIPTION
Property Address or Location: 3013 RIPPY LANE, HILLSBOROUGH, NC 27278
PIN(s): 9873045166 Size of Property (Acres/Sq. Ft.): 6.36 ACRES
Current Use of Property: RESIDENTIAL
Current Zoning Classification(s): ORANGE COUNTY ECONOMIC DEVELOPMENT ZONE--EDH2
Proposed Zoning Classification(s): HILLSBOROUGH TOWN EDD

CERTIFICATION AND SIGNATURES	
Applications will not be accepted without signature of legal property owner or official agent.	
I certify that the information presented by me in this application and all accompanying documents are true and accurate to the best of my knowledge, information, and belief; and I acknowledge that the processing of this application may require additional town, county and/or state permits, approvals, and associated fees.	
Applicant Name: PRAGUE ESCAPES, LLC	Legal Property Owner Name: PRAGUE ESCAPES, LLC
Mailing Address: 1526 E. FRANKLIN STREET, STE. 202	Mailing Address: 1526 E. FRANKLIN STREET, STE. 202
City, State, ZIP Code: CHAPEL HILL, NC 27514	City, State, ZIP Code: CHAPEL HILL, NC 27514
Telephone: 919-929-1984	Telephone: (919) 929-1984
Email: michelle@sh-lawyer.com	Email: michelle@sh-lawyer.com
Signature: <i>[Signature]</i>	Signature: <i>[Signature]</i>
Date: <i>9/29/2024</i>	Date: <i>9/29/2024</i>



TOWN OF
HILLSBOROUGH

SUPPLEMENTAL FORM

Amendment to Official Zoning Map

Planning and Economic Development Division
101 E. Orange St., PO Box 429, Hillsborough, NC 27278
919-296-9477 | Fax: 919-644-2390
www.hillsboroughnc.gov

To the Hillsborough Board of Commissioners:

MICHELLE HAMILTON AND CAMILLA SCHUPP

I, MEMBERS OF PRAGUE ESCAPES, LLC, hereby petition the Board of Commissioners to change the zoning designation of the property described in the attached General Application Form
FROM ORANGE COUNTY EDH-2 TO HILLSBOROUGH TOWN EDD.

FACTORS RELEVANT TO DECISION TO AMEND THE OFFICAL ZONING MAP

The Hillsborough Unified Development Ordinance lists the following 10 general standards/findings of fact that the Board of Commissioners must weigh and consider before deciding to amend the official zoning map. Below or on a separate sheet, indicate the facts you intend to show and the arguments you intend to make to convince the Board of Commissioners that it can properly reach these 10 findings.

1. The extent to which the proposed amendment is consistent with all applicable Town adopted plans.

THE PROPOSED AMENDMENT IS REQUESTED ALONGSIDE AN ANNEXATION PETITION. RIPPY LANE AND THE SURROUNDING AREA HAS CHANGED SIGNIFICANTLY IN THE LAST FEW YEARS MAKING IT MORE APPROPRIATE FOR ECONOMIC DEVELOPMENT AS OPPOSED TO MAINTAINING ITS RESIDENTIAL DESIGNATION. WE BELIEVE THIS IS CONSISTENT WITH OTHER TOWN ADOPTED PLANS IN THAT GENERAL AREA.

2. The extent to which there are changed conditions that require an amendment.

THE CHANGE TO CONDITION OF THE AREA WOULD BE THE ANNEXATION OF THE PROPERTY TO THE TOWN. IF ANNEXATION IS APPROVED, THEN CONSIDERING THE CURRENT SITUATION OF THE PROPERTY, DESIGNATING THIS PART OF RIPPY LANE AS IN THE ECONOMIC DEVELOPMENT SECTOR IS CONSISTENT WITH THE USE THAT IS CONTIGUOUS TO THE PROPERTY.

3. The extent to which the proposed amendment addresses a demonstrated community need.

THE PROPOSED AMENDED DOES ADDRESS A COMMUNITY NEED AS THE AREA IN WHICH RIPPY LANE IS SITUATED IS CURRENTLY SEEING A LOT OF COMMERCIAL GROWTH. AMENDING THIS AREA TO BE IN THE ECONOMIC DEVELOPMENT SECTOR WOULD BE CONSISTENT WITH THE NATURAL GROWTH OF THE COMMERCIAL COMMUNITY DIRECTLY AROUND THE PROPERTY.

4. The extent to which the proposed amendment is compatible with existing and proposed uses surrounding the subject land and is the appropriate zoning district for the land is consistent with the Hillsborough Comprehensive Plan.

AS STATED ABOVE, THE LAND USE AROUND THE PROPERTY HAS CHANGED SIGNIFICANTLY TO A COMMERCIALY FOCUSED AREA OF HILLSBOROUGH. WE BELIEVE THIS AMENDMENT IS FORWARD THINKING AND CONSISTENT WITH HILLSBOROUGH'S COMPREHENSIVE PLAN OF WELCOMING MORE INCOME GENERATING BUSINESS TO THE TOWN AND ADDRESSING AN INCREASING DEMAND FOR SERVICES.

5. The extent to which the proposed amendment would result in a logical and orderly development pattern or deviate from logical and orderly development patterns.

THE SITUATION OF THE PROPOSED AMENDMENT IS CONSISTENT WITH THE GROWTH OF HILLSBOROUGH TOWARD THE INTERSTATE 40 CORRIDOR. RIPPY LANE IS JUST OUTSIDE THE TOWN LIMITS DIRECTLY ABUTTING THE HILLSBOROUGH CITY LIMITS LINE. IT IS LOGICAL TO GROW THE TOWN IN THIS DIRECTION AS THERE IS NO LAND IN BETWEEN OR BEING JUMPED OVER THAT IS NOT PROPOSED TO BE AMENDED.

6. The extent to which the proposed amendment would encourage premature development.

WE DON'T BELIEVE THIS PROPOSED AMENDMENT WOULD ENCOURAGE PREMATURE DEVELOPMENT AT THIS TIME.

7. The extent to which the proposed amendment would result in strip or ribbon commercial development.

WE DON'T BELIEVE THAT THIS PROPOSED AMENDMENT WOULD RESULT IN STRIP OR RIBBON COMMERCIAL DEVELOPMENT BECAUSE THE PROPOSED AMENDMENT DIRECTLY ABUTS THE CURRENT HILLSBOROUGH TOWN CITY LIMITS WITH SIMILAR DESIGNATION.

8. The extent to which the proposed amendment would result in the creation of an isolated zoning district unrelated to or incompatible with adjacent and surrounding zoning districts.

WE DO NOT BELIEVE THAT THIS PROPOSED AMENDMENT WOULD RESULT IN THE CREATION OF AN ISOLATED ZONING DISTRICT. AS STATED BELOW, THE PROPOSED AMENDMENT IS A NATURALLY FLOWING PROGRESSION FROM A ZONE DESIGNATION THAT DIRECTLY ABUTS OR IS CONTIGUOUS THAT IS SIMILAR IF NOT THE SAME.

9. The extent to which the proposed amendment would result in significant adverse impacts on the property values of surrounding lands.

THE PROPOSED AMENDMENT WOULD ACTUALLY HAVE A POSITIVE IMPACT ON THE PROPERTY VALUES OF THE SURROUNDING LANDS. AS IT IS CURRENTLY SITUATED AS A RESIDENTIAL AREA, THE TOPOGRAPHY AND GEOGRAPHY OF THE PROPERTY IS INCONSISTENT WITH A RESIDENTIAL DESIGNATION. AMENDING IT TO AN ECONOMIC DEVELOPMENT DESIGNATION WOULD FALL IN LINE WITH THE SURROUNDING PROPERTIES AND CONTRIBUTE TO THE OVERALL VALUE OF THE AREA AS BEING ONE RIPE FOR ECONOMIC DEVELOPMENT.

10. The extent to which the proposed amendment would result in significantly adverse environmental impacts, including but not limited to water, air, noise, stormwater management, wildlife, vegetation, wetlands, and the natural functioning of the environment.

ANYTIME THERE IS DEVELOPMENT WHERE THERE WAS NOT BEFORE, THERE IS AN IMPACT ON THE SURROUNDING ENVIRONMENT. HOWEVER, THIS PROPOSED AMENDMENT ALLOWS FOR SMALLER COMMERCIAL ACTIVITY THAT CAN BE THE LEAST DISRUPTIVE TO THE SURROUNDING ENVIRONMENT SUCH THAT THEIR FUNCTION WOULD BE MINIMALLY IMPACTED.

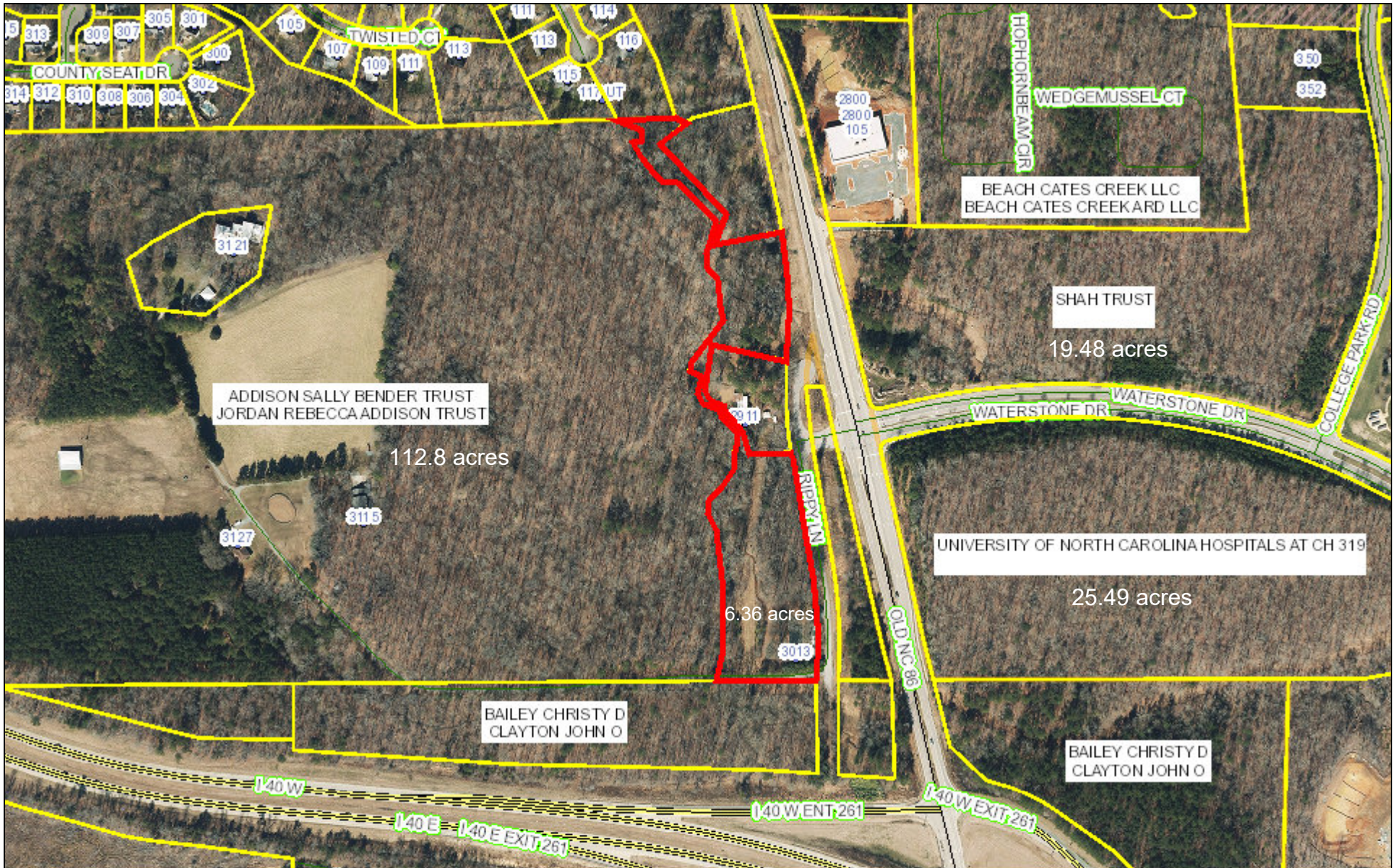
I certify that all the information presented by me in this application is accurate to the best of my knowledge, information, and belief.

Signature of Applicant

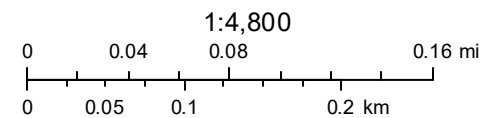
Date

9/29/2024

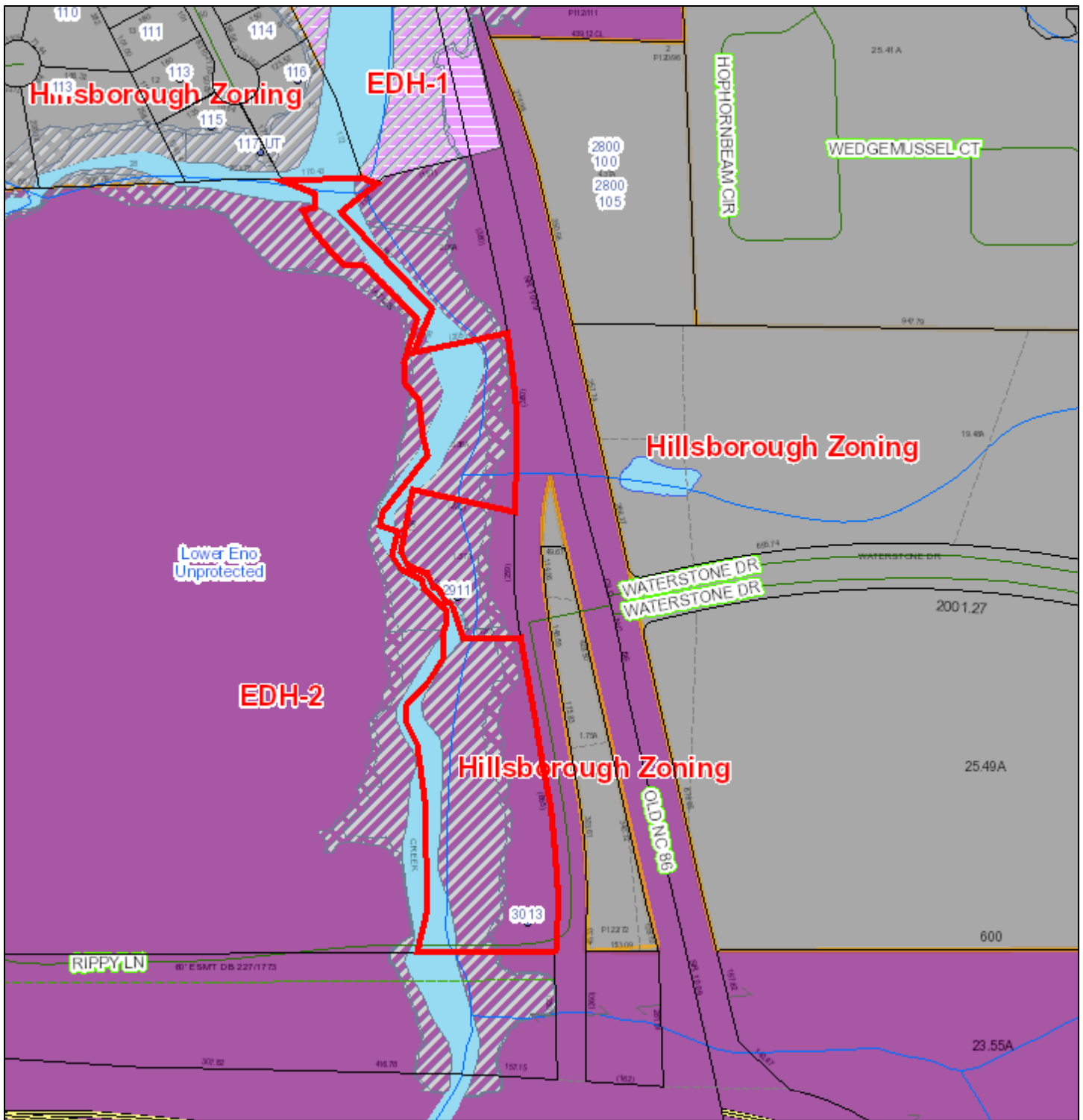
Vicinity Map - 3013 Rippy Lane



June 7, 2024



Zoning Map - 3013 Rippy Lane



This map contains parcels prepared for the inventory of real property within Orange County, and is compiled from recorded deed, plats, and other public records and data. Users of this map are hereby notified that the aforementioned public primary information sources should be consulted for verification of the information contained on this map. The county and its mapping companies assume no legal responsibility for the information on this map.

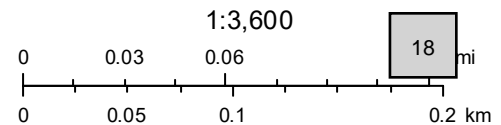
May 30, 2024

PIN: 9873045166
OWNER 1: PRAGUE ESCAPES LLC
OWNER 2:
ADDRESS 1: 1526 E FRANKLIN ST
ADDRESS 2: STE 202
CITY: CHAPEL HILL

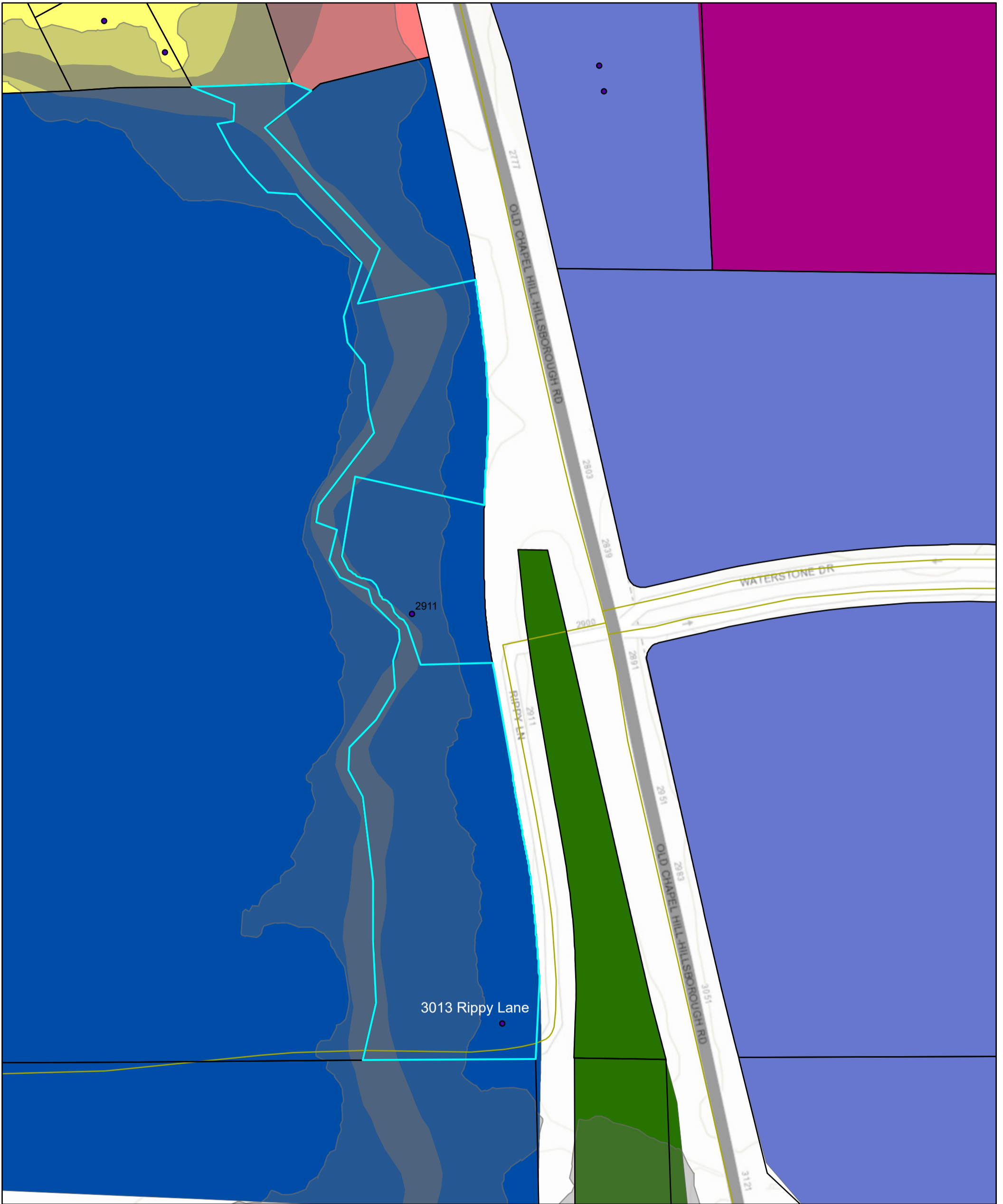
SIZE: 6.36 A
DEED REF: 6841/1038
RATECODE: 00
DATE SOLD: 3/21/2024
BLDG SQFT: 1566
YEAR BUILT: 1954

BUILDING COUNT: 1
LAND VALUE:
BLDG_VALUE:
USE VALUE:
TOTAL VALUE:

STATE ZIP: NC 27514
Section 4, Item A. MAJ 3 JAMES C RIPPY P76/31

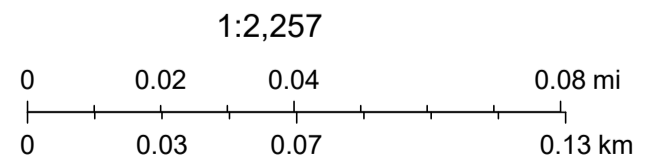


Future Land Use Map - 3013 Rippy Lane



5/30/2024, 2:35:10 PM

- Addresses
- Parcels
- Streets
- Natural Resource
- Special Flood Hazard Areas
- Special Flood Hazard Areas
- Urban Service Area
- HillsboroughLandUse
- Employment
- Mixed Use
- Neighborhood Mixed Use
- Permanent Open Space
- Small Lot Residential
- Suburban Office



Town of Cary, Orange County, NC, State of North Carolina
 DOT, Esri, HERE, Garmin, INCREMENT P, USGS, EPA,
 USDA



PLANNING BOARD STATEMENT OF PLAN CONSISTENCY AND RECOMMENDATION

November 21, 2024

Applicant-initiated rezoning request for 3013 Rippy Lane

WHEREAS, the Town of Hillsborough Planning Board has received and reviewed an application from Prague Escapes, LLC to rezone 3013 Rippy Lane to the Economic Development (ED) district; and

WHEREAS, North Carolina General Statute 160D-604 *Planning Board review and comment*, paragraphs (b) *Zoning Amendments* and (d) *Plan Consistency*, require that, when considering a proposed zoning map amendment, the Planning Board must advise and comment on whether the amendment is consistent with any adopted comprehensive or land-use plan, and any other applicable, officially adopted plan. The Planning Board must then provide a written recommendation to the Town Board of Commissioners addressing plan consistency and other matters deemed appropriate; and

WHEREAS, UDO §3.7.10 *Planning Board Recommendation* requires the written report be delivered to the Town Board of Commissioners within 30 days after the legislative hearing is closed; and

WHEREAS, UDO §3.7.12 *Town Board Action* states the Town Board shall not take action on a proposed zoning map amendment until 30 days after the date of the legislative hearing or until the Planning Board makes its recommendation, whichever comes first; and

WHEREAS, after discussion and deliberation on the requested zoning amendment, the Planning Board finds:

1. The proposed amendment **IS/IS NOT CONSISTENT** with the Town of Hillsborough Comprehensive Sustainability Plan; specifically, the following goal and strategy in the *Land Use and Development* chapter:

- 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: Ensure that land use and development regulations are aligned with preferred future land use and growth patterns.

2. The proposed regulations **ADVANCE/DO NOT ADVANCE** identified goals and strategies found in the CSP, and **PROMOTE/DO NOT PROMOTE** public health, safety, and welfare by annexing and rezoning property in the southeast quadrant for economic development/suburban office use consistent with the Future Land Use Map and Plan.

WHEREFORE, upon a motion by _____, seconded by _____, the foregoing was put to a vote of the Board, the results of which vote are as follows:

Ayes:

Noes:

Absent:

NOW, THEREFORE, the Planning Board hereby **RECOMMENDS** that the Town Board of Commissioners **APPROVE/DENY** the requested zoning map amendment.

Frank Casadonte, Chair
Town of Hillsborough Planning Board

Date of signature by Chair: _____



Agenda Abstract PLANNING BOARD

Meeting Date:	November 21, 2024
Department:	Planning & Economic Development Division
Agenda Section:	Discussion Items
Public hearing:	Yes
Date of public hearing:	October 17, 2024

PRESENTER/INFORMATION CONTACT

Tom King, Senior Planner: (919) 296-9475; tom.king@hillsboroughnc.gov
Molly Boyle, Planner II: (919) 296-9473; molly.boyle@hillsboroughnc.gov

ITEM TO BE CONSIDERED

Subject: Unified Development Ordinance (UDO) text amendment (staff initiated):
Section 6, *Development Standards*, Subsection 6.18, *Signage*, Paragraph 6.18.10, *Billboards*

Attachments:

1. Section 6, Subsection 6.18, Paragraph 6.18.10 with proposed amendments & clean version
2. Draft Planning Board consistency statement

Summary:

UDO Sub-paragraph 6.18.7.6 prohibits new & existing off-premise signs other than those expressly allowed by the UDO. UDO Section 9.2, *Definitions*, defines “Sign, Off-premise” as “Any sign which directs attention to a business, company, service, accommodation, or entertainment conducted, sold, or offered at a location other than the premises on which the sign is located.” UDO Paragraph 6.18.10 contains regulations specifically speaking to billboards, which are a type of off-premises sign.

In early May 2024, staff received an application to erect a billboard on property fronting South Churton Street between John Earl Street & Mayo Street. The application material contained a copy of UDO Paragraph 6.18.10. Staff denied the application. In discussing the denial with the applicant, UDO Paragraph 6.18.10 was identified as being misleading. The proposed amendment clarifies the town’s intent to prohibit all off-premises signs not specifically allowed by the UDO by removing specific reference to billboards.

The joint public hearing for this item was held on October 17, 2024. No members of the public signed up to speak. Draft minutes from the hearing are in this packet as Item 3A.

Comprehensive Sustainability Plan goals:

Town Government & Public Services Goal 2: Adopt local laws, regulations & policies that help to achieve sustainable & equitable outcomes.

Strategy: Develop & adopt policies that help accomplish town goals.

Financial impacts: None.

Staff recommendation: Staff recommends approval of the UDO text amendment as written.

Action requested: Make a recommendation on the proposed text amendment.

6.18.10 BILLBOARDS RESERVED

~~Billboards within one hundred (100) feet of the right-of-way along all roads are prohibited, with the exception of existing billboards existing as of February 17, 1986. These pre-existing billboards shall be subject to the following restrictions:~~

~~6.18.10.1 They shall not be enlarged or expanded;~~

~~6.18.10.2 A signed statement with the name and address of the owner and current lease for each sign shall be kept on file with the Planning Director;~~

~~6.18.10.3 They shall be subject to yearly inspections;~~

~~6.18.10.4 They shall conform to the requirements set forth in North Carolina General Statutes, Section 136-126, et seq.~~

VERSION 1: July 18, 2024 - CLEAN

6.18.10 RESERVED



PLANNING BOARD STATEMENT OF PLAN CONSISTENCY AND RECOMMENDATION

November 21, 2024

Staff-initiated text amendment to UDO Sec. 6.18.10, *Billboards*

WHEREAS, the Town of Hillsborough Planning Board has received and reviewed an application from the Planning and Economic Services division to amend the Unified Development Ordinance by removing Section 6.18.10, *Billboards* in its entirety; and

WHEREAS, North Carolina General Statute 160D-604 *Planning Board review and comment*, paragraphs (b) *Zoning Amendments* and (d) *Plan Consistency*, require that, when considering a proposed zoning amendment, the Planning Board must advise and comment on whether the amendment is consistent with any adopted comprehensive or land-use plan, and any other applicable, officially adopted plan. The Planning Board must then provide a written recommendation to the Town Board of Commissioners addressing plan consistency and other matters deemed appropriate; and

WHEREAS, UDO §3.7.10 *Planning Board Recommendation* requires the written report be delivered to the Town Board of Commissioners within 30 days after the legislative hearing is closed; and

WHEREAS, UDO §3.7.12 *Town Board Action* states the Town Board shall not take action on a proposed zoning amendment until 30 days after the date of the legislative hearing *or* until the Planning Board makes its recommendation, whichever comes first; and

WHEREAS, after discussing the requested amendment, the Planning Board finds:

1. The proposed amendment **IS/IS NOT CONSISTENT** with the Town of Hillsborough Comprehensive Sustainability Plan; specifically, the following goal and strategy in the *Land Use and Development* chapter:

- Town Government & Public Services Goal 2: Adopt local laws, regulations & policies that help to achieve sustainable & equitable outcomes.
 - Strategy: Develop & adopt policies that help accomplish town goals.
 - Implementation Action: Regularly review & update town policies as new information is garnered & achievements are met.

2. The proposed regulations **ADVANCE/DO NOT ADVANCE** identified goals and strategies found in the CSP, and **PROMOTE/DO NOT PROMOTE** public health, safety, and welfare by consolidating and clarifying regulations in the Unified Development Ordinance.

WHEREFORE, upon a motion by _____, seconded by _____, the foregoing was put to a vote of the Board, the results of which vote are as follows:

Ayes:

Noes:

Absent:

NOW, THEREFORE, the Planning Board hereby **RECOMMENDS** that the Town Board of Commissioners **APPROVE/DENY** the requested amendment.

Frank Casadonte, Chair
Town of Hillsborough Planning Board

Date of signature by Chair: _____