



Agenda

Board of Commissioners Regular Meeting

7:00 PM September 09, 2024

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

This meeting will be live streamed on the [Town of Hillsborough YouTube channel](#)

1. Public charge

The Hillsborough Board of Commissioners pledges to the community of Hillsborough its respect. The board asks community members to conduct themselves in a respectful, courteous manner with the board and with fellow community members. At any time should any member of the board or attendee fail to observe this public charge, the mayor or the mayor's designee will ask the offending person to leave the meeting until that individual regains personal control. Should decorum fail to be restored, the mayor or mayor's designee will recess the meeting until such time that a genuine commitment to the public charge is observed.

2. Audience comments not related to the printed agenda

3. Agenda changes and approval

4. Appointments

- [A.](#) Tree Board – Appointment of Tim Logue for a term ending Oct. 30, 2027
- [B.](#) Parks and Recreation Board – Reappointment of Richard von Furstenberg for a term ending Oct 30, 2027
- [C.](#) Tree Board – Reappointment of Linda Paynter for a term ending Sept. 10, 2027
- [D.](#) Parks and Recreation Board – Appointment of Nevin Daryani for a term ending Sept. 10, 2027

5. Items for decision – consent agenda

- [A.](#) Minutes
 - Regular meeting Aug. 12, 2024
 - Regular meeting closed session Aug. 12, 2024
 - Work session and joint WSAC meeting Aug. 26, 2024
 - Work session closed session Aug. 26, 2024
- [B.](#) Miscellaneous budget amendments and transfers
- [C.](#) Resolution authorizing ABC Permit signing authority
- [D.](#) Proclamation – Diaper Need Awareness Week
- [E.](#) Proclamation – Hispanic Heritage Month 2024
- [F.](#) Special Event Permit – Hillsborough Half Marathon and 5K
- [G.](#) Special Event Permit – Carolina Tarwheels Bikefest 2024
- [H.](#) Special Event Permit – Hog Day 2024
- [I.](#) Sale and Indemnity agreement authorizing the retirement of K-9 Vader and transfer of ownership to Sgt. Scott Foster

6. Items for decision - regular agenda

- [A.](#) Annexation and rezoning request for “Waterstone South”
- [B.](#) Strategic Plan Annual Report

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

[C.](#) Hot topics for work session Sept. 23, 2024

7. Updates

- A. Board members
- B. Town manager
- [C.](#) Staff (written reports in agenda packet)

8. Closed session

- A. 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 (potential litigation)

9. 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.



Agenda Abstract

BOARD OF COMMISSIONERS

Meeting Date: Sept. 9, 2024
Department: Public Space and Sustainability
Agenda Section: Appointments
Public hearing: No
Date of public hearing: N/A

PRESENTER/INFORMATION CONTACT

Stephanie Trueblood, Public Space and Sustainability Manager

ITEM TO BE CONSIDERED

Subject: Tree Board – Appointment of Tim Logue for a term ending Oct. 30, 2027

Attachments:

Application

Summary:

Tim Logue is recommended to be appointed for a new three-year term. Logue has previously served on the Tree Board and has years of experience working on Tree Board initiatives such as Tree City and Bee City USA activities. Logue also leads the volunteer invasive species removal efforts and has been instrumental in invasive species removal and planting projects conducted by the Tree Board.

Financial impacts:

None

Staff recommendation and comments:

None

Action requested:

Appoint Tim Logue to a term beginning Oct. 1, 2024, and ending Oct. 30, 2027.



Appointed Boards Application

If you are a Town of Hillsborough resident and willing to volunteer your time and expertise to your community, please complete this form. Volunteers for the Parks and Recreation Board must be at least 13 years old, and volunteers for all other boards must be at least 18 years old.

The town strives to reflect the diversity of its residents in the makeup of its boards. Demographics and residence location are considered during the appointment process.

First name (required):

Timothy

Last name (required):

Logue

Home address (required):

314 W. Margaret Ln

Home phone number:

919-643-3075

Work phone number:

N/A

Email address (required):

tglogue@msn.on

Place of employment:

(retired)

Job title:

Birth date (required):

Oct. 7, 1956

Gender (required):

Male

Ethnic origin (check all that apply) (required):

White

First choice (required):

Tree Board

Second choice (required):

None

Third choice (required):

None

Reasons for wanting to serve (required):

I found my previous two terms on the Tree Board very rewarding. I feel passionately about the importance of planting, maintaining, protecting, and promoting native plants in this community and feel the Tree Board has a critical role to play in educating citizens and modeling environmental stewardship.

Have you served or are you currently serving on a town board? If so, which ones and when? (required)?

I served on the Tree Board from October 2017 to October, 2023. My understanding is that I'm now eligible to serve

another term.

Relevant work, volunteer or educational experience (required):

Before retiring from the Chapel Hill Public Library in April 2021, I lead a volunteer team removing invasive species in Pritchard Park, where the library's located. In October 2021 I initiated a Tree Board project recruiting volunteers to remove invasive species from the Riverwalk, town parks, and other town property, which is still ongoing. With the help of Tree Board members and other volunteers, we've completed three installations of native plants, most recently some 2000 native shrubs and trees earlier this year, in areas we've cleared of invasives. I'm doing similar habitat restoration work for the Tri-County chapter of the NC Wildlife Federation and the Triangle Land Conservancy. I'm also active in the NC Native Plant Society and NC Invasive Plant Council. Over the past few years I've taken numerous classes at the NC Botanical Garden on invasive species, native trees, native grasses, and other topics. For the past two years, I've attended the native plant conference in Cullowhee, NC, where I've made many connections with people, both professionals and amateurs, doing important work across the southeast.

How are you connected to Hillsborough (live, work, play, shop, own property) (required)?

I've lived at 314 Margaret Lane for 20 years (house now paid off!); hike, run, and kayak in the town's natural areas; and buy most of my food here. I also work one day a week at Sugar Hill Produce in Cedar Grove, a vendor at the Eno River farmer's market.

Have you reviewed the Vision 2030 plan, and what are your thoughts about it (required)?

Yes. It's an impressive and inspiring document! It has large aspirations which will require much work to implement, but I feel it's a great blueprint for where the town should be headed.

Have you reviewed other town documents (budget, strategy map, small area plans), and what are your thoughts about them?

I have reviewed some, but not all of them. For the past year, I prepared minutes of the town's Planning Board and became much more familiar with the town's UDO, new developments, and the challenges and issues (like limited water and sewer) the advisory board and town staff are addressing.

What challenges do you see the town facing that could be addressed by the board or boards on which you wish to serve (required)?

I believe the Tree Board can help the town meet several of the goals outlined in the Environment and Natural Systems portion of the Comprehensive Sustainability Plan, e.g. by planting native trees to increase tree canopy, revising the list of prohibited and recommended plants for new developments, extending its invasive species removal efforts to Bellevue Branch, focussing future plantings along streams so that they deliver multiple ecosystem services, and educating citizens to become better stewards of the environment.

How did you hear about this opportunity (required)?

Current volunteer

Check the box to confirm (required):

✓



Agenda Abstract

BOARD OF COMMISSIONERS

Meeting Date: Sept. 9, 2024
Department: Public Space and Sustainability
Agenda Section: Regular
Public hearing: No
Date of public hearing: N/A

PRESENTER/INFORMATION CONTACT

Stephanie Trueblood, Public Space and Sustainability Manager

ITEM TO BE CONSIDERED

Subject: Parks and Recreation Board – Reappointment of Richard von Furstenberg for a term ending Oct 30, 2027

Attachments:

Application

Summary:

Richard von Furstenberg is recommended to be reappointed to a second three-year term. Mr. Von Furstenberg has served on the Parks and Recreation Board as Vice Chair for over a year and has an excellent attendance rate at meetings.

Financial impacts:

None

Staff recommendation and comments:

None

Action requested:

Reappoint Richard von Furstenberg to a second term beginning Oct. 1, 2024, and ending Oct. 30, 2027.



TOWN OF HILLSBOROUGH

Advisory Board Application

If you are a Town of Hillsborough resident and willing to volunteer your time and expertise to your community, please complete this form. Volunteers for the Parks and Recreation Board must be at least 13 years old, and volunteers for all other boards must be at least 18 years old.

Name:

Richard von Furstenberg

Home address:

2600 Hooper Ct, Hillsborough, NC 27278

Home phone number:

8324523945

Email address:

rjvonfur@ncsu.edu

Place of employment:

NCSU

Job title:

Teaching assistant/graduate student

Birth date:

July 30, 1977

Gender:

Male

Ethnic origin:

White

Boards you would be willing to serve on:

First choice — Parks and Recreation Board

Reasons for wanting to serve:

I want to serve my community and positively influence the future of parks and recreational opportunities within Hillsborough. I am passionate about the role of play, and the outdoors, in mental and physical health, and want to further these values through work with the board. I feel strongly these benefits should be experienced by all members of society, and that ensuring that will require intentionality. Moreover, I view preserving wildlife, native species, and the environment as linked to our own well-being and would like to see those conservation efforts manifest in the parks and recreation space when possible.

Have you served or are you currently serving on a town board? If so, which ones and when?

N/A

Relevant work, volunteer or educational experience:

I am currently a second year PhD student in the Parks, Recreation, and Tourism Management Dept at North Carolina State University. I have completed courses on leisure theory, research methods in parks and recreation, and am the teaching assistant for (PRT380) in the department, an analysis and evaluation course designed around making evidenced based decisions in Parks and Recreation management. Our teaching model for that course is the Dorthea Dix Park Master Plan. My research focus is on conservation social science- how and why people make decisions about the outdoors. That said, I have little practical experience in P&R and am eager to learn from others on the board.

How are you connected to Hillsborough (live, work, play, shop, own property)?

My family has lived in Hillsborough since 2013 when we purchased a home in Cornwallis Hills. We enjoy the parks - primarily Gold Park, the downtown food, and walking the wooded trail along the Eno Riverwalk. We do the majority

of our shopping in Hillsborough as well: Weaver St Co-op, Food Lion, Walmart, Home Depot etc. We also enjoy the Orange County Sportsplex for exercise, swimming, and ice skating. My partner works at Elon and I formerly worked at UNC and Duke, so Hillsborough made for a wonderful midpoint in terms of a place to live.

Have you reviewed the Vision 2030 plan, and what are your thoughts about it?

Yes I have reviewed the 2030 plan. The plan lays out a good road map that appears to strike a balance between promoting growth and maintaining the history and charm of Hillsborough. In terms of Parks and Recreation, I appreciate the focus on increasing connectivity between neighborhoods and parks. I think exploring other barriers to parks and recreation access (physical and otherwise) would be beneficial going forward. Additionally, I believe future visions of Parks and Recreation in Hillsborough would benefit from recognition of their ability to facilitate diversity, equity and inclusion in the community.

Have you reviewed other town documents (budget, strategy map, small area plans), and what are your thoughts about them?

I have reviewed the budget, parks and recreation master plan, and the strategy map. I found all to be highly transparent and informative. I appreciated the detail, history, and vision in the parks master plan. The strategy map appears well focused on improving the quality of life for members of the community- I think it is important to make sure these written goals translate into action, and would like to affect that on some level.

What challenges do you see the town facing that could be addressed by the board or boards on which you wish to serve?

I think diversity, equity, and inclusion will be a challenge that could be addressed by the Parks and Recreation board. A quick drive around Hillsborough reveals segregated neighborhoods (North vs South of Hwy 70 for example), a product of structural racism and consequent inequality. I believe parks and recreation space should benefit all members of the community in an equitable way, and that it can, and should be, a place where the community unites and mixes beyond their own neighborhood.

I also see preserving greenspace as a priority going forward. It is important that Hillsborough remain economically viable, and provide adequate housing, but it is imperative for our well-being, and that of the environment, that greenspace is protected as a component of Parks and Recreation policy.

How you heard about this opportunity:

Internet

Agreement:

✓ I have been advised that I am committing to attend the volunteer board's regular meetings. Attendance at the regular meetings shall be considered a prerequisite for maintaining membership on the board. The Board of Commissioners may declare a vacancy on the board because of non-attendance.



Agenda Abstract

BOARD OF COMMISSIONERS

Meeting Date: Sept. 9, 2024
Department: Public Space and Sustainability
Agenda Section: Appointments
Public hearing: No
Date of public hearing: N/A

PRESENTER/INFORMATION CONTACT

Stephanie Trueblood, Public Space and Sustainability Manager

ITEM TO BE CONSIDERED

Subject: Tree Board – Reappointment of Linda Paynter for a term ending Sept. 10, 2027

Attachments:

Application

Summary:

Linda Paynter is recommended to be reappointed for a second three-year term. Paynter has served on the Tree Board for one full term and is currently serving as Chair to the Tree Board. She has years of experience working on Tree Board initiatives such as the board’s Tree City and Bee City USA activities as well as serving as lead on Tree Board subcommittees.

Financial impacts:

None

Staff recommendation and comments:

None

Action requested:

Reappoint Linda Paynter to a term beginning Sept. 10, 2024, and ending Sept. 10, 2027.



TOWN OF HILLSBOROUGH

Advisory Board Application

If you are a Town of Hillsborough resident and willing to volunteer your time and expertise to your community, please complete this form. Volunteers for the Parks and Recreation Board must be at least 13 years old, and volunteers for all other boards must be at least 18 years old.

Name:

Linda Paynter

Home address:

115 E Tryon St

Home phone number:

2028122776

Email address:

lindanotatwork@gmail.com

Birth date:

June 29, 1973

Gender:

Female

Ethnic origin:

Other

Boards you would be willing to serve on:

First choice — Tree Board

Reasons for wanting to serve:

I just like trees a lot! In particular natives but open to all trees that can provide us with a good environment in town. I know from a former board member the kind of things that they did, but here are my special interests right now: I would love to see how we can offset the carbon from the increasing number of developments in town. And I see these fantastic sidewalks going up and am interested in getting some natural shade for them, for those who do not have an option but to walk in the summer heat, and for the rest of us who might walk more often if it were a better experience!

Have you served or are you currently serving on a town board? If so, which ones and when?

No

Relevant work, volunteer or educational experience:

I have an incomplete Horticulture Associate Degree from NOVA community college. Prior to that I worked in not-for-profits, mainly International Development, mainly in monitoring, evaluation, risk and process assessment (that's a lot of jargon - sorry!). Some work with Federal Government grants from that perspective. Monitoring and evaluation included grassroots community work, community organization and empowerment, community-led decision-making, women's rights and empowerment. Not sure how these might fit with the Tree Board!! But I take these inclusive concepts wherever I go these days.

How are you connected to Hillsborough (live, work, play, shop, own property)?

I have lived here 8 years. I am in the downtown bubble and keen to break out of that.

Have you reviewed the Vision 2030 plan, and what are your thoughts about it?

Yes to making this a community.

I think Hillsborough has some unique difficulties, and a tough history, but right now it is small enough that we could surely have a good shot at linking together.

Learning to make genuine time to listen, finding ways to demonstrate that people's opinions matter, making space for criticism, these are things that, in my experience, can foster long term positive change.

I am keen on finding ways to hear the busy people of Hillsborough regarding the green in their town.

Have you reviewed other town documents (budget, strategy map, small area plans), and what are your thoughts about them?

Not in enough detail to comment.

What challenges do you see the town facing that could be addressed by the board or boards on which you wish to serve?

I am concerned about developers. They appear to agree up-front to something and then slowly chip away at that commitment. I don't know if that is true or not.

In particular the carbon effect of development seems like something that developers need to address. And I feel there needs to be a genuine commitment from them to be proactive on that, now and in the future, if we find out there are better ways to address the issue.

(Right now, my interest is in tiny forests that seem to have a disproportionately high effect on carbon levels, and how they can be incorporated by developers. I think it is something worth exploring.)

How you heard about this opportunity:

Current volunteer

Agreement:

✓ I have been advised that I am committing to attend the volunteer board's regular meetings. Attendance at the regular meetings shall be considered a prerequisite for maintaining membership on the board. The Board of Commissioners may declare a vacancy on the board because of non-attendance.



Agenda Abstract

BOARD OF COMMISSIONERS

Meeting Date: Sept. 9, 2024
Department: Public Space and Sustainability
Agenda Section: Appointments
Public hearing: No
Date of public hearing: N/A

PRESENTER/INFORMATION CONTACT

Stephanie Trueblood, Public Space and Sustainability Manager

ITEM TO BE CONSIDERED

Subject: Parks and Recreation Board – Appointment of Nevin Daryani for a term ending Sept. 10, 2027

Attachments:

Application

Summary:

Nevin Daryani is recommended to be appointed for a three-year term to the Parks and Recreation Board. Daryani has years of related experience in the field of parks and recreation and lives in Forest Ridge, a neighborhood that is not currently represented on the Parks and Recreation Board.

Financial impacts:

None

Staff recommendation and comments:

None

Action requested:

Appoint Nevin Daryani to a three-year term beginning Sept. 10, 2024, and ending Sept. 10, 2027.



TOWN OF HILLSBOROUGH

Personal Information

* Full name
Mr Nevin Daryani

* Home address
902 Quincy Cottage Road
Hillsborough NC 27278

* Primary phone
919-600-4197

Secondary phone
SKIPPED

* **Email**
nevindaryani@gmail.com

Employer
Armstrong McGuire and Associates

Job title
Director of Operations

* **Birth date**
November 13, 1974

* Gender
Male

* Preferred pronouns
He/him/his

* **Hispanic, Latino or Spanish ancestry**
No

* Race
Asian

* **Have you attended Government 101 for community members?**
Yes

Board Selection

You must meet at least one of the eligibility criteria for each board you would be willing to serve on:

Board of Adjustment
- Live in town
- Live in the extraterritorial jurisdiction area

Historic District Commission
- Live in town
- Live in the extraterritorial jurisdiction area

Parks and Recreation Board
- Live in town

Planning Board
- Live in town
- Live in the extraterritorial jurisdiction area

Tourism Board
- Own or operate a restaurant in town
- Live, own property or be employed in town

Tourism Development Authority
- Be affiliated with a business collecting lodging tax

Tree Board
- Live in town

Water and Sewer Advisory Committee
- Be a water system customer

* **First choice board**
Parks and Recreation Board

Second choice board
SKIPPED

Third choice board
SKIPPED

Short-Answer Questions

*** Have you served or are you serving on a town board? Which ones and when?**

I am currently not serving on a town board.

*** Why do you want to serve on a town board? What would you specifically like to accomplish?**

There are a few reasons why I'm interested in serving on a town board. I'm excited about making a positive difference in Hillsborough and thought this would be a great next step after completing Government 101. And, I believe my skills and experience working with parks and recreation departments and my Masters in Public Affairs would be valuable. I would like to simply accomplish making Hillsborough the best town it can be and being a champion of this community that I call home.

*** Do you have relevant work, volunteer or educational experience for the boards you selected?**

Yes. -Bachelors Degree in Parks and Recreation Management -Masters in Public Affairs -Have worked for both city and county parks and recreation departments. -Board Member at the Museum of Life and Science -Hillsborough Government 101 Alumni -Leadership Triangle Alumni

*** How are you connected to Hillsborough?**

I live in Hillsborough with my family and my children go to school here.

*** Have you reviewed town plans and other documents available on the town website?**

Yes, I have.

*** What challenges facing the town could be addressed by the board or boards on which you wish to serve?**

-Continued opportunities for citizens of all ages and abilities to have a safe place to recreate and be outdoors. -Preservation, conservation, and restoration of park locations, green space, and waterways. -Support Climate Change efforts -Connector of greenway between town and new railway station

*** How did you hear about this opportunity?**

Town social media

I have been advised that I am committing to attend the appointed board's regular meetings. Attendance at the regular meetings is required for me to maintain membership on the board. The Board of Commissioners may declare a vacancy on the board because of non-attendance.

View the complete code in the Hillsborough Code of Ordinances: [Appointed Boards, Task Forces and Authorities](#).

Confirm understanding of attendance policy

Confirm



Agenda Abstract

BOARD OF COMMISSIONERS

Meeting Date: Sept. 9, 2024
Department: Town Clerk
Agenda Section: Consent
Public hearing: No
Date of public hearing: N/A

PRESENTER/INFORMATION CONTACT

Town Clerk Sarah Kimrey

ITEM TO BE CONSIDERED

Subject: Minutes

Attachments:

1. Regular meeting Aug. 12, 2024
2. Regular meeting closed session Aug. 12, 2024
3. Work session and joint WSAC meeting Aug. 26, 2024
4. Work session closed session Aug. 26, 2024

Summary:

None.

Financial impacts:

None.

Staff recommendation and comments:

Approve minutes as presented.

Action requested:

To approve minutes of the Board of Commissioners regular meeting Aug. 12, 2024, regular meeting closed session Aug. 12, 2024, work session and joint WSAC meeting Aug. 26, 2024, and work session closed session Aug. 26, 2024.



Minutes

Board of Commissioners Regular Meeting

7 p.m. Aug. 12, 2024

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

- Present:** Mayor Mark Bell and commissioners Meaghun Darab, Robb English, Kathleen Ferguson, Matt Hughes, and Evelyn Lloyd
- Absent:** Kathleen Ferguson (Remote)
- Staff:** Safety and Risk Manager Phil Cundiff, Environmental Engineering Supervisor Bryant Green, Police Chief Duane Hampton, Town Attorney Bob Hornik, Town Clerk and Human Resources Technician Sarah Kimrey, Town Manager Eric Peterson, Utilities Director Marie Strandwitz and Public Space and Sustainability Manager Stephanie Trueblood

Opening of the meeting

Mayor Mark Bell called the meeting to order at 7 p.m.

1. Public charge

Bell did not read the public charge.

2. Audience comments not related to the printed agenda

Orange County resident Pat Barnes asked the board why pride banners are flown in town for Pride Month, but other national celebrations are not recognized with banners.

Commissioner Matt Hughes defended the town's choice to fly pride banners and suggested that other marginalized groups could come before the board to request banners for their groups' celebrations.

3. Agenda changes and approval

There were none.

Motion: Hughes moved to approve the agenda as presented. Commissioner Meaghun Darab seconded.
Vote: 4-0.

4. Appointments

- A. Tree Board – Appointment of Brian Mayell for a term ending Aug. 30, 2027

Motion: Commissioner Robb English moved to approve the appointment. Darab seconded.
Vote: 4-0.

5. Items for decision – consent agenda

- A. Minutes
– Budget work session June 3, 2024
– Regular meeting June 10, 2024

- Work session June 24, 2024
- Work session closed session June 24, 2024
- Special meeting July 15, 2024

- B. Miscellaneous budget amendments and transfers
- C. Proclamation – Women’s Equality Day 2024
- D. Ordinance amending Article VII – Recreation, Section 3-49.a – Skateboard Park Regulations
- E. Collins Ridge Phase 1A partial water and sewer acceptance – Gold Hill Way water main and Orange Grove Road sewer outfall

Motion: Hughes moved to approve all items on the consent agenda. Commissioner Evelyn Lloyd seconded.

Vote: 4-0. Nays: None.

6. Items for decision - regular agenda

- A. Hot topics for work session Aug. 26, 2024
Hot topics for the upcoming work session include:
 - Water and Sewer Advisory Committee meeting
 - 128 W. Margaret Lane rezoning request
 - Waterstone South annexation and rezoning request
 - An update on the town’s strategic plan

7. Updates

- A. Board members
Board members gave updates on the committees and boards on which they serve.
- B. Town manager
Town Manager Eric Peterson introduced Safety and Risk Manager Phil Cundiff.
- C. Staff (written reports in agenda packet)
There were no additional updates.

Motion: Hughes moved to go into closed session. Lloyd seconded.

Vote: 4-0.

8. Closed session

- A. Closed session as authorized by North Carolina General Statute Section 143-318.11(a)(9)
- B. 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 (potential litigation)

Motion: Hughes moved to return to open session. Lloyd seconded.

Vote: 4-0.

9. Adjournment

The mayor adjourned the meeting at 8:34 p.m.

Respectfully submitted,

Sarah Kimrey
Town Clerk
Staff support to the Board of Commissioners

DRAFT

FY 2024-2025

TOWN OF HILLSBOROUGH
BUDGET CHANGES REPORT

DATES: 08/12/2024 TO 08/12/2024

REFERENCE	CHANGE NUMBER	DATE	USER	ORIGINAL BUDGET	BUDGET CHANGE	AMENDED BUDGET
GF 10-00-3900-3900-000 FUND BALANCE APPROPRIATION						
Fund Bal. Re-budget lapsed phyc care funds from FY24	45466	08/12/2024	EBRADFORD	3,260,960.00	12,000.00	3,272,960.00
GF 10-00-9990-5300-000 CONTINGENCY						
Contingency To cover animal services and central square rm	45422	08/12/2024	JFernandez	450,000.00	-4,798.00	445,202.00
To cover increased PW building rental fee	45471	08/12/2024	EBRADFORD	450,000.00	-1,500.00	443,702.00
To cover RTV purchase price increase.	45482	08/12/2024	JFernandez	450,000.00	-40.00	443,662.00
To cover increase in vehicle cost.	45487	08/12/2024	JFernandez	450,000.00	-2,050.00	441,612.00
To cover refrigerator diagnostic and replaceme	45493	08/12/2024	JFernandez	450,000.00	-2,465.00	439,147.00
Gov. 10-10-4100-5300-145 MAINTENANCE - BUILDINGS						
Body To cover refrigerator diagnostic and replaceme	45492	08/12/2024	JFernandez	250.00	2,465.00	2,715.00
Comms 10-10-4600-5300-113 LICENSE FEES						
Move website support to correct line.	45479	08/12/2024	JFernandez	13,998.00	-3,000.00	10,998.00
Comms 10-10-4600-5300-570 MISCELLANEOUS						
Move website support to correct line.	45480	08/12/2024	JFernandez	6,200.00	3,000.00	9,200.00
Police 10-20-5100-5300-458 DATA PROCESSING SERVICES						
To cover central square rms.	45423	08/12/2024	JFernandez	26,100.00	3,510.00	29,610.00
Police 10-20-5100-5300-463 C.S./O.C. ANIMAL CONTROL						
To cover animal services.	45424	08/12/2024	JFernandez	83,985.00	1,288.00	85,273.00
Police 10-20-5100-5300-570 MISCELLANEOUS						
Re-budget lapsed phyc care funds from FY24	45465	08/12/2024	EBRADFORD	4,000.00	12,000.00	16,000.00
Streets 10-30-5600-5300-363 RENTAL - BUILDING						
To cover increased building rental fee	45470	08/12/2024	EBRADFORD	7,100.00	1,500.00	8,600.00
Streets 10-30-5600-5300-583 MISC-TAX, TAGS, ETC.						
To cover increase in vehicle cost.	45486	08/12/2024	JFernandez	2,006.00	50.00	2,056.00
Streets 10-30-5600-5700-740 CAPITAL - VEHICLES						
To cover increase in vehicle cost.	45485	08/12/2024	JFernandez	67,100.00	2,000.00	69,100.00
Solid 10-30-5800-5700-741 CAPITAL - EQUIPMENT						
Waste To cover RTV purchase price increase.	45481	08/12/2024	JFernandez	23,000.00	40.00	23,040.00
WSF 30-80-3900-3900-000 FUND BALANCE APPROPRIATED						
Fund Bal. Re-appropriate lapsed funds for Dist/Coll proj	45464	08/12/2024	EBRADFORD	406,244.00	305,900.00	712,144.00
Hydraulic modeling software/syst pressure mo	45478	08/12/2024	JFernandez	406,244.00	110,000.00	822,144.00
Utilities 30-80-7220-5300-113 LICENSE FEES						
Admin. To cover hydraulic modeling software.	45475	08/12/2024	JFernandez	12,800.00	50,000.00	62,800.00
Utilities 30-80-7220-5300-455 C.S./ENGINEERING						
Admin. To cover long-term flow monitoring.	45474	08/12/2024	JFernandez	110,000.00	100,000.00	210,000.00
Billing 30-80-7240-5300-145 MAINTENANCE - BUILDINGS						
& Collect. To cover B&C building maintenance	45456	08/12/2024	EBRADFORD	0.00	500.00	500.00
WTP 30-80-8120-5300-145 MAINTENANCE - BUILDINGS						
To cover WTP HVAC maintenance contract.	45488	08/12/2024	JFernandez	6,000.00	-2,410.00	3,590.00
WTP 30-80-8120-5300-473 MAINTENANCE CONTRACTS						
To cover WTP maintenance contract.	45425	08/12/2024	JFernandez	6,340.00	128.00	6,468.00
To cover WTP HVAC maintenance contract.	45489	08/12/2024	JFernandez	6,340.00	2,410.00	8,878.00
WTP 30-80-8120-5300-494 C.S./PUMP STA.MONITORING						

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TOWN OF HILLSBOROUGH
BUDGET CHANGES REPORT

FY 2024-2025

DATES: 08/12/2024 TO 08/12/2024

	<u>REFERENCE</u>	<u>CHANGE NUMBER</u>	<u>DATE</u>	<u>USER</u>	<u>ORIGINAL BUDGET</u>	<u>BUDGET CHANGE</u>	<u>AMENDED BUDGET</u>
	To cover Mission Communications monitoring	45418	08/12/2024	JFernandez	1,650.00	109.00	1,759.00
WFER	30-80-8130-5300-330 SUPPLIES - DEPARTMENTAL						
	To cover Mission Communications monitoring	45421	08/12/2024	JFernandez	2,500.00	-26.00	2,474.00
WFER	30-80-8130-5300-412 C.S./MONITORING MISSION UNIT						
	To cover Mission Communications monitoring	45420	08/12/2024	JFernandez	660.00	26.00	686.00
Water Dist.	30-80-8140-5300-130 UTILITIES						
	To cover propane PO into correct account.	45450	08/12/2024	JFernandez	43,000.00	-1,792.00	41,208.00
Water Dist.	30-80-8140-5300-154 MAINTENANCE - GROUNDS						
	To cover landscaping PO.	45447	08/12/2024	JFernandez	27,000.00	3,000.00	30,000.00
Water Dist.	30-80-8140-5300-310 GASOLINE						
	To cover propane PO into correct account.	45451	08/12/2024	JFernandez	23,730.00	1,792.00	25,522.00
Water Dist.	30-80-8140-5300-330 SUPPLIES - DEPARTMENTAL						
	For rental of bypass pump.	45468	08/12/2024	JFernandez	120,000.00	-8,500.00	111,500.00
Water Dist.	30-80-8140-5300-351 RENTAL - EQUIPMENT						
	For rental of bypass pump.	45469	08/12/2024	JFernandez	2,000.00	8,500.00	10,500.00
Water Dist.	30-80-8140-5700-729 CAPITAL - INFRASTRUCTURE						
	S Tank, Forest Ridge, Blair Dr, New Brady Br	45461	08/12/2024	EBRADFORD	160,000.00	69,300.00	229,300.00
Water Dist.	30-80-8140-5700-741 CAPITAL - EQUIPMENT						
	To cover system pressure monitors.	45476	08/12/2024	JFernandez	0.00	60,000.00	60,000.00
WW Collect.	30-80-8200-5300-130 UTILITIES						
	To cover propane PO into correct account.	45448	08/12/2024	JFernandez	56,000.00	-532.00	55,468.00
WW Collect.	30-80-8200-5300-154 MAINTENANCE - GROUNDS						
	To cover landscaping PO.	45446	08/12/2024	JFernandez	35,000.00	-3,000.00	32,000.00
WW Collect.	30-80-8200-5300-165 MAINTENANCE - INFRASTRUCTURE						
	Timbers, Coachwood, Dixie & Woodsedge PS	45462	08/12/2024	EBRADFORD	137,000.00	43,100.00	180,100.00
WW Collect.	30-80-8200-5300-310 GASOLINE						
	To cover propane PO into correct account.	45449	08/12/2024	JFernandez	24,990.00	532.00	25,522.00
WW Collect.	30-80-8200-5300-330 SUPPLIES - DEPARTMENTAL						
	To cover collection system annual permit fee.	45483	08/12/2024	JFernandez	70,000.00	-300.00	69,700.00
WW Collect.	30-80-8200-5300-530 DUES & SUBSCRIPTIONS						
	To cover collection system annual permit fee.	45484	08/12/2024	JFernandez	2,200.00	300.00	2,500.00
WW Collect.	30-80-8200-5700-741 CAPITAL - EQUIPMENT						
	Cemetery, Gov Burke, TIny Tots, Shelton PS F	45463	08/12/2024	EBRADFORD	0.00	193,500.00	193,500.00
WWTP	30-80-8220-5300-145 MAINTENANCE - BUILDINGS						
	To cover WWTP HVAC maintenance contract.	45490	08/12/2024	JFernandez	4,140.00	-3,972.00	168.00
WWTP	30-80-8220-5300-413 C.S./DI WATER SYSTEM SERVICE						
	Dionize water system increase	42164	08/12/2024	EBRADFORD	4,300.00	233.00	4,533.00
	To cover DI Wtr Sys Service increased cost	42166	08/12/2024	EBRADFORD	4,300.00	20.00	4,553.00
WWTP	30-80-8220-5300-473 MAINTENANCE CONTRACTS						
	To cover WWTP HVAC maintenance contract.	45491	08/12/2024	JFernandez	30,250.00	3,972.00	34,222.00
WWTP	30-80-8220-5300-550 SLUDGE REMOVAL						
	To cover increased sludge removal costs	42163	08/12/2024	EBRADFORD	100,000.00	13,500.00	113,500.00
WSF Contingency	30-80-9990-5300-000 CONTINGENCY						
	JFernandez		08/05/2024	5:06:53PM			

FY 2024-2025

TOWN OF HILLSBOROUGH
BUDGET CHANGES REPORT

DATES: 08/12/2024 TO 08/12/2024

<u>REFERENCE</u>	<u>CHANGE NUMBER</u>	<u>DATE</u>	<u>USER</u>	<u>ORIGINAL BUDGET</u>	<u>BUDGET CHANGE</u>	<u>AMENDED BUDGET</u>	
Cost increase-dionize wtr sys & slude removal	42165	08/12/2024	EBRADFORD	400,000.00	-13,733.00	386,267.00	
To cover DI Wtr Sys Service increased cost	42167	08/12/2024	EBRADFORD	400,000.00	-20.00	386,247.00	
To cover Mission Communications monitoring	45419	08/12/2024	JFernandez	400,000.00	-109.00	386,138.00	
To cover WTP maintenance contract.	45426	08/12/2024	JFernandez	400,000.00	-128.00	386,010.00	
To cover B&C building maintenance	45457	08/12/2024	EBRADFORD	400,000.00	-500.00	385,510.00	
To cover long term flow monitoring.	45477	08/12/2024	JFernandez	400,000.00	-100,000.00	285,510.00	
Special 72-00-5100-3301-052 RESTRICTED REV-ABC BOARD GRANT							
Special Revenue	Allocate FY25 Q1 ABC Board payment.	45473	08/12/2024	JFernandez	27,157.85	3,500.00	30,657.85
Special 72-20-5100-5300-052 ABC BOARD EXPENDITURES							
Special Revenue	Allocate FY25 Q1 ABC Board payment.	45472	08/12/2024	JFernandez	27,157.85	3,500.00	30,657.85
					862,800.00		

APPROVED: 4/0

DATE: 8/12/24

VERIFIED: _____

Janet E. Kimrey

DRAFT



PROCLAMATION

Women's Equality Day 2024

WHEREAS, Women's Equality Day is celebrated annually on August 26 to commemorate the adoption of the 19th Amendment to the United States Constitution in 1920, which prohibited states from depriving citizens of the right to vote based on gender; and

WHEREAS, women of color fought for the right to vote for another four decades until the passage of the Voting Rights Act in 1965; and

WHEREAS, recognizing Women's Equality Day as a day of celebration emphasizes the importance of women's work for democracy and calls attention to women's continuing efforts toward full equality; and

WHEREAS, Hillsborough benefits from the leadership and representation of women who embody gender equality, including the Honorable Jennifer Weaver, the first woman Mayor of Hillsborough from 2019 to 2023; Commissioner Evelyn Lloyd, the longest-serving woman on the Hillsborough Town Board of Commissioners at 33+ years; Commissioner Phyllis Portie-Ascott, Orange County Board of Commissioners, District 2; Congresswoman Valerie Foushee of North Carolina Congressional District 4; and Representative Renee Price of North Carolina General Assembly District 50; and

WHEREAS, Hillsborough is home to the Northern Orange Branch of the NAACP, an organization devoted to ending racial discrimination and which joins in a statewide effort to honor and acknowledge women annually, and as an organization has been led by numerous women leaders from our community; and

WHEREAS, Hillsborough honors organizations like the League of Women Voters, serving the people of Orange, Durham and Chatham Counties, that work to protect and expand voting rights and defend democracy through advocacy, education, and litigation, at the local, state and national levels; and

WHEREAS, Hillsborough is committed to advancing gender equity and protecting women's rights and to making equity and inclusion a reality in the town's policies and procedures and throughout the community;

NOW, THEREFORE, I, Mark Bell, mayor of the Town of Hillsborough, do hereby proclaim Aug. 26, 2024, as Women's Equality Day in the Town of Hillsborough.

IN WITNESS WHEREOF, I have hereunto set my hand and caused this seal of the Town of Hillsborough to be affixed this 12th day of August in the year 2024.



Mark Bell

Mark Bell, Mayor
Town of Hillsborough



ORDINANCE

Amending Article VII – Recreation, Section 3-49.a Skateboard Park Regulations

The Hillsborough Board of Commissioners ordains:

Section 1. The Code of Ordinances shall be amended by adding the following Section 3-49.a, Skateboard Park Regulations.

Section 3-49.a. Skateboard Park Regulations

1. Definitions.

The following definitions apply to this section:

- (a) *Hazardous recreational activity*: Skateboarding, inline skating, or freestyle bicycling.
- (b) *Inherent risk*: Dangers or conditions that are characteristic or intrinsic to, or an integral part of skateboarding, inline skating, and freestyle bicycling.
- (c) *Skateboard Park*: A facility established on town-owned property which is designed for the purpose of engaging in hazardous recreational activities, and which is specifically designed by the town for such use.

2. Responsibilities of the User.

- (a) All users of the skateboard park shall wear a helmet, elbow pads, and knee pads at all times while engaging in hazardous recreational activities.
- (b) Any person who observes, participates in or assists in hazardous recreational activities assumes the known and unknown inherent risks in these activities, irrespective of age, and is legally responsible for all damages, injury or death to himself or herself or other persons or property that results from these activities.
- (c) While engaged in hazardous recreational activities, irrespective of where such activities occur, a participant is responsible for doing all of the following:
 - (i) Acting within the limits of his or her ability and the purpose and design of the equipment used.
 - (ii) Maintaining control of his or her person and equipment used.
 - (iii) Refrain from acting in any manner that may cause or contribute to death or injury of himself or herself or other persons or property.
 - (v) Failure to comply with the requirements of this section shall constitute negligence as provided in North Carolina General Statute 99E-24 c.

3. Notice.

The town shall post signage at its skateboard park, affording reasonable notice to all users, as follows:

- (a) Any person engaged in hazardous recreational activity at the skateboard park must wear a helmet, elbow pads, and kneepads at all times.
- (b) The town does not provide regular supervision of the skateboard park.
- (c) Users of the skateboard park assume all risks associated with the use of the skateboard park, and
- (d) Failure to comply with these requirements for use may subject the violator to sanctions as provided in this ordinance.

4. **Sanctions.**

In addition to any other penalties stated in the Town Code of Ordinances, any person who violates the provisions of this section may be subject to sanctions imposed by the town, including, but not limited to, suspension or permanent revocation of the privilege to use the skateboard park and assessment for the full cost of any damage to the skateboard park caused by the person.

5. **Town immune from liability.**

The Town of Hillsborough, including its officials, employees, and agents, shall not be liable to any person who voluntarily participates in hazardous recreational activities for any damage or injury to property or persons that arises out the person's participation in the activity and that takes place at a skateboard park.

6. **Hours of Operation.**

It shall be unlawful for any person to be present on the premises of the town's skateboard park and recreation facility outside the posted normal hours of operation, except for town employees or contractors conducting town business thereon and for emergency and law enforcement personal on official business.

Section 2. All provisions of any town ordinance in conflict with this ordinance are repealed.

Section 3. This ordinance shall become effective upon adoption.

The foregoing ordinance having been submitted to a vote, received the following vote and was duly adopted this 12th day of August in the year 2024.

Ayes: 4
Noes: 0
Absent or excused: 1



Sarah E. Kimrey

Sarah E. Kimrey, Town Clerk



Minutes

Board of Commissioners Work Session with Joint Water and Sewer Advisory Committee Meeting

7 p.m. Aug. 26, 2024

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

Town board: Mayor Mark Bell and commissioners Meaghun Darab, Robb English, Kathleen Ferguson, Matt Hughes, and Evelyn Lloyd

Advisory board: Vice Chair Daniel Rawlins and members Grace Beeler, Mo Rasheed, Steed Robinson Barry Weston

Absent: Chair Jenn Sykes

Staff: Planning and Economic Development Manager Shannan Campbell, Environmental Engineering Supervisor Bryant Green, Town Attorney Bob Hornik, Town Clerk and Human Resources Technician Sarah Kimrey, Communications Specialist JC Leser, Town Manager Eric Peterson, Utilities Director Marie Strandwitz and Public Space and Sustainability Manager Stephanie Trueblood

1. Opening of the work session

Mayor Mark Bell called the meeting to order at 7 p.m.

2. Agenda changes and approval

The mayor asked to add Item 6A – 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 (potential litigation).

Motion: Commissioner Kathleen Ferguson moved to approve the amended agenda. Commissioner Matt Hughes seconded.

Vote: 5-0.

3. Items for decision - consent agenda

- A. Miscellaneous budget amendments and transfers
- B. Proclamation – Living Wage Day 2024
- C. Unified Development Ordinance text amendments (staff-initiated):
 - Section 6.1 *Development Standards – Purpose and Intent*
 - Section 6.20.16 *Development Standards: Stormwater Management – Riparian Buffers*
- D. Flood Damage Prevention Ordinance text amendment (staff initiated): Article 3, Section 3.C
 - *Establishment of Floodplain Development Permit*

Motion: Ferguson moved to approve all items on the consent agenda. Commissioner Meaghun Darab seconded.

Vote: 5-0. Nays: None.

4. In-depth discussion and topics

A. Water and Sewer Advisory Committee and Board of Commissioners Joint Meeting Agenda

Daniel Rawlins, vice chair of the Water and Sewer Advisory Committee, recapped the memorandum sent by the committee to the Board of Commissioners.

Commissioner Robb English expressed appreciation for the service of appointed board members.

Committee members shared that some among them felt frustration that their recommendations on investigating different fee structures and backflow were not accepted by the board. Additionally, participation by departments other than the Utilities Department has declined.

Utilities Director Marie Strandwitz said that participation from other departments has decreased since the COVID-19 pandemic.

Town Manager Eric Peterson said the town used to provide the budget to the board in February, which allowed the committee to review the budget. Since the town has shifted to drafting the budget later in the year, the committee does not have that opportunity. The committee is likely remembering when the town's budget team would provide insight into the water and sewer fund in the early spring.

Strandwitz said the committee has been beneficial for the town when they serve as ambassadors to the public, and members of the board agreed.

Bell said unexpected issues will arise in the future where the committee's input will be valuable to the board.

Water and Sewer Advisory Committee Member Barry Weston requested the board consider the committee meet on an as-needed basis.

Public Space and Sustainability Manager Stephanie Trueblood shared her experience with the cemetery board and the signage committee as examples for the board to consider. The town's cemetery board was folded when it was no longer needed. The signage committee meets as needed to create interpretive signage.

Utilities staff will compile the thoughts of town board members, committee members and staff to determine a path forward for the committee.

B. Rezoning request for 128 W. Margaret Lane

Planning and Economic Development Manager Shannan Campell reviewed the previous action on the rezoning request.

Despite the Planning Board voting against the rezoning, Campbell shared that staff believes the request is reasonable.

The Board of Commissioners confirmed their choice to request that the property owner remove brewery, restaurant and veterinary hospital from the list of acceptable uses he is requesting.

Andrew Lloyd Jr., the property owner, agreed to the changes the Board of Commissioners requested.

Motion: English moved to approve the request to rezone the subject property to Neighborhood Business Conditional Zoning, noting that the action is consistent with the Hillsborough Comprehensive Sustainability Plan. Ferguson seconded.

Vote: 4-1.

5. Committee updates and reports

Board members gave updates on the committees and boards on which they serve.

Motion: Ferguson moved to go into closed session. English seconded.

Vote: 5-0.

6. Closed Session

- A. 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 (potential litigation)

Motion: Darab moved to return to open session. English seconded.

Vote: 5-0.

7. Adjournment

The mayor adjourned the meeting at 9:20 p.m.

Respectfully submitted,

Sarah Kimrey
Town Clerk
Staff support to the Board of Commissioners

DRAFT



PROCLAMATION

Living Wage Day 2024

WHEREAS, chronic poverty is one of the biggest challenges to sustainable, diverse, and healthy communities; and

WHEREAS, the costs of housing, food, childcare, transportation, and healthcare have increased substantially since the federal minimum wage of \$7.25/hour was last raised in 2009; and

WHEREAS, North Carolina is one of just 16 states that have not adjusted its \$7.25/hour minimum wage, even for inflation, over the past 15 years; and

WHEREAS, the current living wage in Orange County is \$17.65 per hour, more than \$10/hour higher than the state and federal minimums; and

WHEREAS, many workers in Orange County earn less than living wages and are living in poverty despite full-time employment; and

WHEREAS, higher wages create more opportunities for those who work in Orange County to live here and enjoy shorter commutes that free up time for recreation, family, and community; and

WHEREAS, employers who pay their workers a living wage report substantially less turnover and absenteeism, better job performance, and more positive customer engagement; and

WHEREAS, Orange County Living Wage, a 501(c)3 charitable organization, currently has more than 260 employers on its directory who voluntarily pay a living wage and promotes them locally to build a base of engaged, informed consumers who support living-wage-certified businesses and nonprofits; and

WHEREAS, Labor Day is a national holiday in recognition of the contributions of workers to the economy and the broader community;

NOW, THEREFORE, I, Mark Bell, mayor of the Town of Hillsborough, a living-wage-certified employer, do hereby proclaim Labor Day, Sept. 2, 2024, as Living Wage Day and encourage consumers to support businesses paying their workers a living wage.

IN WITNESS WHEREOF, I have hereunto set my hand and caused this seal of the Town of Hillsborough to be affixed this 26th day of August in the year 2024.



Mark Bell

Mark Bell, Mayor
Town of Hillsborough

HILLSBOROUGH BOARD OF COMMISSIONERS
Consistency Statement per Section 160D-605(a)

Text Amendment Request from: Staff – Stormwater and Environmental Services
Aug. 26, 2024

The Hillsborough Board of Commissioners has received and reviewed the application from town Stormwater and Environmental Services staff to amend the Hillsborough Unified Development Ordinance as follows:

Amend UDO §6.1 (Development Standards – Purpose and Intent) and §6.20.16 (Development Standards – Stormwater Management – Riparian Buffers) to conform with requested revisions from the Division of Water Resources of the North Carolina Department of Environmental Quality.

The Hillsborough Board of Commissioners has determined the proposed action **is** consistent with the Town of Hillsborough's Comprehensive Sustainability Plan (CSP) for the following reason(s):

1. The amendments are consistent with the *Environment and Natural Systems* chapter goal to "Employ an integrated ecosystem approach and stewardship mentality to protect, conserve, and restore critical environmental areas and natural systems."

Strategy: Develop and participate in programs that contribute to sustained ecological health of the environment and natural systems.

The foregoing consistency statement having been submitted to a vote, received the following vote and was duly adopted this 26th day of August in the year 2024.

Ayes: 5

Noes: 0

Absent or excused: 0



Sarah E. Kimrey, Town Clerk



ORDINANCE

Amending the Hillsborough Unified Development Ordinance

Sections 6.I & 6.20.16

The Hillsborough Board of Commissioners ordains the following amendments:

- Section 1.** The amendments to UDO Section 6.1, *Development Standards – Purpose and Intent* and Section 6.20.16, *Development Standards – Stormwater Management – Riparian Buffers* as attached hereto.
- Section 2.** All provisions of any town ordinance in conflict with this ordinance are repealed.
- Section 3.** This ordinance shall become effective upon adoption.

The foregoing ordinance having been submitted to a vote, received the following vote and was duly adopted this 26th day of August in the year 2024.

Ayes: 5
Noes: 0
Absent or excused: 0



Sarah E. Kimrey, Town Clerk

DRAFT

6.1 PURPOSE AND INTENT

The general intent of this section is to provide standards for development to help ensure the safe and convenient development of land on sites and in locations adequate for the uses proposed. No Zoning Compliance Permit or Certificate of Occupancy shall be issued for uses of land, structures and/or buildings, or for a change in the use, unless the requirements of this Chapter are met. The standards set forth in this section are to be used in conjunction with the other sections of this Ordinance in the development of projects and submittal of site plans.

For the purpose of *Section 6.20.16 Riparian Buffers*, “development” includes any impact or use within the riparian buffer or outside the riparian buffer with hydrological impacts on the riparian buffer.

6.20 STORMWATER MANAGEMENT

6.20.16 RIPARIAN BUFFERS

6.20.16.1 Purpose and Intent

In order to minimize sedimentation and pollution of surface waters within the planning jurisdiction, riparian buffers shall be provided along all surface waters identified in *Section 6.20.16.3, Applicability*. Undisturbed natural areas along surface waters act as a filter for sedimentation control and as a stabilizing agent for the banks of surface waters. In addition, these areas filter storm water run-off which may carry significant amounts of bacteria, excess nutrients and heavy metals into surface waters. The buffer areas, along with controls on impervious surfaces, provide a good measure of water quality protection for the Eno River.

The Neuse River Basin Nutrient Sensitive Waters Management Strategy riparian buffer protection rules (Neuse Rules) of 15A NCAC 02B .0714, apply to all lands within the Town of Hillsborough’s planning jurisdiction. For the purpose of *Section 6.20.16 Riparian Buffers*, “development” includes any impact or use within the riparian buffer or outside the riparian buffer with hydrological impacts on the riparian buffer. Wherever standards of the Neuse Rules and the standards listed in this ordinance differ, the more restrictive provisions shall apply.

6.20.16.2 Delegated Authority

The North Carolina Division of Water Resources (NCDWR) has jurisdiction to the exclusion of the Planning Director or designee to implement the requirements of the State’s program for the following types of activities:

- 6.20.16.2.a Activities undertaken by the State.
- 6.20.16.2.b Activities undertaken by the United States.
- 6.20.16.2.c Activities undertaken by multiple jurisdictions.
- 6.20.16.2.d Activities undertaken by local units of government; and
- 6.20.16.2.e Forestry Operations

6.20.16.3 Applicability

A riparian buffer shall be established directly adjacent to surface waters (i.e. intermittent streams, perennial streams, lakes and ponds) identified by any of the following means:

- 6.20.16.3.a Surface water shown as solid blue or purple lines or as broken blue or purple lines on the most recent version of USGS Quadrangle maps.
- 6.20.16.3.b Surface water shown in the published version of the Orange County Soil Survey; or

- 6.20.16.3.c** A surface water identified in a field determination made by Hillsborough staff trained in surface water identification through the North Carolina Division of Water Resources (NCDWR). If a party disputes the presence of a subject feature, then a request should be made to Hillsborough staff to conduct a field evaluation.

6.20.16.4 Exemption Based upon an On-site Determination

When a landowner or other affected party including NCDWR believes that the maps inaccurately depict surface waters, they may request an On-site determination conducted by Hillsborough staff who has successfully completed the NCDWR's Surface Water Identification Training Certification course, its successor, or other equivalent training curriculum approved by NCDWR. Any disputes over on-site determinations shall be referred to the Director of NCDWR in writing. A determination of the Director of NCDWR as to the accuracy or application of the maps is subject to review as provided in articles 3 and 4 of G.S. 150B. Surface waters that appear on the maps shall not be subject to *Section 6.20.16, Riparian Buffers* if a site evaluation reveals any of the following cases:

- 6.20.16.4.a** Man-made ponds and lakes that are not part of a natural drainage way that is classified in accordance with 15A NCAC 02B .0101, including ponds and lakes created for animal watering, irrigation, or other agricultural uses. A pond or lake is part of a natural drainage way when it is fed by an intermittent or perennial stream or when it has a direct discharge point to an intermittent or perennial stream.
- 6.20.16.4.b** Ephemeral streams.
- 6.20.16.4.c** The absence on the ground of a corresponding intermittent or perennial stream, lake, reservoir, or pond.
- 6.20.16.4.d** Ditches or other man-made water conveyances, other than modified natural streams.

6.20.16.5 Exemption when Existing Uses are Present and Ongoing

Section 6.20.16, Riparian Buffers does not apply to portions of the riparian buffer where a use is considered existing and ongoing according in accordance with 15A NCAC 02B .0714 (6) (a). A use is considered existing if it was present within the riparian buffer as of July 22, 1997. Existing uses shall include, but not be limited to, agriculture, buildings, industrial facilities, commercial areas, transportation facilities, maintained lawns, utility lines and on-site sanitary sewage systems. Only the portion of the riparian buffer that contains the footprint of the existing use is exempt from *Section 6.20.16, Riparian Buffers*.

6.20.16.6 Calculations for Width of Riparian Buffers

A buffer of fifty (50) feet in width as defined in *Section 6.20.16.7* is required on all sides of the surface water as identified in *Section 6.20.16.3, Applicability*. For streams within the PW and PWCA zoning districts (see *Section 4.5, Other Zoning Districts*), the width of the stream is calculated as outlined in *Section 4.5.3.8.d, Calculating Width of Riparian Buffer*.

6.20.16.7 Zones of the Riparian Buffer

- 6.20.16.7.a** Zone 1 shall consist of a vegetated area that is undisturbed except for uses provided for in sections *6.20.16.8, Uses within Riparian Buffers* and *6.20.16.11, Stormwater Runoff Through the Riparian Buffer*. The location of Zone 1 shall be as follows:
- (i) For intermittent and perennial streams, Zone 1 shall begin at the most landward limit of the top of bank or the rooted herbaceous vegetation and extend landward a distance of 30 feet on all sides of the stream, measured horizontally on a line perpendicular to the stream (where an intermittent or perennial stream begins or

ends, including when it goes underground, enters or exits a culvert, or enters or exits a wetland, the required distance shall be measured as a radius around the beginning or the end).

- (ii) For ponds, lakes and reservoirs, Zone 1 shall begin at the normal water level and extend landward a distance of 30 feet, measured horizontally on a line perpendicular to the surface water.

6.20.16.7.b Zone 2 shall consist of a stable, vegetated area that is undisturbed except for activities and uses provided for in sections 6.20.16.8, *Uses within Riparian Buffers* and 6.20.16.11, *Stormwater Runoff Through the Riparian Buffer*. Grading and revegetating Zone 2 is allowed provided that the health of the vegetation in Zone 1 is not compromised. Zone 2 shall begin at the outer edge of Zone 1 and extend landward 20 feet as measured horizontally on a line perpendicular to the surface water. The combined width of Zones 1 and 2 shall be 50 feet on all sides of the surface water.

6.20.16.8 Uses Within Riparian Buffers

Uses within the riparian buffer, or outside the riparian buffer with hydrological impacts on the riparian buffer, shall be designated as deemed allowable, allowable upon authorization, allowable with mitigation upon authorization, or prohibited. Potential new uses shall have the following requirements.

- 6.20.16.8.a Deemed Allowable.** Uses designated as deemed allowable in *Table 6.20.16.8, Uses within Riparian Buffers* and 6.20.16.11, *Stormwater Runoff Through the Riparian Buffer* may occur within the riparian buffer. Deemed allowable uses shall be designed, constructed and maintained to minimize vegetation and soil disturbance and to provide the maximum water quality protection practicable, including construction, monitoring, and maintenance activities. In addition, deemed allowable uses shall meet all requirements listed in *Table 6.20.16.8, Uses within Riparian Buffers* for the specific use.
- 6.20.16.8.b Allowable Upon Authorization.** Uses designated as allowable upon authorization in *Table 6.20.16.8, Uses within Riparian Buffers* and 6.20.16.11, *Stormwater Runoff Through the Riparian Buffer* require a written Authorization Certificate for impacts within the riparian buffer pursuant to *Section 6.20.16.9, Basis for "No Practical Alternatives"* and *Section 6.20.16.10, Written Authorization Required*.
- 6.20.16.8.c Allowable with Mitigation Upon Authorization.** Uses designated as allowable with mitigation upon authorization in *Table 6.20.16.8, Uses within Riparian Buffers* require a written Authorization Certificate for impacts within the riparian buffer pursuant to *Section 6.20.16.9, Basis for "No Practical Alternatives"* and *Section 6.20.16.10, Written Authorization Required*. In addition, an appropriate mitigation strategy is required pursuant to *Section 6.20.16.12, Mitigation*.
- 6.20.16.8.d Prohibited.** Uses designated as prohibited in *Table 6.20.16.8, Uses within Riparian Buffers* may not proceed within the riparian buffer unless a variance is granted by the North Carolina Environmental Management Commission pursuant to 15A NCAC 02B .0226. Mitigation may be required as a condition of variance approval.

Table 6.20.16.8 Uses within Riparian Buffers

Riparian Buffer Use/Activity	Deemed Allowable	Allowable Upon Authorization	Allowable with Mitigation Upon Authorization	Prohibited
a) Airport Facilities				
i) Vegetation removal activities necessary to comply with Federal Aviation Administration requirements (<i>e.g.</i> , line of sight requirements) provided the disturbed areas are stabilized and revegetated	X			
ii) Airport facilities that impact equal to or less than one-third of an acre of riparian buffer		X		
iii) Airport facilities that impact greater than one third of an acre of riparian buffer			X	
b) Archaeological activities				
c) Bridges:				
i) Impact equal to or less than one-tenth of an acre of riparian buffer	X			
ii) Impact greater than one-tenth of an acre of riparian buffer		X		
d) Dam maintenance activities:				
i) Dam maintenance activities that do not cause additional riparian buffer disturbance beyond the footprint of the existing dam	X			
ii) Dam maintenance activities that do cause additional riparian buffer disturbance beyond the footprint of the existing dam		X		
e) Drainage of a pond subject to <i>Section 6.20.16.3, Applicability</i> provided that a new riparian buffer is established by natural regeneration or planting, within 50 feet of any stream which naturally forms or is constructed within the drained pond area. Drained ponds shall be allowed to naturalize for a minimum of six months from completion of the draining activity before a stream determination is conducted pursuant to <i>Section 6.20.16.3.c</i> .	X			
f) Fences:				
i) Fencing livestock out of surface waters	X			
ii) Installation does not result in removal of trees from Zone 1	X			
iii) Installation results in removal of trees from Zone 1		X		

Table 6.20.16.8 Uses within Riparian Buffers (continued)

Riparian Buffer Use/Activity	Deemed Allowable	Allowable Upon Authorization	Allowable with Mitigation Upon Authorization	Prohibited
g) Fertilizer application:				
i) One-time fertilizer application at agronomic rates in the riparian buffer to establish replanted vegetation. No runoff from this one-time application in the riparian buffer is allowed in the surface water	X			
ii) Ongoing fertilizer application				X
h) Forest harvesting – see 15A NCAC 02B .0612				
i) Grading only in Zone 2 provided that the health of existing vegetation in Zone 1 is not compromised, <i>Section 6.20.16.11, Stormwater Through the Riparian Buffer</i> is complied with, and disturbed areas are stabilized and revegetated		X		
j) Greenways, trails, sidewalks or linear pedestrian/bicycle transportation systems:				
i) In Zone 2 provided that no built-upon area is added within the riparian buffer	X			
ii) In Zone 1 provided that no built-upon area is added within the riparian buffer and the installation does not result in the removal of tree(s)	X			
iii) When built-upon area is added to the riparian buffer, equal to or less than 10 feet wide with two foot wide shoulders. Shall be located outside Zone 1 unless there is no practical alternative		X		
iv) When built-upon area is added to the riparian buffer, greater than 10 feet wide with two foot wide shoulders. Shall be located outside Zone 1 unless there is no practical alternative			X	
k) Historic preservation	X			
l) New Landfills as defined by NC G.S. 130A-290				X
m) Maintenance access on modified natural streams or canals: a grassed travelway on one side of the waterbody when less impacting alternatives are not practical. The width and specifications of the travelway shall be only that needed for equipment access and operation. The travelway shall be located to maximize stream shading.		X		

Table 6.20.16.8 Uses within Riparian Buffers (continued)

Riparian Buffer Use/Activity	Deemed Allowable	Allowable Upon Authorization	Allowable with Mitigation Upon Authorization	Prohibited
n) Mining activities:				
i) Mining activities that are covered by the Mining Act provided that new riparian buffers that meet the requirements in sections 6.20.16.7, <i>Zones of the Riparian Buffer</i> and 6.20.16.11, <i>Stormwater Runoff Through the Riparian Buffer</i> are established adjacent to any relocated channels		X		
ii) Mining activities that are not covered by the Mining Act OR where new riparian buffers that meet the requirements in sections 6.20.16.7, <i>Zones of the Riparian Buffer</i> and 6.20.16.11, <i>Stormwater Runoff Through the Riparian Buffer</i> are not established			X	
iii) Wastewater or mining dewatering wells with approved NPDES permit	X			
o) On-site sanitary sewage systems - new ones that use ground absorption				
p) Pedestrian access trails and associated steps leading to a surface water, dock, canoe or kayak access, fishing pier, boat ramp or other water dependent structure:				
i) Equal to or less than six feet wide that does not result in the removal of tree(s) within the riparian buffer and does not result in the addition of built-upon area to the riparian buffer	X			
ii) Equal to or less than six feet wide that results in the removal of tree(s) or the addition of built-upon area to the riparian buffer		X		
iii) Greater than six feet wide			X	
q) Playground equipment:				
i) Playground equipment on single-family lots provided that installation and use does not result in removal of vegetation	X			
ii) Playground equipment on single-family lots where installation or use results in the removal of vegetation		X		
iii) Playground equipment installed on lands other than single-family lots		X		
r) Ponds created or modified by impounding streams subject to riparian buffers pursuant to Section 6.20.16.3, <i>Applicability</i> and not used as stormwater control measures (SCMs):				
i) New ponds provided that a riparian buffer that meets the requirements of sections 6.20.16.7, <i>Zones of the Riparian Buffer</i> and 6.20.16.11, <i>Stormwater Runoff Through the Riparian Buffer</i> is established adjacent to the pond		X		
ii) New ponds where a riparian buffer that meets the requirements of sections 6.20.16.7, <i>Zones of the Riparian Buffer</i> and 6.20.16.11, <i>Stormwater Runoff Through the Riparian Buffer</i> is NOT established adjacent to the pond			X	

Table 6.20.16.8 Uses within Riparian Buffers (continued)

Riparian Buffer Use/Activity	Deemed Allowable	Allowable Upon Authorization	Allowable with Mitigation Upon Authorization	Prohibited
s) Protection of existing structures and facilities when this requires additional disturbance to the riparian buffer		X		
t) Public Safety - Publicly owned spaces where it has been determined by the head of the local law enforcement agency with jurisdiction over that area that the riparian buffers pose a risk to public safety. The head of the local law enforcement agency shall notify the local government with land use jurisdiction over the publicly owned space and the Division of Water Resources of any such determination in writing	X			
u) Removal of previous fill or debris provided that <i>Section 6.20.16.11, Stormwater Runoff Through the Riparian Buffer</i> is complied with and any vegetation removed is restored		X		
v) Residential Properties: Where application of this Rule would preclude construction or expansion of a single-family residence and necessary infrastructure, the single-family residence may encroach in the buffer if all of the following conditions are met: (1) the residence is set back the maximum feasible distance from the top of the bank, rooted herbaceous vegetation, normal high-water level, or normal water level, whichever is applicable, on the existing lot; (2) the residence is designed to minimize encroachment into the riparian buffer; (3) the residence complies with <i>Section 6.20.16.11, Stormwater Runoff Through the Riparian Buffer</i> ; and (4) if the residence will be served by an on-site wastewater system, no part of the septic tank or drainfield may encroach into the riparian buffer:				
i) The residence or necessary infrastructure only impact Zone 2		X		
ii) The residence or necessary infrastructure impact Zone 1			X	
iii) Impacts other than the residence or necessary infrastructure			X	
w) Restoration or enhancement (wetland, stream) as defined in 33 CFR Part 332 available free of charge on the internet at: http://water.epa.gov/lawsregs/guidance/wetlands/wetlandsmitigation_index.cfm :				
i) Wetland or stream restoration is part of a compensatory mitigation bank, nutrient offset bank, or the In Lieu Fee program	X			
ii) Wetland or stream restoration other than those listed above		X		

Table 6.20.16.8 Uses within Riparian Buffers (continued)

Riparian Buffer Use/Activity	Deemed Allowable	Allowable Upon Authorization	Allowable with Mitigation Upon Authorization	Prohibited
x) Road, driveway or railroad - impacts other than perpendicular crossings of streams and other surface waters subject to this Rule			X	
y) Road, driveway or railroad - perpendicular crossings of streams and other surface waters subject to this Rule				
i) Impact equal to or less than one-tenth of an acre of riparian buffer	X			
ii) Impact greater than one-tenth of an acre but equal to or less than one-third of an acre of riparian buffer		X		
iii) Impact greater than one-third of an acre of riparian buffer			X	
iv) Driveway crossings in a residential subdivision that cumulatively impact equal to or less than one-third of an acre of riparian buffer		X		
v) Driveway crossings in a residential subdivision that cumulatively impact greater than one-third of an acre of riparian buffer			X	
vi) Farm roads and forest roads that are exempt from permitting from the U.S. Army Corps of Engineers per Section 404(f) of the Federal Clean Water Act	X			
z) Road relocation of existing private access roads associated with public road projects where necessary for public safety:				
i) Less than or equal to 2,500 square feet of riparian buffer impact		X		
ii) Greater than 2,500 square feet of riparian buffer impact			X	
aa) Scientific studies and stream gauging	X			
bb) Slatted uncovered decks, including steps and support posts, which are associated with a dwelling, provided that it meets the requirements of sections 6.20.16.7, <i>Zones of the Riparian Buffer</i> and 6.20.16.11, <i>Stormwater Runoff Through the Riparian Buffer</i> and:				
i) Installation does not result in removal of vegetation in Zone 1		X		
ii) Installation results in removal of vegetation in Zone 1			X	
cc) Stormwater Control Measure (SCM) as defined in 15A NCAC 02H .1002:				
i) In Zone 2 if Section 6.20.16.11, <i>Stormwater Runoff Through the Riparian Buffer</i> is complied with		X		
ii) Installation results in removal of vegetation in Zone 1			X	

Table 6.20.16.8 Uses within Riparian Buffers (continued)

Riparian Buffer Use/Activity	Deemed Allowable	Allowable Upon Authorization	Allowable with Mitigation Upon Authorization	Prohibited
dd) Streambank or shoreline stabilization		X		
ee) Temporary roads, provided that the disturbed area is restored to pre-construction topographic and hydrologic conditions and replanted with comparable vegetation within two months of when construction is complete. Tree planting may occur during the dormant season. At the end of five years, any restored wooded riparian buffer shall comply with the restoration criteria in 15A NCAC 02B .0295:				
i) Less than or equal to 2,500 square feet of riparian buffer disturbance	X			
ii) Greater than 2,500 square feet of riparian buffer disturbance		X		
iii) Associated with culvert installation or bridge construction or replacement		X		
ff) Temporary sediment and erosion control devices provided that the disturbed area is restored to preconstruction topographic and hydrologic conditions and replanted with comparable vegetation within two months of when construction is complete. Tree planting may occur during the dormant season. At the end of five years, any restored wooded riparian buffer shall comply with the restoration criteria in 15A NCAC 02B .0295:				
i) In Zone 2 provided that ground cover is established within the timeframes required by the Sedimentation and Erosion Control Act, vegetation in Zone 1 is not compromised, and that discharge is released in accordance with <i>Section 6.20.16.11, Stormwater Runoff Through the Riparian Buffer</i>	X			
ii) In Zones 1 and 2 to control impacts associated with uses identified in this table or uses that have received an Authorization Certificate with Exception provided that sediment and erosion control for upland areas is addressed outside the riparian buffer		X		
iii) In-stream temporary erosion and sediment control measures for work within a stream channel that is authorized under Sections 401 and 404 of the Federal Clean Water Act	X			
gg) Utility Lines - Streambank stabilization for the protection of publicly owned utility lines (not including new line installation):				
i) Less than 150 feet of streambank disturbance	X			
ii) Greater than 150 feet of streambank disturbance		X		

Table 6.20.16.8 Uses within Riparian Buffers (continued)

Riparian Buffer Use/Activity	Deemed Allowable	Allowable Upon Authorization	Allowable with Mitigation Upon Authorization	Prohibited
hh) Utility – Sewer lines – Sanitary Sewer Overflows:				
i) Emergency sanitary sewer overflow response activities, provided that the disturbed area within the riparian buffer outside of the existing utility line maintenance corridor is the minimum necessary to respond to the emergency overflow, is restored to pre-construction topographic and hydrologic conditions, and is replanted with comparable vegetation (e.g. grass with grass, hardwoods with hardwoods) within two months of when disturbance is complete	X			
ii) Emergency sanitary sewer overflow response activities that do not meet the listing above. For any new proposed permanent impacts that are not a "Deemed Allowable" activity, an application for an Authorization Certificate shall be submitted to the Authority no later than 30 calendar days of conclusion of the emergency response activities		X		
ii) Utility - Sewer Lines – Vegetation maintenance activities that remove forest vegetation from existing sewer utility right of ways (not including new line installation) outside of the existing utility line maintenance corridor:				
i) Zone 2 impacts	X			
ii) Zone 1 impacts: For lines that have not been maintained, the vegetation can be mowed, cut or otherwise maintained without disturbance to the soil structure for a maintenance corridor that is equal to or less than 30 feet wide	X			
iii) Zone 1 impacts other than those listed above		X		
jj) Utility - Sewer Lines –Replacement/Rehabilitation of existing sewer lines within, or adjacent to, an existing right of way but outside of an existing utility line maintenance corridor provided that comparable vegetation (e.g. grass with grass, hardwoods with hardwoods) is allowed to regenerate in disturbed riparian buffers outside of the permanent maintenance corridor and riparian buffers outside of the permanent maintenance corridor are not maintained:				
i) Permanent maintenance corridor equal to or less than 30 feet wide provided there is no grading and/or grubbing within 10 feet of the top of bank when the sewer line is parallel to the stream	X			
ii) Grading and/or grubbing within 10 feet of the top of bank when the sewer line is parallel to the stream and permanent maintenance corridor equal to or less than 30 feet wide		X		

Table 6.20.16.8 Uses within Riparian Buffers (continued)

Riparian Buffer Use/Activity	Deemed Allowable	Allowable Upon Authorization	Allowable with Mitigation Upon Authorization	Prohibited
iii) Permanent maintenance corridor greater than 30 feet wide. For impacts other than perpendicular crossings, mitigation is only required for Zone 1 impacts. For perpendicular crossings that disturb equal to or less than 40 linear feet, no mitigation is required. For perpendicular crossings that disturb greater than 40 linear feet, mitigation is only required for Zone 1 impacts			X	
kk) Utility - Sewer Lines – New Line Construction/Installation Activities – Perpendicular crossings of streams and other surface waters subject to <i>Section 6.20.16</i> , or perpendicular entry into the riparian buffer that does not cross a stream or other surface water subject to <i>Section 6.20.16</i> , provided that vegetation is allowed to regenerate in disturbed areas outside of the permanent maintenance corridor:				
i) Construction corridor of less than or equal to 40 linear feet wide and a permanent maintenance corridor that is equal to or less than 30 feet wide	X			
ii) Construction corridor of greater than 40 linear feet wide and less than or equal to 150 linear feet wide and a permanent maintenance corridor that is equal to or less than 30 feet wide		X		
iii) Construction corridor of greater than 150 linear feet wide and a permanent maintenance corridor that is equal to or less than 30 feet wide			X	
iv) Permanent maintenance corridor greater than 30 feet wide. For impacts other than perpendicular crossings, mitigation is only required for Zone 1 impacts. For perpendicular crossings that disturb equal to or less than 40 linear feet, no mitigation is required. For perpendicular crossings that disturb greater than 40 linear feet, mitigation is only required for Zone 1 impacts			X	
ll) Utility - Sewer Lines – New Line Construction/Installation Activities – Impacts other than perpendicular crossings provided that vegetation is allowed to regenerate in disturbed areas outside of the permanent maintenance corridor:				
i) Zone 2 impacts	X			
ii) Zone 1 impacts to less than 2,500 square feet when impacts are solely the result of tying into an existing utility line and when grubbing or grading within 10 feet immediately adjacent to the surface water is avoided		X		
iii) Zone 1 impacts other than those listed above			X	

Table 6.20.16.8 Uses within Riparian Buffers (continued)

Riparian Buffer Use/Activity	Deemed Allowable	Allowable Upon Authorization	Allowable with Mitigation Upon Authorization	Prohibited
mm) Utility - Non-sewer Underground Lines – Vegetation maintenance activities that remove forest vegetation from existing utility right of ways (not including new line installation) outside of the existing utility line maintenance corridor:				
i) Zone 2 impacts	X			
ii) Zone 1 impacts: For lines that have not been maintained, the vegetation can be mowed, cut or otherwise maintained without disturbance to the soil structure for a maintenance corridor that is equal to or less than 30 feet wide	X			
iii) Zone 1 impacts other than those listed above		X		
nn) Utility – Non-Sewer Underground Lines – Perpendicular crossings of streams and other surface waters subject to <i>Section 6.20.16</i> , or perpendicular entry into the riparian buffer that does not cross a stream or other surface water subject to <i>Section 6.20.16</i> , provided that vegetation is allowed to regenerate in disturbed areas outside of the permanent maintenance corridor:				
i) Construction corridor of less than or equal to 50 linear feet wide and a permanent maintenance corridor that is equal to or less than 30 feet wide	X			
ii) Construction corridor of greater than 50 linear feet wide and less than or equal to 150 linear feet wide and a permanent maintenance corridor that is equal to or less than 30 feet wide		X		
iii) Construction corridor of greater than 150 linear feet wide and a permanent maintenance corridor that is equal to or less than 30 feet wide			X	
iv) Permanent maintenance corridor that is greater than 30 linear feet wide (mitigation is required only for Zone 1 impacts)			X	
oo) Utility – Non-Sewer Underground Lines – Impacts other than perpendicular crossings provided that vegetation is allowed to regenerate in disturbed areas outside of the permanent maintenance corridor:				
i) Zone 2 impacts	X			
ii) Zone 1 impacts to less than 2,500 square feet when impacts are solely the result of tying into an existing utility line and when grubbing or grading within 10 feet immediately adjacent to the surface water is avoided		X		
iii) Zone 1 impacts other than those listed above			X	

Table 6.20.16.8 Uses within Riparian Buffers (continued)

Riparian Buffer Use/Activity	Deemed Allowable	Allowable Upon Authorization	Allowable with Mitigation Upon Authorization	Prohibited
pp) Utilities – Non-sewer aerial lines - Perpendicular crossings of streams and other surface waters subject to <i>Section 6.20.16</i> , or perpendicular entry into the riparian buffer that does not cross a stream or other surface water subject to <i>Section 6.20.16</i> :				
i) Disturb equal to or less than 150 linear feet wide of riparian buffer provided that a minimum zone of 10 feet wide immediately adjacent to the waterbody is managed such that only vegetation that poses a hazard or has the potential to grow tall enough to interfere with the line is removed, that no land grubbing or grading is conducted in Zone 1, and that poles or aerial infrastructure are not installed within 10 feet of a waterbody	X			
ii) Disturb greater than 150 linear feet wide of riparian buffer		X		
qq) Utilities – Non-sewer Aerial Lines - Impacts other than perpendicular crossings of streams and other surface waters subject to this <i>Section 6.20.16</i> , or perpendicular entry into the riparian buffer that does not cross a stream or other surface water subject to this <i>Section 6.20.16</i> :				
i) Impacts in Zone 2 only	X			
ii) Impacts in Zone 1 provided that a minimum zone of 10 feet wide immediately adjacent to the waterbody is managed such that only vegetation that poses a hazard or has the potential to grow tall enough to interfere with the line is removed, that no land grubbing or grading is conducted in Zone 1, and that poles or aerial infrastructure are not installed within 10 feet of a waterbody		X		
rr) Vegetation management:				
i) Emergency fire control measures provided that topography is restored	X			
ii) Periodic mowing and harvesting of plant products only in Zone 2	X			
iii) Placement of mulch ring around restoration plantings for a period of five years from the date of planting	X			
iv) Planting non-invasive vegetation to enhance the riparian buffer	X			
v) Pruning forest vegetation provided that the health and function of the forest vegetation is not compromised	X			
vi) Removal of individual trees, branches or limbs which are in danger of causing damage to dwellings, existing utility lines, other structures or human life, or are imminently endangering stability of the streambank provided that the stumps are left or ground in place without causing additional land disturbance	X			

Table 6.20.16.8 Uses within Riparian Buffers (continued)

Riparian Buffer Use/Activity	Deemed Allowable	Allowable Upon Authorization	Allowable with Mitigation Upon Authorization	Prohibited
vii) Removal of individual trees that are dead, diseased or damaged	X			
viii) Removal of poison ivy, oak or sumac. Removal can include application of pesticides within the riparian buffer if the pesticides are certified by EPA for use in or near aquatic sites and are applied in accordance with the manufacturer's instructions. If removal is significant, then the riparian buffer shall be replanted with non-invasive species		X		
ix) Removal of understory nuisance vegetation as defined in: Smith, Cherri L. 2008. Invasive Plants of North Carolina. Dept. of Transportation. Raleigh, NC. Removal can include application of pesticides within the riparian buffer if the pesticides are certified by EPA for use in or near aquatic sites and are applied in accordance with the manufacturer's instructions. If removal is significant then the riparian buffer shall be replanted with non-invasive species		X		
x) Removal of woody vegetation in Zone 1 provided that <i>Section 6.20.16.11, Stormwater Runoff Through the Riparian Buffer</i> is complied with			X	
ss) Vehicle access roads and boat ramps (excluding parking areas) leading to surface water, docks, fishing piers, and other water dependent activities:				
i) Single vehicular access road and boat ramp to the surface water but not crossing the surface water that are restricted to the minimum width practicable not to exceed 15 feet wide		X		
ii) Vehicular access roads and boat ramps to the surface water but not crossing the surface water that are restricted to the minimum width practicable and exceed 15 feet wide			X	
tt) Water dependent structures (except for boat ramps) as defined in 15A NCAC 02B .0202		X		
uu) Water supply reservoirs:				
i) New reservoirs provided that a riparian buffer that meets the requirements of sections 6.20.16.7, <i>Zones of the Riparian Buffer</i> and 6.20.16.11, <i>Stormwater Runoff Through the Riparian Buffer</i> is established adjacent to the reservoir		X		
ii) New reservoirs where a riparian buffer that meets the requirements of sections 6.20.16.7, <i>Zones of the Riparian Buffer</i> and 6.20.16.11, <i>Stormwater Runoff Through the Riparian Buffer</i> is NOT established adjacent to the reservoir			X	
vv) Water wells	X			
ww) Wildlife passage structures		X		

6.20.16.9 Basis for “No Practical Alternatives”

Where written authorization is required in *Section 6.20.16.8, Uses Within Riparian Buffers*, the applicant must demonstrate “no practical alternatives.” The determination of “no practical alternatives” will be made by the Planning Director or designee based upon the following:

- 6.20.16.9.a** The basic project purpose cannot be practically accomplished in a manner that would better minimize disturbance, preserve aquatic life and habitat, and protect water quality.
- 6.20.16.9.b** The use cannot practically be reduced in size or density, reconfigured or redesigned to better minimize disturbance, preserve aquatic life and habitat, and protect water quality.
- 6.20.16.9.c** Best management practices shall be used if necessary to minimize disturbance, preserve aquatic life and habitat, and protect water quality.

6.20.16.10 Written Authorization Required

Where written authorization is required in *Section 6.20.16.8, Uses Within Riparian Buffers*, proposed impacts to the riparian buffer may not commence until written authorization is provided by the Planning Director or designee. Use authorization may include conditions specific to the proposed activity. Unauthorized impacts to riparian buffers are subject to enforcement penalties as outlined in *Section 8, Enforcement*.

Prior to any land disturbing activity within a designated riparian buffer, the property owner shall provide written notification of the location and nature of the proposed use to the Planning Director or designee for review. Written notification must include the following:

- 6.20.16.9.a** The name, address and phone number of the applicant.
- 6.20.16.9.b** The nature of the activity to be conducted by the applicant.
- 6.20.16.9.c** The location of the activity.
- 6.20.16.9.d** A map of sufficient detail to accurately delineate the boundaries of the land to be utilized in carrying out the activity, the location and dimensions of any disturbance in the riparian buffers associated with the activity, and the extent of the riparian buffers on the land; and
- 6.20.16.9.e** An explanation of why this plan for the activity cannot be practically accomplished, reduced or reconfigured to better minimize disturbance to the riparian buffer, preserve aquatic life and habitat and protect water quality.
- 6.20.16.9.f** Plans for any best management practices proposed to be used to control the impacts associated with the activity.

6.20.16.11 Stormwater Runoff Through the Riparian Buffer

6.20.16.11.a Stormwater runoff into the riparian buffer shall meet dispersed flow as defined in 15A NCAC 02H .1002 except as otherwise described in this section. Drainage conveyances include drainage ditches, roadside ditches, and stormwater conveyances.

The following stormwater conveyances through the riparian buffer are either deemed allowable or allowable upon authorization, as defined in *Section 6.20.16.8, Uses within Riparian Buffers*, provided that they do not erode through the riparian buffer and do not cause erosion to the receiving waterbody. Stormwater conveyances through the riparian buffer that are not listed below are not allowable.

6.20.16.11.b The following are deemed allowable as defined in *Section 6.20.16.8.a, Deemed**Allowable:*

- i. New drainage conveyances from a Primary SCM, as defined in 15A NCAC 02H .1002, when the Primary SCM is designed to treat the drainage area to the conveyance and that comply with a stormwater management plan reviewed and approved under a state stormwater program or a state-approved local government stormwater program; and
- ii. New stormwater flow to existing drainage conveyances provided that the addition of new flow does not result in the need to alter the conveyance.

6.20.16.11.c The following are allowable upon authorization as defined in *Section 6.20.16.8.b,**Allowable Upon Authorization:*

- i. New drainage conveyances from a Primary SCM as defined in 15A NCAC 02H .1002 when the Primary SCM is provided to treat the drainage area to the conveyance but are not required to be approved under a state stormwater program or a state-approved local government stormwater program;
- ii. New drainage conveyances when the drainage area to the conveyance is demonstrated via approved nutrient calculation methodologies to meet the nutrient loading goal of 2.2 pounds per acre per year of Nitrogen (N) and 0.33 pounds per acre per year of Phosphorus (P);
- iii. New drainage conveyances when the flow rate of the conveyance is less than 0.5 cubic feet per second during the peak flow from the 0.75 inch per hour storm;
- iv. New stormwater runoff that has been treated through a level spreader-filter strip that complies with 15A NCAC 02H .1059;
- v. Realignment of existing drainage conveyances applicable to publicly funded and maintained linear transportation facilities when retaining or improving the design dimensions provided that no additional travel lanes are added and the minimum required roadway typical section is used based on traffic and safety considerations;
- vi. Realignment of existing drainage conveyances retaining or improving the design dimensions provided that the size of the drainage area and the percent built-upon area within the drainage area remain the same;
- vii. New or altered drainage conveyances applicable to publicly funded and maintained linear transportation facilities provided that SCMs, or BMPs from the NCDOT Stormwater Best Management Practices Toolbox, are employed;
- viii. New drainage conveyances applicable to publicly funded and maintained linear transportation facilities that do not provide a stormwater management facility due to topography constraints provided other measures are employed to protect downstream water quality to the maximum extent practical; and

- ix. New drainage conveyances where the drainage area to the conveyance has no new built-upon area as defined in 15A NCAC 02H .1002 and the conveyance is necessary for bypass of existing drainage only.

6.20.16.12 Mitigation

Where mitigation is required pursuant to the permitted uses listed in *Section 6.20.16.8, Uses Within Riparian Buffers* and *Table 6.20.16.8, Uses within Riparian Buffers*, mitigation shall follow the standards set out in the state’s consolidated Riparian Buffer Mitigation Rule, 15A NCAC 02B .0295.

6.20.16.13 Riparian Buffer and Minimum Lot Requirements

The riparian buffer may be used in meeting the required minimum lot areas set forth in the Ordinance.

DRAFT

HILLSBOROUGH BOARD OF COMMISSIONERS
Consistency Statement per Section 160D-605(a)

Text Amendment Request from: Staff – Planning and Economic Development Division
Aug. 26, 2024

The Hillsborough Board of Commissioners has received and reviewed the application from Planning and Economic Development Division staff to amend the Town Flood Damage Prevention Ordinance as follows:

Amend Article 3 (General Provisions) Section 3.C (Establishment of Floodplain Development Permit) to allow certain development activities in Special Flood Hazard Areas, such as agriculture, horticulture, and private utility connections, if the proposed development complies with applicable Flood Damage Prevention Ordinance requirements and a floodplain development permit is obtained.

The Hillsborough Board of Commissioners has determined the proposed action **is** consistent with the Town of Hillsborough's Comprehensive Sustainability Plan (CSP) because it **supports** the following goal:

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

The foregoing consistency statement having been submitted to a vote, received the following vote and was duly adopted this 26th day of August in the year 2024.

Ayes: 5

Noes: 0

Absent or excused: 0



Sarah E. Kimrey

Sarah E. Kimrey, Town Clerk



ORDINANCE

Amending the Hillsborough Flood Damage Prevention Ordinance Section 3C., *General Provisions – Establishment of Floodplain Development Permit*


The Hillsborough Board of Commissioners ordains the following amendments:

- Section 1.** The amendments to Flood Damage Prevention Ordinance Section 3C, *General Provisions – Establishment of Floodplain Development Permit*, as attached hereto.
- Section 2.** All provisions of any town ordinance in conflict with this ordinance are repealed.
- Section 3.** This ordinance shall become effective upon adoption.

The foregoing ordinance having been submitted to a vote, received the following vote and was duly adopted this 26th day of August in the year 2024.

Ayes: 5
 Noes: 0
 Absent or excused: 0





 Sarah E. Kimrey, Town Clerk

3.C. ESTABLISHMENT OF FLOODPLAIN DEVELOPMENT PERMIT.

In general, no development or development activity is allowed in Special Flood Hazard Areas. However, the following development activities may be permitted provided the activity and any related structures, including accessory/appurtenant structures and equipment, comply with all applicable provisions of this and other federal, state, and local ordinances; and receive a Floodplain Development Permit in accordance with the provisions of Article 4.B:

- 3.C.1. Construction of public or private roads, greenways, pedestrian crossings (e.g., footbridges), and hiking or horseback riding trails.
- 3.C.2. Installation of public or private utilities and facilities such as wastewater, gas, electrical and water systems, including accessory service lines.
- 3.C.3. Fences meeting all the following requirements:
 - (a) Vertical support posts do not exceed eight feet in height and six inches in width or diameter at any point,
 - (b) Vertical support posts are placed no less than six feet on center,
 - (c) The construction method is wire, post and wire (with or without top and bottom rails), post and rail (with or without wire), or post and cross rails (with or without wire), and
 - (d) The smallest dimension of wire openings is no less than one inch.
- 3.C.4. General farming, pasture, outdoor plant nurseries, horticulture, forestry, wildlife sanctuary, game farm and other similar agricultural, wildlife and related uses.
- 3.C.5. Lawns, gardens, play areas and other similar uses.
- 3.C.6. Picnic grounds, parks, playgrounds, open space and other similar public and private recreational uses.

DRAFT

**BOARD OF COMMISSIONERS
TOWN OF HILLSBOROUGH, NORTH CAROLINA**

Consistency Statement per Section 160D-605

*Request to amend the Official Zoning Map for the Town of Hillsborough -
128 W. Margaret Lane (Parcel ID Number: 9874-06-2054)*

Aug. 26, 2024

The Board of Commissioners for the Town of Hillsborough has received and reviewed the request from Mr. Andrew B. Lloyd, Jr. to amend the town's Official Zoning Map as follows:

- *Rezone the parcel identified as 128 W. Margaret Lane (PIN 9874-06-2054) from Neighborhood Business Special Use (NBSU) to Neighborhood Business, a general use zoning district.*
- *If the Board of Commissioners is not amenable to a general use rezoning, then the applicant requests to expand the list of allowable land uses under the de facto Neighborhood Business Conditional Zoning district, under which the applicant and commissioners can negotiate a list of appropriate land uses for the property.*

The Board of Commissioners has determined that rezoning the parcel to Neighborhood Business Conditional Zoning **is** with the town's Comprehensive Sustainability Plan (CSP) because:

1. The proposed amendment **is** with the *Land Use and Development* chapter goal to "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: 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.

2. The proposed rezoning **does** advance identified goals and strategies found in the CSP and does not promote public health, safety, and welfare because it would allow for infill/redevelopment inconsistent with the unique character of the neighborhood.

The foregoing consistency statement, having been submitted to a vote, received the following vote and was duly adopted this 26th day of August in the year 2024.

Ayes: 4

Noes: 1

Absent or excused: 0



Sarah E. Kimrey

Sarah E. Kimrey, Town Clerk



ORDINANCE

Amending the Official Zoning Map for 128 W. Margaret Lane

The Hillsborough Board of Commissioners ordains:

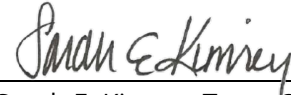
- Section 1.** An application was made to amend the Official Zoning Map for the Town of Hillsborough, specifically to rezone a 0.21-acre parcel of property identified as 128 W. Margaret Lane (PIN 9874-06-2054), the legal description of which can be found in Deed Book 6229, Page 282 of the Orange County Registry.
- Section 2.** The application was referred to the town Planning Board for its recommendation, and the Planning Board has provided the town board with a written recommendation addressing the consistency of the proposed rezoning amendment with the town's comprehensive plan and such other matters as the Planning Board deemed appropriate.
- Section 3.** The town board has, prior to acting on the application, adopted a statement describing the consistency of the proposed rezoning with the town's Comprehensive Sustainability Plan and explaining why the action contemplated by the town board as reflected herein is reasonable and in the public interest.
- Section 4.** The Official Zoning Map of the Town of Hillsborough is hereby amended to rezone the 0.21-acre parcel identified as 128 W. Margaret Lane (PIN 9874-06-2054) from Neighborhood Business Special Use to Neighborhood Business Conditional Zoning.
- Section 5.** Only the following land uses are permissible in the Neighborhood Business Conditional Zoning district:
- Artisan studio
 - Building/Trade contractor's office
 - Dwelling: Accessory
 - Dwelling: Single-family
 - Gallery/Museum
 - Microbrewery (with a Special Use Permit)
 - Office and professional services
 - Personal service business
 - Pharmacy, retail
 - Retail sales/rentals of goods within wholly enclosed structure
- Section 6.** All provisions of any town ordinance in conflict with this ordinance are repealed.
- Section 7.** This ordinance shall become effective upon adoption.

The foregoing ordinance, having been submitted to a vote, received the following vote and was duly adopted this 26th day of August in the year 2024.

Ayes: 4

Noes: 1

Absent or excused: 0



Sarah E. Kimrey, Town Clerk

DRAFT



Agenda Abstract

BOARD OF COMMISSIONERS

Meeting Date: Sep. 9, 2024
Department: Administration
Agenda Section: Consent
Public hearing: No
Date of public hearing: N/A

PRESENTER/INFORMATION CONTACT

Emily Bradford, Budget Director

ITEM TO BE CONSIDERED

Subject: Miscellaneous budget amendments and transfers

Attachments:

Budget Changes Report

Summary:

To adjust budget revenues and expenditures, where needed, due to changes that have occurred since budget adoption.

Financial impacts:

As indicated by each amendment.

Staff recommendation and comments:

To approve the attached list of budget amendments and transfers.

Action requested:

Consider approving budget amendments and transfers.

FY 2024-2025

TOWN OF HILLSBOROUGH
BUDGET CHANGES REPORT

DATES: 09/09/2024 TO 09/09/2024

REFERENCE	CHANGE NUMBER	DATE	USER	ORIGINAL BUDGET	BUDGET CHANGE	AMENDED BUDGET
GF 10-00-9990-5300-000 CONTINGENCY Contingency To cover utility analysis contract	45504	09/09/2024	EBRADFORI	450,000.00	-600.00	434,283.00
Comms. 10-10-4600-5300-113 LICENSE FEES To cover Convertio subscription for web i	45513	09/09/2024	JFernandez	13,998.00	72.00	11,070.00
Comms. 10-10-4600-5300-330 SUPPLIES - DEPARTMENTAL To cover Convertio subscription for web i	45512	09/09/2024	JFernandez	1,740.00	-72.00	1,668.00
Special 10-60-6900-5300-475 C.S./UTILITY ANALYSIS Approp. To cover utility analysis contract	45503	09/09/2024	EBRADFORI	0.00	600.00	600.00
Admin. 30-80-7200-5300-475 C.S./UTILITY ANALYSIS of Enterprise To cover utility analysis contract	45506	09/09/2024	EBRADFORI	0.00	996.00	996.00
Utilities 30-80-7220-5300-570 MISCELLANEOUS Admin. To cover document scanning contract	45507	09/09/2024	EBRADFORI	12,600.00	17,000.00	29,600.00
Water 30-80-8140-5300-326 SUPPLIES - PATCH Dist. To cover curb & sidewalk repairs from w	45515	09/09/2024	JFernandez	4,000.00	4,000.00	10,000.00
Water 30-80-8140-5300-330 SUPPLIES - DEPARTMENTAL Dist. To cover curb & sidewalk repairs from w	45514	09/09/2024	JFernandez	120,000.00	-4,000.00	105,500.00
W&S 30-80-9990-5300-000 CONTINGENCY Contingency To cover utility analysis contract	45505	09/09/2024	EBRADFORI	400,000.00	-996.00	284,514.00
To cover document scanning contract	45508	09/09/2024	EBRADFORI	400,000.00	-17,000.00	267,514.00
					<u>0.00</u>	



Agenda Abstract

BOARD OF COMMISSIONERS

Meeting Date: Sept. 9, 2024
Department: Police
Agenda Section: Consent
Public hearing: No
Date of public hearing: N/A

PRESENTER/INFORMATION CONTACT

Chief Duane Hampton

ITEM TO BE CONSIDERED

Subject: Resolution authorizing ABC Permit signing authority

Attachments:

ABC Resolution

Summary:

The ABC Commission has requested an updated resolution designating who is authorized to sign off on ABC Permit requests for the Town of Hillsborough. Currently it is just the chief of police, but this new resolution includes the police majors so there is a signing authority in the chief's absence.

Financial impacts:

None

Staff recommendation and comments:

Approve resolution.

Action requested:

Approve resolution

**NORTH CAROLINA
ALCOHOLIC BEVERAGE CONTROL COMMISSION**

(919) 779-0700

Location: 400 E. Tryon Road
Raleigh, NC 27610

Mail: 4307 Mail Service Center
Raleigh, NC 27699-4307

RESOLUTION OF THE CITY OF Hillsborough, COUNTY OF Orange, REGARDING THE DESIGNATION OF AN OFFICIAL TO MAKE RECOMMENDATIONS TO THE NORTH CAROLINA ALCOHOLIC BEVERAGE CONTROL COMMISSION ON ABC PERMIT APPLICATIONS.

WHEREAS G.S.18B-904(f) authorizes a governing body to designate an official, by name or by position, to make recommendations concerning the suitability of persons or locations for ABC permits; and

WHEREAS the City of Hillsborough, County of Orange, wishes to notify the NC ABC Commission of its designation as required by G.S.18B-904(f);

BE IT THEREFORE RESOLVED that Duane Hampton, Chief of Police,
(Name of Official) (Title or Position),
Andy Simmons, Major and Jason Winn, Major,
(Name of Official) (Title or Position) (Name of Official) (Title or Position)

are hereby designated to notify the North Carolina Alcoholic Beverage Control Commission of the recommendations of the City of Hillsborough, County of Orange, regarding the suitability of persons and locations for ABC permits within its jurisdiction.

BE IT FURTHER RESOLVED THAT notices to the City of Hillsborough, County of Orange, should be mailed or delivered to the official designated above at the following address:

Mailing address: 127 N. Churton St. Hillsborough, NC 27278
Office location: 127 N. Churton St.
City: Hillsborough, NC
Zip Code: 27278 Phone #: (919) 296-9500

This the _____ day of _____, 20____.

(Mayor/Chairman)

Sworn to and subscribed before me this the _____ day of _____, 20____.

(Clerk)



Agenda Abstract

BOARD OF COMMISSIONERS

Meeting Date: Sept. 9, 2024
Department: Governing Body
Agenda Section: Consent
Public hearing: No
Date of public hearing: N/A

PRESENTER/INFORMATION CONTACT

Mayor Mark Bell

ITEM TO BE CONSIDERED

Subject: Proclamation – Diaper Need Awareness Week

Attachments:

Proclamation

Summary:

National Diaper Need Awareness Week is Sept. 23 – 29, 2024. This event provides an excellent opportunity for our community to recognize Hillsborough children living in poverty whose access to a reliable supply of clean diapers is necessary for their health and wellbeing. Moreover, Diaper Need Awareness Week can help educate the public that diapers cannot be bought with food stamps or WIC vouchers, making a sufficient supply of diapers an economic hardship for families in need.

Financial impacts:

None.

Staff recommendation and comments:

None.

Action requested:

To approve proclamation designating Sept. 23 – 29, 2024, as Diaper Need Awareness Week in the Town of Hillsborough.



PROCLAMATION

2024 Diaper Need Awareness Week

Sept. 23 - 29

WHEREAS, diaper need, the condition of not having a sufficient supply of clean diapers to keep babies and toddlers clean, dry, and healthy, can adversely affect the health and well-being of babies, toddlers, and their families; and

WHEREAS, national surveys and research studies report that one in two families struggle with diaper need and 48 percent of families delay changing a diaper to extend their supply; and

WHEREAS, purchasing enough diapers to keep a baby or toddler clean, dry, and healthy can consume 14 percent of a low-wage family's post-tax income, making it difficult to obtain a sufficient supply; and

WHEREAS, a daily or weekly supply of diapers is generally an eligibility requirement for babies and toddlers to participate in child care programs and quality early-education programs; and

WHEREAS, without enough diapers, babies and toddlers risk infections and health problems that may require medical attention, and may prevent parents from attending work or school, thereby hurting the family's economic prospects and well-being; and

WHEREAS, the people of Hillsborough recognize that diaper need is a public health issue, and addressing diaper need can lead to economic opportunity for the state's families and communities and improved health for children, thus ensuring all people have access to the basic necessities required to thrive and reach their full potential; and

WHEREAS, Hillsborough is proud to be home to trusted community-based organizations including Diaper Bank of North Carolina that recognize the importance of diapers in ensuring health and providing economic stability for families and thus distribute diapers to families through various channels; and

NOW, THEREFORE, I, Mark Bell, mayor of the Town of Hillsborough, do hereby proclaim the week of Sept. 23 through Sept. 29, 2024, as Diaper Need Awareness Week in the Town of Hillsborough, thank the aforementioned diaper bank, their staff, volunteers and donors, for their service and encourage the residents of Hillsborough to donate generously to diaper banks, diaper drives, and those organizations that collect and distribute diapers to those struggling with diaper need, so that all of Hillsborough's children and families can thrive and reach their full potential.

IN WITNESS WHEREOF, I have hereunto set my hand and caused this seal of the Town of Hillsborough to be affixed this 9th day of September in the year 2024.

Mark Bell, Mayor
Town of Hillsborough



Agenda Abstract

BOARD OF COMMISSIONERS

Meeting Date: Sept. 9, 2024
Department: Governing Body
Agenda Section: Consent
Public hearing: No
Date of public hearing: N/A

PRESENTER/INFORMATION CONTACT

Mayor Mark Bell

ITEM TO BE CONSIDERED

Subject: Proclamation – Hispanic Heritage Month 2024

Attachments:

Proclamation

Summary:

Hispanic Heritage month is observed annually from Sept. 15 through Oct. 15 and recognizes the contributions and influence of Hispanic Americans to the history, culture, and achievements of the United States.

Financial impacts:

None

Staff recommendation and comments:

None

Action requested:

To adopt a proclamation recognizing Sept. 15 through Oct. 15, 2024, as Hispanic Heritage month in the Town of Hillsborough.



PROCLAMATION Hispanic Heritage Month 2024

WHEREAS, Sept. 15 is the anniversary of independence from the Spanish Empire for five Latin American countries: Costa Rica, El Salvador, Guatemala, Honduras and Nicaragua; and Mexico and Chile achieved independence on Sept. 16 and 18, respectively; and

WHEREAS, Hispanic Americans bring a rich cultural heritage representing many countries, ethnicities and religious traditions that are part of the fabric of America; and

WHEREAS, between 1968 and 1988, Presidents Johnson, Nixon, Ford, Carter and Reagan issued a series of annual proclamations that designated a week in September containing Sept. 15 and 16 as National Hispanic Heritage Week; and

WHEREAS, in 1988, the United States Congress adopted a resolution designating Sept. 15 to Oct. 15 of each year as National Hispanic Heritage Month; and

WHEREAS, during National Hispanic Heritage Month, the United States highlights and celebrates the culture and traditions of Spanish-speaking residents who trace their roots to Spain, Mexico, Central America, South America and the Caribbean; and

WHEREAS, the Hispanic communities of North Carolina have been integral in the history, culture, governance, and economy of the state and will be a critical part of its future as their communities continue to grow; and

WHEREAS, Hillsborough is home to a growing Hispanic community that is involved the civic, cultural, and economic fabric of the town and continues to make substantial contributions to the overall quality of life in town; and

WHEREAS, regional organizations such as El Centro Hispano, El Futuro, El Pueblo and the Refugee Community Partnership provide many valuable services to Hispanic and Latino residents in Hillsborough and further strengthen the town as a whole;

NOW, THEREFORE, the Town of Hillsborough does hereby proclaim Sept. 15 through Oct. 15, 2024, as Hispanic Heritage Month and calls upon all residents of Hillsborough to celebrate this month through activities and programs that enlighten and inspire our understanding of the amazing heritage of our Hispanic families, neighbors and friends.

IN WITNESS WHEREOF, I have hereunto set my hand and caused this seal of the Town of Hillsborough to be affixed this 9th day of September in the year 2024.

Mark Bell, Mayor
Town of Hillsborough



Agenda Abstract

BOARD OF COMMISSIONERS

Meeting Date:	Sept. 9, 2024
Department:	Planning and Economic Development
Agenda Section:	Consent
Public hearing:	No
Date of public hearing:	N/A

PRESENTER/INFORMATION CONTACT

Shannan Campbell, Planning and Economic Development Manager

ITEM TO BE CONSIDERED

Subject: Special Event Permit – Hillsborough Half Marathon and 5K

Attachments:

1. Special Event Permit Application: Hillsborough Half Marathon Application
2. Event layout and routes

Summary:

Hillsborough Half Marathon is an annual event that brings a large crowd to town. The event will be held on Sunday, Oct. 6 from 7 a.m. to 8 p.m. in River Park. The race starts at 7 a.m. and concludes with a gathering/celebration in River Park starting at noon. Both the Hillsborough Police Department and the Orange County Sheriff's Office assist with intersections and street closures and the event goes out of town and back in.

Financial impacts:

Low; however, sponsorship is being requested for town services, so department-level costs are associated with Public Works and Police event assistance. The event organizer pays for HPD's time the day of the event but there is coordination/logistics and meetings leading up to the event as well.

Staff recommendation and comments:

Staff has the following concerns that are expected to be resolved or included as conditions before the event permit will be issued:

- A copy of the certificate of insurance needs to be provided before the event.
- No paint can be used on Riverwalk, roadways, or sidewalks. Only chalk or yard signs can be used.

Action requested:

Approve, approve with conditions, or deny the permit and subsequent road closures/greenway use/sponsorship of police and trash assistance.



TOWN OF
HILLSBOROUGH

APPLICATION
Special Event Permit

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

Please review Chapter 7, Article 3 of the Hillsborough Code of Ordinances to determine if your event requires a special event permit. **The application must be received 60 days in advance of the event.**

Name of event: Historic Hillsborough Half Marathon and 5K

Event location address: Start/Finish: Eno River Farmers Market Pavilion

Date(s) of event: 06 October 2024

Event setup time: 5am Event hours: 7-11am Event breakdown: 11am-1pm

Date(s) of event: 06 October 2024

Event setup time: Noon Event hours: Noon-8pm Event breakdown: NA

EVENT ORGANIZER AND CONTACT INFORMATION

Name of organization/company: Hillsborough Running Club

Organization/company mailing address: PO Box 5, Hillsborough, NC 27278

Organization status: Formal Informal For-profit Not-for-profit

Event organizer name: Martin Wileman

Event organizer phone: 919-536-2444 Event organizer email: wileman208@live.com

On-site contact(s) during the event:

Name: Martin Wileman Cell phone: 919-536-2444

Name: Lynda Wileman Cell phone: 919-450-6321

GENERAL EVENT INFORMATION

Type of event:

- Private event on private property
- Public event on public property
- Private event on public property
- Public event on private property
- Street or greenway event (includes parades, marches, rallies, and foot and bike races)

General event description:

Please outline the event purpose and elements, including items such as food trucks, car shows, races and vendors.

Road race through Hillsborough, this is the 7th time holding this event. Start and finish at the Farmers Mkt Pavilion on Margaret Lane.

Race goes around town, onto the Riverwalk, then out on Dimmocks Mill and Ben Johnson Roads then returns via Riverwalk to the Speedway

track, one loop of track then finishes at the Farmers Mkt pavilion. No change in Half marathon course from past years.

No change in any details from 2023

Estimated number of people who will attend the event: 700

Estimated peak time(s) of attendance: 7am, 10am

Maximum capacity of event location (number of persons, if applicable): 800

For annual events, the estimated attendance of the last event of this kind: 800

GENERAL EVENT QUESTIONNAIRE

Will tickets be sold or admission or fees charged as part of the event? Yes No

Will alcohol be sold or provided as a part of this event? Yes No

If yes regarding alcohol:

Indicate the vendor(s) and/or ABC permit holder(s) responsible for the alcohol sales or distribution and attach a copy of the ABC permit(s) for each vendor:

Alcohol given free to runners >21 years old in fenced beer garden

Alcohol paperwork will be sent in nearer to the event (Eno River Brewing)

Note: Alcohol may only be sold by vendors with an off-premise permit or by event organizers with a special one-time ABC sales permit. Alcohol sales may be subject to the prepared food and beverage tax.

Will vendors be on site selling goods, crafts or wares during the event? Yes No

Will vendors be on site selling food or beverages during the event? Yes No

Note: Vendors without a physical location in town and food trucks without Town of Hillsborough Food Truck Permits must pay the food and beverage tax in advance of selling prepared food or beverage. For the tax application, see the Financial Services Department page on the town website, hillsboroughnc.gov.

List name(s) of the vendors:

Will you solicit donations as part of the event? Yes No

If yes, for what cause or organization? Local Schools, Kiwanis, other local groups/charities

Will you bring additional equipment, such as stages, microphones and amplification? Yes No

Please explain: Timing equipment, music, lights, barriers, tables, banners

Will any items be left at the event site overnight? Yes No

Please explain: Barrier fencing, tables, lights

Will signs or banners be displayed on site or around town? Yes No

Note: Special event signage must be applied for and permitted separately BEFORE signage is placed around town. See the Reservations page on the town website, hillsboroughnc.gov.

Will tents be erected for the event? Yes No

If yes, how many and what size? 5-10, 10x10 canopies close to the Farmers Mkt Pavilion

Note: Tents may require a permit and inspection by the Orange County Fire and Life Safety Division depending on size and number. Tents should be shown with location and dimensions on the event map or layout.

Will you provide (portable) restroom facilities? Yes No

Note: Depending on attendance numbers and duration, restroom facilities must be provided by special event organizers. Restrooms of local businesses and town and county facilities may complement but not be a substitute for providing adequate restrooms for the event.

Will you provide (portable) handwashing facilities? Yes No

Note: Handwashing facilities are required for events that include on-site food preparation and/or sales without direct or immediate sink access.

Will the event require any street closures or change in traffic flow? Yes No

Will the event require additional trash and recycling facilities? Yes No

Will you request that the town board sponsor specific services in conjunction with this event? Yes No

- Road closures
- Traffic control

- Police coverage
- Trash and recycling rollouts
- Number of rollouts 5

EVENT MAP AND LAYOUT REQUIREMENTS

With this application, you must attach a map of the area that the event is to take place and indicate the following:

- Traffic flow — Include any streets requested to be closed or obstructed (law enforcement will determine locations of barriers and officers).
- Event route — Clearly show route if the event includes an event such as a parade or greenway closure.
- Parking areas — Note areas where event attendees will be directed that are adequate for the event attendance. The Eno River Parking Deck has 400 parking spaces.
- Pedestrian access and flow.
- Location of —
 - Any concession stand, food truck(s), booth, or other temporary structures, tents, stages or facilities.
 - Proposed fences, stands, platforms, benches, or bleachers.
 - Restroom and handwashing facilities.

Note: A street map and Gold Park map are available on the town’s website. Google Maps is another resource and can be easily marked up. Contact staff if you need assistance with providing an event layout or route map.

EVENT LIABILITY INSURANCE

Event organizers and/or property owners need to insure themselves from liability in case event attendees injure themselves during the course of the event. Events occurring on public property (town or county) are required to carry event liability insurance with the public property owner listed as “additionally insured.”

Copy of event liability Certificate of Insurance is attached: Yes No

Name of insurance company providing liability coverage for the event:

Road Runners Club of America, certs to follow

Contact information for broker/agent providing coverage:

EVENT PROPERTY USE PERMISSION

If the event will be on property not owned or managed by the event organizer, then the property owner must indicate consent below for the use of the property:

Name of property owner

Phone

Signature of property owner

Date

TOWN LIABILITY AGREEMENT

I, the applicant, agree to indemnify and hold harmless the Town of Hillsborough, its employees, and its agents from and against any and all liability for any injury that may be suffered in connection with this special event approval or park reservation. I also hold harmless the Town of Hillsborough, its employees, and its agents from and against any liability for any equipment or supplies lost, damaged, or stolen that are stored or otherwise as a result of this special event.

mwileman@biocryst.com Digitally signed by mwileman@biocryst.com
Date: 2024.05.26 21:25:26 -04'00'

Applicant signature

26 May 2024

Date

SUBMITTAL DIRECTIONS:

The following methods may be used:

- Submit electronically to Planning Technician Kelsey Carson at kelsey.carson@hillsboroughnc.gov.
- Submit paper copy to:
Hillsborough Planning Department
ATTN: Planning Technician Kelsey Carson
PO Box 429
101 E. Orange St.
Hillsborough, NC 27278

FOR OFFICE USE ONLY

Application received by: _____

Date: _____ Fee paid: _____

Date information emailed out: _____

Permit Status

Approved: Yes No

Explanation: _____

Date permit issued: _____

Approved with any conditions: No paint is allowed on the Riverwalk trail, event organizer to pay for police coverage,

public works is fine to deliver roll-out carts

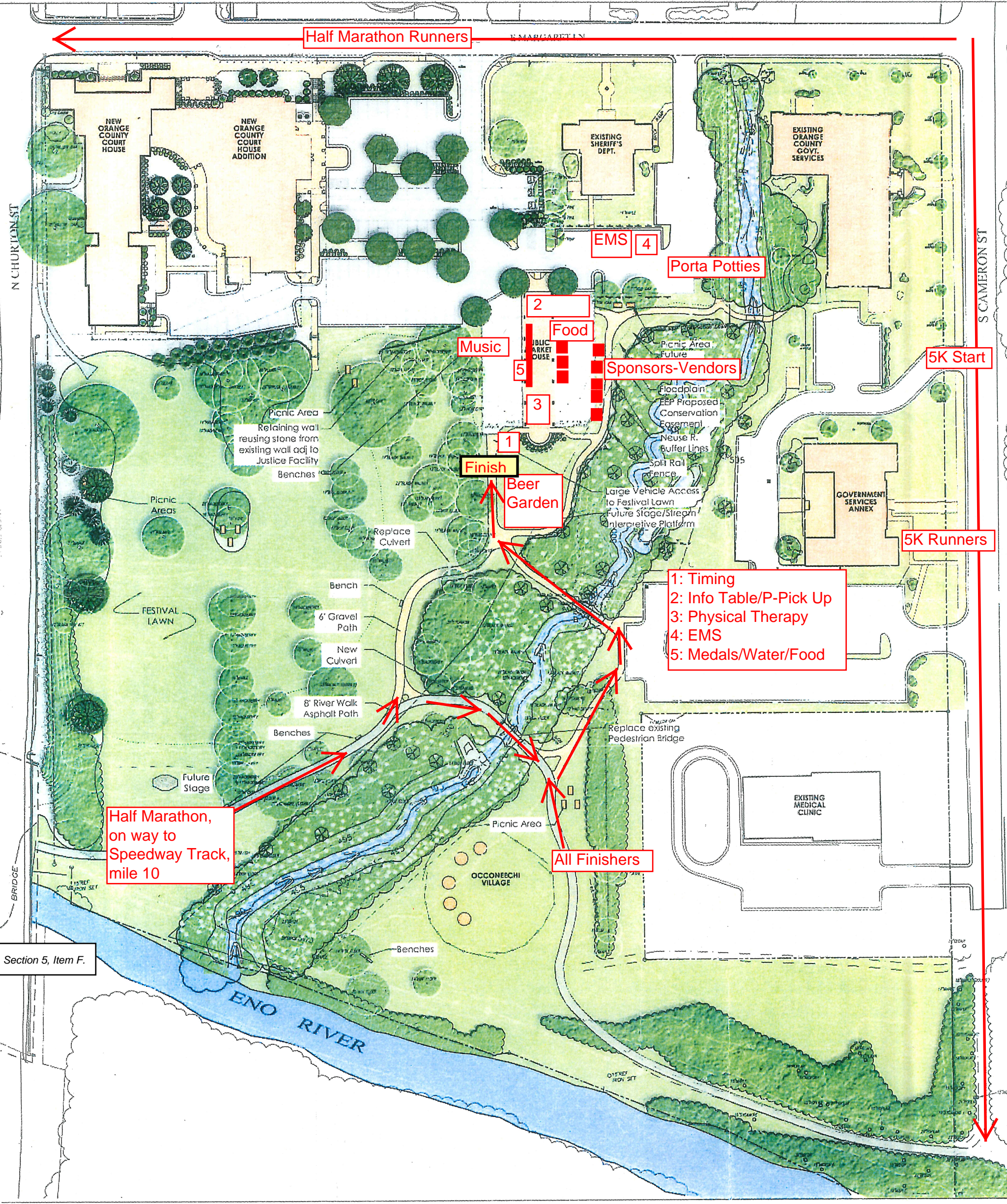
By: _____
Name of town staff member

Date

Forwarded to:

- Hillsborough Communications Division
- Hillsborough Financial Services Department (Food and Beverage Tax)
- Hillsborough Police Department
- Hillsborough Public Space Manager
- Hillsborough Public Works Division
- North Carolina Department of Transportation (DOT road closures)
- Orange County Asset Management Services (Visitors Center, library, courthouses)
- Orange County Department of Environment, Agriculture and Parks and Recreation (River Park)
- Orange County Fire and Life Safety Division
- Orange County Sheriff's Office
- Orange Rural Fire Department

Half Marathon Runners



EMS 4

Porta Potties

2

Food

Music

5

Sponsors-Vendors

5K Start

3

1

Finish

Beer Garden

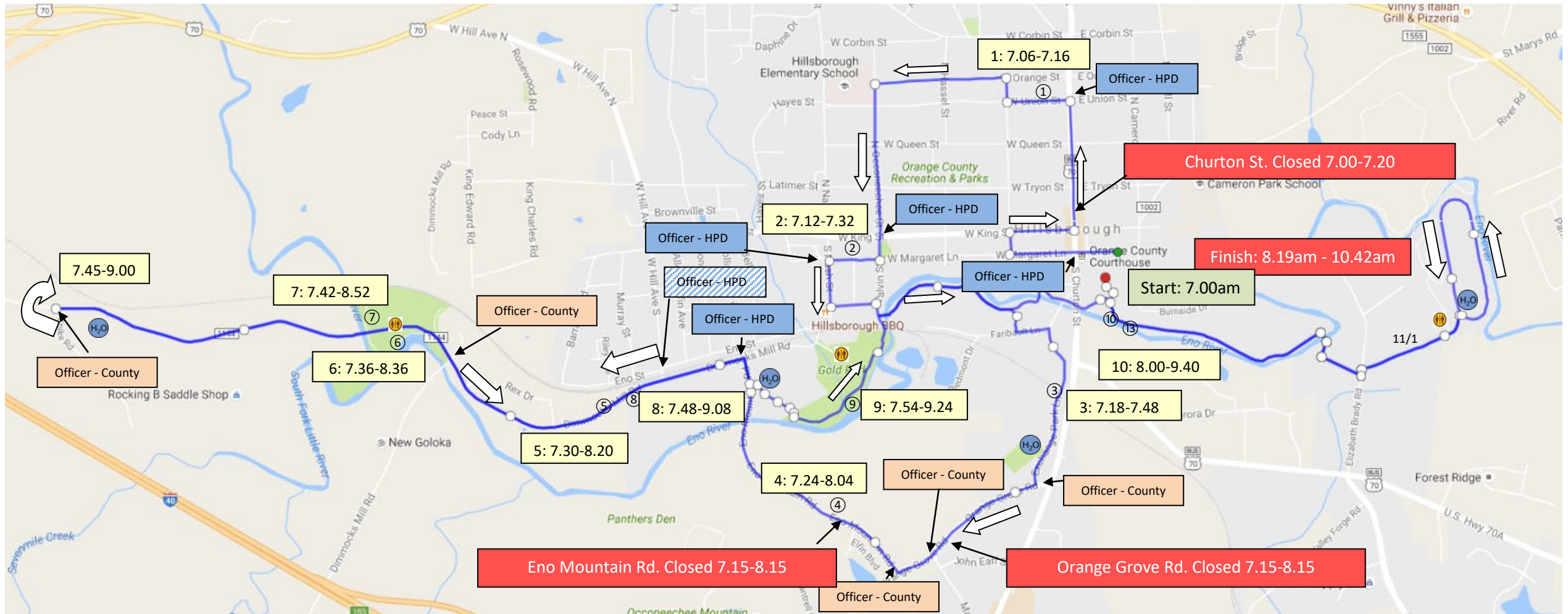
5K Runners

- 1: Timing
- 2: Info Table/P-Pick Up
- 3: Physical Therapy
- 4: EMS
- 5: Medals/Water/Food

Half Marathon, on way to Speedway Track, mile 10

All Finishers

Section 5, Item F.





Agenda Abstract

BOARD OF COMMISSIONERS

Meeting Date: Sept. 9, 2024
Department: Planning and Economic Development
Agenda Section: Consent
Public hearing: No
Date of public hearing: N/A

PRESENTER/INFORMATION CONTACT

Shannan Campbell, Planning and Economic Development Manager

ITEM TO BE CONSIDERED

Subject: Special Event Permit – Carolina Tarwheels Bikefest 2024

Attachments:

1. Special Event Permit Application: Bikefest 2024
2. Event layout and certificate of insurance

Summary:

The Carolina Tarwheels have been hosting Bikefest as annual event. It brings about 800-900 people into town. The event will be held on Saturday, Oct. 5 from 7 a.m. to 4 p.m. The event starts at 7 a.m. and routes lead cyclists throughout Orange County and back. Both the Hillsborough Police Department and the Orange County Sheriff's Office assist with intersections and street closures and the event goes out of town. Cyclists come back individually at their own pace.

Financial impacts:

Low; however, sponsorship is being requested for town services, so department-level costs are associated with Public Works and Police event assistance.

Staff recommendations and comments:

None.

Action requested:

Approve, approve with conditions, or deny the permit and subsequent road closures/greenway use/sponsorship of police and trash assistance.



TOWN OF
HILLSBOROUGH

APPLICATION
Special Event Permit

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

Please review Chapter 7, Article 3 of the Hillsborough Code of Ordinances to determine if your event requires a special event permit. **The application must be received 60 days in advance of the event.**

Name of event: Carolina Tarwheels - 2024 Bikefest

Event location address: Superior Courthouse Hillsborough/Visitor Center

Date(s) of event: October 5, 2024

Event setup time: 5-7AM Event hours: 7AM to 4PM Event breakdown: 4-6PM

Date(s) of event: _____

Event setup time: _____ Event hours: _____ Event breakdown: _____

EVENT ORGANIZER AND CONTACT INFORMATION

Name of organization/company: Carolina Tarwheels Bicycle Club

Organization/company mailing address: P.O. Box 111, Durham, NC 27702

Organization status: Formal Informal For-profit Not-for-profit

Event organizer name: John Gotthardt

Event organizer phone: 917-209-6568 Event organizer email: johngotthardt14@gmail.com

On-site contact(s) during the event:

Name: Mark Olsen Cell phone: 708-203-9973

Name: John Gotthardt Cell phone: 917-209-6568

GENERAL EVENT INFORMATION

Type of event:

- Private event on private property
- Private event on public property
- Street or greenway event (includes parades, marches, rallies, and foot and bike races)
- Public event on public property
- Public event on private property

General event description:

Please outline the event purpose and elements, including items such as food trucks, car shows, races and vendors.
This event will be our 26th annual Bikefest event. All proceeds, net expenses, are donated to support cycling related activities in our community. Since 2006 we have donated more than \$125,000.

Estimated number of people who will attend the event: 850

Estimated peak time(s) of attendance: 850

Maximum capacity of event location (number of persons, if applicable): 850

For annual events, the estimated attendance of the last event of this kind: 850

GENERAL EVENT QUESTIONNAIRE

Will tickets be sold or admission or fees charged as part of the event? Yes No

Will alcohol be sold or provided as a part of this event? Yes No

If yes regarding alcohol:

Indicate the vendor(s) and/or ABC permit holder(s) responsible for the alcohol sales or distribution and attach a copy of the ABC permit(s) for each vendor:

Note: Alcohol may only be sold by vendors with an off-premise permit or by event organizers with a special one-time ABC sales permit. Alcohol sales may be subject to the prepared food and beverage tax.

Will vendors be on site selling goods, crafts or wares during the event? Yes No

Will vendors be on site selling food or beverages during the event? Yes No

Note: Vendors without a physical location in town and food trucks without Town of Hillsborough Food Truck Permits must pay the food and beverage tax in advance of selling prepared food or beverage. For the tax application, see the Financial Services Department page on the town website, hillsboroughnc.gov.

List name(s) of the vendors:

Will you solicit donations as part of the event? Yes No

If yes, for what cause or organization? _____

Will you bring additional equipment, such as stages, microphones and amplification? Yes No

Canopies, tables and chairs
Please explain: _____

Will any items be left at the event site overnight? Yes No

Two canopies, tables and chairs setup the night before the event.
Please explain: _____

Will signs or banners be displayed on site or around town? Yes No

Note: Special event signage must be applied for and permitted separately BEFORE signage is placed around town. See the Reservations page on the town website, hillsboroughnc.gov.

Will tents be erected for the event? Yes No

If yes, how many and what size? Two canopies without sidewalls (set. sz 15'x15'&6'x20')

Note: Tents may require a permit and inspection by the Orange County Fire and Life Safety Division depending on size and number. Tents should be shown with location and dimensions on the event map or layout.

Will you provide (portable) restroom facilities? Yes No

Note: Depending on attendance numbers and duration, restroom facilities must be provided by special event organizers. Restrooms of local businesses and town and county facilities may complement but not be a substitute for providing adequate restrooms for the event.

Will you provide (portable) handwashing facilities? Yes No

Note: Handwashing facilities are required for events that include on-site food preparation and/or sales without direct or immediate sink access.

Will the event require any street closures or change in traffic flow? Yes No

Will the event require additional trash and recycling facilities? Yes No

Will you request that the town board sponsor specific services in conjunction with this event? Yes No

- Road closures
- Police coverage
- Traffic control
- Trash and recycling rollouts
- Number of rollouts ⁶ _____

EVENT MAP AND LAYOUT REQUIREMENTS

With this application, you must attach a map of the area that the event is to take place and indicate the following:

- Traffic flow — Include any streets requested to be closed or obstructed (law enforcement will determine locations of barriers and officers).
- Event route — Clearly show route if the event includes an event such as a parade or greenway closure.
- Parking areas — Note areas where event attendees will be directed that are adequate for the event attendance. The Eno River Parking Deck has 400 parking spaces.
- Pedestrian access and flow.
- Location of —
 - Any concession stand, food truck(s), booth, or other temporary structures, tents, stages or facilities.
 - Proposed fences, stands, platforms, benches, or bleachers.
 - Restroom and handwashing facilities.

Note: A street map and Gold Park map are available on the town’s website. Google Maps is another resource and can be easily marked up. Contact staff if you need assistance with providing an event layout or route map.

EVENT LIABILITY INSURANCE

Event organizers and/or property owners need to insure themselves from liability in case event attendees injure themselves during the course of the event. Events occurring on public property (town or county) are required to carry event liability insurance with the public property owner listed as "additionally insured."

Copy of event liability Certificate of Insurance is attached: Yes No

Name of insurance company providing liability coverage for the event:
American Specialty Insurance & Risk Services, Inc

Contact information for broker/agent providing coverage:
Linda Charles (laccharles@outlook.com)


EVENT PROPERTY USE PERMISSION

If the event will be on property not owned or managed by the event organizer, then the property owner must indicate consent below for the use of the property:

_____	_____
Name of property owner	Phone
_____	_____
Signature of property owner	Date

TOWN LIABILITY AGREEMENT

I, the applicant, agree to indemnify and hold harmless the Town of Hillsborough, its employees, and its agents from and against any and all liability for any injury that may be suffered in connection with this special event approval or park reservation. I also hold harmless the Town of Hillsborough, its employees, and its agents from and against any liability for any equipment or supplies lost, damaged, or stolen that are stored or otherwise as a result of this special event.

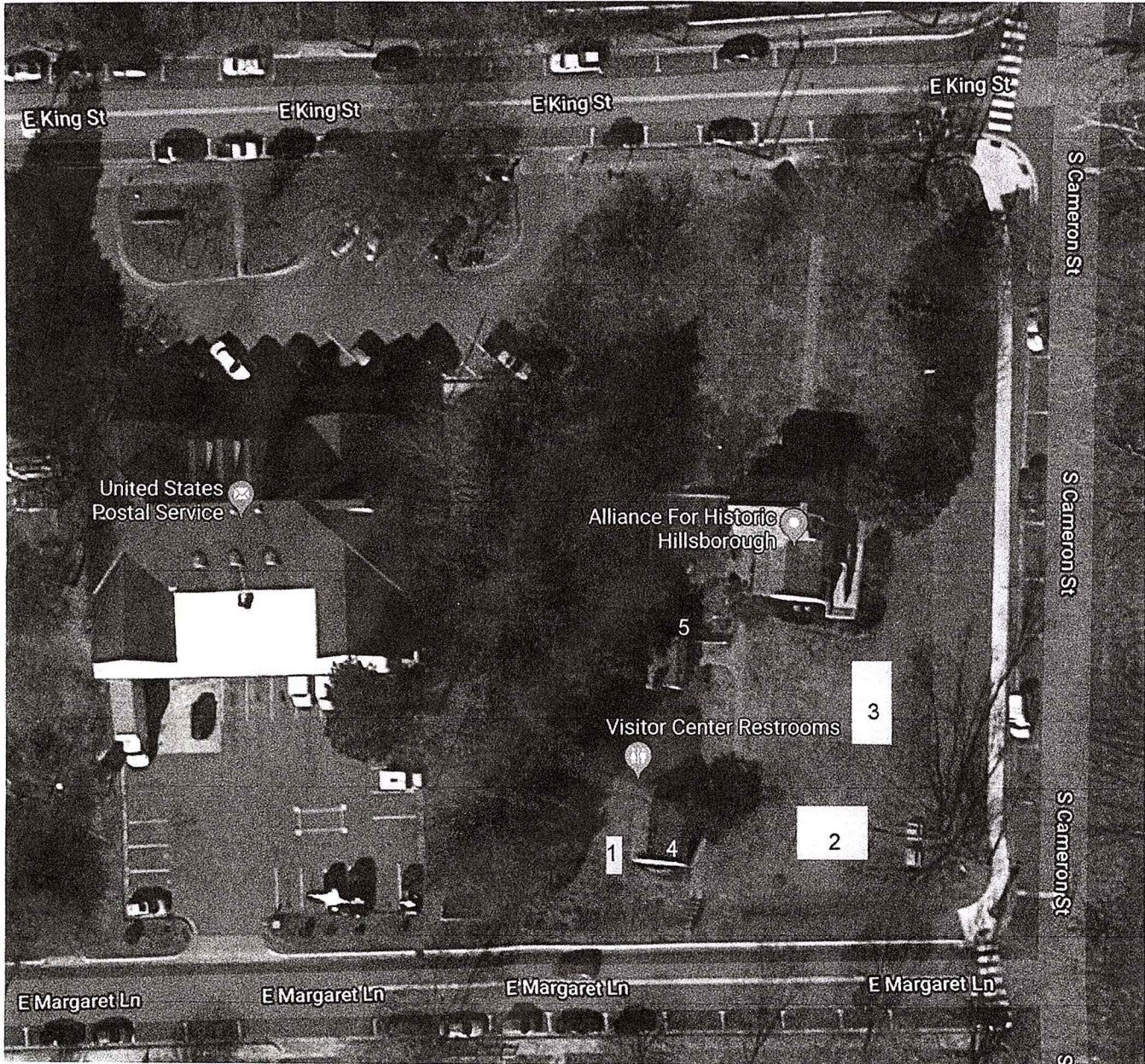
	<u>3/19/2024</u>
Applicant signature	Date

SUBMITTAL DIRECTIONS:

The following methods may be used:

- Submit electronically to Planning Technician Kelsey Carson at kelsey.carson@hillsboroughnc.gov.
- Submit paper copy to:
Hillsborough Planning Department
ATTN: Planning Technician Kelsey Carson
PO Box 429
101 E. Orange St.
Hillsborough, NC 27278

BikeFest



I. E. Margaret Lane will be closed for a brief time at the start of the ride (~10-15 minutes). Police assist with traffic at start of ride between 7:30-8:30am at intersection of Margaret Lane and Churton St.

II. Additional port-a-potties will be rented and delivered the afternoon before the event and removed the evening of the event. They will be located between the site restrooms and E. Margaret Lane. Hand washing facilities at the site restrooms.

III. A participant check-in tent will be set up about 50' to the right of the site restrooms. This will also house safety and radio control for the event checking in with and tracking safety vehicles and the number rest stop along the route.

IV. A food tent will be set up in the park in the area beneath S. Cameron St and E. Margaret Lane.

V. Water hose facilities available nearby for cleaning purposes.

VI. Parking locations:

- a. Eno River Parking Deck
- b. Cameron Park School lots
- c. Board of Education Lot
- d. Government Annex Parking lots on Cameron St.

- 1 – Porta-potties
- 2 – Rental Tent
- 3 – Tarwheels Food tents
- 4 – Restrooms
- 5 – Hose bib



CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)

03/19/2024

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must have ADDITIONAL INSURED provisions or be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

PRODUCER American Specialty Insurance & Risk Services, Inc. 7609 W. Jefferson Blvd., Suite 100 Fort Wayne IN 46804		CONTACT NAME: PHONE (A/C. No. Ext): E-MAIL: ADDRESS:		FAX (A/C, No):	
INSURED League of American Wheelmen dba League of American Bicyclists 1612 K Street NW, Suite 1102 Washington DC 20006		INSURER(S) AFFORDING COVERAGE INSURER A: Arch Insurance Company INSURER B: INSURER C: INSURER D: INSURER E: INSURER F:		NAIC # 11150	

COVERAGES **CERTIFICATE NUMBER:** 1002222137 **REVISION NUMBER:**

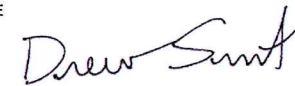
THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	TYPE OF INSURANCE	ADDL INSD	SUBR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS	
A	<input checked="" type="checkbox"/> COMMERCIAL GENERAL LIABILITY <input type="checkbox"/> CLAIMS-MADE <input checked="" type="checkbox"/> OCCUR GEN'L AGGREGATE LIMIT APPLIES PER: <input type="checkbox"/> POLICY <input type="checkbox"/> PRO-JECT <input type="checkbox"/> LOC <input checked="" type="checkbox"/> OTHER: OTHER			SBCGL0054507	02/01/2024	02/01/2025	EACH OCCURRENCE	\$ 1,000,000
							DAMAGE TO RENTED PREMISES (Ea occurrence)	\$ 1,000,000
							MED EXP (Any one person)	\$ Excluded
							PERSONAL & ADV INJURY	\$ 1,000,000
							GENERAL AGGREGATE	\$ 5,000,000
							PRODUCTS - COMP/OP AGG	\$ 5,000,000
								\$
	AUTOMOBILE LIABILITY <input type="checkbox"/> ANY AUTO <input type="checkbox"/> OWNED AUTOS ONLY <input type="checkbox"/> HIRED AUTOS ONLY <input type="checkbox"/> SCHEDULED AUTOS <input type="checkbox"/> NON-OWNED AUTOS ONLY						COMBINED SINGLE LIMIT (Ea accident)	\$
							BODILY INJURY (Per person)	\$
							BODILY INJURY (Per accident)	\$
							PROPERTY DAMAGE (Per accident)	\$
								\$
	UMBRELLA LIAB <input type="checkbox"/> OCCUR EXCESS LIAB <input type="checkbox"/> CLAIMS-MADE DED RETENTION \$						EACH OCCURRENCE	\$
							AGGREGATE	\$
								\$
	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH) If yes, describe under DESCRIPTION OF OPERATIONS below						PER STATUTE	OTH-ER
							E.L. EACH ACCIDENT	\$
							E.L. DISEASE - EA EMPLOYEE	\$
							E.L. DISEASE - POLICY LIMIT	\$

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required)

- Coverage applies to CAROLINA TARWHEELS, 213 GREENWAY LNDG, CHAPEL HILL, NC 27516.

- The Certificate Holder shall be an Additional Insured, but only with respect to the operations of the Named Insured, and subject to the provisions and limitations of Form CG 2026 Additional Insured - Designated Person or Organization, but only with respect to BIKEFEST on October 05, 2024.

CERTIFICATE HOLDER Town of Hillsborough 101 East Orange Street Hillsborough NC 27278		CANCELLATION SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS. AUTHORIZED REPRESENTATIVE 	
--	--	---	--

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FOR OFFICE USE ONLY

Application received by: Kelsey Carson

Date: 3/20/2024 Fee paid: Paid \$55 #060284

Date information emailed out: 6/17/2024

Permit Status

Approved: Yes No

Explanation: _____

Date permit issued: _____

Approved with any conditions: _____

By: _____
Name of town staff member

_____ Date

Forwarded to:

- Hillsborough Communications Division
- Hillsborough Financial Services Department (Food and Beverage Tax)
- Hillsborough Police Department
- Hillsborough Public Space Manager
- Hillsborough Public Works Division
- North Carolina Department of Transportation (DOT road closures)
- Orange County Asset Management Services (Visitors Center, library, courthouses)
- Orange County Department of Environment, Agriculture and Parks and Recreation (River Park)
- Orange County Fire and Life Safety Division
- Orange County Sheriff's Office
- Orange Rural Fire Department



Agenda Abstract

BOARD OF COMMISSIONERS

Meeting Date: Sept. 9, 2024
Department: Planning and Economic Development
Agenda Section: Consent
Public hearing: No
Date of public hearing: N/A

PRESENTER/INFORMATION CONTACT

Shannan Campbell, Planning and Economic Development Manager

ITEM TO BE CONSIDERED

Subject: Special Event Permit – Hog Day 2024

Attachments:

1. Special Event Permit Application: Hog Day Event Application
2. Event layout for River Park and 5K route Map
3. Event Insurance Certificate

Summary:

Hog Day is an annual event that brings a large crowd to town. The event will span two days, Friday night to Saturday evening. Portions of South Cameron Street and East Margaret Lane are requesting to be closed to through traffic. A 5K on Saturday morning will limit the ability of the general public to use the greenway as they normally would.

Financial impacts:

Low; however, sponsorship is being requested for town services, so department-level costs are associated with Public Works and Police event assistance.

Staff recommendation and comments:

Staff has the following concerns that are expected to be resolved before the event permit will be issued:

- Staff have concerns about safely getting people across South Churton Street at the Nash & Kollocks intersection. A condition that a volunteer be there to help people cross the street is going to be included.
- Staff received special event permit materials very late this year and HPD may have a hard time assisting the event because of this. Event organizers are going to be advised that next year they need to have materials to staff at least 90 days in advance of the event.

Action requested:

Approve, approve with conditions, or deny the permit and subsequent road closures/greenway use/sponsorship of police and trash assistance.

SPECIAL EVENT PERMIT APPLICATION

Please review the Event Policy Ordinance, Chapter 7 of the Town Code, to determine if your event requires a Special Event Permit. The Permit Application must be received 60 days in advance of the event. If you are seeking Town sponsorship for event services, you must submit a request for sponsorship to the Town Board at least 60 days in advance of the event.

FEE IS DUE AT THE TIME OF APPLICATION. PLEASE SUBMIT CHECK OR CASH WITH APPLICATION.

Name of Event: Hog Day 2024

Event Location Address: River Park and adjacent areas

Date(s) of event: Sept. 13 2024

Event Set Up Time: 0700 Event Hours: 1800-2200 Event Break Down: none

Date(s) of event: Sept. 14, 2024

Event Set Up Time: none Event Hours: 1000 Event Break Down: 1800

EVENT ORGANIZER & CONTACT INFORMATION

Name of Organization/Company: Optimist Club of Orange County

Organization/Company mailing address: PO Box 9, Efland, NC. 27843

Organization Status: Formal Informal For-profit Not-for-profit

Event Organizer Name: Al Hartkopf and/or Craig Lloyd

Event Organizer Phone: 919.599.4646 Event Organizer Email: al.hartkopf@gmail.com

On-Site Contact(s) During the Day-of Event

Name: Al Hartkopf Cell Phone: 919.599.4646

Name: _____ Cell Phone: _____

GENERAL EVENT INFORMATION

Type of Event:

- Private Event on Private Property Public Event on Public Property
 Private Event on Public Property Public Event on Private Property
 Street or Greenway Event (Parades, Marches, Rallies, 5Ks, Bike Races)

General Event Description (Narrative outlining event purpose and elements including food trucks, car shows, races, vendors, etc):

Hog Day, Orange County's largest longest running festival, has received
national recognition as one of the top festivals in America. There will be
live music, food, exhibitors, games, and fun for all.

Estimated number of people that will attend the event: 3000

Estimated peak time(s) of attendance: 2500

Maximum capacity of event location (number of persons, if applicable): 10,000

If the event is annual, the estimated attendance of the last event of this kind: 3000

GENERAL EVENT QUESTIONNAIRE

Will tickets be sold or admission/fees be charged as part of the event? YES NO

Will there be alcohol sold or provided as a part of this event? YES NO

If yes, please indicate the vendor(s) and/or ABC permit holder(s) responsible for the alcohol sales/distribution and attach a copy of the ABC permit(s) for each vendor : To be confirmed

Please note: Alcohol may only be sold by vendors with an off-premise permit or by event organizers with a special one-time ABC sales permit. Alcohol sales may be subject to the prepared food & beverage tax.

Will vendors be on-site selling goods/crafts/wares during the event? YES NO

Will vendors be on-site selling food/beverages during the event? YES NO

Please note: All vendors without a physical location in town and/or food trucks that do not have Town of Hillsborough Food Truck Permits that are selling prepared food/beverage will need to [prepay the Food & Beverage Tax](#) with the Finance Department. Please list the name(s) of the food/beverage vendors:

To be Provided: Angela Lloyd

Will you be soliciting donations as part of the event? YES NO

If yes, for what cause or organization? _____

Will you bring additional equipment, stages, microphones, amplification, etc? YES NO

Please Explain: Stage with PA system, lights, and instruments

Will any items be left at the event site overnight? YES NO

Please Explain: Friday night

Will signs or banners be displayed on site or around Town? YES NO

*Please note: [Special event signage](#) must be applied for and permitted separately **BEFORE** signage is placed around town.*

Will tents be erected for the event? YES NO

If yes, how many and what size? 1- 30x50

Please note: Tents may require a permit and inspection by the [Fire Marshal's office](#) depending on size and number. Tents should be shown with location and dimensions on event map/layout.

Will you provide (portable) restroom facilities? YES NO

Please note: Restroom facilities are required to be provided by Special Event organizers depending on attendance numbers and duration. Local Business, Town, and County facility restrooms may compliment, but not become a substitute for, providing adequate restrooms for the event.

Will you provide (portable) handwashing facilities? YES NO

Please note: Handwashing facilities are required for events that include on site food preparation and/or sales without direct or immediate sink access.

Will the event require any street closures or change in traffic flow? YES NO

Will the event require additional trash and recycling facilities? YES NO

Will you request that the Town Board sponsor specific services in conjunction with this event (i.e. Police Coverage, Road Closures, Traffic Control, Trash and Recycling Rollouts)? YES NO

Please note: Events requesting Town Sponsorship of events must apply at least 90 days in advance of the event to be considered. Event organizers who are able should make every necessary attempt to provide and pay for services at their events as the Town has limited staff and resources to cover the costs of event services.

EVENT MAP/LAYOUT REQUIREMENTS

Is the event map/layout meeting the requirements attached? YES NO

With this application, you must attach a map of the area where the event is to take place and indicate the following:

- Traffic flow; including any streets requested to be closed or obstructed (locations of barriers and officers will be determined by Law Enforcement).
- If the event includes a parade, greenway closure, etc. then the route of the event should be clearly shown.
- Parking areas where event attendees will be directed that are adequate for event attendance. Please note: The Eno River deck has only 400 parking spaces.
- Pedestrian access and flow.
- The location of any concession stand, food truck(s), booth, or other temporary structures, tents, stages or facilities; and the location of proposed fences, stands, platforms, benches, or bleachers.
- The location of restroom and/or handwashing facilities.

A street map and a map of Gold Park are available on the Town's website. Google Maps is also an excellent resource and can be easily marked up. Contact Staff if you need assistance with providing an event layout or route map.

EVENT LIABILITY INSURANCE

Event organizers and/or property owners need to insure themselves from liability in case an event attendee injures themselves during the course of the event. Events occurring on Public Property (Town or County) are required to carry event liability insurance with the Public Property owner listed as 'additionally insured'.

Copy of event liability Certificate of Insurance is attached: YES NO

Name of insurance company providing liability coverage for the event:

In Process

Contact information for broker/agent providing coverage:

EVENT PROPERTY USE PERMISSION

If the event will be located on property that is not owned/managed by the event organizer then the property owner must indicate consent for the use of their property below:

NA

Name of Property Owner

Phone

NA

Signature of Property Owner

Date

TOWN LIABILITY AGREEMENT

I, the applicant, agree to indemnify and hold harmless the Town of Hillsborough, its employees, and its agents from and against any and all liability for any injury which may be suffered in connection with this special event approval or park reservation. I also hold harmless the Town of Hillsborough, its employees, and its agents from and against any liability for any equipment or supplies lost, damaged, or stolen, that are stored or otherwise as a result of this special event.

Al I Hartkopf

Applicant Signature

7/10/2024

Date

SUBMITTAL DIRECTIONS:

Please submit to:

Hillsborough Planning Department
ATTN: Shannan Campbell
P.O. Box 429
101 E. Orange Street
Hillsborough, NC 27278

Shannan.Campbell@hillsboroughnc.gov

FOR OFFICE USE ONLY:

Application received by: _____

Date: _____

Fee Paid: _____

Date information emailed out: _____

Permit Status

Approved YES NO Explanation: _____

Date Permit Issued: _____

Approved with any conditions: _____

By: _____

Date: _____

Town Staff Member

Forwarded to others for review/information:

Hillsborough Fire Marshal: _____

Hillsborough Police Department: _____

OC Sheriff's Department: _____

OC Fire Department: _____

Hillsborough Public Works: _____

Hillsborough Public Space Manager: _____

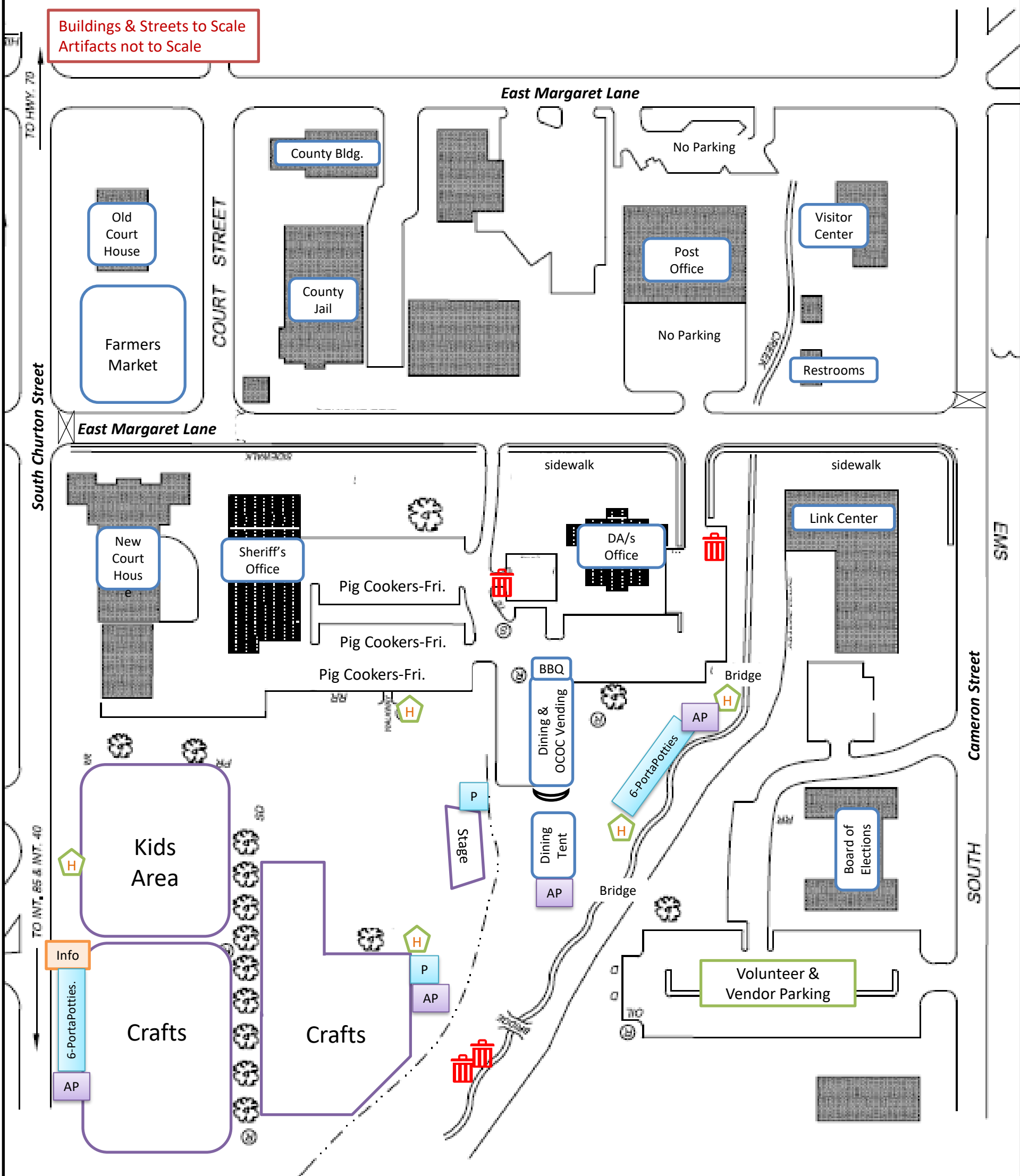
OC DEAPR (River Park): _____

OC AMS (Visitors Center, Library, Old or New Courthouse): _____

NCDOT (DOT Road Closures): _____

Hillsborough Finance (Food & Beverage Tax 1 Day): _____

Buildings & Streets to Scale
Artifacts not to Scale

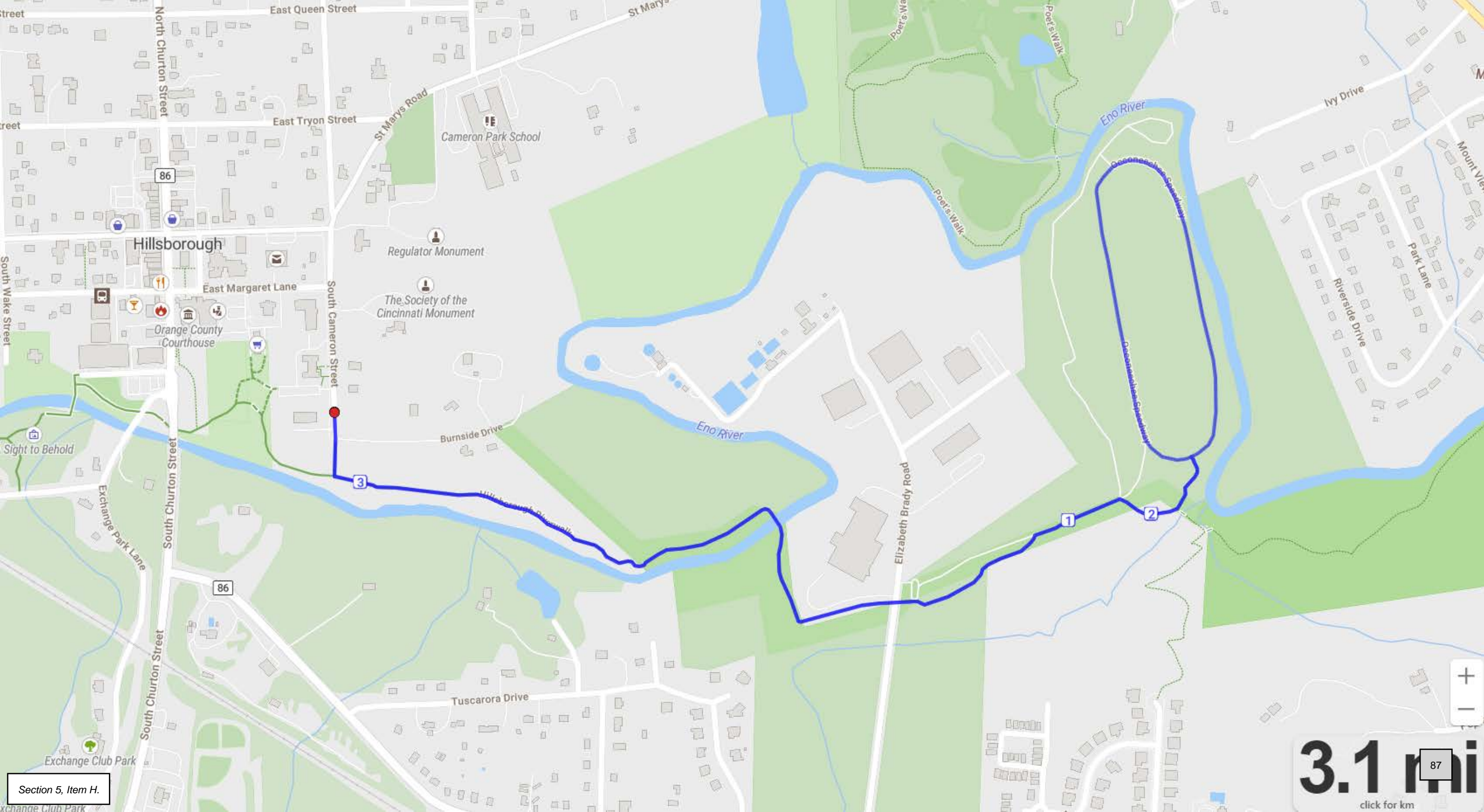


Handwashing Station – 4

Dumpster – 3

Portalet w/sanitizer – 14

ADA Portalet w/sanitizer- 4



Section 5, Item H.

3.1 mi
click for km

87



Agenda Abstract

BOARD OF COMMISSIONERS

Meeting Date: Sept. 9, 2024
Department: Police
Agenda Section: Consent
Public hearing: No
Date of public hearing: N/A

PRESENTER/INFORMATION CONTACT

Chief of Police Duane Hampton

ITEM TO BE CONSIDERED

Subject: Sale and Indemnity agreement authorizing the retirement of K-9 Vader and transfer of ownership to Sgt. Scott Foster

Attachments:

Sale and Indemnity Agreement

Summary:

K-9 Vader has served the town since 2014 and is now 11 years old. Based on age and service, the Police Department has determined that it is time for Vader to retire from service. K-9 Vader will retire to live with his handler, Sgt. Scott Foster. This agreement transfers Vader to Sgt. Foster and releases the town from further liability and costs associated with Vader's retirement into private ownership.

Financial impacts:

N/A

Staff recommendation and comments:

N/A

Action requested:

Approve sale and indemnity agreement.

SALE AND INDEMNITY AGREEMENT

THIS AGREEMENT is made as of the date below by and between Police Sergeant Scott Foster, Indemnitor, hereinafter known as "Sgt. Foster" and the Town of Hillsborough, North Carolina, a North Carolina municipality, Indemnitee, hereinafter known as "Hillsborough".

WHEREAS, "Vader" a canine owned by Hillsborough and heretofore used by the Hillsborough Police Department as a valuable member of its K-9 unit, has been retired from service because of his age and current health condition.

WHEREAS, the K-9 "Vader" has been declared surplus property and the Hillsborough Town Board has authorized the sale of "Vader" to Sgt. Foster on the terms set forth herein; and

WHEREAS, Sgt. Foster agrees to purchase and acquire "Vader" for the consideration stated herein and to indemnify and hold harmless the Town of Hillsborough, North Carolina, a municipality, and its employees, agents or elected officials Hillsborough, from (1) veterinary and health related expenses for "Vader" and any and (2) all other claims, actions, suits, damages, costs, losses and expenses, including attorney's fees, in any manner arising related to "Vader's" activities and conduct subsequent to the sale; and

NOW, THEREFORE, in consideration of the agreements stated herein and the payment by Sgt. Foster to the Town of Hillsborough of One Dollar (\$1.00) and other good and valuable consideration the receipt and sufficiency of which are hereby acknowledged, Sgt. Foster does hereby indemnify and hold harmless the Town of Hillsborough, North Carolina and its employees, agents or elected officials of Hillsborough from (1) veterinary and health related expenses for "Vader", and (2) all other claims, actions, suits, damages, costs, losses and expenses, including attorney's fees, in any manner arising related to "Vader's" activities and conduct subsequent to the date hereof.

This the ____ day of _____, 2024.

Signature

Witness: Duane Hampton, Chief of Police

I have hereby received the sum of \$1.00 from Sgt. Foster for the sale of K-9 "Vader" which has been declared as surplus property by the Town of Hillsborough Board of Commissioners.

This the ____ day of _____, 2024.



Agenda Abstract

BOARD OF COMMISSIONERS

Meeting Date: Sept. 9, 2024
Department: Planning and Economic Development Division
Agenda Section: Regular
Public hearing: Yes
Date of public hearings: April 18, 2024; May 16, 2024; Aug. 15, 2024

PRESENTER/INFORMATION CONTACT

Molly Boyle, Planner II
Tom King, Senior Planner
Shannan Campbell, Planning and Economic Development Manager

ITEM TO BE CONSIDERED

Subject: Annexation and rezoning request for “Waterstone South”

Attachments:

1. Submitted application forms
2. Master Plan set
3. Annexation map
4. Project narrative & “findings of fact”
5. Draft conditions of approval
6. Staff analysis
7. Traffic impact analysis – summary & NCDOT review letter
8. Fiscal benefits & economic impacts
9. Net fiscal impact analysis
10. Neighborhood Information Meeting summary
11. Consistency statement
12. Ordinances of approval

Proposal:

The applicants, Capkov Ventures, Inc. and Woodsedge Properties, LLC, are requesting to:

- Annex 97.02 acres of the project area (remaining 2.12 acres is already within town limits); and
- Rezone approximately 99.14 acres from R1 (County), EDH-2 (County), and ESU (Town) to a Planned Development (PD) district for apartments, townhomes, and various non-residential uses, including medical, office, and neighborhood commercial.

Please see the enclosed Staff Analysis for a more detailed summary of the proposal (**Attachment 6**). The executive summary for the Traffic Impact Analysis and NCDOT’s approval letter are attached (**Attachment 7**). If you wish to see the full Traffic Impact Analysis, it is available on the town’s website at <https://www.hillsboroughnc.gov/home/showpublisheddocument/891/638587269106070117>.

Public hearings:

Public hearings for this item were held on April 18, May 16, and Aug. 15, 2024. Approved minutes for the April 18 and May 16 hearings are available online at <https://hillsborough-nc.municodemeetings.com/>. Minutes for the Aug. 15 hearing will be available once approved by the Planning Board at its next meeting.

At the Aug. 15 hearing, two residents spoke on the Waterstone South item: Ms. Jean Brooks and Mr. Robert Sparrow, both of whom live at the southern boundary of the project area. They both expressed a variety of concerns about potential impacts of the project, such as traffic, trespassing, loss of wildlife habitat, and excessive density.

Planning Board recommendation:

After the public hearing closed on Aug. 15, the Planning Board held its regular meeting and made its recommendation on the proposal. The Planning Board **recommended approval** (5 ayes, 1 no, and 1 abstention).

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.

Financial impacts:

See the attached Fiscal Benefits and Economic Impacts Assessment (**Attachment 8**) and the Net Fiscal Impact Analysis (**Attachment 9**).

Staff comment and recommendation:

Staff encourages the Board of Commissioners to discuss whether they feel this proposal is consistent with the Comprehensive Sustainability Plan and why pursuant to [NC GS § 160D-605, Governing board statement](#).

Action requested:

Deliberate and vote on the proposed annexation and rezoning requests.



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, Eric Chupp, VP of Capkov Ventures, Inc

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 Generally south of Waterstone Drive, west of NC Hwy 86, east of Interstate 40, and north of the rural buffer boundary

(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 15th day of January, 20 2024

[Signature] Eric Chupp, VP of Capkov Ventures, Inc.
Property Owner Witness

X _____
Property Owner Witness

Property Owner Witness

Property Owner Witness

Property Owner Witness

Property Owner Witness



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

Respectfully submitted this 15th day of January 20 2024

Handwritten signatures for Property Owner and Witness, with 'Eric Chupp, VP of Capkov Ventures, Inc.' written above.

Property Owner

Witness

Property Owner

Witness

Property Owner

Witness

Property Owner

Witness

Property Owner

Witness

Property Owner

Witness



RECEIVED
1/22/2024
Tom



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 Future Land Use Map, Unified Development Ordinance, and/or Official Zoning Map. Incomplete applications will not be accepted or processed.

OFFICIAL USE ONLY		
Case Number:	Fee: \$ 19,828.00	Receipt No.: 060269
FLUM Designation:	Zoning District:	Overlay Zone: Select One

Amendment Type: Zoning Map-Planned Development District

PROPERTY LOCATION AND DESCRIPTION	
Property Address or Location: (please see attached)	
PIN(s): (please see attached)	Size of Property (Acres/Sq. Ft.): 99.140 Acres
Current Use of Property: Single family residential and vacant	
Current Zoning Classification(s): (please see attached)	
Proposed Zoning Classification(s): Planned Development (PD)	

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: Capkov Ventures Inc.	Legal Property Owner Name: Woodsedge Properties LLC
Mailing Address: PO Box 16815	Mailing Address: 2204 Chris Drive
City, State, ZIP Code: Chapel Hill, NC 27516	City, State, ZIP Code: Hillsborough, NC 27278
Telephone: 919-260-7262	Telephone: 919-730-9743
Email: ericbchupp@bellsouth.net	Email:
Signature:	Signature:
Date: 1-22-2024	Date: 1-22-2024

RECEIVED
1/22/2024
Tom J.



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

OFFICIAL USE ONLY		
Case Number:	Fee: \$	Receipt No.:
FLUM Designation:	Zoning District:	Overlay Zone: Select One

Amendment Type: Zoning Map-Planned Development District

PROPERTY LOCATION AND DESCRIPTION	
Property Address or Location: (please see attached)	
PIN(s): (please see attached)	Size of Property (Acres/Sq. Ft.): 99.140 Acres
Current Use of Property: Single family residential and vacant	
Current Zoning Classification(s): (please see attached)	
Proposed Zoning Classification(s): Planned Development (PD)	

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: Capkov Ventures Inc.	Legal Property Owner Name: Capkov Ventures Inc.
Mailing Address: PO Box 16815	Mailing Address: PO Box 16815
City, State, ZIP Code: Chapel Hill, NC 27516	City, State, ZIP Code: Chapel Hill, NC 27516
Telephone: 919-260-7262	Telephone: 919-260-7262
Email: ericbchupp@bellsouth.net	Email: ericbchupp@bellsouth.net
Signature: <i>Eric B Chupp</i>	Signature:
Date: 1/15/24 <i>For: Capkov Ventures</i>	Date: 1/15/24

Eric



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:

I, Eric Chupp, hereby petition the Board of Commissioners to change the zoning designation of the property described in the attached General Application Form
FROM R1, EDH-2, and Entranceway / Special Use TO Planned Development (PD).

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.

(please see attached)

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

(please see attached)

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

(please see attached)

- 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.**

(please see attached)

- 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.**

(please see attached)

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

(please see attached)

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

(please see attached)

- 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.**

(please see attached)

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

(please see attached)

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.

(please see attached)

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

[Handwritten Signature]
Signature of Applicant

1/15/24
Date

*For Caplan Ventures
Inc.*

Waterstone South
Attachment 2

MASTER DEVELOPMENT PLAN OF WATERSTONE SOUTH

3411 NC 86 SOUTH
HILLSBOROUGH, NC

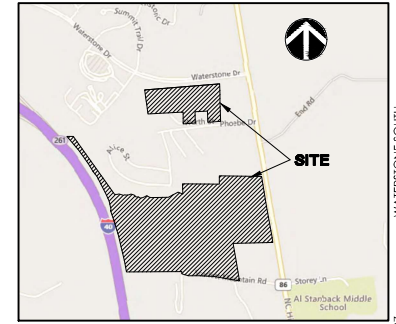
PIN: 9872490872, 9873504152, 9873502573,
9873510737, 9873416716, 9873415972,
9873425076, 9873425271, 9873422375, AND A
PORTION OF 9873410172

99.149 ACRES

PREPARED FOR:
CAPKOV VENTURES
PO BOX 16815
CHAPEL HILL, NC 27516
919-260-7262
CONTACT: ERIC CHUPP
ERICBCHUPP@BELLSOUTH.NET

J-92037

PREPARED BY:



J-92037
01/17/24

Sheet List Table

Sheet Number	Sheet Title
	COVER SHEET
MP0.1	SITE DATA
MP1.0	EXISTING CONDITIONS
MP1.1	MASTER DEVELOPMENT PLAN
MP1.2	PHASING PLAN
MP1.3	UTILITY PLAN

APPROVAL STAMPS



2510 Meridian Parkway • Suite 100
Durham, NC 27713
p.919.482.0368
www.thomasandhutton.com

APPLICANT:

CAPKOV VENTURES INC.
PO BOX 16815
CHAPEL HILL, NC 27516
919-260-7262
CONTACT: ERIC CHUPP
ERICBCHUPP@BELLSOUTH.NET

CONSULTANTS:

LANDSCAPE ARCHITECT / LAND PLANNER:
THOMAS & HUTTON
2510 MERIDIAN PARKWAY, SUITE 100
DURHAM, NC 27713
919-482-0368
CONTACT: DANIEL JEWELL, RLA
JEWELLD@TANDH.COM

CIVIL ENGINEER:
THOMAS & HUTTON
2510 MERIDIAN PARKWAY, SUITE 100
DURHAM, NC 27713
919-482-0368
CONTACT: PRESTON ROYSTER, PE
ROYSTER.P@TANDH.COM

SUBMITTAL HISTORY

	DATE
MASTER DEVELOPMENT PLAN SUBMITTAL #3	05-08-24
MASTER DEVELOPMENT PLAN SUBMITTAL #2	03-18-24
MASTER DEVELOPMENT PLAN SUBMITTAL #1	01-22-24
SUBMITTED TO THE TOWN OF HILLSBOROUGH	DATE

SITE DATA

<p>TRACT 1 ADDRESS: None Listed OWNER(S): Capkov Ventures Inc. PIN: 9872490872 SIZE (SF): 2,300,099 SIZE (AC): 52.893 DEED BK / PG: 6632 / 98 PLAT BK / PG: 126 / 49 & 119 / 154-155 EX. ZONING: R1 / Rural Buffer (Orange County) EXISTING USE: Vacant</p>	<p>TRACT 6 ADDRESS: None Listed OWNER(S): Capkov Ventures Inc. PIN: 9873415972 SIZE (SF): 174,806 SIZE (AC): 4.013 DEED BK / PG: 6728 / 908 PLAT BK / PG: 1 / 3 EX. ZONING: EDH-2 (Orange County) EXISTING USE: Vacant</p>
<p>TRACT 2 ADDRESS: None Listed OWNER(S): Capkov Ventures Inc. PIN: 9873504152 SIZE (SF): 596,641 SIZE (AC): 13.697 DEED BK / PG: 6820 / 513 PLAT BK / PG: 7 / 91 EX. ZONING: R1 (Orange County) EXISTING USE: Vacant</p>	<p>TRACT 7 ADDRESS: None Listed OWNER(S): Capkov Ventures Inc. PIN: 9873425076 SIZE (SF): 173,369 SIZE (AC): 3.98 DEED BK / PG: 6728 / 908 PLAT BK / PG: 1 / 3 EX. ZONING: EDH-2 (Orange County) EXISTING USE: Vacant</p>
<p>TRACT 3 (partial) ADDRESS: 3411 NC 86 South OWNER(S): Capkov Ventures Inc. PIN: 9873502573 SIZE (SF): 714,776 (overall) SIZE (AC): 16.409 (area to be rezoned) DEED BK / PG: 6540 / 1 PLAT BK / PG: 7 / 91 EX. ZONING: R1 (Orange County) EXISTING USE: SF Residential</p>	<p>TRACT 8 ADDRESS: None Listed OWNER(S): Capkov Ventures Inc. PIN: 9873425271 SIZE (SF): 193,886 SIZE (AC): 4.451 DEED BK / PG: 6653 / 1382 PLAT BK / PG: 1 / 3 EX. ZONING: EDH-2 (Orange County) EXISTING USE: Vacant</p>
<p>TRACT 4 ADDRESS: 1622 Worth Street OWNER(S): Capkov Ventures Inc. PIN: 9873510737 SIZE (SF): 40,032 SIZE (AC): 0.919 DEED BK / PG: 6822 / 2314 PLAT BK / PG: 36 / 51 EX. ZONING: R1 (Orange County) EXISTING USE: SF Residential</p>	<p>TRACT 9 ADDRESS: None Listed OWNER(S): Capkov Ventures Inc. PIN: 9873422375 SIZE (SF): 92,957 SIZE (AC): 2.134 DEED BK / PG: 6718 / 1700 PLAT BK / PG: 122 / 71 EX. ZONING: Entranceway / Special Use (Hillsborough) EXISTING USE: Vacant</p>
<p>TRACT 5 ADDRESS: 1606 Worth Street OWNER(S): Capkov Ventures Inc. PIN: 9873416716 SIZE (SF): 40,075 SIZE (AC): 0.92 DEED BK / PG: 6728 / 231 PLAT BK / PG: 36 / 143 EX. ZONING: R1 (Orange County) EXISTING USE: SF Residential</p>	<p>TRACT 10 (partial) ADDRESS: 114 Chandler Dale Street OWNER(S): Woods Edge Properties LLC PIN: 5873410172 SIZE (SF): 2,104,514 SIZE (AC): 48.313 (overall) SIZE (AC): 1.823 (area to be rezoned) DEED BK / PG: 1852 / 224 PLAT BK / PG: 119 / 154-155 EX. ZONING: R1 EXISTING USE: Trailer Park</p>

Area to be Rezoned
 Total SF = 4,318,930
 Total AC = 99.149

ABBREVIATIONS

DBL	DOUBLE	FM	FORCE MAIN (SANITARY SEWER)	PC	POINT OF CURVE	TC	TOP OF CURB
BOT	BOTTOM	FP	FINISH FAD	PH	POST-HYDRANT	TH	THROAT ELEVATION
CB	CATCH BASIN	FR	FRAME	PT	POINT OF TANGENT	TS	TOP OF SUTTER
CI	CURB INLET	GA	GATE VALVE	PVC	POLYVINYL CHLORIDE	TP	TOP OF PAVEMENT
CID	CLEAN OUT	GV	GATE VALVE	RCP	REINFORCED CONCRETE PIPE	TK	TOP OF WALK
CPF	CORRUGATED PLASTIC PIPE	HDP	HIGH DENSITY POLYETHYLENE	RC	ROLL CURB INLET	TP	TYPICAL
DRI	DOUBLE	HI	HOOD INLET	RCP	REINFORCED CONCRETE PIPE	VI	VALLEY WELD
DI	DITCH INLET	INV	INVERT ELEVATION	SI	SOFFIT INLET	W	WATER
DP	DUCTILE IRON PIPE	JS	JUNCTION BOX	SJP	STANDARD JOINT PIPE	WV	WATER VALVE
EL	ELEVATION	LF	LINEAR FEET	SW	WIRE-GO-WAY	WV	WATER VALVE
ES	END SECTION	MAX	MAXIMUM	SD	STORM DRAINAGE	YI	YARD INLET
FIS	FLARED END SECTION	MFI	MANHOLE	SOXH	STORM DRAINAGE MANHOLE	YI	YARD INLET
FG	FINISH GRADE	MH	MANHOLE	SF	SQUARE FEET		
PH	POST-HYDRANT	OC	OR CENTER	SS	SANITARY SEWER		

LEGEND

Water Valve		Gas Valve	
Yard Inlet		Light Pole	
Curb Inlet/Catch Basin		Sewer Cleanout	
Mail Box		Flared End Section	
Traffic Signal Box		Basin	
Electric Transformer		Gas Meter	
Electric Junction Box		Existing Iron Pipe (3/4" unless noted)	
Gas Meter		1/2" Rebar	
Sanitary Sewer Manhole		1/2" Iron Pipe Set	
Storm Sewer Manhole		Existing PK No. 1	
Telephone Manhole		PK No. 1 Set	
Electric Manhole		Compacted Point	
Sign		Concrete Monument	
Telephone Pedestal		Tree Line	
Fire Hydrant		Fence	
Post Indicator Valve		Underground Electric	
Water Manhole		Underground Telephone	
Water Meter		Gas Line	
Hot Box		Water Line	
Utility Pole		Overhead Utilities	
Flow Zone 4E-4UBOwer		Storm Sewer	
		Sanitary Sewer	
		Adjacent Property Line	
		Wood Framed Dwelling	
		Flow Zone 4E-4UBOwer	

3	REVISIONS	TEAM	07/09/24
2	TOWN COMMENTS	TEAM	05/06/24
1	TOWN COMMENTS	TEAM	03/13/24
NO.	REVISIONS	BY	DATE



SITE DATA

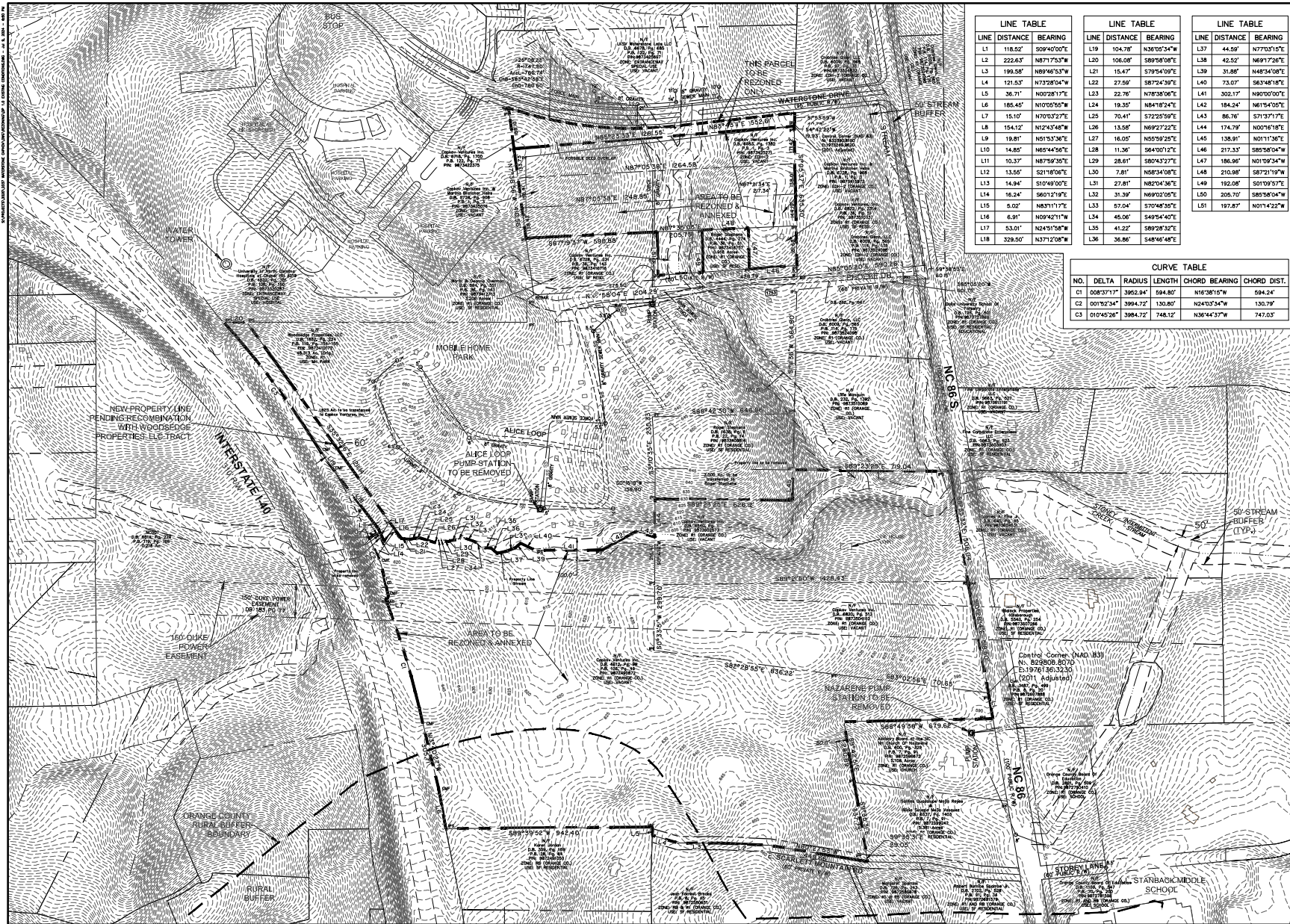
WATERSTONE SOUTH

PROJECT LOCATION:
 3411 NC 86 SOUTH
 HILLSBOROUGH, NC

CLIENT/OWNER:
 Capkov Ventures
 PO Box 16815
 Charlotte, NC 27246
 919.280.7242
 Contact: Eric Orsopoulos
 eorsopoulos@bellouth.com

DRAWN:	HORLE, NAD B3	VERI:	NAVD 88
DATE:	02/07		
DATE:	01/17/24		
DESIGNED:	DAK, MCG		
ENGINEER:	DAK		
APPROVED:			
SCALE:			

MPO.1



LINE	DISTANCE	BEARING
L1	118.52	S09°40'00"E
L2	222.63	N87°17'53"W
L3	199.58	N89°46'53"W
L4	121.53	N73°28'04"W
L5	38.97	N00°28'17"E
L6	186.48	N10°03'57"E
L7	15.10	N70°03'37"E
L8	154.12	N32°43'48"W
L9	19.81	N01°53'36"E
L10	14.85	N65°44'56"E
L11	10.37	N87°59'35"E
L12	13.55	S21°18'06"E
L13	14.94	S10°49'00"E
L14	18.24	S60°12'19"E
L15	5.02	N83°11'17"E
L16	6.91	N08°42'11"W
L17	53.01	N24°51'58"W
L18	329.50	N37°12'08"W

LINE	DISTANCE	BEARING
L19	104.78	N36°05'34"W
L20	106.08	S89°58'08"E
L21	15.47	S79°54'09"E
L22	27.59	S87°24'59"E
L23	22.76	N78°38'09"E
L24	19.35	N84°18'24"E
L25	70.41	S72°25'36"E
L26	13.58	N69°27'22"E
L27	16.05	N05°29'25"E
L28	11.36	S64°00'12"E
L29	28.61	S80°43'27"E
L30	7.81	N05°43'08"E
L31	27.81	N82°04'36"E
L32	31.39	N69°02'05"E
L33	57.04	S70°48'35"E
L34	45.06	S49°54'40"E
L35	41.22	S89°28'32"E
L36	36.86	S48°46'48"E

LINE	DISTANCE	BEARING
L37	44.59	N77°03'15"E
L38	42.52	N69°17'26"E
L39	31.86	N49°34'08"E
L40	73.07	S63°48'18"E
L41	302.77	N49°00'00"E
L42	184.24	N61°54'00"E
L43	86.78	S71°37'17"E
L44	174.79	N00°16'18"E
L45	138.91	N01°11'36"E
L46	217.33	S89°58'04"W
L47	186.96	N01°09'34"W
L48	210.98	S87°21'19"W
L49	192.08	S01°09'57"E
L50	206.70	S85°58'04"W
L51	197.87	N01°14'22"W

NO.	DELTA	RADIUS	LENGTH	CHORD BEARING	CHORD DIST.
C1	008°37'17"	3962.94	594.80	N16°38'16"W	594.24
C2	001°52'34"	3994.72	130.80	N24°03'34"W	130.79
C3	010°40'26"	3984.72	748.12	N36°44'37"W	747.03

NO.	REVISIONS	BY	DATE
3	AREA AND LINE ADJUSTMENTS	T&H	07/08/24
2	TOWN COMMENTS	T&H	05/07/24
1	TOWN COMMENTS	T&H	03/15/24

**PRELIMINARY
NOT FOR
CONSTRUCTION**

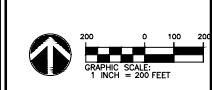


EXISTING CONDITIONS

WATERSTONE SOUTH

PROJECT LOCATION:
3411 NC 86 SOUTH
HILLSBOROUGH, NC

CLIENT/OWNER:
Caitlin Venturi
PO Box 16816
Chapel Hill, NC 27516
919-260-7262
Contact: Eric Chapp
erichapp@thehutton.net



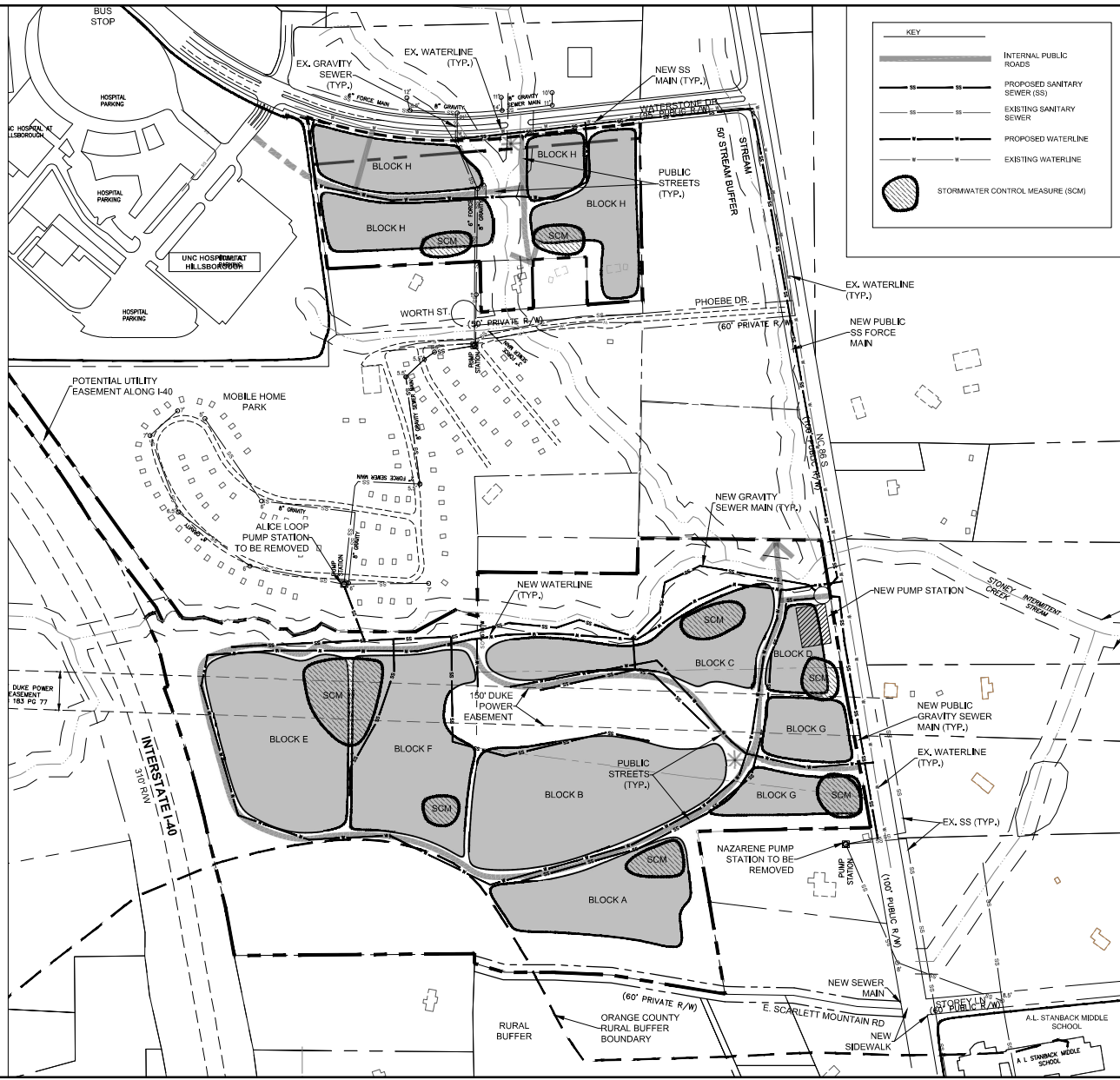
DATUM: HORIZ: NAD 83 VERT: NAVD 88
JOB NO: 92037
DATE: 01/17/24
DRAWN: DAL, MTC
DESIGNED:
REVIEWED:
APPROVED: 1" = 200'

MP1.0

S:\PROJECTS\2023\MP13\MP13.dwg - 11/17/24 - 11/17/24



TYPICAL PUBLIC STREET SECTIONS TO BE USED IN PROJECT
SCALE: NTS



NO.	REVISIONS	BY	DATE
1	NEW PLAN IN SET	T&H	05/08/24

PRELIMINARY NOT FOR CONSTRUCTION

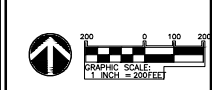


UTILITY PLAN

WATERSTONE SOUTH

PROJECT LOCATION:
3411 NC 86 SOUTH
HILLSBOROUGH, NC

CLIENT/OWNER:
Carpenter Ventures
PO Box 16816
Chapel Hill, NC 27516
919-260-7262
Contact: Eric Chapp
ericchapp@thomasandhutton.net



DATE: HORIZ: NAD 83 VERT: NAVD 88
JOB NO: 92037
DATE: 01/17/24
DRAWN:
DESIGNED:
REVIEWED:
APPROVED:
SCALE: 1" = 200'

MP1.3

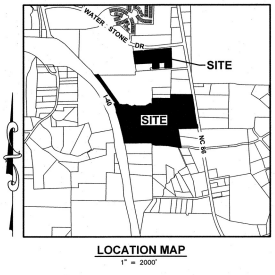
Waterstone South
Attachment 3

CURVE TABLE					
NO.	DELTA	RADIUS	LENGTH	CHORD BEARING	CHORD DIST.
C1	008°37'17"	3952.94'	594.80'	N16°38'15"W	594.24'
C2	001°52'34"	3994.72'	130.80'	N24°03'34"W	130.79'
C3	010°45'28"	3984.72'	748.12'	N36°44'37"W	747.03'

LINE TABLE	
LINE	DISTANCE BEARING
L1	118.52' S09°40'00"E
L2	222.63' N87°17'53"W
L3	199.58' N89°46'53"W
L4	121.53' N73°28'04"W
L5	36.71' N00°28'17"E
L6	185.45' N10°05'55"W
L7	15.10' N70°03'27"E
L8	154.12' N12°43'48"W
L9	19.81' N01°53'36"E
L10	14.85' N85°49'06"E
L11	10.37' N87°59'35"E
L12	13.55' S21°18'08"E
L13	14.94' S10°49'00"E
L14	16.24' S60°21'19"E
L15	5.02' N83°11'17"E
L16	6.91' N09°42'11"W
L17	53.01' N24°51'58"W
L18	328.50' N83°12'08"W

LINE TABLE	
LINE	DISTANCE BEARING
L19	104.78' N30°05'34"W
L20	106.08' S89°58'08"E
L21	15.47' S79°54'09"E
L22	27.59' S87°24'39"E
L23	22.76' N78°38'06"E
L24	19.35' N84°18'24"E
L25	70.41' S72°25'59"E
L26	13.58' N69°27'22"E
L27	16.05' N55°59'25"E
L28	11.36' S84°03'12"E
L29	28.01' S80°43'27"E
L30	7.81' N68°34'08"E
L31	27.81' N82°04'36"E
L32	31.39' N69°02'00"E
L33	57.04' S70°48'38"E
L34	45.06' S49°54'40"E
L35	41.22' S89°28'32"E
L36	36.86' S48°40'48"E

LINE TABLE	
LINE	DISTANCE BEARING
L37	44.59' N77°03'15"E
L38	42.52' N69°17'26"E
L39	31.88' N48°34'08"E
L40	73.07' S63°48'18"E
L41	302.17' N80°00'00"E
L42	184.24' N61°54'05"E
L43	86.76' S71°37'17"E
L44	174.79' N00°16'18"E
L45	138.91' N01°11'36"E
L46	217.33' S85°58'04"W
L47	196.96' N01°04'54"W
L48	210.86' S87°21'19"W
L49	192.06' S01°59'57"E
L50	205.70' S85°58'04"W
L51	197.87' N01°14'22"W



FLOOD NOTE

By graphic plotting only this property is located in Zone "X" (Area determined to be outside of the 500-year flood plain) by the Federal Emergency Agency on Flood Insurance Rate Map, Community Panel No. 371087500, with an effective date of February 2, 2007, in Orange County, North Carolina, and Community Panel No. 371087500, with an effective date of November 17, 2017, in Orange County, North Carolina. No field surveying was performed to determine this zone and an elevation certificate may be needed to verify this determination or apply for a variance from the Federal Emergency Management Agency.

NOTES

- 1) Areas calculated by coordinate geometry.
- 2) All distances are horizontal ground distances.
- 3) Basis of Bearing NC GRID 1983 (2011 Adjustment) Horizontal Datum.
- 4) No published horizontal control monuments found within 2000 feet of site.
- 5) Boundary information shown hereon was prepared from an actual field survey and from existing records as referenced hereon.
- 6) These Parcels may be subject to easements or rights of others that have not been disclosed on this plot.
- 7) All above ground and subsurface improvements are not necessarily shown hereon.
- 8) Coordinates shown on this plot were derived by Real Time Network (RTN) Global Positioning System (GPS), this results in NAD 1983, 2011 Adjustment (CONRS 96) and North American Vertical Datum of 1988 (NAVD 88) elevations using the continually operating reference stations (CORS) maintained by the North Carolina Geodetic Survey, Class A Survey, 0.033 feet positional accuracy, WFS Field Procedure, Grade 12A.

SURVEY CERTIFICATION

I, James D. Whitlona, a surveyor licensed under the provisions of Chapter 89C of the North Carolina General Statutes, do hereby certify that this Plot was drawn under my supervision from an actual survey made under my supervision from references as noted on said plot. That the ratio of precision as calculated from coordinates is 1/10,000, but the boundaries not surveyed are shown as broken lines plotted from cited references, and that this plot was prepared in accordance with C.S. 47-30 F.E.D.C. as amended.

I further certify that this survey is of another category, such as the reconstruction of existing parcels, a court-ordered survey, or other exception to the definition of subdivision.

Witness my hand and official seal this 2nd day of July, 2024.

Professional Surveyor L-5273



REFERENCES

D.B. 1822, Pg. 0224
D.B. 0183, Pg. 0011
D.B. 6540, Pg. 0007
D.B. 6653, Pg. 1382
D.B. 4718, Pg. 1700
D.B. 4728, Pg. 0231
D.B. 4728, Pg. 0008
D.B. 4820, Pg. 0513
D.B. 4822, Pg. 2314
P.B. 0256, Pg. 0011
P.B. 0122, Pg. 0071
P.B. 0126, Pg. 0049

LEGEND

- Iron Pin Found
- Calculated Point
- Iron Pin Set
- Iron Nail Found
- Concrete Monument
- Existing Property Line
- - - Existing Town Limit
- - - New Town Limit

GRAPHIC SCALE



CONTIGUOUS ANNEXATION MAP FOR TOWN OF HILLSBOROUGH

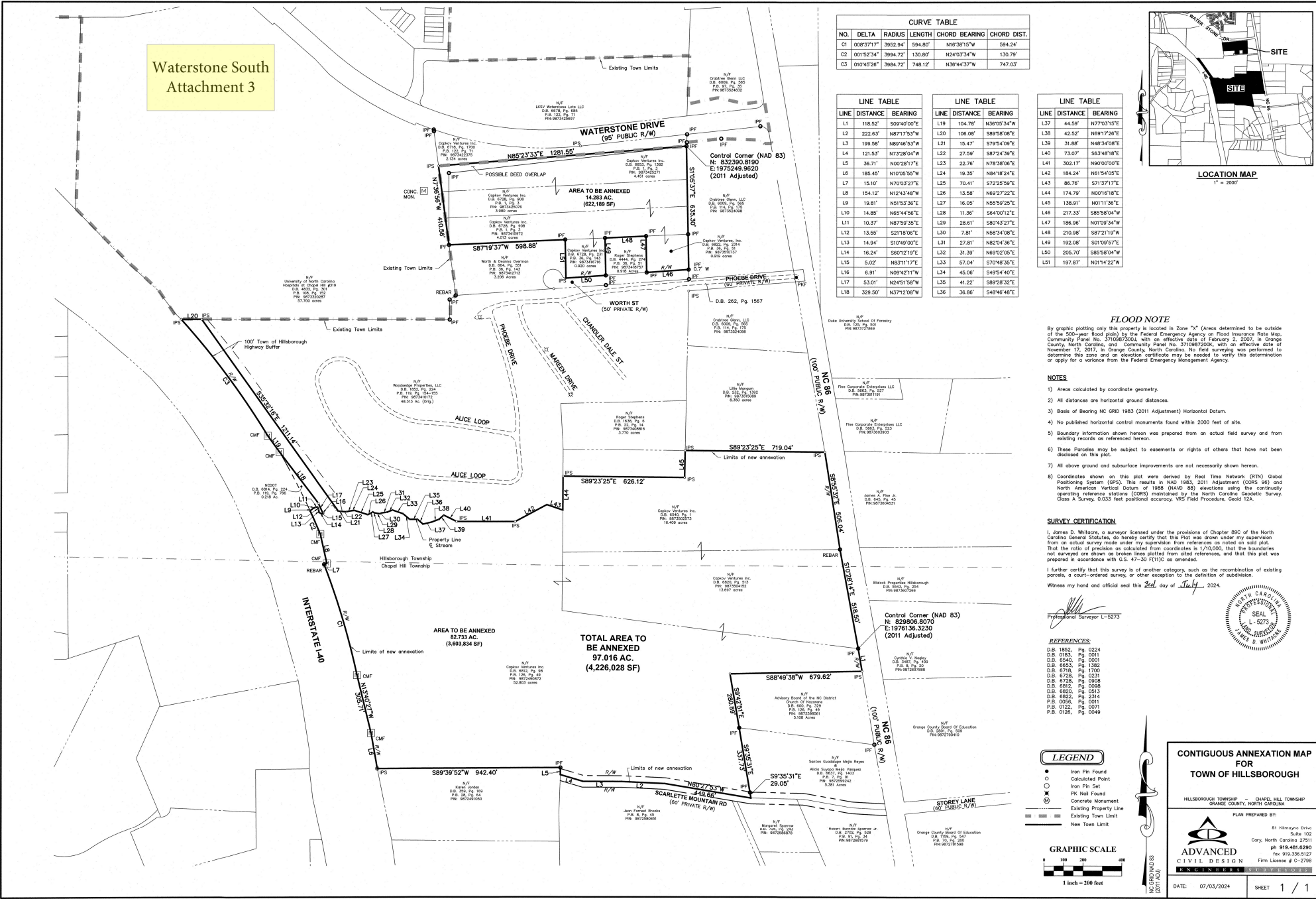
HILLSBOROUGH TOWNSHIP - CHAPEL HILL TOWNSHIP
ORANGE COUNTY, NORTH CAROLINA

PLAN PREPARED BY: 61 Kilmegon Drive, Suite 102, Cary, North Carolina 27511, Phone: 919-481-6290, Fax: 919-336-5127, C I V I L D E S I G N, Firm License # C-2798

DATE: 07/03/2024 SHEET 1 / 1

TOTAL AREA TO BE ANNEXED
97,016 AC.
(4,226,028 SF)

AREA TO BE ANNEXED
82,733 AC.
(3,603,834 SF)





Master Development Plan Summary and Narratives

1. General Description of the Proposed Development.

The proposed mixed-use development Waterstone South encompasses roughly 100 acres (99.14) and includes 450 apartment homes, 205 townhomes, 200,000 square feet of medical outpatient services, medical office, hospital uses, the support uses of restaurant and day care uses. and 40,000 square foot of neighborhood commercial. The development as proposed is to be built in three phases over the next seven or eight years. The northern portion of the proposed mixed-use community sits immediately adjacent to UNC Hospital campus along Waterstone Drive. The property extends southward from Waterstone Drive to East Scarlett Mountain Road. The property is bounded by I-40 to the west, Highway 86 to the east, and Waterstone Drive serves as its northern boundary. The general site plan calls for medical office and outpatient services immediately adjacent to UNC Hospital, and residential uses on the southern portion of the site. We have then added 40,000 square feet of neighborhood oriented commercial to the primarily residential portion of the site for uses such as restaurants, coffee shops, and day care centers. These uses will serve the neighborhood as well as the larger Hillsborough community. The residential component is comprised of townhomes and apartments intended to serve working middle income families. The apartments will be located on the southwestern portion of the site along I-40, while the townhomes will be on the southeastern portion of the site closer to Highway 86. There are notably no single-family lots proposed as we are opting exclusively for the more affordably priced housing that Hillsborough needs. The applicant is proposing that 15% of the market rate units be priced at an average of 80% of the median income. This is inclusive of both the apartments and the townhomes. Neighborhood oriented commercial will be located at the entrance to the residential portion of the community along Highway 86. Over one-third of the site (37.8 acres) is being proposed as open space, including a hundred-foot buffer along the entire southern property line on the north side of East Scarlett Mountain Road. Public walking trails will lead from the site to UNC Hospital and the Waterstone community and will be an integral part of the community's overall connectivity. The applicant is proposing an unprecedented level of investment in public utilities in the form of upgrading Hillsborough's existing infrastructure, extending new gravity sewer lines, and eliminating outdated pump stations.

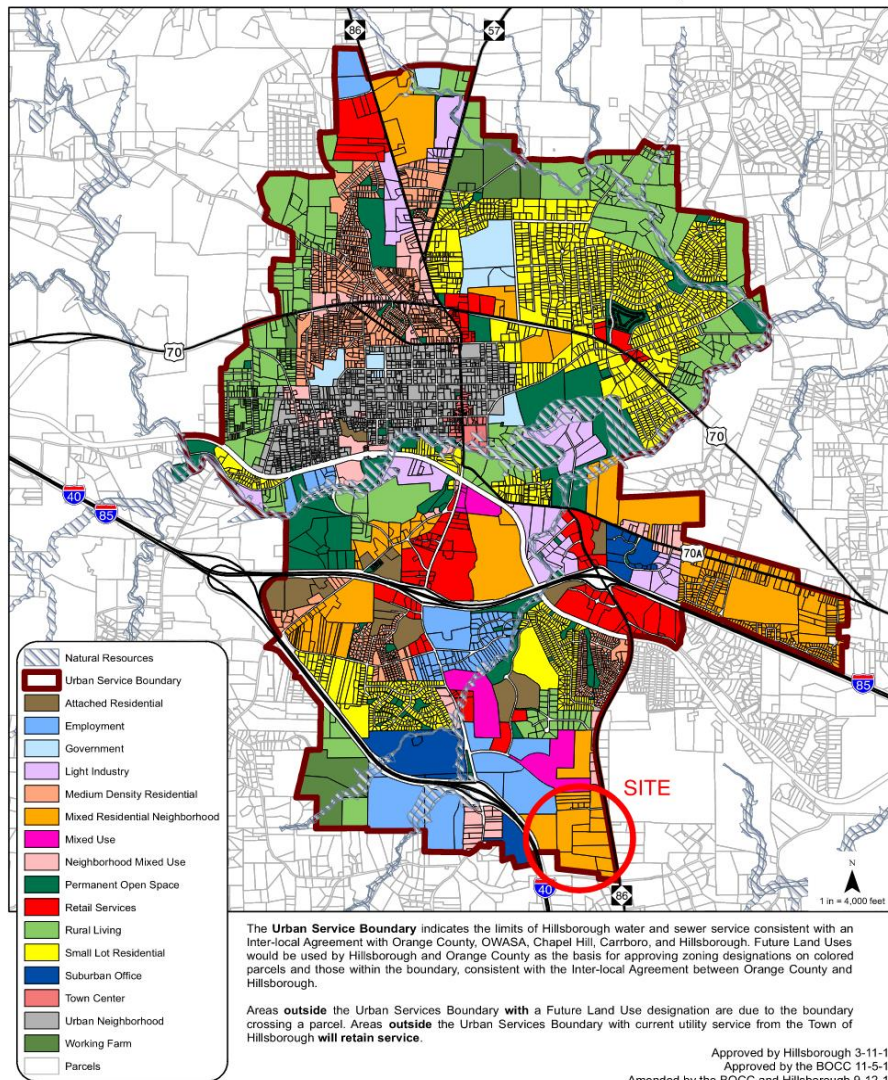
2. Planning Objectives and Character of the Development to be Achieved.

Waterstone South has been designed to be aligned with and promote the planning objectives and the character of the Town of Hillsborough. The next section of this Master Plan Development Summary will elaborate on how the design of Waterstone South conforms to the principles of the newly approved Hillsborough Comprehensive Sustainability Plan, but I will touch on some of the more general ways the design aligns with Hillsborough’s planning objectives and character.

- A. The Waterstone South site area is shown on the Town of Hillsborough/Orange County Central Orange Coordinated Land Use Plan (see exhibit A) as “Mixed Residential Neighborhood” which is exactly what we are proposing.

Exhibit A

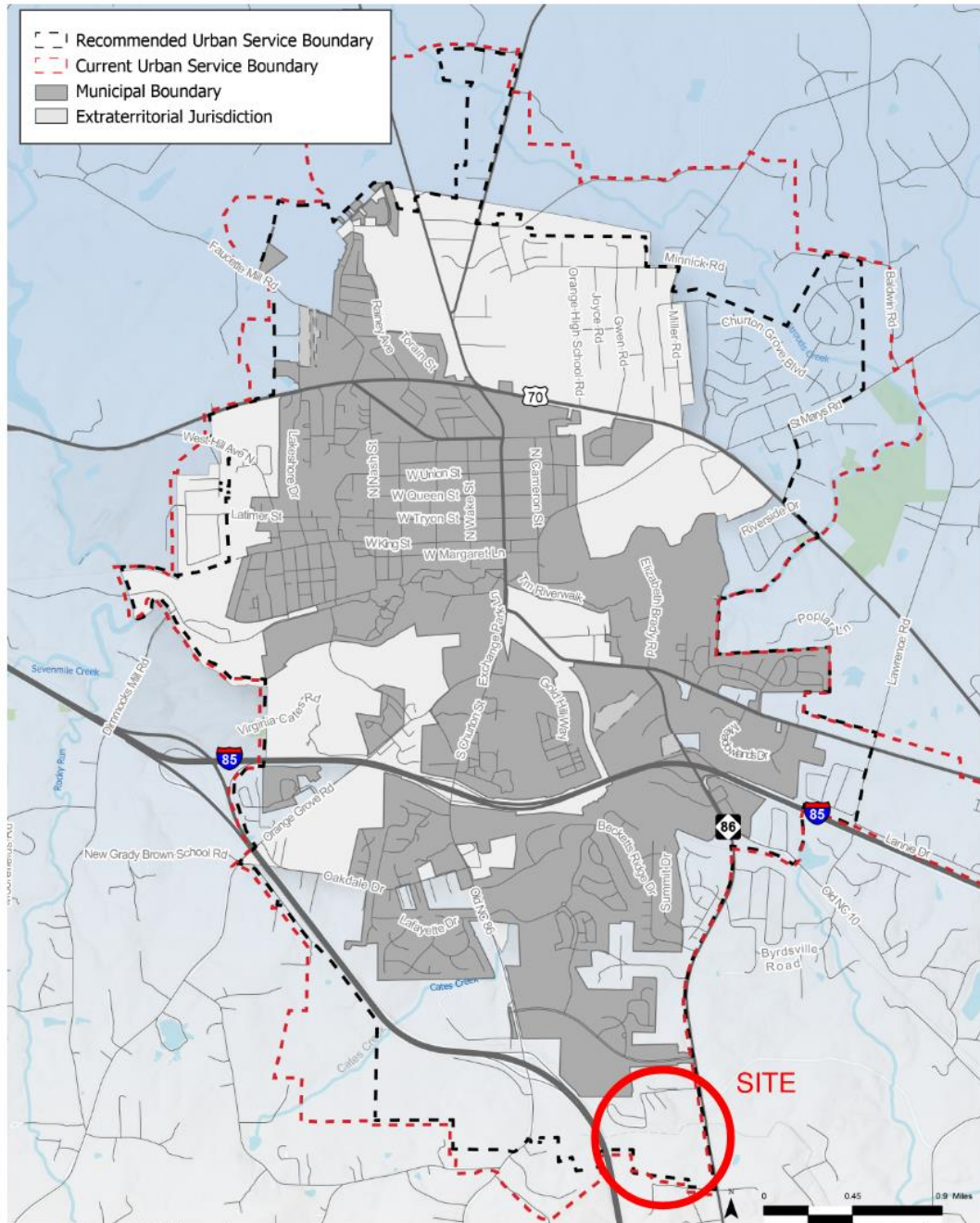
Town of Hillsborough/Orange County Central Orange Coordinated Area Land use Plan
Areas Within the Town’s Urban Service Boundary



- B. The Waterstone South site area is within the Recommended Urban Services Boundary even in the recently reduced form (see exhibit B). (Page 4.12 Comprehensive and Sustainability Plan 2030).

Exhibit B

Figure 4.1. Urban Service Boundary

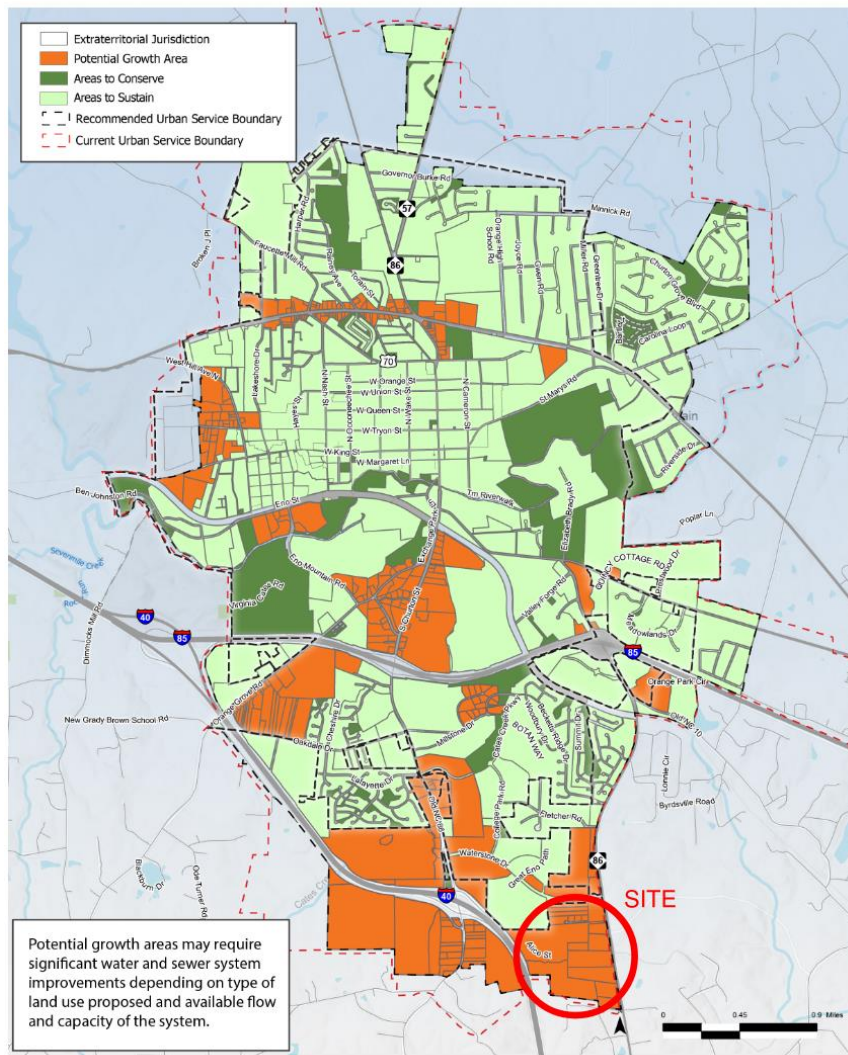


Source: The Town of Hillsborough

C. The Waterstone South site area is shown on figure 4.4 of the newly adopted Comprehensive and Sustainability Plan as a “Potential Future Growth Area” (see exhibit C). (Page 4-23 Comprehensive and Sustainability Plan 2030).

Exhibit C

Figure 4.4. Potential Growth Areas



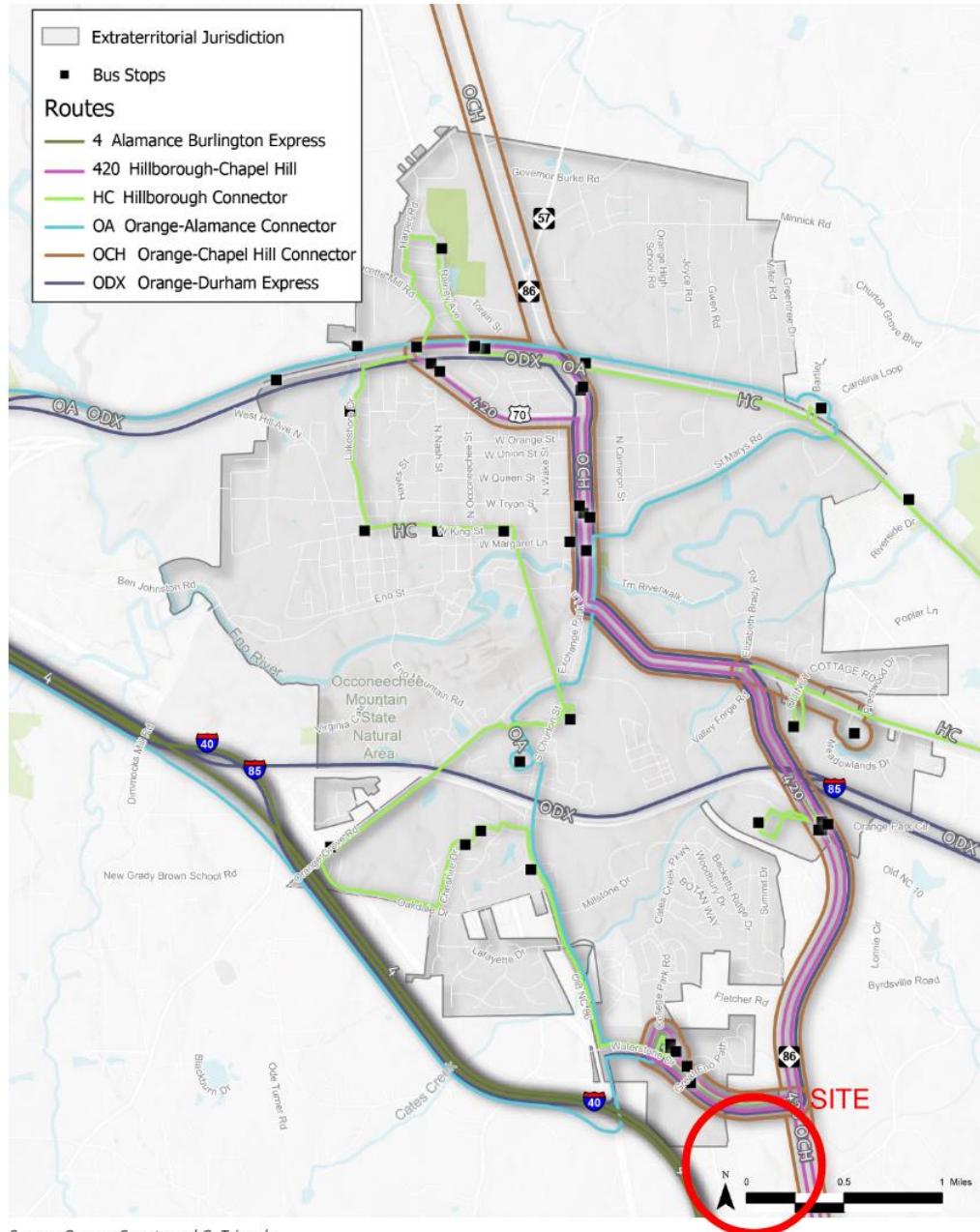
Source: The Town of Hillsborough

D. The Waterstone South site area is located immediately adjacent to Hillsborough’s biggest transit corridors allowing for efficient public transit without adding to the congestion problems that are prevalent in the Churton Street Corridor. Figure 6.8 from the Comprehensive Sustainability Plan shows where transit opportunities exist relative to the location of the site (see exhibit D). (Page 6-6 Comprehensive and Sustainability Plan 2030). The Waterstone South site is located with I-40 serving as

its western property line, Highway 86 as its eastern property line, Waterstone Drive as its northern property line and I-85 only a couple miles north of the site. The Waterstone South site is in a perfect location to take advantage of transit opportunities.

Exhibit D

Figure 6.8. Existing Transit Routes



Source: Orange County and GoTriangle

E. Waterstone South is a true mixed-use community. The recently completed Fiscal Benefits and Economic Impacts analysis completed by DPGF shows that 41% of the

tax base for the proposed community will come from commercial uses. By comparison the commercial portion of the total tax base in Orange County is only 20%, and for Hillsborough only 32% of the total tax base is commercial. Waterstone South will help Hillsborough increase its commercial tax base relative to its residential tax base. The Comprehensive and Sustainability Plan recognizes that “Hillsborough’s largest industry is healthcare and social services with the UNC Hospitals Hillsborough Campus as the largest employer in this sector.” (Page 9-5 Comprehensive and Sustainability Plan 2030). The proposed mixed-use community is immediately adjacent to the UNC Hospitals Campus and is offering Medical Office, Outpatient Services, hospital uses, restaurant and day care uses to support the hospital’s future and current needs.

- F. Waterstone South is offering an unprecedented level of affordable housing. The applicant is making a commitment to make 15% of the market rate homes affordable to those making an average of 80% of the median income. This will apply to both the apartments and the townhomes, resulting in 58 affordable apartments and 27 new affordable townhomes. Affordable townhomes will be integrated within the market rate homes. There will be no discernable difference between the market rate homes and the affordable homes.

- G. The proposed Waterstone South mixed-use community is located in the Elizabeth Brady sewer basin which has a significantly newer and better designed public sewer system than the River Basin. Not only is there less infiltration from outside sources, but there is also greater potential for adding capacity. The planning for Waterstone South has taken into account that upgrades to the existing system will be needed and older outdated pump stations will need to be replaced. The applicant is proposing a contribution of 8 million dollars in needed sewer improvement for the Town of Hillsborough’s system. Of the 8 million dollars 3.3 million would be in direct construction (including upgrading the Elizabeth Brady Pump Station, eliminating the Alice Loop Pump Station, and replacing the Nazarene Pump Station), and 4.7 million dollars would be in accelerated access fees. The applicant is also proposing to phase the residential portion of the development into three phases to allow capacity upgrades to be made without overtaxing the system.

3. A statement explaining how the development complies with the policies & objectives of the comprehensive plan.

In June of 2023 the Town of Hillsborough adopted a new Comprehensive Plan entitled “Town of Hillsborough Comprehensive Sustainability Plan (2030)”. The proposed mixed-use community and associated annexation are consistent with this comprehensive plan in virtually every respect.

1. Land Use and Development. This section of the comprehensive plan applies most directly to this proposed mixed-use development.
 - a. The Comprehensive and Sustainability Plan page 4-5 states that Hillsborough “seeks development patterns that create more compact and walkable spaces with a mix of uses”. Page 4-8 speaks to the southern area of Town holding opportunities for growth in the form of “compact, mixed use, and transit-oriented development”. Waterstone South is being proposed in the southern portion of Hillsborough and provides compact development, a mix of uses, and mass transit opportunities.
 - b. The comprehensive plan contemplates contracting the Urban Services Boundary away from areas that are less practical to provide sewer services, or the Town wants to otherwise discourage development The proposed mixed-use community remains within the primary service area whether the area is contracted or not (see attached exhibit B). (Page 4-12 Comprehensive and Sustainability Plan 2030).
 - c. The comprehensive plan speaks of the Town’s limited, and some areas constrained sewer capacity. It is pointed out that the “Elizabeth Brady Basin is newer and has more capacity”. (Page 4-14 Comprehensive and Sustainability Plan 2030). This proposed mixed-use community is in the Elizabeth Brady Basin.
 - d. The comprehensive plan points out that a significant problem with the existing sewer system is that there are too many pump stations, and many of them are substandard and ageing. The proposed mixed-use community eliminates two ageing substandard pump stations and constructs one new station built to modern standards with excess capacity for the future. (Pages 4-15, and 4-16 Comprehensive and Sustainability Plan 2030).
 - e. The comprehensive plan page 4-16 points out that “Planned growth is a driver for sewer improvements in the newer Elizabeth Brady Pumping Station Sewer Basin. Significant investment will be needed to prepare for future needs and growth”. The proposed mixed-use community is proposing a contribution of 8 million dollars in needed sewer improvement for the Town of Hillsborough’s system. Of the 8 million dollars 3.3 million would be in direct construction (including upgrading the Elizabeth Brady Pump Station, eliminating the Alice Loop Pump Station, and replacing the Nazarene Pump Station), and 4.7 million dollars would be in accelerated access fees that would be paid upon approval of each of the 3 phases. This is a very large contribution to the public infrastructure. Hillsborough has not seen this level of commitment in the past. However, the comprehensive plan specifically suggests this type of cost

sharing arrangement with developers. (Page 4-25 Comprehensive and Sustainability Plan 2030).

- f. In the conclusion of the Comprehensive Report's section on Land Use and Development, page 4-22 states that, "Based on the water and sewer capacity constraints, growth should be focused on the southern part of Town in the Elizabeth Brady Basin. This area is ripe for additional compact and mixed-use development.....". As demonstrated in the Growth Areas Map (Figure 4.4), most growth is anticipated in the southern portion of town (within the Elizabeth Brdy Basin). "The town plans, regulations and ordinances should be revised to direct this growth to accomplish the goals of this plan.". This is exactly what the proposed mixed-use community has designed in both location and the type of development. I have attached figure 4.4 Potential Growth Areas Map as exhibit C. (Page 4-23 Comprehensive and Sustainability Plan 2030).
2. Transportation and Connectivity. The comprehensive plan on Page 6-4 states that "The town relies on this regional transportation network, along with local roads, and bicycle and pedestrian facilities, for its economic vitality and social and resource connections". Greenway trails and pedestrian networks are important to the future of the town as are mass transit opportunities. The proposed mixed -use community's' location could not be better. It is in the southern part of town adjacent to 1-40, and Highway 86 (new), with I-85 to the north and Highway 86 (old) to the west. Access to all these major transportation routes can be made without going through downtown Hillsborough. The mixed-use master plan calls for an extensive internal pedestrian trail system with multiple future connections to Waterstone Drive, which then provide links to other areas of Hillsborough. We have also proposed a public sidewalk on both sides of all new public streets. This type of connectivity is essential.
3. Economic Development and Tourism. The comprehensive plan states that "The town understands the importance of continued growth and support to existing businesses.". (Page 9-4 Comprehensive and Sustainability Plan 2030). And it also recognizes that "Hillsborough's largest industry is healthcare and social services with the UNC Hospitals Hillsborough Campus as the largest employer in this sector.". (Page 9-5 Comprehensive and Sustainability Plan 2030). The proposed mixed-use community is immediately adjacent to the UNC Hospitals Campus and is offering Medical Office and Outpatient Services to support the hospital's future and current needs. We are also offering middle-income housing designed with hospital workers in mind. The residential component of this mixed-use neighborhood provides a realistic opportunity for the employees at Hillsborough's largest employer to walk to work. The proposed Medical Office and Outpatient Services is located in Hillsborough's **Economic Development District** (see

figure 9.3). (Page 9-8 Comprehensive and Sustainability Plan 2030). As mentioned earlier the proposed mixed-use community has a commercial tax base of 41% which is double the proportion of commercial tax base in Orange County and much higher than the proportion of commercial tax base in Hillsborough.

4. Housing and Affordability. There are several very important sections from the comprehensive plan that warrant inclusion in the discussion of consistency with the proposed mixed-use community. Directly from the comprehensive plan.
 - a. “During the development process for this plan “addressing affordability and cost of living” was noted as one of the most important sustainability issues facing the town. Page 8-4 Comprehensive and Sustainability Plan 2030).

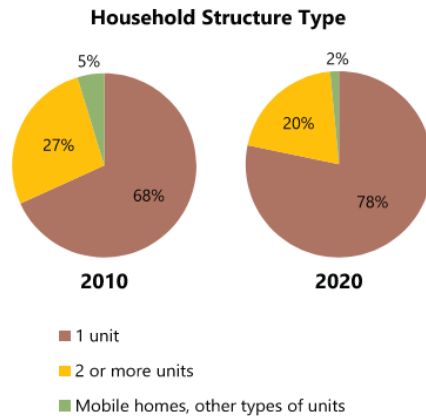
“The affordability of housing in a market function on a supply and demand model. The prices of housing units will be higher the lower the supply is in an area. Further, high housing costs have the unintended consequence of promoting sprawl, as households seek more affordable options away from densely populated areas with access to services. This generates adverse social and environmental effects, such as development of natural areas, increases in service rates (such as water and sewer), and higher emissions from longer commutes”. (Page 8-4 Comprehensive and Sustainability Plan 2030).

“A mixture of housing types helps neighborhoods be more sustainable and stable. Approaching housing with a smart growth lens curbs sprawl and reduces environmental impacts by building compactly, promoting a mix of uses....”. (Page 8-3 Comprehensive and Sustainability Plan 2030).

“Missing middle housing refers to building types that provide denser housing options, such as duplexes, fourplexes, cottage courts, and courtyard buildings. These housing types have the capacity to better support transit and economic mobility of residents without the cost and maintenance burden of a detached single-family home”. (page 8-4 Comprehensive and Sustainability Plan 2030).

In addition, between 2010 – 2020 the percentage of single-family homes has risen from 68% to 78% of Hillsborough’s total housing stocks (see Housing Structure Type in Hillsborough, Figure 8.4) Exhibit K. (Page 8-8 Comprehensive and Sustainability Plan 2030).

Figure 8.4. Household Structure Type in Hillsborough (2020 and 2010)



Source: U.S. Census, American Community Survey 5-Year Estimates

The proposed mixed-use development seeks to address the missing middle, and workforce housing by following the guidance laid out above from the comprehensive plan by providing townhomes and apartments and no single-family homes. We have chosen the more compact, denser design, that is more affordable and more sustainable. Our plan also addresses affordability by integrating 15% of affordable homes throughout the townhomes which will be affordable to those earning 80% or less of the median income. We will also commit to 15% of the entire residential portion of the project to be affordable. We are committed to working with the Hillsborough Commissioners to come up with the best plan for providing affordability within the apartments.

4. Definitions of the land-use designations, including density ranges & product types for residential development shown on the master development plan graphics

General Office/Medical Office/ Outpatient Services/ Hospital Uses/ Restaurant/ Day Care – Up to 65’ office buildings intended for medical office and general office uses. The buildings may also contain small accessory support uses such as a coffee shop or similar. This land use will include surface parking to support the buildings.

Apartments - 3 or 4 story buildings containing rental residential units in a mix of 1-, 2-, and 3-bedroom units with surface parking per UDO requirements.

Townhomes - 2 and 3 story buildings comprising 3-8 residential units’ side by side or stacked, for sale and/or rental. Parking will meet UDO requirements.

Neighborhood commercial - 1 or 2 story buildings for neighborhood support services such as Day Care, restaurant, small shops, and professional offices. Surface parking per UDO requirements

Open space - A combination of natural as well as improved open space areas including preservation, passive, and active recreation. These areas are comprised of stream buffers and steep slopes, open fields interior to the neighborhood, and accessible playgrounds (at least 2).

5. A table setting the minimum & maximum total dwelling units & nonresidential square footage; the minimum acreage for common open space, natural resource areas, public uses & any other planned uses

General Office/Medical Office/ Outpatient Services/ Hospital Uses/ Restaurant / Day Care

Acreage: ~ ~ 12.8 AC

Square footage: +/- 200,000 SF

Apartments

Acreage – ~ 21.5 AC

Density per acre of these 2 blocks: 20-22 Units per Acre

Units in each block: +/- 225 units

Townhomes –

Acreage ~ 27.8 AC

Acreage of each block: Block A = ~ 6.7 AC, Block B = ~ 12.4 AC, Block C= ~ 6.9 AC, Block D = ~ 1.8 AC

Density per acre of each block: 5 to 14 units per acre

Units in each block: 25-70 units

Neighborhood commercial -

Acreage of block: ~ 5.0 AC

Square footage: +/- 40,000 SF

Open space - A combination of natural as well as improved open space areas including preservation, passive, and active recreation. These areas are comprised of stream buffers and steep slopes, open fields interior to the neighborhood, and accessible playgrounds (at least 2).

Total acreage of these areas: +/- 32 AC

6. Description of residential & mixed-use neighborhoods; commercial, office, & research & development-uses, common open omits space & natural resource areas; public buildings, schools, & other public uses; & any other proposed uses,

General Office/Medical Office/ Outpatient Services/ Hospital/ Restaurant/ Day Care – Up to 65’ office buildings intended for medical office, general office, hospital uses, restaurant, and day care support uses. The buildings may also contain small accessory support uses such as a coffee shop or similar. This land use will include surface parking to support the buildings. Block H.

Apartments - 3 or 4 story buildings containing rental residential units in a mix of 1-, 2- and 3-bedroom units with surface parking per UDO requirements. Blocks E and F.

Townhomes - 2 and 3 story buildings comprising 3-8 residential units’ side by side or stacked, for sale and/or rental. Parking will meet UDO requirements. Blocks A, B, C, and D.

Neighborhood commercial - 1 or 2 story buildings for neighborhood support services such as Day Care, restaurant, small shops, and professional offices. Surface parking per UDO. Block G.

Open space - A combination of natural as well as improved open space areas including preservation, passive, and active recreation. These areas are comprised of stream buffers and steep slopes, open fields interior to the neighborhood, and accessible playgrounds (at least 2).

7. If the development is to be built in phases, a development schedule indicating:

- **The approximate date when construction of the project can be expected to begin.**
- **The stages in which the project will be built and the approximate date when construction of each stage can be expected to begin.**
- **The anticipated rate of development.**
- **The approximate date when the development of each of the stages will be completed.**
- **The area and location of open space, community and public facilities, and preserved floodplains, wetlands, and other natural resource areas that will be provided at each stage.**

The proposed Waterstone South community has been designed to be developed in three phases. The three phases primarily pertain to the residential component of the development and not the commercial components. The applicant recognizes the sewer capacity constraints that Hillsborough is currently experiencing and has proposed roughly 8 million dollars in accelerated system development fees, and direct improvements to improve capacity for the Waterstone South community and future development in the southern portion of Hillsborough. Because the residential component of Waterstone South is the primary consumer of sewer capacity, the residential component of the proposed mixed-use community is being proposed as phased development. The residential component has been divided into three phases to allow the necessary time for the proposed sewer improvements to be made in a logical and orderly manner. The commercial component of the community located along Waterstone Drive has been designed to encourage medical outpatient services and medical office to facilitate the growing medical complex anchored by UNC Health. We don’t believe phasing of the medical uses is advisable as it will be developed as the UNC Health facility grows and the demand for the

medical outpatient services and offices grow along with it. This is anticipated to occur over a 10-year time frame. Similarly, the neighborhood commercial along Highway 86 South at the entrance to the residential portion of the community will grow as the residential component of the community grows and the health care related jobs base expands. Uses such as day care facilities, coffee shops and restaurants, are anticipated in this neighborhood commercial area.

The phasing of the residential portion of the Waterstone South community shall occur starting at the front of the residential portion of the community along Highway 86 South and proceed westward towards I-40. As such, the townhomes and the neighborhood commercial will be constructed before the two phases of multi-family.

The three phases shall be structured as follows.

PHASE I: Phase I shall include 205 townhomes and approximately 10,000 square feet of the neighborhood commercial. Infrastructure development shall conclude and building construction to start in June 2026 with the first townhomes being completed in January 2027.

PHASE II: 225 apartments and approximately 10,000 square feet of neighborhood commercial.

PHASE III: 225 apartments and approximately 20,000 square feet of neighborhood commercial.

We think this is a well thought out phasing plan that allows for a logical growth pattern to be aligned with increases in sewer capacity.

Capkov Ventures

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Waterstone South

10 Factors Relevant to Decision to Amend the Official Zoning Map

1. The extent to which the proposed amendment is consistent with all applicable Town Adopted Plans

There are several adopted plans that stipulate policy and guidance on new land use for the subject properties. These include.

The *Town of Hillsborough Potential Growth Areas Map* identifies the area where the site is located as a “Potential Growth Area”. Figure 4.4, page 4-23 Comprehensive and Sustainability Plan 2030.

The Town of Hillsborough/ Orange County Coordinated Area Land Use Plan for Areas Within the Urban Services Boundary calls for Mixed Use land use along Waterstone Drive and mixed residential neighborhood for the rest of the property. Our proposal is for a mix of retail and office-type uses along Waterstone Drive, and Mixed Residential for the remainder of the property, exactly as called for in the plan.

The *Hillsborough Urban Services Boundary Map* shows all of the subject properties (except for the small portion in the Rural Buffer) within the Town water/sewer service agreement area, thus supporting our request to extend water and sewer service from the Town system.

The Town of Hillsborough Comprehensive Sustainability Plan addresses specific goals that are actionable with our proposal relative to Land Use and Development, Transportation and Connectivity, Social Systems and Public Spaces, Housing and Affordability, and Economic Development, Climate and Energy.

The Land Use and Development component of this plan reinforces the established urban growth limits of the Town, the need to expand and enhance the public utility infrastructure, and incorporation of pedestrian oriented smart growth principles in new development. Our proposal is within that identified town growth boundary, and we are offering to provide direct construction and financial assistance to the Town to enhance the capabilities of the public water and sewer infrastructure, as well as build incrementally over time to allow those enhancements to become operational before adding customers that could strain that system. The proposed development as envisioned will be a walkable mixed-use community with townhomes, multifamily residential, retail, office and civic spaces. The commitment to not have single family homes will result in a

development pattern that will require less infrastructure per residential unit, and allow residents to live, work and shop within an easy bike ride or walk. Similarly, the proximity to UNC Hospital and Durham Tech will further expand those live/work opportunities without requiring the use of a car.

Similarly, the Transportation and Connectivity component will be met through this compact form of development with connecting sidewalks and trails. Hillsborough Public Transit has service on Waterstone Drive, and we plan on connecting the southern portion of the site to Waterstone Drive with a multi-use path.

Regarding Social Systems and Public Spaces, we plan on having multiple public open space areas within the boundaries of the project including a continuous 100' strip of open space along the properties southern border against East Scarlett Mountain Road and ten acres of open space at the southwestern corner of the property. Similarly, we are right across NC 86 from Stanback Middle School, and a short distance north of New Hope Elementary. A sidewalk could be constructed, with NCDOT support, for safer access to Stanback. In addition, there is an adjacent Place of Worship.

Housing and Affordability is an important component of our proposal. We are focusing on much needed missing middle and multifamily housing, both rental and for sale. There will be no single-family homes. A permanent dedication of 15% of the residential units will be committed as long term affordable.

- 2. The extent to which there are changed conditions that require an amendment** – The southern portion of Hillsborough has seen most of the Hillsborough's growth over the last 20 years. This growth has been moderately paced, and logical, given the southern portion of Hillsborough's proximity to major transit corridors. The area is bounded by I-85 to the north, I-40 to the south, new Highway 86 to the east, and old Highway 86 to the west. The southern portion of Hillsborough is within Hillsborough's Urban Services Boundary and within what has been designated as the primary service area. The water and sewer facilities south of downtown are newer, and higher quality than in the northern and central sewer basins. Guidance provided by past land use plans and reinforced by the recently approved Comprehensive Plan and Future Land Use Map have played a role in the development of the southern area of Hillsborough as well.

The subject property is in the southern area of Hillsborough and the growth surrounding the site has **resulted in changed conditions warranting the amendment**. Specific growth immediately adjacent to or near the subject site includes the Waterstone project, and the recently approved Research Triangle Logistics Park. The Waterstone project has contributed significantly to the area's growth with our state's flagship medical institution, UNC Health, building a major hospital on Waterstone Drive. In 2022 UNC Health expanded the hospital adding an entirely new tower with 80 new beds, and a dialysis center. The newly completed tower has added 100 jobs to bring the total UNC Health employees to over 500 at the 365,000 square foot Hillsborough Campus. Durham Technical Community College built a new campus on Waterstone Drive that includes a 40,000 square building that holds 22 new classrooms, a computer lab, and administrative offices, and is now preparing for expansion of the original campus. Waterstone

has also seen the opening of a new Fire Station in 2023. The 7.4-million-dollar facility has living accommodations for 12 fire personnel and 6 EMS workers. The Research Triangle Logistics Park has been approved and the owners have begun the development and construction process. The Park will add 2,400,000 square feet of industrial, manufacturing, and warehousing space that will bring hundreds of new jobs to the Town of Hillsborough. With the new growth to the southern area of Hillsborough infrastructure has grown as well. I-40 is currently being upgraded at both the Old and New Highway 86 intersections, lane widening is occurring between Highway 15-501 and Highway 85, and mass transit routes to Hillsborough and Chapel Hill have been added.

The addition of recent growth in health, education, industrial and manufacturing space, and municipal services in the southern area of the Town of Hillsborough **has resulted in changed conditions that warrant amendment**. The northern portion of the proposed Mixed-Use Community will allow specialty and outpatient services to grow around the core UNC Health hospital and facilitate the growth of the overall health services in Hillsborough. The residential apartments and townhomes being proposed will provide homes for the of new workers the recent growth in jobs in the southern portion of Hillsborough will require.

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

The proposed project will address a number of community needs.

a. Housing. We all need a place to live and the United States is currently in a housing crisis. The supply of homes has simply not kept up with the demand. A CNN report earlier this year put the national shortage at 6.5 million homes. Locally a report by the North Carolina Budget and Tax Center given at North Carolina’s Annual Fair Housing Conference puts North Carolina’s shortage at 900,000 homes by 2030. A shortage of homes has a direct and significant impact on home prices. When you have an insufficient supply of homes, prices go up making the available homes unaffordable. A housing shortage also affects the price of existing homes and when the value of existing homes rises the property taxes for long term residents of Hillsborough increase. This has happened in Hillsborough, at the state level, and nationally. The hardest hit has been the supply of homes for those in the middle- and lower-income price ranges. The only actively selling new home community in Hillsborough currently is Collins Ridge. By the time the proposed Waterstone South project is issued its first building permit, it is likely that Collin’s Ridge will be sold out. The proposed mixed-use community will provide badly needed housing for middle income families. As proposed the community will only serve the middle- and lower-income ranges by building only town homes and apartments. We have not planned for any single-family homes. **Providing badly needed middle income homes is a demonstrated community need.**

b. Affordable Housing. Along with the middle-income homes referenced above the applicant is making a commitment to make 15% of the market rate homes affordable to those making an average of 80% of the median income. Affordable homes will be integrated within the market rate homes with identical exterior finishes. There will be no discernable difference between the homes. **Providing affordable homes is a significant financial commitment from the applicant and will address a demonstrated community need.**

c. Medical services/ Neighborhood Oriented Commercial. The proposed mixed-use community has two commercial components planned. The most significant is approximately 12 acres of medical office and outpatient services located immediately adjacent to the UNC Health Campus on Waterstone Drive. In this portion of the proposed mixed-use campus, we anticipate the type of medical support services typically seen around major medical institutions. We envision radiology, orthopedics, gynecologist, dermatologist, and other specialty offices that will support UNC Health and allow it to operate effectively. The other commercial component will be the neighborhood-oriented commercial along Highway 86 south at the entrance to the residential portion of the community. Here we are planning businesses that will support the community's needs in the southern portion of town. Potential uses include a day care, restaurants, coffee shops, a barber shop or salon. **We believe that each of these commercial components of the proposed mixed-use community will address a demonstrated community need.**

d. Tax Base Income and Jobs. We are proposing a mixed-use community with both residential and commercial components with no single-family lots. This type of development uses far less infrastructure, resources, and community services than the more traditional single-family communities built in the past. They are simply more sustainable, which is listed as the first and primary goal of Hillsborough's new Comprehensive Plan. We have had Lucy Gallo of DPFG conduct an extensive Economic and Fiscal Analysis of the proposed community and the results are a significant deviation from traditional residential development. Ms. Gallo's report finds that the community will generate 1.4 million in annual property tax revenue with an annual net income above expenses of just under 1 million dollars (\$958,000) annually for Hillsborough's General Fund. This is revenue after contributing over \$750,000 to the annual cost of fire and police protection alone. In terms of economic impact, the mixed-use community will create 1,014 permanent jobs in Hillsborough of which most will be high paying medical jobs. These incomes are projected to exceed 100 million annually. **The proposed mixed-use community will go far beyond paying for itself and make a substantial contribution to the Town's general fund and employment, addressing a demonstrated community need.**

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, and is consistent with the Hillsborough Comprehensive Plan

a. Compatible with Existing and Proposed Uses. The northern portion of the proposed mixed-use community sits immediately adjacent to UNC Hospital campus along the south side of Waterstone Drive. Durham Technical College campus is located on the north side of Waterstone Drive, along with a large townhome community called Harmony at Waterstone. The property extends southward from Waterstone Drive to East Scarlett Mountain Road. The property is bounded by I-40 to the west and Highway 86 to the east. The general site plan calls for medical office and outpatient services immediately adjacent to UNC Hospital, and residential uses on the southern portion of the site. The residential component is comprised of townhomes and apartments intended to serve working middle income families. The apartments will be located on the western portion of the site along I-40, while the townhomes will be on the eastern portion of the site closer to Highway 86. Neighborhood oriented

commercial will be located at the entrance to the residential portion of the community along Highway 86.

The site plan design **is compatible with existing and proposed uses surrounding the subject land.** The medical office and outpatient services is immediately adjacent to UNC Hospital which is consistent and intended to support the major medical facility. The residential component of the mixed-use community is entirely consistent with the apartments in Waterstone and the townhomes along Waterstone Drive. Highway 86 and I-40 both buffer the townhomes and apartments from the east and the west. The Rural Buffer begins at the southwestern corner of the site and extends all the way to Chapel Hill. Within the Rural Buffer homes were constructed on large lots. We will be dedicating significant areas of open space along the southern boundary in the Rural Buffer and have designed the lower density townhomes as a transition. While we are proposing higher density than the Rural Buffer to the south, we believe placing our residential component on the southern portion of the site **is compatible with existing uses, and is consistent with the recently approved Comprehensive Plan, the Future Land Use Map, and the Urban Services Boundary Map (attached as exhibits A and B respectively).**

Exhibit A

Town of Hillsborough/Orange County Central Orange Coordinated Area Land use Plan
Areas Within the Town's Urban Service Boundary

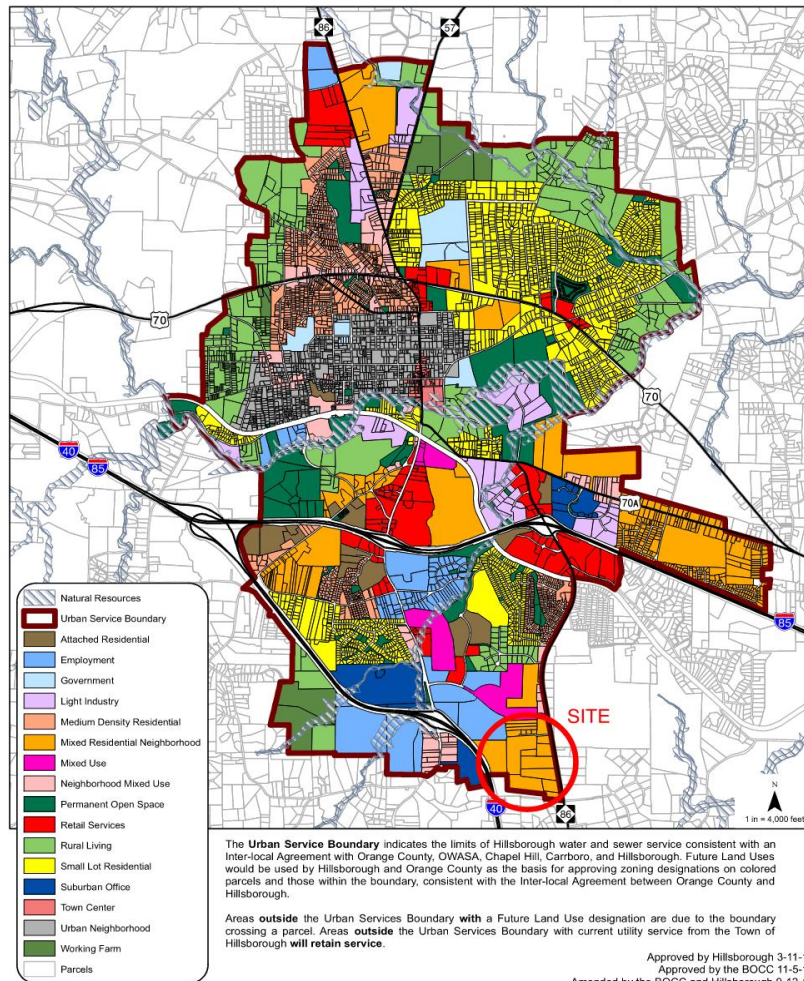
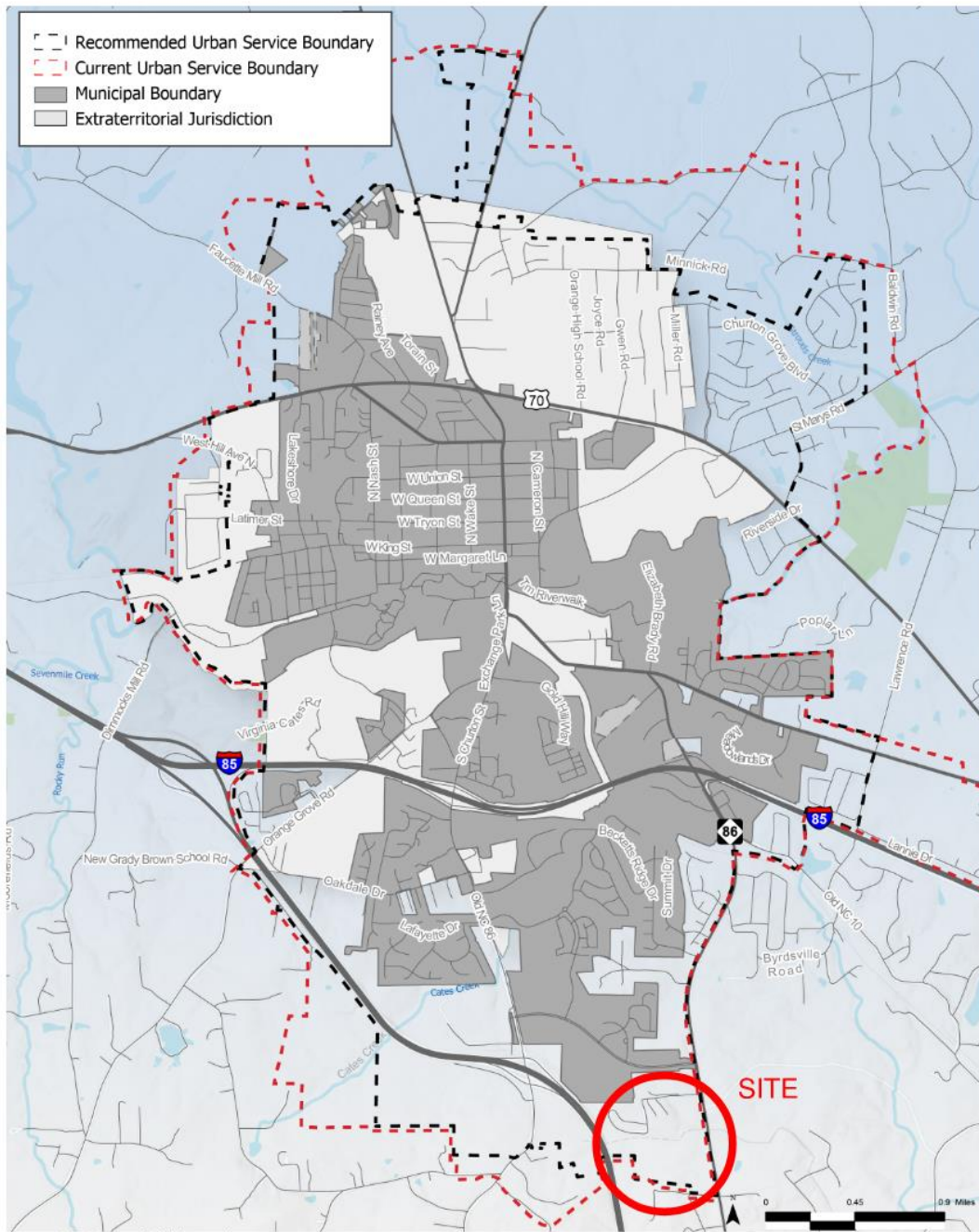


Exhibit B

Figure 4.1. Urban Service Boundary



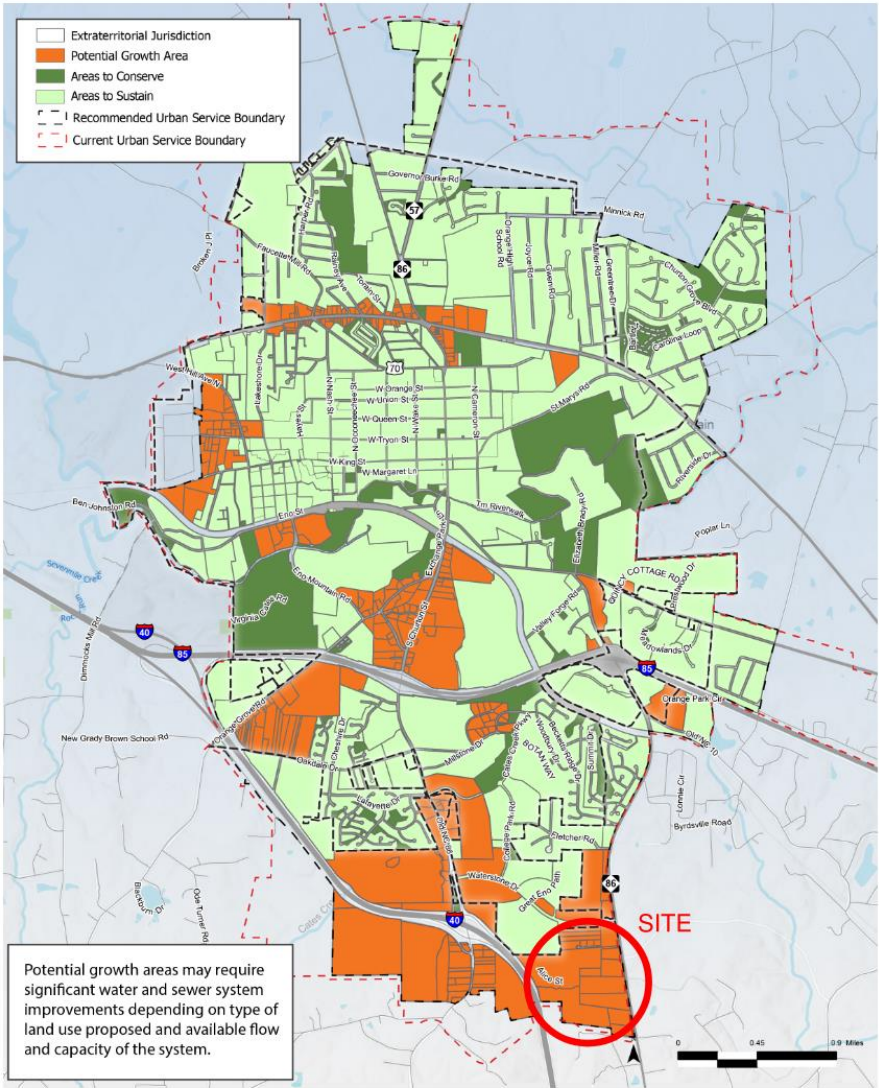
- b. Consistent with the Comprehensive Plan. In June of 2023 the Town of Hillsborough adopted a new Comprehensive Plan entitled “Town of Hillsborough Comprehensive Sustainability Plan 2030. The proposed mixed-use community and associated annexation are consistent with this comprehensive plan in virtually every respect.
 1. Land Use and Development. This section of the comprehensive plan applies most directly to this proposed mixed-use development.

- a. Pages 4-5 of the Comprehensive Plan, at the beginning of the section, states that Hillsborough “seeks development patterns that create more compact communities and walkable spaces with a mix of uses”, and page 4-8 speaks to the southern area of Town holding opportunities for growth in the form of “compact, mixed use, and transit-oriented development”. This mixed-use development is in the southern portion of Town and provides compact development, a mix of uses, and mass transit opportunities.
- b. The comprehensive plan contemplates contracting the urban services boundary away from areas that are less practical to provide sewer services, or the Town wants to otherwise discourage development. The proposed mixed-use community remains within the primary service area whether the area is contracted or not (see attached exhibit B from page 4-12 of the Comprehensive Plan).
- c. The comprehensive plan speaks of the Town’s limited and in some areas constrained sewer capacity. It is pointed out that the “Elizabeth Brady Basin is newer and has more capacity”. (Page 4-14 Comprehensive and Sustainability Plan 2030). This proposed mixed-use community is in the Elizabeth Brady Basin.
- d. The comprehensive plan points out that a significant problem with the existing sewer system is that there are too many pump stations, and many of them are substandard and ageing. (Pages 4-15 and 4-16 Comprehensive and Sustainability Plan 2030). The proposed mixed-use community eliminates two ageing substandard pump stations and constructs one new station built to modern standards with excess capacity for the future.
- e. The comprehensive plan page 4-16 points out that “Planned growth is a driver for sewer improvements in the newer Elizabeth Brady Pumping Station Sewer Basin. Significant investment will be needed to prepare for future needs and growth”. The proposed mixed-use community is proposing a contribution of 8 million dollars in needed sewer improvement for the Town of Hillsborough’s system. Of the 8 million dollars 3.3 million would be in direct construction (including upgrading the Elizabeth Brady Pump Station, eliminating the Alice Loop Pump Station, and replacing the Nazarene Pump Station), and 4.7 million dollars would be in accelerated access fees that would be paid upon approval of each of the 3 phases. This is a very large contribution to the public infrastructure. Hillsborough has not seen this level of commitment in the past. However the comprehensive plan specifically suggest this type of cost sharing arrangement with developers.
- f. In the conclusion of the Comprehensive Plan’s section on Land Use and Development, page 4-22 states that, “Based on the water and sewer capacity constraints, growth should be focused on the southern part of Town in the Elizabeth Brady Basin. This area is ripe for additional compact and mixed-use development.....”. As demonstrated in the Growth Areas Map (Figure 4.4), most growth is anticipated in the southern portion of town (within the Elizabeth Brady Basin). “The town plans, regulations and ordinances should be revised to direct this

growth to accomplish the goals of this plan.”. This is exactly what the proposed mixed-use community has designed in both location and the type of development. I have attached figure 4.4 Potential Growth Areas Map” as exhibit “D”. (page 4-23 Comprehensive and Sustainability Plan 2030).

Exhibit D

Figure 4.4. Potential Growth Areas



Source: The Town of Hillsborough

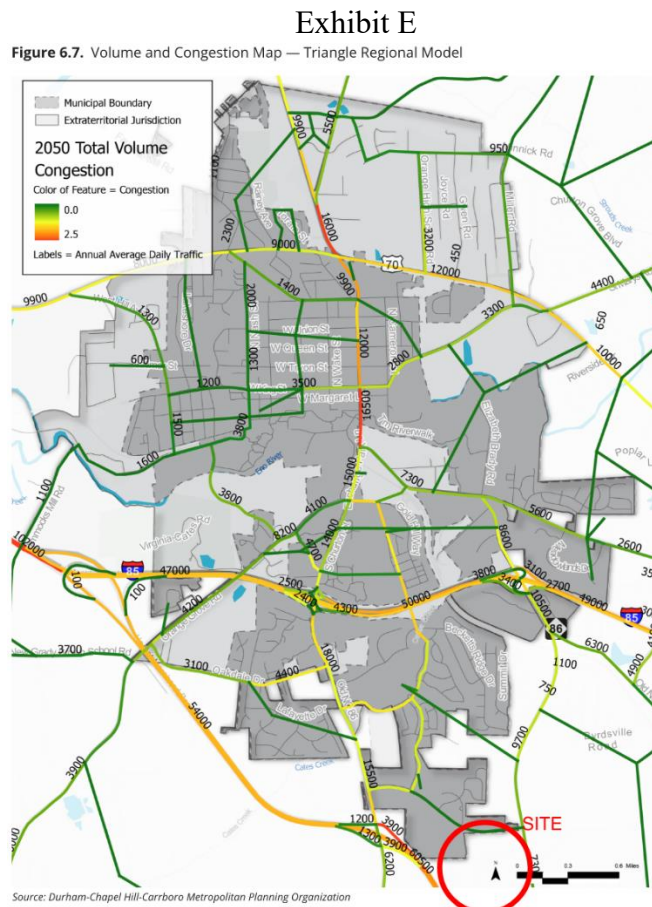
2. **Transportation and Connectivity.** The comprehensive plan on Page 6-4 states that “The town of Hillsborough relies on this regional transportation network, along with local roads, and bicycle and pedestrian facilities, for its economic vitality and social and resource connections”. Greenway trails and pedestrian networks are important to the future of the town as are mass transit opportunities. The proposed mixed -use communities’ location could not be better. It is in the southern part of town adjacent to I-40, and Highway 86 (new), with I-85 to the north and Highway 86 (old) to the west. Access to all these major transportation routes can be made without going through downtown Hillsborough. The mixed-use master plan calls for an extensive internal

pedestrian trail system with multiple connections both current and future to Waterstone Drive, which then provide links to other areas of Hillsborough. We have also proposed a public sidewalk on both sides of all new public streets and will discuss the potential of public sidewalk along Highway 86 to provide access to Elementary and Middle Schools. This type of connectivity is essential.

The comprehensive plan has several transportation related maps that I have attached to this report as exhibits e-i. I will include a brief narrative of each map as they relate to the proposed mixed-use community.

- a. Figure 6.7, Volume and Congestion Map, page 6-17.

This map shows areas around Hillsborough that experience high traffic volumes and congestion. Please notice that at Waterstone Drive and Highway 86 where the proposed mixed-use community is located there are only green hues shown. This indicates low volume and congestion.



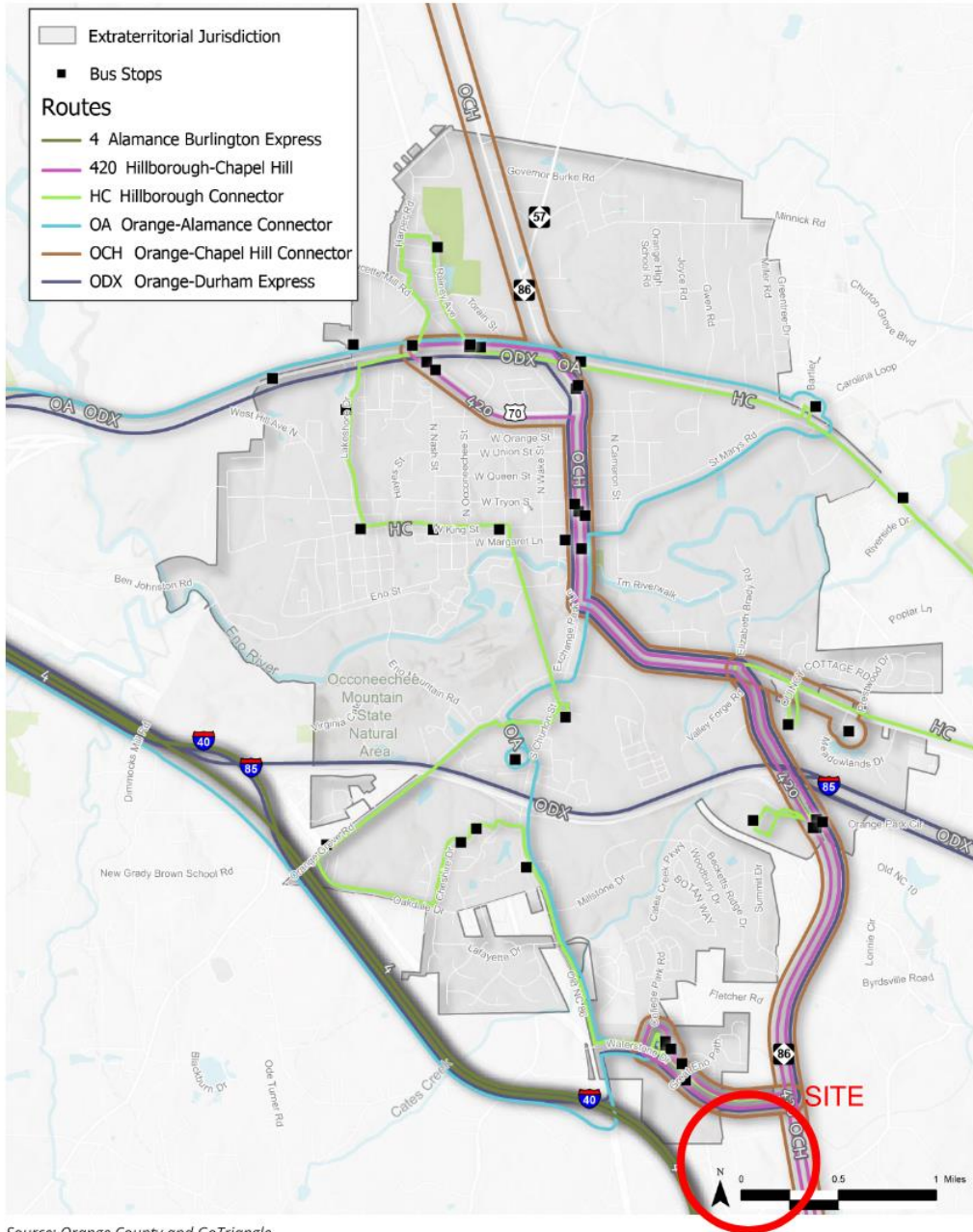
- b. Figure 6.8, page 6-19 Existing Transit Routes.

This map shows where transit opportunities currently exist. Please note that Waterstone Drive and Highway 86 South, where the proposed mixed-use community is located, has more mass transit opportunities than anywhere else in

Hillsborough. These opportunities include the Hillsborough Circulator route, Hillsborough to Chapel Hill routes, and the Orange - Alamance Connector.

Exhibit F

Figure 6.8. Existing Transit Routes

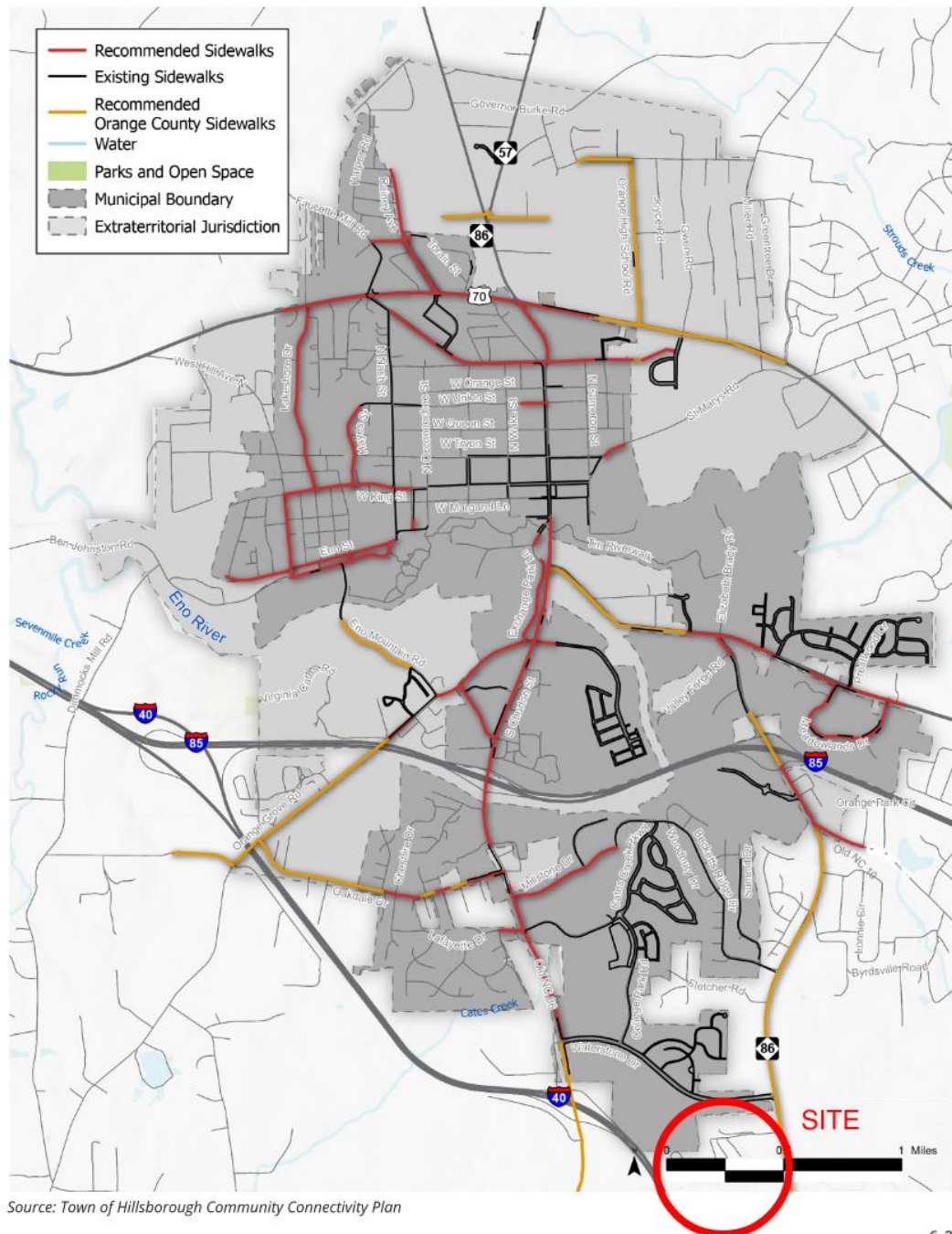


Source: Orange County and GoTriangle

- c. Figure 6.10, page 6-22. Sidewalk System Map. This map shows an Orange County recommended sidewalk along Highway 86 South.

Exhibit G

Figure 6.10. Sidewalk System Map

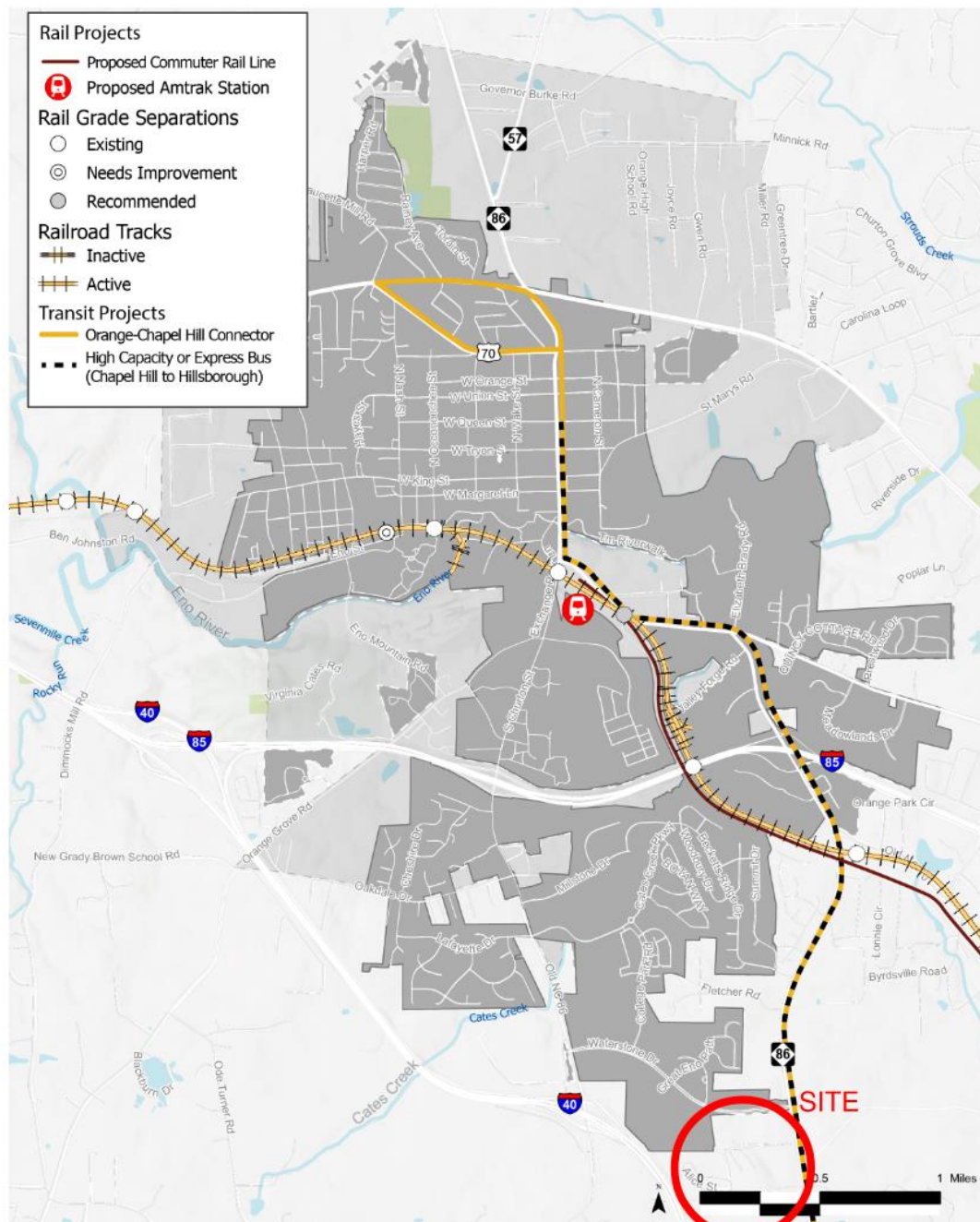


6-22

- d. Figure 6.17, page 6-38 Existing Rail and Improvements Map.
This map shows that Highway 86 directly in front of the proposed mixed-use development has “High Capacity or Express Bus between Hillsborough and Chapel Hill.

Exhibit H

Figure 6.17. Existing Rail and Improvements Map

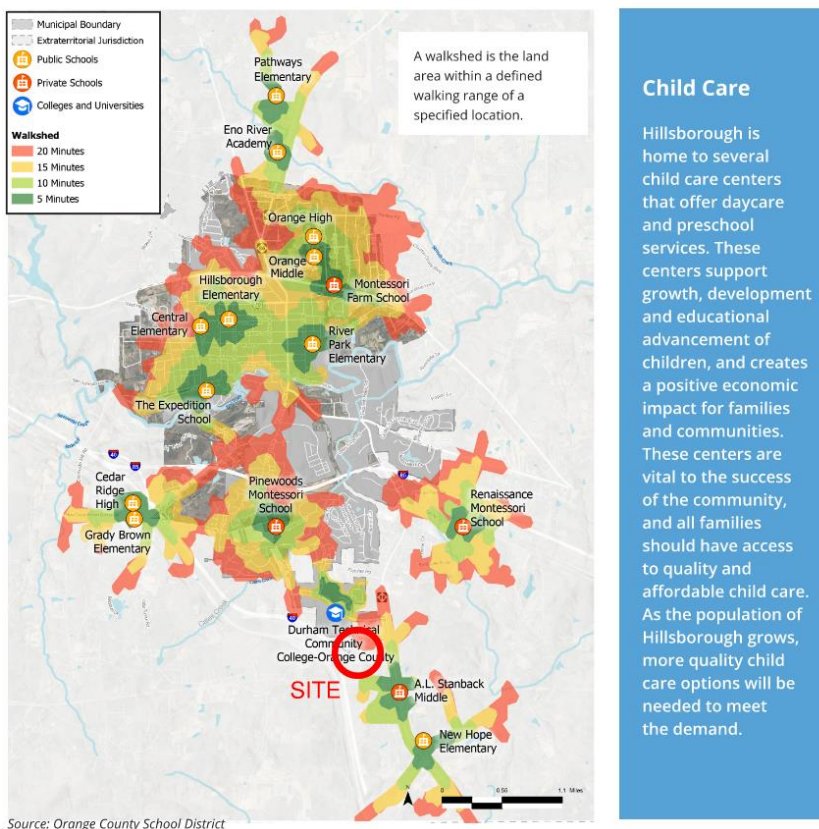


Source: Durham-Chapel Hill-Carrboro Metropolitan Planning Organization Comprehensive Transportation Plan, November 2017

- e. Figure 7.3, page 7-9. Educational Walkshed Map (K-12 and Higher Education). This property is connected to local schools with green shading which indicates a 5 minute or less walk to the educational facilities of Durham Technical College, A.L. Stanback Middle School, and New Hope Elementary. This makes walking a potential opportunity for all three schools.

Exhibit I

Figure 7.3. Educational Walkshed Map (K-12 and Higher Education)



3. Planning and Economic Development. The comprehensive plan states that “The town understands the importance of continued growth and support to existing businesses.”. And it also recognizes that “Hillsborough’s largest industry is healthcare and social services with the UNC Hospitals Hillsborough Campus as the largest employer in this sector.”. (Pages 9-4 and 9-5 Comprehensive and Sustainability Plan 2030). The proposed mixed-use community is immediately adjacent to the UNC Hospitals Campus and is offering Medical Office and Outpatient Services to support the hospital’s future and current needs. We are also offering middle-income housing designed with hospital workers in mind. The residential component of this mixed-use neighborhood provides a realistic opportunity for the employees at Hillsborough’s largest employer to walk to work. The proposed Medical Office and Outpatient Services is located Orange County’s **Economic Development District** (see figure 9.3). (Page 9-8 Comprehensive and Sustainability Plan 2030). The proposed mixed-use community has a mix of 41% commercial tax base and 59% residential tax base.

Exhibit J

Coordination with Orange County

The partnerships that the town has with Orange County are important for a strong economic development strategy. The county invests significant resources into economic growth for the county, which the town can use and build upon at a local level.

Orange County Economic Development Districts around Hillsborough

In 1984, Orange County outlined areas around Interstate 40 near Hillsborough as economic development districts (identified in lavender in *Figure 9.3*). These areas encompass all four corners of the Interstate 40 exchange with Exit 261 south of Hillsborough, totaling 703 acres that include Waterstone Business Park, UNC Hospitals Hillsborough Campus and Durham Technical Community College's Orange County Campus. Approximately 208.08 acres of these economic development districts have been developed.

Figure 9.3. Orange County Economic Development Districts



4. Housing and Affordability. There are several very important sections from the comprehensive plan that warrant inclusion in the discussion of consistency with the proposed mixed-use community.

During the development process for this plan “addressing affordability and cost of living” was noted as one of the most important sustainability issues facing the town. (Page 8-4 Comprehensive and Sustainability Plan 2030).

“The affordability of housing in a market function on a supply and demand model. The prices of housing units will be higher the lower the supply is in an area. Further, high housing costs have the unintended consequence of promoting sprawl, as households seek

more affordable options away from densely populated areas with access to services. This generates adverse social and environmental effects, such as development of natural areas, increases in service rates (such as water and sewer), and higher emissions from longer commutes”. (Page 8-4 Comprehensive and Sustainability Plan 2030)’

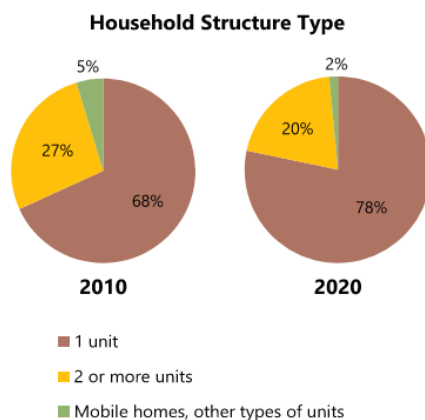
“A mixture of housing types helps neighborhoods be more sustainable and stable. Approaching housing with a smart growth lens curbs sprawl and reduces environmental impacts by building compactly, promoting a mix of uses....”. (Page 8-3 Comprehensive and Sustainability Plan 2030).

“Missing middle housing refers to building types that provide denser housing options, such as duplexes, fourplexes, cottage courts, and courtyard buildings. These housing types have the capacity to better support transit and economic mobility of residents without the cost and maintenance burden of a detached single-family home”. (Page 8-4 Comprehensive and Sustainability Plan 2030)’

In addition, between 2010 – 2020 the percentage of single-family homes has risen from 68% to 78% of Hillsborough’s total housing stocks (see Housing Structure Type in Hillsborough, Figure 8.4). (Page 8-8 Comprehensive and Sustainability Plan 2030).

Exhibit K

Figure 8.4. Household Structure Type in Hillsborough (2020 and 2010)



Source: U.S. Census, American Community Survey 5-Year Estimates

The proposed mixed-use development seeks to address the missing middle, and workforce housing by following the guidance laid out above from the comprehensive plan by providing townhomes and apartments and no single-family homes. We have chosen the more compact, denser design, that is more affordable and more sustainable. Our plan also addresses affordability by integrating 15% of affordable homes throughout the townhomes which will be affordable to those earning 80% or less of the median income. We will also commit to 15% of the entire residential portion of the project to be

affordable. We are committed to working with the Hillsborough Commissioners to come up with the best plan for providing affordability within the apartments.

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 proposed plan will allow an appropriate type of growth to the Town's anticipated future southern border that is in keeping with an orderly and logical development pattern. Recent development in this area has been characterized by the creation of significant employment centers, including Durham Technical Community College, UNC Hospital and a medical office building at Waterstone Drive and South Churton. This proposal requests a mix of townhome and multifamily housing types which would be more affordable and in walkable and bikeable proximity to those employment centers, as well as to a nearby middle school and elementary school. In addition, the proposal calls for a small neighborhood retail area along NC 86 along the property frontage, again walkable and bikeable to the new residents, as well as a general and medical office area on Waterstone Drive, directly adjacent to the hospital. Those latter uses will provide additional employment and business lease space opportunities in an area designated for mixed use by the Future Land Use Plan. In summary, the Town has a dwindling supply of available land to provide additional housing, business and employment opportunities, and by graduating the intensity of these uses south from Waterstone Drive to the Rural Buffer is an appropriate use of this property and a logical pattern of development.

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

We don't believe there is anything premature about the proposed mixed-use community. There is a documented housing shortage both nationally and locally as referenced earlier in Section 3(a) above. The medical office and outpatient services being proposed along Waterstone Drive next to UNC Hospital are necessary to support the hospital and allow for the area to develop into a signature medical campus. The neighborhood commercial proposed at the entrance to the residential component of the community along Highway 86 will allow for the opportunity for restaurants, day cares barber shops, and hair salons to be in an area of town where there are few neighborhood businesses.

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

This proposed rezoning would in fact not result in strip or ribbon commercial development. The proposed neighborhood commercial along NC 86 will be limited to 40,000 sf maximum. The location is purposeful to be within walking distance of the new residential units, and calls for uses including daycare, restaurants, commercial office and small retail spaces. This is not a strip form of development. The remaining non-residential uses are proposed along Waterstone Drive and are committed to be general office and medical office, not retail. This is inherently not a strip form of development.

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.

While there will be two large parcels of property between our proposed mixed-use community and Waterstone Drive, they will most certainly be developed in a similar fashion to what we are proposing. They are located along Highway 86 and the larger parcel sits at the corner of Waterstone Drive and Highway 86. There is a third 4-acre parcel located near the UNC Hospital and we have been in contact with them about purchasing the property. They currently have the property advertised for sale. The current owners of the two larger parcels were not inclined to sell their property at this time, but neither parcel could be considered isolated.

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

We do not believe the annexation of the subject property and proposed mixed-use development will result in significant adverse impacts on the property values of surrounding lands. As mentioned earlier I-40 provides a significant buffer to the property west of the site. We don't believe the proposed mixed-use development will have any effect on the properties west of I-40. The same is true, although possibly to a lesser extent, of the properties along Highway 86 which serves as the eastern boundary of the proposed mixed-use community. There are a total of 8 lots across Highway 86 along the property's eastern border. Duke University owns 439 acres of forestry land. The owner of Investors Title owns 4 of the properties with one rental home on the combined parcels. Blalocks Towing and Recovery owns one lot, and there is one individual home set back on an 8-acre lot. We do not believe that the proposed mixed-use community will have any negative effects on these properties. The proposed mixed-use development may have a positive effect on the business of Blalocks Towing and Recovery. There should be no effect on the Duke Forestry property or the investment properties as they are all outside the urban services boundary. The homes to the south of the property are on large lots and are all in the rural buffer. We would anticipate a slight increase in property values due to the addition of the neighborhood commercial and other facilities being located nearby, but no decrease in property values. Lastly, we believe the proposed mixed-use community can only enhance the properties adjacent to the northern area of the site. Because the site is immediately adjacent to UNC Hospital the proposal includes uses intended to support UNC Hospital. The effect should be positive. One of the most significant advantages of the proposed mixed-use community for the Town of Hillsborough is that the additional residential component has the potential to stimulate the lack of anticipated commercial growth in the Waterstone Community. While the location of UNC Hospital and Durham Technical College have been positive, they have not contributed significantly to Hillsborough's tax base. The anticipated commercial that would supply the commercial revenue has not been built. The residential component of the proposed mixed-use community may provide the necessary "rooftops" to stimulate needed commercial growth along Waterstone Drive.

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

The planned development is designed to be sensitive to natural features and environmental systems. Streams were mapped by Orange County, and the plan is configured to avoid these and

the associated riparian buffers. Stoney Creek is the most significant environmental feature on the property. A substantial portion of the property is currently in a meadow due to the wide overhead powerline easement and will largely be maintained as such. Riparian buffer areas of the site, as well as a 100' buffer along I-40 along I-40 will remain in a wooded state. Stormwater management control measure to Town and State standards will be installed with the development to maintain the quantity and quality of runoff and not degrade the existing streams. Also, continuous wildlife corridors with limited road and greenway crossings will be maintained east/west through the site along Stoney Creek, and north/south along Interstate 40.

EXHIBIT C

CONDITIONS OF APPROVAL FOR WATERSTONE SOUTH, A PLANNED DEVELOPMENT

I. Generally

- a. Site plans and construction drawings for the development shall comply with these conditions of approval, as well as any applicable development regulations for the Town of Hillsborough that are in effect when the plans and/or drawings are submitted. When there is a conflict between a condition of approval and the development regulations of the town, the condition of approval shall govern.
- b. The size of the townhome blocks, denoted as Blocks A, B, C, and D on the master plan, and the number of units within them may be adjusted administratively with the Planning Manager's approval only if the overall acreage and density of the combined townhome blocks are not changed.
- c. Once construction on the project begins, the developer shall conduct a weekly inspection, as needed, of the erosion control and stream protection measures throughout the development of each phase to ensure that all the devices are working effectively. The developer will notify Town Planning staff and neighbors within 500' of the development site(s) of the planned inspection schedule.

II. Affordable Housing

- a. Fifteen percent (15%) of the total market rate homes in the development, including the townhomes and multi-family apartment units, shall be affordable to those earning an average of 80% or less of the median income. Median income shall be determined using data from the US Department of Housing and Urban Development for the geographic statistical area in which Hillsborough is located.
- b. A deed restriction reserving the affordable apartment units for a period of ninety-nine (99) years and requiring annual certification with the town of the number of affordable units shall be recorded before a Zoning Compliance Permit will be issued for the first residential unit. The deed restriction shall require the developer, its successors and/or assigns to certify to the town in writing during the month of July of each year that they comply with the affordability condition as of the date of the certification.
- c. For the affordable townhome units, the developer shall prepare and submit an affordable housing plan for the review and approval of the Planning Manager. The approved affordable housing plan shall be recorded in conjunction with the plat(s) for the townhome lots and these conditions of approval. The plan shall include the following information at a minimum:
 - i. General information about the nature and scope of the development.

- ii. The total number of market rate units and affordable dwelling units in the development.
 - iii. The number of bedrooms and bathrooms in each affordable dwelling unit.
 - iv. The approximate square footage of each affordable dwelling unit.
 - v. The approximate location of each affordable dwelling unit.
- d. The affordable units shall be integrated with the market-rate units, and the exterior finishes shall make the affordable units indistinguishable from those that are market-rate.
- e. Affordable units will be developed in accordance with the following minimum size schedule:

Minimum Net Livable Square Footage	
Number of Bedrooms in Unit	Minimum Square Footage
Efficiency/studio apartment	500
1 Bedroom	700
2 Bedroom	850
3 Bedroom	1,100
4 Bedrooms or more	1,200 plus 250 sq. ft. per additional bedroom above 4

- f. Floor plans for buildings containing affordable units must be submitted for review with zoning compliance permit applications.

III. Conservation Easement

- a. Approximately 12.8 acres along the southern project boundary shall be held in a conservation easement. The easement, shown on sheet MP1.1 of the approved Waterstone South Master Plan set, was mandated by the Orange County Board of Adjustment as part of the modified Special Use Permits for The Woods and Woodsedge on May 8, 2024. The applicant shall record the conservation easement in a form satisfactory to the Town of Hillsborough with the Orange County Register of Deeds within 120 days of annexation by the Town of Hillsborough. The Town of Hillsborough shall hold the conservation easement in perpetuity.

IV. Landscaping

- a. Invasive species are strictly prohibited from landscape designs for the development. All landscape plantings in the development shall be non-invasive, and the developer shall make every effort to use native species when commercially available.

V. Multi-modal Transportation

- a. The locations of the internal streets shown on the master plan are conceptual. Exact street locations will be established during site plan/construction drawing review.

The developer shall record a public access easement and private maintenance agreement in each phase for all trails labeled "Walking & Bicycle Trail" on the approved Master Plan before the recordation of the final plat for the residential lots for that phase.

- b.** The developer shall pave all trails labeled "Walking & Bicycle Trail" on the approved Master Plan unless a proposed trail is in an environmentally sensitive area (e.g., floodplains; wetlands; slopes exceeding 25%; highly erodible soils), in which case crushed stone or soft surfaces (e.g., natural earth; wood chips) may be used. All trails within the 12.8-acre conservation easement described in Section III above may be made of natural surfaces. The layout of trails shown on the Master Plan is conceptual. Exact trail locations and surfaces will be established during site plan/construction drawing review.
- c.** All trails shall be maintained in perpetuity by the developer, any successors and assigns of the developer, or other acquiring parties. The Town shall not be responsible for trail maintenance.
- d.** The developer shall install a sidewalk network interior to the site that connects with a sidewalk system on the west side of NC 86 S as shown on the Master Plan.
- e.** The developer shall install a painted crosswalk with high-visibility striping and a flashing beacon at E. Scarlett Mountain Road and Storey Lane at the NC 86 S intersections if allowed and approved by the North Carolina Department of Transportation.
- f.** The developer shall install a sidewalk on the east side of NC 86 S connecting to said crosswalk as shown on the Master Plan if allowed and approved by both the North Carolina Department of Transportation and the Orange County School Board.
- g.** The developer shall design all streets designated as public on the Master Plan to NCDOT Subdivision Design Standards and Town of Hillsborough cross-sections as required by the town's Unified Development Ordinance. This design shall include, but shall not be limited to, the following: radii, vertical curves, storm drainage design, and gutter spread. The design speed will be consistent with current Town of Hillsborough ordinances. Curb and gutter will be required on all streets proposed for town acceptance but will not be required at the taper and turn-lanes at the intersection of NC 86 S and the development's entrance.
- h.** The developer shall install all off-site improvements recommended by their Traffic Impact Analysis prepared September 19, 2023, and concurred with by NCDOT in its letter dated December 7, 2023.
- i.** The developer shall update the Traffic Impact Analysis prior to the issuance of any Zoning Compliance Permits for Phase 2 to ensure acceptable operation at the various study intersections. If an updated Traffic Impact Analysis projects a Level of Service (LOS) of D or lower at the intersection of Waterstone Parkway and NC 86 S, then the developer shall install a

traffic signal at the intersection before the approval of the final Certificate of Occupancy in Phase 2. If signalization has already been installed at Waterstone Parkway and NC 86 S by another developer, the developer of Waterstone South shall not be responsible for signalization at said intersection.

VI. Phasing

- a.** The Town of Hillsborough will not issue zoning compliance permits for the last 10 (ten) dwelling units in a phase until the developer
 - i.** completes, certifies, and submits for town acceptance of all public infrastructure (e.g., sidewalks, streets, trails, greenways, utilities) in said phase, and
 - ii.** installs or provides adequate performance security for the installation of all landscaping, street trees, and stormwater conveyances in said phase.
- b.** The development shall be constructed in three phases, with each phase of construction to last no more than three years per phase for a total of nine years of construction:
 - i.** Phase 1: 205 townhomes and 10,000 square feet of neighborhood commercial.
 - ii.** Phase 2: 225 apartment units and 10,000 square feet of neighborhood commercial.
 - iii.** Phase 3: 225 apartment units and 20,000 square feet of neighborhood commercial.
- c.** The developer shall coordinate with staff to create a mutually agreeable schedule for infrastructure improvements, and the developer shall install or provide adequate performance security for said improvements. However, the developer cannot post a performance security for the new sewer pumping station described in Section VII (a) below. The developer must construct this pumping station during Phase 1.
- d.** The medical and general office portion of the development (Blocks H and I as shown on sheet MP1.1 of the approved Waterstone South Master Plan set) is not included in the phasing plan and shall be developed based on market demand as the adjacent UNC Health facility grows.

VII. Utilities

- a.** As indicated on the approved Master Plan, a new sewer pumping station, associated force main, and all appurtenances shall be constructed by the developer and dedicated to the Town of Hillsborough by the developer after successful completion. The existing gravity sewer to the Woodsedge Back and Nazarene Pumping Stations shall be redirected into this new pumping station located at a site near or in the development as agreed to with the Town of Hillsborough.

the Town's existing sewer that drains to Woods Edge Front Pump Station, and no other blocks of the proposed development will be allowed to connect to the Woods Edge Front Pump Station. The developer shall evaluate the capacity of the Woods Edge Front pump station and make all upgrades needed to serve the proposed development if upgrades are needed to meet the state's minimum design criteria for pump stations.

- v.** Water meters for Blocks A, B, C, D, E, F and G will be released upon completion of the waterlines shown in orange in Exhibit C.1 as well as the abandonment of the existing Nazarene and Woods Edge Back Pump stations into the new pump station shown in Exhibit C.1.

 - vi.** The developer shall make the connections shown in the green circles in Exhibit C.1 to all waterlines in platted Town right-of-way and NC DOT right-of-way. The developer shall make connections to existing Town waterlines on private property at the locations shown with green circles if the Town provides documentation of deeded and platted public utility easements at the proposed connection locations. If the Town does not provide the required easement and plat information by construction drawing approval of the proposed connection, the Town will require only a platted and deeded stub to the edge of the subject development.
- e.** The developer shall enter into a Water and Sewer Extension Contract as typical with the town. This contract shall provide the finer details of the design, permitting, construction and acceptance details.

 - f.** The developer shall contribute \$250,000 to the cost of upgrading the Elizabeth Brady Pump Station to handle the additional flow generated by the proposed project. This contribution shall be made before the approval of the first site plan for the project and will be used by the town to install upgraded instrumentation, monitoring equipment, and controls.

 - g.** By agreeing to the developer's proffers and pledged water and sewer improvements, the town guarantees capacity for each phase of the project as it comes online in accordance with the phasing schedule in Section V (b).



Memorandum

To: Town Board of Commissioners
From: Molly Boyle, Planner II
Cc: Shannan Campbell, Planning & Economic Development Manager
Date: September 9, 2024
Subject: Staff analysis – Waterstone South annexation and rezoning requests

Summary of Proposal

Proposed Annexation and Rezoning Details – Waterstone South	
Property Owners/Applicants	Capkov Ventures, Inc. and Woodsedge Properties, LLC
Property Location	East of I-40, west of NC 86 S, and south of Waterstone Drive (vicinity map on the next page)
Project Size	99.14 acres (97.02 proposed for annexation)
Parcel ID Numbers	<ul style="list-style-type: none"> <li style="width: 33%;">• 9872-49-0872 <li style="width: 33%;">• 9873-41-6716 <li style="width: 33%;">• 9873-42-2375 <li style="width: 33%;">• 9873-50-4152 <li style="width: 33%;">• 9873-41-5972 <li style="width: 33%;">• 9873-41-0172 (portion) <li style="width: 33%;">• 9873-50-2573 <li style="width: 33%;">• 9873-42-5076 <li style="width: 33%;">• 9873-51-0737 <li style="width: 33%;">• 9873-42-5271
Applicant Request	<ol style="list-style-type: none"> 1) Annex the project area that is not already within town limits. 2) Rezone approximately 99.14 acres from R1 (County), EDH-2 (County), and ESU (Town) to a Planned Development (PD) district for apartments, townhomes, and various non-residential uses, including medical, office, and neighborhood commercial uses
Proposed Residential Land Uses	<ul style="list-style-type: none"> • 450 apartment units • 205 townhome units • 15% of the market rate units to be affordable to those making 80% of the median income
Proposed Non-Residential Land Uses	<ul style="list-style-type: none"> • 200,000 sq. ft. along Waterstone Drive (allowable uses to include medical and general office, outpatient services, hospital, restaurant, and childcare facility) • 40,000 sq. ft. along NC 86 S (allowable uses to include neighborhood commercial, retail, daycare, and restaurant)

Staff review

The submittal was reviewed by the town’s Technical Review Committee (TRC) in February and April 2024. The TRC includes representatives from various departments related to development, including Planning, Utilities, Stormwater, Public Works, the NC Department of Transportation, and the Fire Marshal.

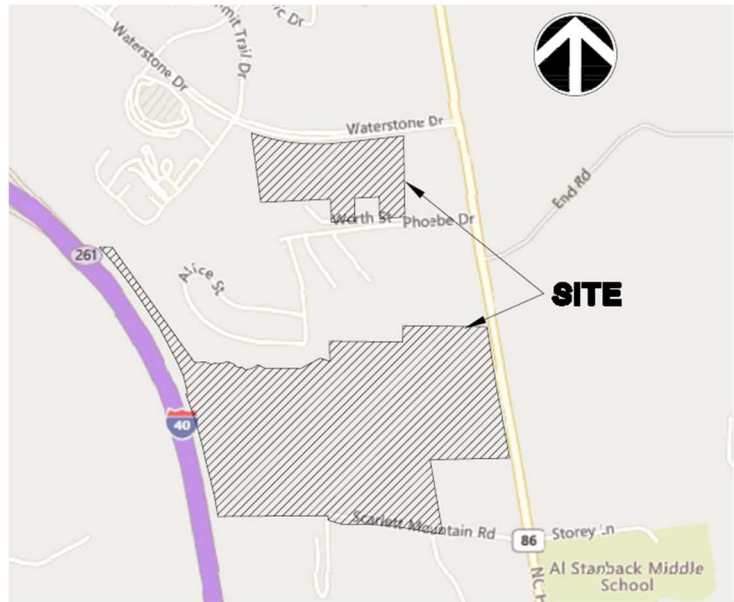
Compliance with Unified Development Ordinance

After TRC review, Planning staff found the submittal complies with the Unified Development Ordinance (UDO) regulations for Map Amendments and Planned Development Districts, specifically:

- Section 3.7 *Administrative Procedures - Unified Development Ordinance and Map Amendments*
- Section 4.6.1 *Zoning Districts – Planned Development (PD)*
- Section 5.2.39 *Use Standards – Planned Development*

The UDO is available on the town’s website:

<https://www.hillsboroughnc.gov/about-us/departments/community-services/planning/unified-development-ordinance>.



Waterstone South Vicinity Map

Consistency with Comprehensive Sustainability Plan

The North Carolina General Statutes and the UDO require the Planning Board and Commissioners consider if a zoning amendment is consistent with the comprehensive plan. Staff finds the proposal generally consistent with the Comprehensive Sustainability Plan, with the exception of Figure 4.4 *Potential Growth Areas* (page 4-23). A portion of the project area is outside of the town’s identified “potential growth area” (shown in orange in the image at right).

Note that the Board of Commissioners can determine that a zoning amendment is inconsistent (in full or in part) with its comprehensive plan and still approve the amendment. [NC GS § 160D-605 \(a\), Governing board statement – Plan Consistency](#) states, “if a zoning map amendment is adopted and the action was deemed inconsistent with the adopted plan, the zoning amendment has the effect of also amending any future land-use map in the approved plan, and no additional request or application for a plan amendment is required.”



Excerpt from Figure 4.4 in the CSP

The Comprehensive Sustainability Plan is available online at

<https://www.hillsboroughnc.gov/home/showpublisheddocument/572/638556087250230532>.

Planning Board review and recommendation

Under the North Carolina General Statutes, the Planning Board is to offer comment to the Board of Commissioners on zoning amendments (see [NC GS § 160D-604 \(b\) Planning Board review and comment – Zoning Amendments](#)). On August 15, 2024, the Planning Board recommended approval of this proposed rezoning (5 ayes, 1 no, 1 abstention).

Board of Commissioners decision

Since this is a planned development, which is a type of conditional zoning district, the Board of Commissioners and the applicant may agree to various conditions of approval for the project pursuant to [NC GS § 160D-703 \(b\) Zoning districts – Conditional Districts](#). The Commissioners and the applicant must mutually agree to the conditions if the proposal is to be approved. The applicant and town staff collaborated on a set of draft conditions, which is included as **Attachment 5**.

**Waterstone South
Attachment 7**

Executive Summary

Capkov Ventures, Inc. has plans to develop a mixed-use development along NC 86 and Waterstone Drive in Hillsborough, North Carolina (Figure 1). The development is planned to be constructed in phases, with Phase 1 completed by 2027 and the full build-out of the development by 2033. The site will provide townhomes, apartments, general office, medical office, and neighborhood retail.

Project Background

The proposed Capkov Waterstone development was analyzed in two (2) different phases. Phase 1 of the development is anticipated to be completed by 2027 and includes the following land use totals.

- › 205 Townhomes
- › 20,000 square feet (sf) Retail

The full build-out of the development is anticipated to be completed by 2033 and will construct the following additional land uses.

- › 20,000-sf Retail
- › 450 Apartments
- › 100,000-sf General Office
- › 100,000-sf Medical Office

The development plans to provide two (2) driveways on NC 86 and two (2) driveways on Waterstone Drive. The following summarizes the location of each planned access point:

- › Future Access #1, full movement access on NC 86, approximately 2,650 feet south of Waterstone Drive to be construction during Phase 1.
- › Future Access #2, full movement access on NC 86, approximately 1,900 feet south of Waterstone Drive to be constructed during Phase 1.
- › Future Access #3, full movement access on Waterstone Drive, approximately 950 feet west of NC 86 to be constructed after Phase 1.
- › Future Access #4, right-in/right-out access on Waterstone Drive, approximately 1,550 feet west of NC 86 to be constructed after Phase 1.

As determined through the project scoping process with the North Carolina Department of Transportation (NCDOT) and the Town of Hillsborough, the following intersections were included in the study area and analyzed for existing and future conditions, as applicable:

- › Old NC 86 (SR 1009) and I-40 Eastbound Ramps (unsignalized, future signalized)
- › Old NC 86 (SR 1009) and I-40 Westbound Ramps (unsignalized, future signalized)
- › Old NC 86 (SR 1009) and Waterstone Drive/ Rippy Lane (SR 1224) (signalized)
- › Old NC 86 (SR 1009) and Cates Creek Parkway/ Lafayette Drive (unsignalized)
- › NC 86 and Waterstone Drive (signalized)
- › NC 86 and New Hope Church Road (SR 1723) (signalized)
- › Waterstone Drive and Hospital East Driveway/ Summit Trail Drive (unsignalized)
- › NC 86 and Future Access #1 (future unsignalized)
- › NC 86 and Future Access #2 (future unsignalized)
- › Waterstone Drive and Future Access #3 (future unsignalized)
- › Waterstone Drive and Future Access #4 (future unsignalized)

The development is planned to be analyzed in multiple build phases. The following six (6) scenarios are proposed to be analyzed for AM and PM peak hour conditions:

- › Existing (2023) Conditions
- › No-Build (2027) Conditions
- › Phase 1 (2027) Conditions
- › No-Build (2033) Conditions
- › Build-out (2033) Conditions
- › Build-out (2033) Conditions with Improvements

The Existing (2023) scenario includes typical weekday AM and PM peak hour analysis based on turning movement count data collected in October 2022 and April 2023. For any turning movements collected prior to 2023, an annual growth rate of one percent (1%) was applied to the volumes. The No-Build (2027) and No-Build (2033) scenarios include existing traffic with an annual projected background growth rate of one percent (1%) applied in addition to site trips that were identified from two (2) nearby background developments. The Phase 1 (2027) scenario includes No-Build (2027) volumes with the addition of site trips generated by only Phase 1 of the proposed development, and the Build-out (2033) scenario includes No-Build (2033) volumes with the addition of site trips generated by the full build-out of the development. Potential offsite roadway and traffic control improvements with the complete development in place are accounted for within Build-out (2033) with Improvements scenario.

Existing (2023) Conditions

Existing analyses were conducted based on current roadway geometrics and intersection turning movement counts collected in October 2022 and April 2023. Turning movements for the intersection

of Old NC 86 (SR 1009) and Cates Creek Parkway/ Lafayette Drive were grown to 2023 using an annual growth rate of one percent (1%).

As reported in the Summary Level of Service (LOS) table on page viii, the existing signalized intersections are operating at LOS C or better during both peak hours. The stop-controlled eastbound I-40 off-ramp is operating at LOS F during the AM peak hour and LOS E during the PM peak hour. Stop-controlled eastbound Lafayette Drive at Old NC 86 is operating at LOS F during both peak hours, and stop-controlled eastbound Waterstone Drive at NC 86 is operating at LOS E during the PM peak hour.

No-Build (2027) Conditions

An annual growth rate of one percent (1%) was applied to the Existing (2023) peak hour volumes to calculate the expected background growth within the study area. Two (2) background developments are expected to be completed before the construction of Phase 1 of the Capkov Waterstone development. The peak hour site trips from these developments were included in the No-Build (2027) volume calculations:

- › Cates Creek Multifamily
- › Research Triangle Logistics Park

One (1) background roadway improvement project was identified in the study area to be completed before the completion of Phase 1. NCDOT STIP No. I-3306A is widening I-40 from across Orange County but is also providing interchange improvements at Old NC 86. The project plans to provide additional turn lanes and signalize both ramp intersections. The widening project is currently under construction and should be completed before Phase 1 of the development is complete.

As shown on the Summary LOS table on page viii, all signalized intersections within the study area are expected to operate at LOS D or better during both peak hours. Eastbound stop-controlled Lafayette Drive and westbound Cates Creek Parkway are projected to operate at LOS F during both peak hours. Stop-controlled eastbound Waterstone Drive at NC 86 is expected to operate at LOS F during the PM peak hour only.

Phase 1 (2027) Trip Generation

The Capkov Waterstone development was analyzed in two (2) different build phases. Trip generation for Phase 1 was conducted based on the most appropriate corresponding trip generation codes included in the *ITE Trip Generation Manual, 11th Edition* and the suggested method of calculation in the NCDOT's "Rate vs. Equation" Spreadsheet. Phase 1 proposes to build up to 205 townhomes and 20,000-sf of neighborhood retail space. ITE Land Use Code (LUC) 215 (Single-Family Attached Housing) and LUC 822 (Strip Retail Plaza (<40k)) were used based on the NCDOT guidance. Internal capture was calculated based on the NCHRP 684 method and NCDOT Internal Capture spreadsheet.

As a result, Phase 1 of the Capkov Waterstone development is projected to generate 2,465 daily external site trips, with 145 trips (52 entering, 93 exiting) occurring in the AM peak hour and 233 trips (127 entering, 106 exiting) occurring in the PM peak hour. The external site trips were apportioned

as pass-by and non-pass-by trips based on NCDOT and ITE guidance. The generated site trips were distributed in accordance with the existing turning movement counts and land uses.

Phase 1 (2027) Conditions

The Phase 1 (2027) conditions account for both the No-Build (2027) traffic and the site traffic generated by Phase 1 of the proposed development.

As shown on the Summary LOS table on page viii, with the addition of site trips, all signalized intersections within the study area are expected to maintain operations at LOS D or better during both peak hours. Stop-controlled eastbound Lafayette Drive and stop-controlled westbound Cates Creek Parkway are expected to continue to operate at LOS F during both peak hours. Stop-controlled eastbound Waterstone Drive is expected to continue to operate at LOS F during only the PM peak hour. Both future access driveways along NC 86 are projected to operate at LOS C during both peak hours.

No-Build (2033) Conditions

To calculate the No-Build (2033) volumes, an annual growth rate of one percent (1%) was applied to the Existing (2023) volumes to calculate the background growth in the study area in addition to site trips from background developments assumed within the No-Build (2027) scenario. No additional background developments were identified to be included in the No-Build (2033) volume calculations.

One (1) additional background roadway improvement project was identified in the study area that is expected to be constructed before the full build-out of the development is completed. NCDOT STIP No. U-5845 plans to widen Old NC 86 (SR 1009) from I-40 to the Eno River to provide a four-lane cross-section.

As shown on the Summary LOS table on page viii, all signalized intersections within the study area are expected to operate at LOS D or better during both peak hours. Eastbound stop-controlled Lafayette Drive and westbound Cates Creek Parkway are projected to operate at LOS F during both peak hours. Stop-controlled eastbound Waterstone Drive at NC 86 is expected to operate at LOS E during the AM peak hour and LOS F during the PM peak hour.

Build-out (2033) Trip Generation

Trip generation for the full build-out of the development was conducted based on the most appropriate corresponding trip generation codes included in the *ITE Trip Generation Manual, 11th Edition* and the suggested method of calculation in the NCDOT's "Rate vs. Equation" Spreadsheet. The full build-out of the Capkov Waterstone development proposes to build a maximum of 205 townhomes, 450 apartments, 100,000-sf general office, 100,000-sf medical office, and 40,000-sf neighborhood retail. ITE Land Use Code (LUC) 215 (Single-Family Attached Housing), LUC 220 (Multifamily Housing (Low-Rise)), LUC 710 (General Office), LUC 720 (Medical-Dental Office), and LUC 822 (Strip Retail Plaza (<40K)) were used based on the NCDOT guidance. Internal capture was

calculated based on the NCHRP 684 method and the NCDOT Internal Capture calculation spreadsheet.

As a result, the Waterstone Capkov development is projected to generate 11,187 external daily weekday site trips, with 695 external trips (422 entering, 273 exiting) occurring in the AM peak hour and 1,107 external trips (456 entering, 651 exiting) occurring in the PM peak hour. The external site trips were apportioned as pass-by and non-pass-by trips based on NCDOT and ITE guidance. The generated site trips were distributed in accordance with the existing turning movement counts and land uses.

Build-out (2033) Conditions

The Build-out (2033) conditions account for both the No-Build (2033) traffic and site traffic generated by the full build-out of the proposed development.

As shown on the Summary LOS table on page viii, with the addition of site trips, the signalized intersection of NC 86 and New Hope Church Road is expected to operate at LOS F during the AM peak hour. All other study area signalized intersections are projected to operate at LOS C or better during both peak hours. Stop-controlled eastbound Lafayette Drive and stop-controlled westbound Cates Creek Parkway are expected to operate at LOS F during both peak hours. Stop-controlled eastbound Waterstone Drive at NC 86 is projected to operate at LOS F during both peak hours. Stop-controlled future Access #1 is projected to operate at LOS E during the AM peak hour and LOS F during the PM peak hour, and stop-controlled Future Access #2 and Future Access #3 are projected to operate at LOS E during the PM peak hour.

Roadway Improvement Recommendations

Phase 1 (2027)

As indicated in the traffic capacity analyses, Phase 1 of proposed development is projected to have a minimal impact on the traffic operations at the study area intersections. Therefore, no offsite improvements are recommended with the construction of only Phase 1. The following outlines the recommended lane configurations for each driveway connection that is proposed with Phase 1.

NC 86 and Future Access #1

Stop-controlled Future Access #1 is expected to operate at LOS C during the AM and PM peak hours under Phase 1 (2027) conditions. While some turn lanes along NC 86 may not be warranted with only site traffic from Phase 1 in place, this driveway should be designed to account for future phases of development. The following lane configurations are recommended for the driveway connection:

- › Construct Future Access #1 as full movement access with a single ingress lane and two egress lanes with a continuous left-turn lane and exclusive right-turn lane with at least 100 feet and appropriate taper. Provide an internal protected stem (IPS) of 100 feet for Future Access #1.
- › Provide a northbound left-turn lane along NC 86 with at least 100 feet of storage and appropriate taper.

- › Provide a southbound right-turn lane along NC 86 with at least 100 feet of storage and appropriate taper.

NC 86 and Future Access #2

Stop-controlled Future Access #2 is expected to operate at LOS C during the AM and PM peak hours under Phase 1 (2027) conditions. While some turn lanes along NC 86 may not be warranted with only site traffic from Phase 1 in place, this driveway should be designed to account for future phases of development. The following lane configurations are recommended for the driveway connection:

- › Construct Future Access #2 as full movement access with a single ingress lane and two egress lanes with a continuous left-turn lane and exclusive right-turn lane with at least 100 feet and appropriate taper. Provide an internal protected stem (IPS) of 100 feet for Future Access #2.
- › Provide a northbound left-turn lane along NC 86 with at least 100 feet of storage and appropriate taper.
- › Provide a southbound right-turn lane along NC 86 with at least 100 feet of storage and appropriate taper.

Build-out (2033)

The full build-out of the development is expected to impact operations within the surrounding roadway network with the additional site traffic. The following offsite roadway improvements are recommended with the full build-out of the development.

NC 86 and Waterstone Drive

The existing stop-controlled approach is expected to operate at LOS F during both peak hours under Build-out (2033) conditions. The following improvements should be implemented with the full build-out of the development:

- › Monitor the intersection for signalization, and when warranted and approved install a traffic signal.

NC 86 and New Hope Church Road (SR 1723)

The existing signalized intersection is expected to deteriorate to LOS F during the AM peak hour under Build-out (2033) conditions. The following improvements should be implemented with the full build-out of the development.

- › Construct an exclusive southbound right-turn lane along NC 86 with at least 150 feet of storage and appropriate taper.
- › Construct an exclusive westbound left-turn lane along New Hope Church Road with at least 200 feet of storage and appropriate taper.

No additional lane configuration or traffic control improvements are recommended for either Future Access #1 or Future Access #2 along NC 86 with the additional development in place. Operations along Future Access #1 and Future Access #2 are expected to degrade to LOS E or worse during at least one peak hour; however, peak hour signal warrants are not expected to be met for either driveway. Additionally, significant queueing is not expected along either driveway approach. The following is recommended for the proposed driveway connections along Waterstone Drive.

Waterstone Drive and Future Access #3

Stop-controlled Future Access #3 is expected to operate at LOS C during the AM peak hour and LOS E during the PM peak hour under Build-out (2033) conditions. The Future Access #3 connection is proposed to provide full movement access which would necessitate a new opening in the median along Waterstone Drive. This new median opening should meet the NCDOT's guidelines for median opening spacing and will promote the potential for development on the north side of Waterstone Drive. The following lane configurations are recommended for the driveway connection:

- › Construct Future Access #3 as full movement access with a single ingress lane and two egress lanes with a continuous left-turn lane and exclusive right-turn lane with at least 100 feet and appropriate taper. Provide an internal protected stem (IPS) of 100 feet for Future Access #3.
- › Provide a westbound left-turn lane along Waterstone Drive with at least 100 feet of storage and appropriate taper.
- › Provide an eastbound right-turn lane along Waterstone Drive with at least 100 feet of storage and appropriate taper.

Waterstone Drive and Future Access #4

Stop-controlled Future Access #4 is expected to operate at LOS B during the AM and PM peak hours under Build-out (2033) conditions. The following lane configurations are recommended for the driveway connection:

- › Construct Future Access #4 as a right-in/right-out only access with a single ingress lane and single egress lane. Provide an internal protected stem (IPS) of 100 feet for Future Access #4.

Additional Discussion

Old NC 86 (SR 1009) and Cates Creek Parkway/ Lafayette Drive

The stop-controlled approaches along Cates Creek Parkway and Lafayette Drive are projected to operate at LOS F during both peak hours under No-Build (2027) conditions. No improvements are recommended for the intersection for this development since the site is not anticipated to generate vehicular traffic along either stop-controlled approach. This intersection is within the NCDOT STIP No. U-5845 project study area, and the intersection is being studied and improved with that project.

Additional analysis may be needed to assess the timing for improvements recommended within the Build-out (2033) analysis. Improvements may be needed either with the completion of development along NC 86 or not until later portions of development occur along Waterstone Drive. Future phasing studies may be necessary to better define the timing of these improvements.

The summary of LOS results for all scenarios are shown in Table ES-1. The future lane configurations and traffic control at the study area intersections with Phase 1 and the full build-out of the development are shown in Figure ES-1 and Figure ES-2, respectively.

Table ES-1 Summary Level of Service Table

Intersection and Approach	Traffic Control	Existing (2023)		No-Build (2027)		Phase 1 (2027)		No-Build (2033)		Build-out (2033)		Build-out (2033) with Improvements	
		AM	PM	AM	PM	AM	PM	AM	PM	AM	PM	AM	PM
Old NC 86 and I-40 EB Ramps	Unsignalized/ Signalized	-	-	C (24.7)	B (19.9)	C (24.7)	B (20.0)	C (20.9)	C (22.5)	C (22.4)	C (23.7)	C (22.4)	C (23.7)
Eastbound		F-129.8	E-38.3	C-33.5	C-32.3	C-33.5	C-32.4	C-34.4	D-36.0	C-31.8	D-38.9	C-31.8	D-38.9
Northbound		---	---	C-26.1	C-20.5	C-26.1	C-20.5	C-22.9	C-22.6	C-24.2	C-23.0	C-24.2	C-23.0
Southbound		---	---	C-21.6	B-16.4	C-21.6	B-16.4	B-18.4	B-18.5	C-20.2	B-19.9	C-20.2	B-19.9
Old NC 86 and I-40 WB Ramps	Unsignalized/ Signalized	-	-	B (11.0)	A (6.8)	B (11.0)	A (6.8)	B (13.0)	B (10.3)	B (12.6)	B (10.5)	B (12.6)	B (10.5)
Westbound		C-18.6	C-20.6	A-5.7	A-0.5	A-5.7	A-0.5	B-17.5	A-3.0	B-12.9	A-3.0	B-12.9	A-3.0
Northbound		---	---	A-9.3	A-6.0	A-9.3	A-5.9	A-9.3	A-9.4	A-9.2	A-9.4	A-9.2	A-9.4
Southbound		---	---	B-14.5	B-10.7	B-14.5	B-10.7	B-14.3	B-14.8	B-14.4	B-14.9	B-14.4	B-14.9
Old NC 86 and Waterstone Drive/ Rippy Lane	Signalized	B (13.8)	B (15.0)	B (14.3)	B (15.8)	B (14.5)	B (15.9)	B (14.8)	B (16.2)	B (15.5)	B (18.3)	B (15.5)	B (18.3)
Eastbound		C-29.5	C-30.0	C-31.5	C-35.0	C-32.0	D-35.5	C-33.5	D-37.0	D-35.5	D-39.5	D-35.5	D-39.5
Westbound		B-19.5	C-21.8	C-21.6	C-24.9	C-21.7	C-24.9	C-22.4	C-25.8	C-23.0	C-27.8	C-23.0	C-27.8
Northbound		B-13.7	B-14.3	B-14.1	B-14.5	B-14.2	B-14.6	B-14.4	B-14.7	B-14.5	B-15.3	B-14.5	B-15.3
Southbound		B-11.5	B-10.6	B-11.7	B-11.0	B-11.8	B-11.2	B-12.0	B-11.3	B-12.8	B-13.0	B-12.8	B-13.0
Old NC 86 and Cates Creek Parkway/ Lafayette Drive	Unsignalized	-	-	-	-	-	-	-	-	-	-	-	-
Eastbound		F-67.0	F-63.6	F-180.6	F-175.3	F-180.7	F-185.3	F-82.6	F-74.9	F-98.5	F-94.6	F-98.5	F-94.6
Westbound		C-20.7	C-20.2	F-144.1	F-79.4	F-149.2	F-82.3	F-67.3	F-55.0	F-78.5	F-68.7	F-78.5	F-68.7
NC 86 and New Hope Church Road	Signalized	C (33.3)	B (15.7)	D (41.2)	B (16.4)	D (47.8)	B (18.7)	D (48.6)	B (17.5)	F (83.1)	D (46.7)	D (50.8)	C (25.0)
Eastbound		D-48.6	B-18.1	E-62.8	B-19.3	E-77.7	C-21.8	E-74.0	C-20.2	F-142.3	F-86.9	F-92.1	D-36.0
Westbound		D-43.4	B-13.7	D-54.5	B-14.3	D-49.2	B-14.7	E-55.3	B-14.4	D-43.9	C-21.9	C-33.2	B-15.8
Northbound		A-8.8	B-15.5	A-9.0	B-16.0	B-11.4	B-17.6	B-11.8	B-17.4	B-14.9	B-16.6	B-17.6	C-22.7
Southbound		C-29.7	B-15.3	D-36.5	B-16.0	D-48.2	B-19.5	D-47.7	B-17.2	F-103.4	E-58.1	D-54.7	C-24.3
NC 86 and Waterstone Drive	Unsignalized	-	-	-	-	-	-	-	-	-	-	C (24.8)	C (20.2)
Eastbound		D-25.9	E-40.7	D-31.3	F-53.1	D-34.5	F-63.5	E-40.4	F-82.3	F-138.1	F-235.8	C-26.8	B-19.2
Northbound		---	---	---	---	---	---	---	---	---	---	C-21.1	B-18.0
Southbound		---	---	---	---	---	---	---	---	---	---	C-27.2	C-24.6
Waterstone Drive and Hospital East Driveway/ Summit Trail Drive	Unsignalized	-	-	-	-	-	-	-	-	-	-	-	-
Northbound		B-11.5	B-10.9	B-11.8	B-11.3	B-11.8	B-11.4	B-11.8	B-10.9	B-12.5	B-13.6	B-12.5	B-13.6
Southbound		B-12.8	B-12.9	B-13.4	B-13.4	B-13.7	B-13.7	B-13.4	B-12.9	C-18.1	C-20.9	C-18.1	C-20.9
NC 86 and Future Access #1	Unsignalized	-	-	-	-	-	-	-	-	-	-	-	-
Eastbound		---	---	---	---	C-20.9	C-18.2	---	---	E-37.8	F-86.4	E-40.9	F-86.4
NC 86 and Future Access #2	Unsignalized	-	-	-	-	-	-	-	-	-	-	-	-
Eastbound		---	---	---	---	C-18.5	C-15.7	---	---	D-29.3	E-38.0	D-31.1	E-38.0
Waterstone Drive and Future Access #3	Unsignalized	-	-	-	-	-	-	-	-	-	-	-	-
Northbound		---	---	---	---	---	---	---	---	C-20.2	E-45.8	C-21.7	E-45.8
Waterstone Drive and Future Access #4	Unsignalized	-	-	-	-	-	-	-	-	-	-	-	-
Northbound		---	---	---	---	---	---	---	---	B-10.0	B-10.2	B-10.2	B-10.2

X (XX.X) = Overall intersection LOS (average delay), X-XX = Approach LOS and average delay

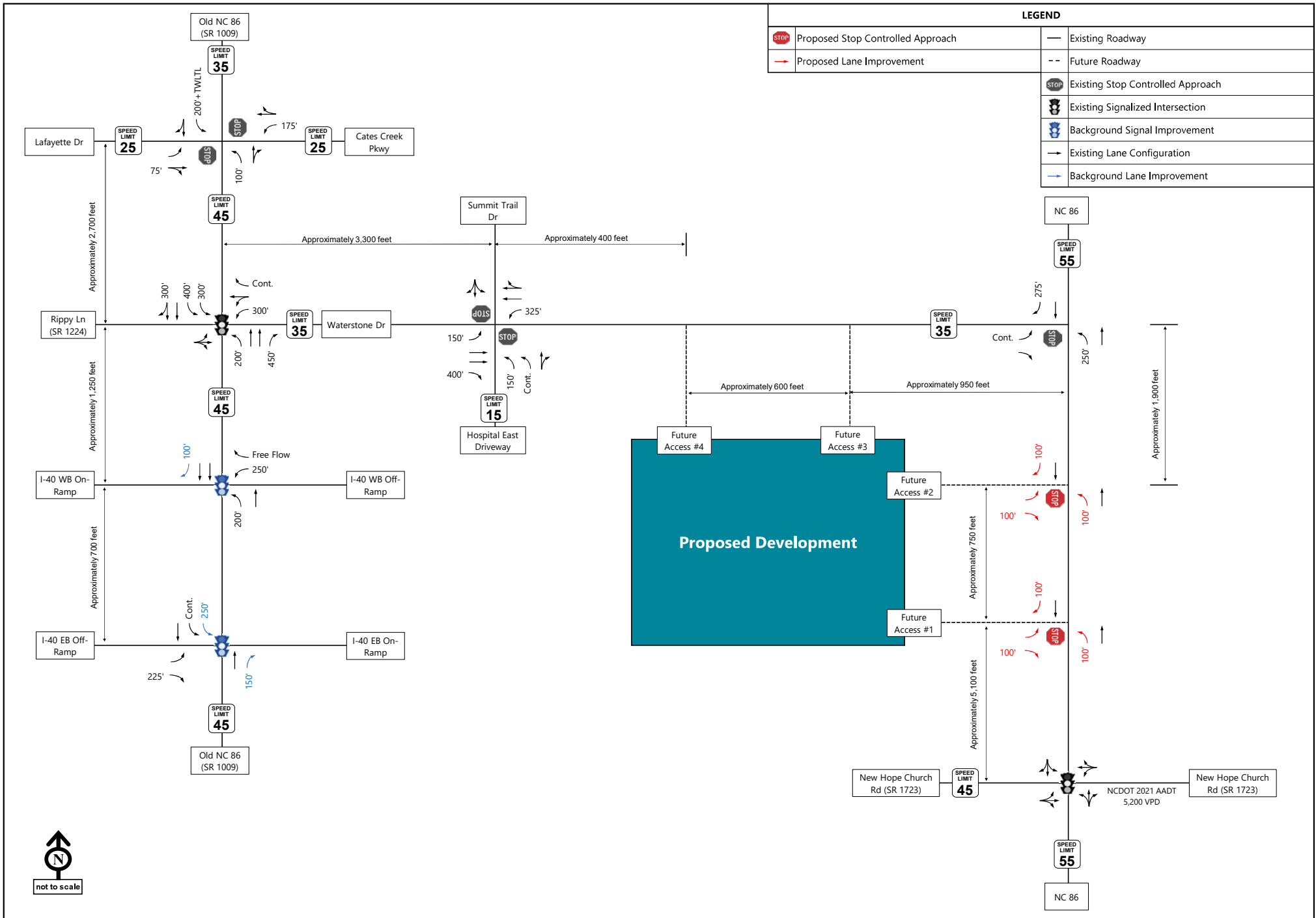
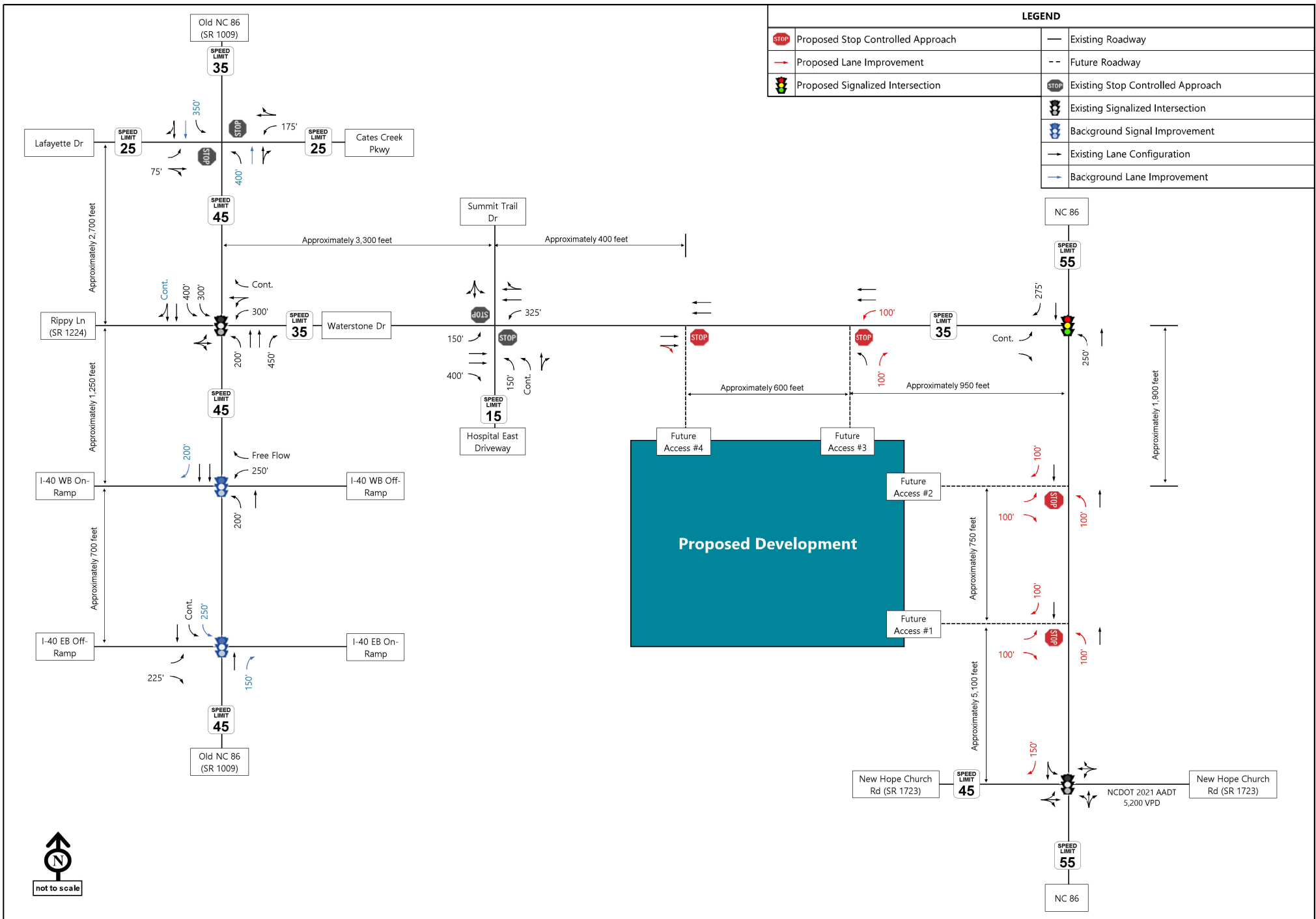


Figure ES-1
Phase 1 (2027) Lane Configurations and Traffic Control



LEGEND	
	Proposed Stop Controlled Approach
	Proposed Lane Improvement
	Proposed Signalized Intersection
	Existing Roadway
	Future Roadway
	Existing Stop Controlled Approach
	Existing Signalized Intersection
	Background Signal Improvement
	Existing Lane Configuration
	Background Lane Improvement

Figure ES-2
Build-out (2033) Lane Configurations and Traffic Control



STATE OF NORTH CAROLINA
DEPARTMENT OF TRANSPORTATION

ROY COOPER
GOVERNOR

J. R. "JOEY" HOPKINS
SECRETARY

December 7, 2023

ORANGE COUNTY

Nathaniel Rhomberg, PE
VHB Engineering
940 Main Campus Drive, Suite 500
Raleigh, NC 27606

Subject: Proposed Capkov Waterstone Mixed Use Development
Located on NC 86 and Waterstone Drive (Municipal)
Review of Transportation Impact Analysis (TIA)

Dear Mr. Rhomberg,

NCDOT staff has performed a review of the TIA and preliminary concept site plan enclosed therein. Based on the submitted information and upon conferring with Town staff, we offer the following comments.

General:

The proposed development is located on the southwest corner of the intersection of NC 86 and Waterstone Drive. The development is planned to be developed in two phases with phase one completed in 2027 and full buildout by 2033. Phase one consists of 205 townhomes and 20,000 SF of retail. Phase one is expected to generate approximately 2600 unadjusted daily trips. Phase two will add 20,000 SF of retail, 450 apartments, 100,000 SF of general office and 100,000 SF of medical office. Upon full buildout, the site is expected to generate approximately 12,000 unadjusted daily trips. Proposed development access consists of the following:

- Future Access #1, full movement access on NC 86, approximately 2,650 feet south of Waterstone Drive to be construction during Phase 1.
- Future Access #2, full movement access on NC 86, approximately 1,900 feet south of Waterstone Drive to be constructed during Phase 1.

Mailing Address:
NC DEPARTMENT OF TRANSPORTATION
DIVISION 7, DISTRICT 1
PO BOX 766
GRAHAM, NC 27253-0766

Telephone: (336) 570-6833
Fax: (336) 570-6873
Customer Service: 1-877-368-4968

Location:
115 EAST CRESCENT SQUARE DRIVE
GRAHAM, NC 27253

Website: www.ncdot.gov

- Future Access #3, full movement access on Waterstone Drive, approximately 950 feet west of NC 86 to be constructed after Phase 1.
- Future Access #4, right-in/right-out access on Waterstone Drive, approximately 1,550 feet west of NC 86 to be constructed after Phase 1.

Findings and Recommendations and Analysis Updates:

We concur with the findings and recommendations contained in the TIA. However, due to the extended buildout period of the proposed development, updates to the TIA prior to proceeding with Phase 2 will be required in order to ensure an accurate assessment of future conditions.

Required Improvements:

As a condition of the pending NCDOT driveway permit, the following are the improvements that the applicant is required to construct to mitigate the anticipated site traffic impacts and to ensure acceptable operation at the various study intersections.

Phase 1 :

NC 86 and Future Access #1:

- Construct Future Access #1 as a stop controlled, full movement access with a single ingress lane and two egress lanes with a continuous left-turn lane and exclusive right-turn lane with at least 100 feet of storage and appropriate transitions.
- Provide an internal protected stem (IPS) of 100 feet for Future Access #1.
- Provide a northbound left-turn lane along NC 86 with at least 100 feet of storage and appropriate transitions.
- Provide a southbound right-turn lane along NC 86 with at least 100 feet of storage and appropriate transitions.

NC 86 and Future Access #2:

- Construct Future Access #2 as a stop controlled, full movement access with a single ingress lane and two egress lanes with a continuous left-turn lane and exclusive right-turn lane with at least 100 feet and appropriate transition.
- Provide an internal protected stem (IPS) of 100 feet for Future Access #2.
- Provide a northbound left-turn lane along NC 86 with at least 100 feet of storage and appropriate transition.
- Provide a southbound right-turn lane along NC 86 with at least 100 feet of storage and appropriate transition.

Phase 2:

NC 86 and Waterstone Drive:

- Monitor the intersection for signalization, and when warranted and approved install a traffic signal.

NC 86 and New Hope Church Road:

- Construct an exclusive southbound right-turn lane along NC 86 with at least 150 feet of storage and appropriate transition.
- Construct an exclusive westbound left-turn lane along New Hope Church Road with at least 200 feet of storage and appropriate transition.
- Modify traffic signal to accommodate revised intersection geometry.

Waterstone Drive and Future Access #3:

- Construct Future Access #3 as stop controlled, full movement access with a single ingress lane and two egress lanes with a continuous left-turn lane and exclusive right-turn lane with at least 100 feet and appropriate transitions.
- Provide an internal protected stem (IPS) of 100 feet for Future Access #3.
- Provide a westbound left-turn lane along Waterstone Drive with at least 100 feet of storage and appropriate transitions.
- Provide an eastbound right-turn lane along Waterstone Drive with at least 100 feet of storage and appropriate transitions.

Since Waterstone Drive is a municipal street, this access is subject to approval by the Town of Hillsborough.

Waterstone Drive and Future Access #4:

- Construct Future Access #4 as a right-in/right-out only access with a single ingress lane and single egress lane.
- Provide an internal protected stem (IPS) of 100 feet for Future Access #4.

Since Waterstone Drive is a municipal street, this access is subject to approval by the Town of Hillsborough.

Multi-modal and Streetscape Enhancements:

Any locally stipulated multi-modal enhancements including but not limited to sidewalk, bike lanes, bus pull offs, lighting, landscaping etc. on State maintained routes are subject to NCDOT requirements and approval through the encroachment process.

Cross-Access Connectivity:

Provision of cross access with the adjacent properties is encouraged to accommodate internal connectivity and improve distribution of existing and future traffic volumes on the adjacent public road network.

General Requirements:

It is necessary to obtain an NCDOT driveway permit and/or encroachment agreement(s) prior to performing work on the NCDOT right of way. As a condition of the agreement, the permittee shall be responsible for design and construction of the above stipulated improvements in accordance with NCDOT requirements. An approved permit will be issued upon receipt of applicable approved roadway and signal construction plans, and any necessary performance and indemnity bonds.

The applicant shall dedicate any additional right of way necessary to accommodate the required road improvements or future improvements as stipulated.

The applicant shall verify that the proposed street and driveway connections provide for adequate vertical and horizontal sight distances in accordance with NCDOT requirements.

Intersection radii and geometry shall be designed to accommodate turning movements of the largest anticipated vehicle.

All pavement markings shall be long life thermoplastic. Pavement markers shall be installed if they previously existed on the roadway.

The permittee shall be responsible for the installation and relocation of any additional highway signs that may be necessary due to these improvements and shall comply with the requirements of the MUTCD.

Feel free to contact me if you have any questions.

Sincerely,

DocuSigned by:
C. N Edwards Jr., PE
C60BB6060F8A458...

C. N. Edwards Jr., PE
District Engineer

Cc: D.M. McPherson, Division Traffic Engineer
Town of Hillsborough

**Waterstone South
Attachment 8**

FISCAL BENEFITS AND ECONOMIC IMPACTS

WATERSTONE SOUTH

**TOWN OF HILLSBOROUGH, NC
ORANGE COUNTY, NC**

SEPTEMBER 30, 2022

**PREPARED FOR:
CAPKOV VENTURES, INC.**

PREPARED BY:



**Orange County, CA
Sarasota, FL**

**Sacramento, CA
Research Triangle, NC**

Austin, TX

**Amelia Island, FL
Dallas, TX**

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SUMMARY OF FISCAL AND ECONOMIC BENEFITS

Capkov Ventures, Inc. is seeking approval from the Town of Hillsborough, North Carolina (“Town”) for a mixed-use, master-planned community referred to as Waterstone South (“Project”). At full buildout, the Project will include 655 apartment and townhome units, 200,000 square feet of medical office space, and 40,000 square feet of retail, restaurant, and day care space.

Key fiscal and economic benefits of the Project at buildout are highlighted below.

FISCAL BENEFITS – TOWN OF HILLSBOROUGH

	Phase 1	Phase 2	Total
Generate real property tax base	\$ 117,100,000	\$ 124,425,000	\$ 241,525,000
Commercial as % of Total Tax Base	46%	36%	41%
Generate annual real property tax revenue	\$ 666,000	\$ 708,000	\$ 1,375,000
Generate total annual general fund revenues	\$ 912,000	\$ 1,000,000	\$ 1,912,000

FISCAL BENEFITS – ORANGE COUNTY

	Phase 1	Phase 2	Total
Generate real property tax base	\$ 117,100,000	\$ 124,425,000	\$ 241,525,000
Generate annual real property tax revenue	\$ 965,000	\$ 1,026,000	\$ 1,992,000
Generate total annual general fund revenues	\$ 1,172,000	\$ 1,265,000	\$ 2,437,000

ECONOMIC IMPACT

At buildout, the operating activities of the new businesses in Waterstone South and the occupancy of the new residential units are expected to:

- Create total annual economic impact, in terms of output, of \$220.4 million
- Create 1,014 direct onsite permanent jobs in the Town of Hillsborough
- Create 1,647 total permanent jobs in the local area
- Create total annual labor income of \$104.3 million in the local area

The local spending by the new businesses and residents of Waterstone South will be a boon to existing Hillsborough businesses.

INTRODUCTION

The proposed development program for the Project is presented in Table 1.

Table 1: Waterstone South Development Program

	Phase 1	Phase 2	Total
Residential Product Type	Units	Units	Units
Apartments	225	225	450
Townhomes	70	135	205
Total	295	360	655
Non-Residential Product Type	Square Feet	Square Feet	Square Feet
Medical Office	100,000	100,000	200,000
Retail	15,000	-	15,000
Restaurant	15,000	-	15,000
Day Care	10,000	-	10,000
Total	140,000	100,000	240,000

Source: Capkov Ventures, Inc., DPGF, 2022

The 655 residential units are projected to generate 1,131 new residents as shown in Table 2.

Table 2: Waterstone South Population Projection

Residential Product	Units	Persons per Housing Unit	Projected Population
Apartments	225	1.70	382
Townhomes	70	1.79	125
Phase 1 Total	295		507
Apartments	225	1.70	382
Townhomes	135	1.79	242
Phase 2 Total	360		624
Grand Total	655		1,131

Source: Capkov Ventures, Inc., 2020 ACS 5-Year Estimates, DPGF, 2022

As shown in Table 3, the non-residential land uses are projected to generate 1,014 new onsite employees. Most of the new jobs are high-paying medical jobs, but new job demand also includes jobs across all wage ranges.

Table 3: Waterstone South New Employment Projection

Non-Residential Land Uses	Square Feet	Occupancy %	Occupied Sq. Ft.	Sq Ft per Employee	New FTE Employees	FTE Conversion Factor	Total New Employees
Medical Office	100,000	100%	100,000	250	400	0.9124	438
Retail	15,000	100%	15,000	420	36	0.8571	42
Restaurant	15,000	100%	15,000	266	56	0.7925	71
Day Care	10,000	100%	10,000	450	22	0.8849	25
Phase 1 Total	140,000		140,000		514		576
Medical Office	100,000	100%	100,000	250	400	0.9124	438
Phase 2 Total	100,000		100,000		400		438
Grand Total	240,000		240,000		914		1,014

Source: Capkov Ventures, Inc., IMPLAN, ITE Trip Generation Manual 10th Edition, DPGF, 2022

This report analyzes the fiscal benefits and economic impacts generated by the Project on the Town of Hillsborough (“Town”) and Orange County (“County”). The key assumptions and methodologies used in the analysis are described in the Methodology section of this report. Supporting tables are provided in the Appendix.

FISCAL BENEFITS – TOWN OF HILLSBOROUGH

GENERAL FUND REVENUES

Property Taxes

The real property tax base of the Project at buildout of Phase 1 is projected to be \$117.1 million as shown in Table 4.

Table 4: Waterstone South Real Property Tax Base – Phase 1

Residential Land Use	Units	Market Value		Construction Price Index	Adjusted	Cost of Sales Factor	Tax Value (Jan 1, 2021)		%
		per Unit (2022\$)					Per Unit	Tax Base	
Apartments	225	\$ 230,000		0.918	\$ 211,000	5%	\$ 200,000	\$ 45,000,000	54%
Townhomes	70	\$ 350,000		0.774	\$ 271,000	6%	\$ 255,000	17,850,000	
Phase 1 Total	295							\$ 62,850,000	
Non-Residential Land Use	Sq. Ft.	Tax Value (Jan 1, 2021)							
		Per Sq. Ft.	Tax Base						
Medical Office	100,000	\$ 450	\$ 45,000,000					46%	
Retail	15,000	\$ 250	3,750,000						
Restaurant	15,000	\$ 250	3,750,000						
Day Care	10,000	\$ 175	1,750,000						
Phase 1 Total	140,000		\$ 54,250,000						
							Phase 1 Total	\$ 117,100,000	100%

Note: January 1, 2021 is the most recent Orange County reappraisal.

Source: Capkov Ventures, Inc., Orange County, DPGF, 2022

The real property tax base of the Project at buildout of Phase 2 is projected to be \$124.4 million as shown in Table 5.

Table 5: Waterstone South Real Property Tax Base – Phase 2

Residential Land Use	Units	Market Value		Construction Price Index	Adjusted	Cost of Sales Factor	Tax Value (Jan 1, 2021)		%
		per Unit (2022\$)					Per Unit	Tax Base	
Apartments	225	\$ 230,000		0.918	\$ 211,000	5%	\$ 200,000	\$ 45,000,000	64%
Townhomes	135	\$ 350,000		0.774	\$ 271,000	6%	\$ 255,000	\$ 34,425,000	
Phase 2 Total	360							\$ 79,425,000	
Non-Residential Land Use						Tax Value (Jan 1, 2021)			
	Sq. Ft.	Per Sq. Ft.					Tax Base		
Medical Office	100,000	\$ 450					\$ 45,000,000		36%
Phase 2 Total	100,000						\$ 45,000,000		
							Phase 2 Total	\$ 124,425,000	

Note: January 1, 2021 is the most recent Orange County reappraisal.
Source: Capkov Ventures, Inc., Orange County, DPFPG, 2022

At buildout of Phases 1 and 2, the real property tax base is projected to exceed \$241.5 million with the commercial real property tax base comprising 41 percent of the total.

At buildout of Phase 1, the Project is expected to generate annual real property tax revenue of \$666,000 for the Town. Phase 2 is projected to generate annual real property tax revenue of \$708,000. In total, the Project is projected to generate annual real property tax revenue of nearly \$1.4 million. Annual real property tax revenue is shown in Table 6.

Table 6: Waterstone South Annual Real Property Tax Revenue - Town

Real Property Tax	Phase 1 Annual	Phase 2 Annual	Total Project Annual
Real Property Tax Base	\$ 117,100,000	\$ 124,425,000	\$ 241,525,000
Property Tax Rate per \$100 Valuation	0.5870	0.5870	0.5870
Annual Real Property Tax	\$ 687,000	\$ 730,000	\$ 1,418,000
Collection %	97.00%	97.00%	97.00%
Annual Real Property Tax Net of Collection %	\$ 666,000	\$ 708,000	\$ 1,375,000

Source: Capkov Ventures, Inc., Orange County, NC Department of Revenue, DPFPG, 2022

At buildout of Phase 1, the Project is expected to generate annual business property tax revenue of \$28,000 for the Town. Phase 2 is projected to generate annual business property tax revenue of \$23,000. In total, the Project is projected to generate annual business property tax revenue of \$50,000. Annual business property tax revenue is shown in Table 7.

Table 7: Waterstone South Annual Business Property Tax Revenue - Town

Business Personal Property	Phase 1 Annual	Phase 2 Annual	Total Project Annual
Commercial Assessed Value	\$ 54,250,000	\$ 45,000,000	\$ 99,250,000
% Furniture and Equipment	9%	9%	9%
Business Personal Property Assessed Value	\$ 4,883,000	\$ 4,050,000	\$ 8,933,000
Property Tax Rate per \$100 Valuation	0.5870	0.5870	0.5870
Annual Business Personal Property Tax	\$ 29,000	\$ 24,000	\$ 52,000
Collection %	97.00%	97.00%	97.00%
Annual Business Property Tax Net of Collection %	\$ 28,000	\$ 23,000	\$ 50,000

Source: Capkov Ventures, Inc., Orange County, NC Department of Revenue, DPGF, 2022

At buildout of Phase 1, the Project is expected to generate annual motor vehicle property tax revenue of \$26,000 for the Town. Phase 2 is projected to generate annual motor vehicle property tax revenue of \$32,000. In total, the Project is projected to generate annual motor vehicle property tax revenue of \$58,000. Annual motor vehicle tax revenue is shown in Table 8.

Table 8: Waterstone South Annual Motor Vehicle Tax Revenue - Town

Motor Vehicle Property Tax	Phase 1 Annual	Phase 2 Annual	Total Project Annual
Motor Vehicle Tax Base			
Countywide Motor Vehicle Valuation	\$ 1,352,075,629	\$ 1,352,075,629	\$ 1,352,075,629
County Population	149,013	149,013	149,013
Motor Vehicle Tax Base per Capita	\$ 9,074	\$ 9,074	\$ 9,074
Watertone South Population	507	624	1,131
Watertone South Motor Vehicle Tax Base	\$ 4,600,518	\$ 5,662,176	\$ 10,262,694
Property Tax Rate per \$100 Valuation	0.5870	0.5870	0.5870
Annual Real Property Tax	\$ 27,000	\$ 33,000	\$ 60,000
Collection %	97.00%	97.00%	97.00%
Annual Motor Vehicle Tax Net of Collection %	\$ 26,000	\$ 32,000	\$ 58,000

Source: Orange County, NC Department of Revenue, DPGF, 2022

Local Option Sales Tax

The local sales and use taxes are levied by the Orange County Board of Commissioners and are collected by the State of North Carolina on behalf of Orange County. The local option sales tax rate of 2 cents consists of three separate taxes that are authorized by North Carolina General Statutes: Article 39 One-Cent tax, Article 40 One-Half Cent tax, and Article 42 One-Half Cent tax. Article 39 taxes are distributed back to counties based on a point-of-sale basis. Article 40 taxes are distributed back to counties on a statewide county per capita basis (with a factor adjustment applied). Article 42 taxes are distributed back to counties in the same manner as Article 39 taxes. Distributions of these funds are made to the Town monthly on a per capita basis.

For purposes of this analysis, it assumed the per capita taxable retail spending of Waterstone South residents will be consistent with that of the existing Town population.

Projected annual local option sales tax revenue is calculated in Table 9.

Table 9: Waterstone South Annual Local Option Sales Tax - Town

Local Option Sales Tax	Phase 1 Annual	Phase 2 Annual	Total Project Annual
Local Option Sales Tax	\$ 2,474,060	\$ 2,474,060	\$ 2,474,060
Town Population	9,681	9,681	9,681
Per Capita	\$ 256	\$ 256	\$ 256
Watertone South Resident Population	507	624	1,131
Total Sales Tax Revenue	\$ 130,000	\$ 160,000	\$ 290,000

Source: NC Department of Revenue, Town of Hillsborough, DPGF, 2022

Auto Decal Fees

The Town charges Auto Decal Fees of \$30 per vehicle. For purposes of this analysis, one vehicle per residential unit is assumed which is a conservative assumption.

Table 10: Waterstone South Annual Auto Decal Fees - Town

Auto Decal Fee	Phase 1 Annual	Phase 2 Annual	Total Project Annual
Vehicles in Waterstone South	295	360	655
Auto Decal Fees per Vehicle	\$ 30	\$ 30	\$ 30
Auto Decal Fee Revenue	\$ 9,000	\$ 11,000	\$ 20,000

Source: Town of Hillsborough, DPGF, 2022

Other General Fund Revenues

Projected other General Fund revenues are presented in Table 11.

Table 11: Waterstone South Annual Other General Fund Revenues - Town

Other Revenues	Phase 1 Annual	Phase 2 Annual	Total Project Annual
Intergovernmental - Est. Unrestricted	\$ 1,019,000	\$ 1,019,000	\$ 1,019,000
Total Other Revenue	\$ 1,019,000	\$ 1,019,000	\$ 1,019,000
Town Population	9,681	9,681	9,681
Per Capita	\$ 105	\$ 105	\$ 105
Watertone South Resident Population	507	624	1,131
Total Other Revenues	\$ 53,000	\$ 66,000	\$ 119,000

Source: NC Department of Revenue, Town of Hillsborough, DPGF, 2022

Stormwater Fees

The Town charges an annual stormwater fee of \$75 per residential property. Annual non-residential stormwater fees are subject to a fee schedule. Annual stormwater fees are estimated in Table 12.

Table 12: Waterstone South Annual Stormwater Fees - Town

Stormwater Fee	Phase 1 Annual	Phase 2 Annual	Total Project Annual
Residential			
Fee per Townhome	\$ 75	\$ 75	\$ 75
Watertone South Townhomes	70	135	205
Stormwater Fee Annual Revenue	\$ 5,000	\$ 10,000	\$ 15,000
Non-Residential (Apartments)			
Tier 5, 200,000 sq. ft. and above	12,900	12,900	12,900
Parcels	1	1	2
Stormwater Fee Annual Revenue	\$ 13,000	\$ 13,000	\$ 26,000
Non-Residential (Medical Office and Retail)			
Tier 3, 30,001 to 100,000	1,800	1,800	1,800
Parcels	2	1	3
Stormwater Fee Annual Revenue	\$ 4,000	\$ 2,000	\$ 6,000
Total Stormwater Fee Annual Revenue	\$ 22,000	\$ 25,000	\$ 47,000

Source: Town of Hillsborough, DPF, 2022

TOTAL ANNUAL GENERAL FUND REVENUES

At buildout, the Project is projected to generate annual general fund revenue of \$1.9 million for the Town.

Table 13: Waterstone South Annual General Fund Revenues - Town

General Fund Revenues	Phase 1 Annual Revenue	Phase 2 Annual Revenue	Total Annual Revenue
Property Tax - Real Property	\$ 694,000	\$ 731,000	\$ 1,425,000
Property Tax - Motor Vehicle	26,000	32,000	58,000
Local Option Sales Tax	130,000	160,000	290,000
Auto Decal Fees	9,000	11,000	20,000
Other Town Revenues	53,000	66,000	119,000
Annual General Fund Revenues	\$ 912,000	\$ 1,000,000	\$ 1,912,000

Stormwater Revenues	Phase 1 Annual Revenue	Phase 2 Annual Revenue	Total Annual Revenue
Stormwater Fees	22,000	25,000	47,000

Source: DPGF, 2022

FISCAL BENEFITS – ORANGE COUNTY

GENERAL FUND REVENUES

Property Taxes

As shown in Table 14, at buildout the Project is expected to generate annual real property tax revenue of almost \$2.0 million for the County.

Table 14: Waterstone South Annual Real Property Tax Revenue – Orange County

Real Property Tax	Phase 1 Annual	Phase 2 Annual	Total Project Annual
Real Property Tax Base	\$ 117,100,000	\$ 124,425,000	\$ 241,525,000
Property Tax Rate per \$100 Valuation	0.8312	0.8312	0.8312
Annual Real Property Tax	\$ 973,000	\$ 1,034,000	\$ 2,008,000
Collection %	99.20%	99.20%	99.20%
Annual Real Property Tax Net of Collection %	\$ 965,000	\$ 1,026,000	\$ 1,992,000

Source: Capkov Ventures, Inc., Orange County, NC Department of Revenue, DPGF, 2022

Projected annual business property tax revenue is shown in Table 15.

Table 15: Waterstone South Annual Business Property Tax Revenue – Orange County

Business Personal Property	Phase 1 Annual	Phase 2 Annual	Total Project Annual
Commercial Assessed Value	\$ 54,250,000	\$ 45,000,000	\$ 99,250,000
% Furniture and Equipment	9%	9%	9%
Business Personal Property Assessed Value	\$ 4,883,000	\$ 4,050,000	\$ 8,933,000
Property Tax Rate per \$100 Valuation	0.8312	0.8312	0.8312
Annual Business Personal Property Tax	\$ 41,000	\$ 34,000	\$ 74,000
Collection %	99.20%	99.20%	99.20%
Annual Business Property Tax Net of Collection %	\$ 41,000	\$ 34,000	\$ 73,000

Source: Capkov Ventures, Inc., Orange County, NC Department of Revenue, DPGF, 2022

As shown in Table 16, at buildout the Project is projected to generate annual motor vehicle tax revenue of \$85,000 for the County by vehicles owned by the new residents.

Table 16: Waterstone South Annual Motor Vehicle Tax Revenue – Orange County

Motor Vehicle Property Tax	Phase 1 Annual	Phase 2 Annual	Total Project Annual
Motor Vehicle Tax Base			
Countywide Motor Vehicle Valuation	\$ 1,352,075,629	\$ 1,352,075,629	\$ 1,352,075,629
County Population	149,013	149,013	149,013
Motor Vehicle Tax Base per Capita	\$ 9,074	\$ 9,074	\$ 9,074
Watertone South Population	507	624	1,131
Watertone South Motor Vehicle Tax Base	\$ 4,600,518	\$ 5,662,176	\$ 10,262,694
Property Tax Rate per \$100 Valuation	0.8312	0.8312	0.8312
Annual Real Property Tax	\$ 38,000	\$ 47,000	\$ 85,000
Collection %	99.40%	99.40%	99.40%
Annual Motor Vehicle Tax Net of Collection %	\$ 38,000	\$ 47,000	\$ 85,000

Source: Orange County, NC Department of Revenue, DPGF, 2022

Local Option Sales Tax

For purposes of this analysis, it assumed the per capita taxable retail spending of Waterstone South residents will be consistent with that of the existing Orange County population. The North Carolina General Statutes require that 30 percent of the Article 40 and 60 percent of the Article 42 sales tax revenue be earmarked for public school capital outlay or debt.

In addition to Articles 39, 40, and 42 sales tax, the County also levies the Article 46 One-Quarter cent sales and use tax. The proceeds of the Article 46 tax are allocated 50 percent to the County's two school systems and 50 percent to Economic Development initiatives.

A summary of the projected annual local option sales tax revenues is shown in Table 17. Detailed calculations are provided in the Appendix.

Table 17: Waterstone South Annual Local Option Sales Tax – Orange County

Local Option Sales Tax	Phase 1 Annual	Phase 2 Annual	Total Project Annual
Unrestricted	\$ 87,000	\$ 107,000	\$ 194,000
Restricted - School Capital or Debt	27,000	33,000	60,000
Restricted - Education	7,000	9,000	16,000
Restricted - Economic Development	7,000	9,000	16,000
Total	\$ 128,000	\$ 158,000	\$ 286,000

Source: Orange County, NC Department of Revenue, DPF, 2022

In 2009, the North Carolina General Assembly ratified the Congestion Relief and Intermodal Transport Fund Act, allowing Orange, Durham, and Wake Counties to generate new revenue for transportation. These revenues include a one-half cent sales tax (Article 43 sales tax) which Orange County voters approved in 2012. A regional transportation public authority, known as GoTriangle, was created to help administer these revenues and work on public transit projects involving all three counties. Article 43 revenues are allocated by the North Carolina Department of Revenue to GoTriangle, which then allocates a portion of that money to Orange County through reimbursements for projects that either offer new public transit services or expand existing ones. Due to these restrictions, projected Article 43 sales tax revenues are excluded from this analysis.

TOTAL ANNUAL GENERAL FUND REVENUES

As shown in Table 18, at buildout the Project is projected to generate annual general fund revenue of \$2.4 million for the County.

Table 18: Waterstone South Annual General Fund Revenues - County

General Fund Revenues	Phase 1 Annual Revenue	Phase 2 Annual Revenue	Total Annual Revenue
Property Tax - Real Property	\$ 1,006,000	\$ 1,060,000	\$ 2,066,000
Property Tax - Motor Vehicle	38,000	47,000	85,000
Local Option Sales Tax			
Unrestricted	87,000	107,000	194,000
Restricted - School Capital or Debt	27,000	33,000	60,000
Restricted - Education	7,000	9,000	16,000
Restricted - Economic Development	7,000	9,000	16,000
Annual General Fund Revenues	\$ 1,172,000	\$ 1,265,000	\$ 2,437,000

Source: DPF, 2022

ECONOMIC IMPACT

The development of Waterstone South impacts the Town’s economy in two phases. The initial impact occurs during the construction of the new residential units and the commercial buildings. When construction is complete, the activities of the new businesses and the local spending by the new residents will impact the local economy on an ongoing basis.

PERMANENT ONGOING IMPACT – PHASE 1

As shown in Table 19, at buildout of Phase 1, the businesses in Waterstone South are projected to generate 576 direct onsite jobs. The new business activities combined with the new annual spending by the Project’s Phase 1 residents are expected to support 885 total jobs and generate \$53.8 million in annual labor income in the local area.

Table 19: Waterstone South Permanent Ongoing Annual Economic Impact - Phase 1

Impact Type	Jobs	Labor Income	Value Added	Output
Direct Effect	576	\$40.1 Million	\$43.7 Million	\$68.0 Million
Indirect Effect	105	\$4.9 Million	\$7.5 Million	\$15.0 Million
Induced Effect	204	\$8.9 Million	\$18.6 Million	\$30.7 Million
Total Effect	885	\$53.8 Million	\$69.9 Million	\$113.7 Million

Source: IMPLAN, DPGF, 2022

PERMANENT ONGOING IMPACT – PHASE 2

As shown in Table 20, at buildout of Phase 2 the businesses in Waterstone South are projected to generate 438 direct onsite jobs. The new business activities combined with the new annual spending by the Project’s Phase 2 residents are expected to support 762 total jobs and generate \$50.5 million in annual labor income in the local area.

Table 20: Waterstone South Permanent Ongoing Annual Economic Impact - Phase 2

Impact Type	Jobs	Labor Income	Value Added	Output
Direct Effect	438	\$36.2 Million	\$38.3 Million	\$59.0 Million
Indirect Effect	92	\$4.3 Million	\$6.5 Million	\$12.8 Million
Induced Effect	232	\$10.1 Million	\$21.3 Million	\$35.0 Million
Total Effect	762	\$50.5 Million	\$66.1 Million	\$106.7 Million

Source: IMPLAN, DPGF, 2022

PERMANENT ONGOING IMPACT – AT BUILDOUT

As shown in Table 21, at buildout the businesses in Waterstone South are projected to generate 1,014 direct onsite jobs. The new business activities combined with the new annual spending by the Project’s residents are expected to support 1,647 total jobs and generate \$104.3 million in annual labor income in the local area.

Table 21: Waterstone South Permanent Ongoing Annual Economic Impact – At Buildout

Impact Type	Jobs	Labor Income	Value Added	Output
Direct Effect	1,014	\$76.2 Million	\$82.1 Million	\$127.0 Million
Indirect Effect	197	\$9.2 Million	\$14.1 Million	\$27.8 Million
Induced Effect	436	\$19.0 Million	\$39.9 Million	\$65.6 Million
Total Effect	1,647	\$104.3 Million	\$136.0 Million	\$220.4 Million

Source: IMPLAN, DPF, 2022

Table 22 shows the top job demand by industry generated by the new annual spending. High-paying medical jobs are in demand as well as jobs across all wage ranges.

Table 22: Waterstone South Top Job Demand by Industry

Rank	Industry	Jobs
1	Medical office (offices of physicians)	907
2	Full-service restaurants	120
3	Other real estate	44
4	Retail - Food and beverage stores	39
5	All other food and drinking places	34
6	Child day care services	33
7	Limited-service restaurants	31
8	Personal care services	21

Source: IMPLAN, DPF, 2022

KEY ASSUMPTIONS AND METHODOLOGY

KEY ASSUMPTIONS

Because substantial growth is projected for the Research Triangle area over the next decade, the residential and commercial impacts in this analysis are considered “new.” For example, even if new residents do not directly purchase or rent homes in the Project, vacancies left by existing residents will make existing units available for new residents. Likewise, population and job growth are expected to fuel the demand for the new commercial facilities in Waterstone South.

Market values for the residential properties in Waterstone South were estimated by Capkov Ventures, Inc. Residential market values were converted to taxable values by applying a (1) cost index to adjust values to the most recent County reappraisal (January 1, 2021) and (2) cost of sales factor. Non-residential tax values per product type were based on assessed values (January 1, 2021) of comparable Orange County properties.

All amounts in this report are presented in constant dollars (2022). Results are rounded to the nearest one thousand dollars (\$1,000). Tax rates in effect for the Fiscal Year 2022-2023 are also held constant in this analysis.

Supporting tables are provided in the Appendix.

ECONOMIC IMPACT METHODOLOGY

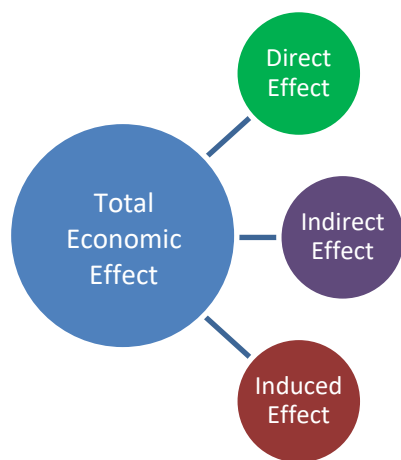
A key concept in economic impact analysis is that one form of economic activity almost always stimulates other economic activities. The total economic impact of a specific project or event on a study area is the sum of the direct, indirect and induced impacts.

Direct Impacts are the initial, immediate economic impacts (jobs and income) generated by a project or development. Direct impacts coincide with the first round of spending in the economy. For example, a new high-tech manufacturing facility that has a payroll of \$5 million and purchases \$5 million of goods and services from local suppliers would directly contribute \$10 million to the local economy. To determine direct economic impacts, it is ideal to use economic data supplied by the project's development team or financial information, if available, about similar projects implemented in similar communities. A common method of establishing direct impact parameters is to use available industry averages for the study area.

Indirect Impacts are the production, employment and income changes occurring in other businesses/industries in the community that supply inputs to the project's industry(s).

Induced Impacts are the effects of spending by the households in the local economy as a result of the direct and indirect effects from an economic activity. The induced effects arise when employees who are working for the project (i.e., new manufacturing facility) spend their new payroll dollars in the study area.

Figure 1: Components of Economic Impact Analysis



The primary economic benefits of Waterstone South will be experienced in the local area; however, benefits will also extend to the region and the state. In our experience with similar projects nationally, the smaller the study area, the more leakages (purchases and sales) occur outside the area. Fewer ripple effects occur inside the area thus multipliers and related impacts generally become larger as the geographic area increases in size. The study area for this report was limited to Orange County.

This analysis utilizes models generated by the IMPLAN modeling system. IMPLAN is a nationally recognized system of local economic models that are specifically designed to represent a local economy such as Orange County.

The economic impacts from the annual operations of the businesses proposed for Firefly Park were modeled using Industry Change, which is the increase or decrease in economic activity due to the expansion or change in production of new businesses. Instead of value of production or value added for the office and retail sectors, new employment by industry sector was used as a proxy for production changes.

In conjunction with this new employment as proxy for production change approach, direct full-time equivalent jobs were converted to total average annual jobs using the appropriate IMPLAN conversion factors. The resulting direct jobs were assigned to the various IMPLAN industry sectors based on a direct correlation (e.g., dental office) or were allocated proportionately based on existing industry sector employment.

GENERAL LIMITING CONDITIONS

Every reasonable effort has been made to ensure that the data contained in this report are accurate as of the date of this study; however, factors exist that are outside the control of DPFG and that may affect the estimates and/or projections noted herein. This study is based on estimates, assumptions and other information developed by DPFG from its independent research effort, general knowledge of the industry, and information provided by and consultations with the client and the client's representatives. No responsibility is assumed for inaccuracies in reporting by the client, the client's agent and representatives, or any other data source used in preparing or presenting this study.

This report is based on information that was current as of September 2022 and DPFG has not undertaken any update of its research effort since such date.

Because future events and circumstances, many of which are not known as of the date of this study, may affect the estimates contained therein, no warranty or representation is made by DPFG that any of the projected values or results contained in this study will actually be achieved.

Possession of this study does not carry with it the right of publication thereof or to use the name of DPFG in any manner without first obtaining the prior written consent of DPFG. No abstracting, excerpting or summarization of this study may be made without first obtaining the prior written consent of DPFG. This report is not to be used in conjunction with any public or private offering of securities, debt, equity, or other similar purpose where it may be relied upon to any degree by any person other than the client, nor is any third party entitled to rely upon this report, without first obtaining the prior written consent of DPFG. This study may not be used for purposes other than that for which it is prepared or for which prior written consent has first been obtained from DPFG. Any changes made to the study, or any use of the study not specifically prescribed under agreement between the parties or otherwise expressly approved by DPFG, shall be at the sole risk of the party making such changes or adopting such use.

This study is qualified in its entirety by, and should be considered in light of, these limitations, conditions and considerations.

APPENDIX

Appendix Table 1: Fiscal Assumptions - Town

Town of Hillsborough	
0.587	FY 2023 Property Tax Rate per \$100
97.00%	Collection %
\$ 1,352,075,629	2021-22 Countywide Motor Vehicle Valuation
149,013	Countywide Population NCDOR (July 2022)
9,681	Town Population - NCDOR (July 2022)
\$ 30	Vehicle Fee
Census.Gov Single Family Construction Price Index	
185.1	August 2022
143.2	January 1, 2021 (December 2020)
0.7736	Ratio
6%	Single Family Residential Cost of Sales Factor
Census.Gov Multi-Family Construction Price Index	
195.9	Second Quarter 2022
179.9	January 1, 2021 (December 2020)
0.9183	Ratio
5%	MF Residential Cost of Sales Factor
Stormwater Fee	
\$ 75	Residential per Year
\$ 1,800	Non-Residential 30,001 to 100,000 sq. ft.

Source: Town of Hillsborough, Census. Gov, NCDOR, DPFPG, 2022

Appendix Table 2: Fiscal Assumptions - County

Orange County	
0.8312	FY 2023 Property Tax Rate per \$100
99.20%	Collection % Real Property
99.40%	Collection % Motor Vehicles
\$ 1,352,075,629	2021-22 Countywide Motor Vehicle Valuation
149,013	Countywide Population NCDOR (July 2022)
\$ 14,681,551	Article 39 - FY 2023
\$ 11,348,156	Article 40 - FY 2023
\$ 3,404,447	Article 40 - FY 2023 Restricted
\$ 7,943,709	Article 40 - FY 2023 Unrestricted
\$ 7,386,782	Article 42 - FY 2023
\$ 4,432,069	Article 42 - FY 2023 Restricted
\$ 2,954,713	Article 42 - FY 2023 Unrestricted
9%	Taxable Personal Property as % of Real
Article 46 Sales Tax - FY 2023	
\$ 2,101,100	Education
\$ 2,101,100	Community Services
50%	Education
50%	Community Services

Source: Orange County, NC Department of Revenue, DPFPG, 2022

Appendix Table 3: Orange County Persons per Housing Unit

Housing Type	Units		Population		Persons per Housing Unit
	B25024	Units	B25033		
1, detached	35,772				
1, attached	3,668	39,440	98,144		2.49
2	1,146				
3 to 4	1,526	2,672	4,785		1.79
5 to 9	3,710				
10 to 19	4,739				
20 to 49	2,089				
50 or more	1,955	12,493	21,222		1.70
Mobile Home	4,361	4,361	10,059		2.31
Boat, RV, Van	27	27	51		1.89
Total	58,993	58,993	134,261		2.28
Townhome					1.79

Source: 2020 ACS 5-Year Estimates for Orange County, NC, DPGF, 2022

Appendix Table 4: Waterstone South Annual Local Option Sales Tax Articles 39, 40 and 42 - County

Local Option Sales Tax	Phase 1 Annual	Phase 2 Annual	Total Project Annual
Article 39 Local Option Sales Tax - Unrestricted	\$ 14,681,551	\$ 14,681,551	\$ 14,681,551
County Population	149,013	149,013	149,013
Per Capita	\$ 99	\$ 99	\$ 99
Watertone South Resident Population	507	624	1,131
Annual Sales Tax Revenue	\$ 50,000	\$ 62,000	\$ 112,000
Article 40 Local Option Sales Tax - Unrestricted	\$ 7,943,709	\$ 7,943,709	\$ 7,943,709
County Population	149,013	149,013	149,013
Per Capita	\$ 53	\$ 53	\$ 53
Watertone South Resident Population	507	624	1,131
Annual Sales Tax Revenue	\$ 27,000	\$ 33,000	\$ 60,000
Article 40 Local Option Sales Tax - Restricted (School Capital or Debt)	\$ 3,404,447	\$ 3,404,447	\$ 3,404,447
County Population	149,013	149,013	149,013
Per Capita	\$ 23	\$ 23	\$ 23
Watertone South Resident Population	507	624	1,131
Annual Sales Tax Revenue	\$ 12,000	\$ 14,000	\$ 26,000
Article 42 Local Option Sales Tax - Unrestricted	\$ 2,954,713	\$ 2,954,713	\$ 2,954,713
County Population	149,013	149,013	149,013
Per Capita	\$ 20	\$ 20	\$ 20
Watertone South Resident Population	507	624	1,131
Annual Sales Tax Revenue	\$ 10,000	\$ 12,000	\$ 22,000
Article 42 Local Option Sales Tax - Restricted (School Capital or Debt)	\$ 4,432,069	\$ 4,432,069	\$ 4,432,069
County Population	149,013	149,013	149,013
Per Capita	\$ 30	\$ 30	\$ 30
Watertone South Resident Population	507	624	1,131
Annual Sales Tax Revenue	\$ 15,000	\$ 19,000	\$ 34,000

Source: Orange County, NC Department of Revenue, DPF, 2022

Appendix Table 5: Waterstone South Annual Local Option Sales Tax Article 46 - County

Local Option Sales Tax	Phase 1 Annual	Phase 2 Annual	Total Project Annual
Article 46 Local Option Sales Tax - Education	\$ 2,101,100	\$ 2,101,100	\$ 2,101,100
County Population	149,013	149,013	149,013
Per Capita	\$ 14	\$ 14	\$ 14
Watertone South Resident Population	507	624	1,131
Annual Sales Tax Revenue	\$ 7,000	\$ 9,000	\$ 16,000
Article 46 Local Option Sales Tax - Economic Development	\$ 2,101,100	\$ 2,101,100	\$ 2,101,100
County Population	149,013	149,013	149,013
Per Capita	\$ 14	\$ 14	\$ 14
Watertone South Resident Population	507	624	1,131
Annual Sales Tax Revenue	\$ 7,000	\$ 9,000	\$ 16,000
Total Articles 39, 40, 42, and 46	\$ 128,000	\$ 158,000	\$ 286,000

Source: Orange County, NC Department of Revenue, DPGF, 2022

**Waterstone South
Attachment 9**

**WATERSTONE SOUTH
NET FISCAL IMPACT
TOWN OF HILLSBOROUGH, NC**

OCTOBER 15, 2023

**PREPARED FOR:
CAPKOV VENTURES, INC.**

PREPARED BY:



**Orange County, CA
Sarasota, FL**

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Research Triangle, NC**

Austin, TX

**Amelia Island, FL
Dallas, TX**

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SUMMARY OF FISCAL AND ECONOMIC BENEFITS

Capkov Ventures, Inc. is seeking approval from the Town of Hillsborough, North Carolina (“Town”) for a mixed-use, master-planned community referred to as Waterstone South (“Project”). At full buildout, the Project will include 450 apartments, 205 townhomes, 200,000 square feet of medical office space, and 40,000 square feet of retail, restaurant, and day care space.

Key fiscal and economic benefits of the Project at buildout are highlighted below.

FISCAL BENEFITS – TOWN OF HILLSBOROUGH

At full buildout, Waterstone South is expected to:

- Generate real property tax base of \$241.5 million.
- Generate annual real property tax revenue of \$1.4 million.
- Generate total annual revenue of \$2.0 million.
- Generate annual net fiscal benefit of \$958,000.
- Generate annual stormwater revenue of \$47,000.

Developer Town Water and Sewer System Proposed Improvements:

- Accelerate payment of \$4.7 million Water and Sewer Development Fees.
- Direct Water and Sewer Construction Improvements of \$3.3 million.

ECONOMIC BENEFITS – TOWN OF HILLSBOROUGH

At buildout, the operating activities of the new businesses in Waterstone South and the occupancy of the new residential units are expected to:

- Create total annual economic impact, in terms of output, of \$220.4 million.
- Create 1,014 direct onsite permanent jobs in the Town of Hillsborough, most of which are projected to be high-paying medical jobs.
- Create 1,647 total permanent jobs in the local area.
- Create total annual labor income of \$104.3 million in the local area.

The local spending by the new businesses and residents of Waterstone South will be significant to existing Hillsborough businesses.¹

¹ The economic benefits are described in the report, “Fiscal and Economic Impacts of Waterstone South (September 30, 2022).”

INTRODUCTION

The proposed development program for the Project is presented in Table 1.

Table 1: Waterstone South Development Program

	Phase 1	Phase 2	Total
Residential Product Type	Units	Units	Units
Apartments	225	225	450
Townhomes	70	135	205
Total	295	360	655
Non-Residential Product Type	Square Feet	Square Feet	Square Feet
Medical Office	100,000	100,000	200,000
Retail	15,000	-	15,000
Restaurant	15,000	-	15,000
Day Care	10,000	-	10,000
Total	140,000	100,000	240,000

Source: Capkov Ventures, Inc., DPF, 2023

The 655 residential units are projected to generate 1,102 new residents as shown in Table 2.

Table 2: Waterstone South Population Projection

Residential Product	Units	Persons per Housing Unit	Projected Population
Apartments	225	1.54	346
Townhomes	70	2.00	140
Phase 1 Total	295		486
Apartments	225	1.54	346
Townhomes	135	2.00	270
Phase 2 Total	360		616
Grand Total	655		1,102
Apartments	450		692
Townhomes	205		410
Grand Total	655		1,102

Source: Town of Hillsborough, 2021 ACS Estimates, DPF, 2023

As shown in Table 3, the non-residential land uses are projected to generate 1,014 new onsite employees. Most of the new jobs are high-paying medical jobs, but new job demand also includes jobs across all wage ranges.

Table 3: Waterstone South New Employment Projection

Non-Residential Land Uses	Square Feet	Occupancy %	Occupied Sq. Ft.	Sq Ft per Employee	New FTE Employees	FTE Conversion Factor	Total New Employees
Medical Office	100,000	100%	100,000	250	400	0.9124	438
Retail	15,000	100%	15,000	420	36	0.8571	42
Restaurant	15,000	100%	15,000	266	56	0.7925	71
Day Care	10,000	100%	10,000	450	22	0.8849	25
Phase 1 Total	140,000		140,000		514		576
Medical Office	100,000	100%	100,000	250	400	0.9124	438
Phase 2 Total	100,000		100,000		400		438
Grand Total	240,000		240,000		914		1,014

Source: Capkov Ventures, Inc., IMPLAN, ITE Trip Generation Manual 10th Edition, DPGF, 2023

This report analyzes the net fiscal benefit generated by the Project on the Town of Hillsborough (“Town”). The key assumptions and methodologies used in the analysis are described in the Methodology section of this report. Supporting tables are provided in the Appendix.

ANNUAL NET FISCAL BENEFIT – TOWN OF HILLSBOROUGH

ANNUAL GENERAL FUND REVENUES

Property Taxes

As shown in Table 4, the real property tax base of Waterstone South is projected to exceed \$241.5 million with the commercial real property tax base comprising 41 percent of the total. ²

² The tax base estimates are consistent with the estimates provided in the “Fiscal and Economic Impacts of Waterstone South (September 30, 2022).”

Table 4: Waterstone South Real Property Tax Base

Residential Land Use	Units	Market Value			Tax Value (Jan 1, 2021)			%
		per Unit (2022\$)	Construction Price Index	Adjusted	Cost of Sales Factor	Per Unit	Tax Base	
Apartments	450	\$ 230,000	0.918	\$ 211,000	5%	\$ 200,000	\$ 90,000,000	59%
Townhomes	205	\$ 350,000	0.774	\$ 271,000	6%	\$ 255,000	52,275,000	
Total	655						\$ 142,275,000	
Non-Residential Land Use		Sq. Ft.	Tax Value (Jan 1, 2021)		Per Sq. Ft.		Tax Base	%
Medical Office		200,000	\$ 450	\$ 90,000,000				
Retail		15,000	\$ 250	3,750,000				
Restaurant		15,000	\$ 250	3,750,000				
Day Care		10,000	\$ 175	1,750,000				
Total		240,000		\$ 99,250,000			41%	
Total							\$ 241,525,000	100%

Note: January 1, 2021 is the most recent Orange County reappraisal.
 Source: Capkov Ventures, Inc., Orange County, DPGF, 2023

At buildout, the Project is expected to generate annual real property tax revenue of \$1.4 million for the Town as shown in Table 5.

Table 5: Waterstone South Annual Real Property Tax Revenue - Town

Real Property Tax	Total Project Annual
Real Property Tax Base	\$ 241,525,000
Property Tax Rate per \$100 Valuation	0.5870
Annual Real Property Tax	\$ 1,418,000
Collection %	97.00%
Annual Real Property Tax Net of Collection %	\$ 1,375,000

Source: Capkov Ventures, Inc., Town of Hillsborough, DPGF, 2023

At buildout, the Project is expected to generate annual business property tax revenue of \$50,000 as shown in Table 6.

Table 6: Waterstone South Annual Business Property Tax Revenue - Town

Business Personal Property	Total Project Annual
Commercial Assessed Value	\$ 99,250,000
% Furniture and Equipment	9%
Business Personal Property Assessed Value	\$ 8,933,000
Property Tax Rate per \$100 Valuation	0.5870
Annual Business Personal Property Tax	\$ 52,000
Collection %	97.00%
Annual Business Property Tax Net of Collection %	\$ 50,000

Source: Capkov Ventures, Inc., Town of Hillsborough, Orange County, DPGF, 2023

Estimated annual motor vehicle tax revenue at buildout is shown in Table 7.

Table 7: Waterstone South Annual Motor Vehicle Tax Revenue - Town

Motor Vehicle Property Tax	Total Project Annual
Motor Vehicle Tax Base	
Countywide Motor Vehicle Valuation	\$ 1,433,315,493
County Population	148,197
Motor Vehicle Tax Base per Capita	\$ 9,672
Watertone South Population	1,102
Watertone South Motor Vehicle Tax Base	\$ 10,658,544
Property Tax Rate per \$100 Valuation	0.5870
Annual Real Property Tax	\$ 63,000
Collection %	97.00%
Annual Motor Vehicle Tax Net of Collection %	\$ 61,000

Source: Town of Hillsborough, Orange County, DPGF, 2023

Local Option Sales Tax

The local sales and use taxes are levied by the Orange County Board of Commissioners and are collected by the State of North Carolina on behalf of Orange County. The local option sales tax rate of 2 cents consists of three separate taxes that are authorized by North Carolina General Statutes: Article 39 One-Cent tax, Article 40 One-Half Cent tax, and Article 42 One-Half Cent tax. Article 39 taxes are distributed back to counties based on a point-of-sale basis. Article 40 taxes are distributed back to counties on a statewide county per capita basis (with a factor adjustment applied). Article 42 taxes are distributed back to counties in the same manner as Article 39 taxes. Distributions of these funds are made to the Town monthly on a per capita basis.

For purposes of this analysis, it assumed the per capita taxable retail spending of Waterstone South residents will be consistent with that of the existing Town population.

Projected annual local option sales tax revenue is calculated in Table 8.

Table 8: Waterstone South Annual Local Option Sales Tax - Town

Local Option Sales Tax	Total Project Annual
Local Option Sales Tax	\$ 3,026,000
Town Population	9,868
Per Capita	\$ 307
Watertone South Resident Population	1,102
Total Sales Tax Revenue	\$ 338,000

Source: NC Department of Revenue, Town of Hillsborough, DPGF, 2023

Auto Decal Fees

The Town charges Auto Decal Fees of \$30 per vehicle. For purposes of this analysis, one vehicle per residential unit is assumed which is a conservative assumption.

Table 9: Waterstone South Annual Auto Decal Fees - Town

Auto Decal Fee	Total Project Annual
Vehicles in Waterstone South	655
Auto Decal Fees per Vehicle	\$ 30
Auto Decal Fee Revenue	\$ 20,000

Source: Town of Hillsborough, DPGF, 2023

Other General Fund Revenues

Projected other General Fund revenues are presented in Table 10.

Table 10: Waterstone South Annual Other General Fund Revenues - Town

Other Revenues	Total Project Annual
Intergovernmental - Est. Unrestricted	\$ 1,027,000
Total Other Revenue	\$ 1,027,000
Town Population	9,868
Per Capita	\$ 104
Watertone South Resident Population	1,102
Total Other Revenues	\$ 115,000

Source: NC Department of Revenue, Town of Hillsborough, DPGF, 2023

Stormwater Fees

The Town charges an annual stormwater fee of \$75 per residential property. Annual non-residential stormwater fees are subject to a fee schedule. Annual stormwater fees are estimated in Table 11.

Table 11: Waterstone South Annual Stormwater Fees - Town

Stormwater Fee	Phase 1 Annual	Phase 2 Annual	Total Project Annual
Residential			
Fee per Townhome	\$ 75	\$ 75	\$ 75
Watertone South Townhomes	70	135	205
Stormwater Fee Annual Revenue	\$ 5,000	\$ 10,000	\$ 15,000
Non-Residential (Apartments)			
Tier 5, 200,000 sq. ft. and above	225	225	225
Parcels	12,900	12,900	12,900
Stormwater Fee Annual Revenue	1	1	2
	\$ 13,000	\$ 13,000	\$ 26,000
Non-Residential (Medical Office and Retail)			
Tier 3, 30,001 to 100,000	1,800	1,800	1,800
Parcels	2	1	3
Stormwater Fee Annual Revenue	\$ 4,000	\$ 2,000	\$ 6,000
Total Stormwater Fee Annual Revenue	\$ 22,000	\$ 25,000	\$ 47,000

Source: Town of Hillsborough, DPFPG, 2023

Total Annual General Fund Revenues

At buildout, the Project is projected to generate annual general fund revenue of over \$1.9 million for the Town.

Table 12: Waterstone South Annual General Fund Revenues - Town

General Fund	Annual Revenues
Revenues:	
Property Tax Revenue:	
Property Tax - Real Property	\$ 1,375,000
Property Tax - Business Personal	50,000
Property Tax - Motor Vehicle	61,000
Total Property Tax Revenue	<u>\$ 1,486,000</u>
Local Option Sales Tax	338,000
Auto Decal Fees	20,000
Other Town Revenues	115,000
Total Revenues	<u>\$ 1,959,000</u>
 Stormwater Revenue	 \$ 47,000

Source: DPF, 2023

ANNUAL GENERAL FUND EXPENDITURES

DPFG worked closely with the Town to identify the departments which will generate demand for service from Watertone South and to develop estimates of annual operating and capital costs.

Total Annual General Fund Expenditures

Annual operating expenditures are provided in Table 13 using the case study approach for Police, Fire, and Streets, and the average cost approach for the remaining categories. A full-time equivalent functional population approach was integrated into the per capita demand calculations.

At buildout, Waterstone South is projected to generate annual Town expenditures of \$1.0 million.

Table 13: Waterstone South Annual General Fund Expenditures - Town

Department	Amount
Administration	\$ 26,000
Accounting	15,000
Planning	45,000
Information Technology	31,000
Police	473,000
Fire Protection	265,000
Fleet Maintenance	49,000
Streets	14,000
Solid Waste	34,000
Subtotal	\$ 952,000
Police Vehicles - Annual Debt Service	49,000
Annual Expenditures	\$ 1,001,000

Total Police - Operating and Capital 522,000

Source: Town of Hillsborough, DPGF, 2023

Table 14 provides the assumptions applied in projecting annual operating expenditures using the functional population per capita methodology.

Table 14: Town of Hillsborough Annual General Fund Operating Expenditure Allocation

Department	Personnel, Operating, Cost Alloc. & Debt Service		FY 2024 Budget Less I/F Transfers		Allocation Method	Town Allocation		Demand Multiplier	Adjusted Unit Cost	Waterstone South Population	Annual Expenditures
	FY 2024 Grouping	Cost	Budget Less I/F Transfers	Allocation Base		Unit Cost					
Governing Body	\$ 160,903		160,903	Fixed	-	\$ -	\$ -	\$ -	\$ -	-	\$ -
Administration	802,789		802,789	Funct Pop	12,211	\$ 65.74	0.30	\$ 19.72	1,342	26,000	
Accounting	447,647		447,647	Funct Pop	12,211	\$ 36.66	0.30	\$ 11.00	1,342	15,000	
Planning	1,366,152		1,366,152	Funct Pop	12,211	\$ 111.88	0.30	\$ 33.56	1,342	45,000	
Facilities Management	417,106		417,106	Fixed	-	-	-	-	-	-	
Public Space	649,203		649,203	Fixed	-	-	-	-	-	-	
Safety and Risk Management	289,094		289,094	Fixed	-	-	-	-	-	-	
Information Technology	558,776		558,776	Funct Pop	12,211	\$ 45.76	0.50	\$ 22.88	1,342	31,000	
Police	4,608,623	\$ 4,418,623		Calculated	12,211	\$ 361.86	0.97	\$ 352.10	1,342	473,000	
Fire Protection	1,750,770		1,975,770	Calculated						265,000	
Fleet Maintenance	446,423		446,423	Funct Pop	12,211	\$ 36.56	1.00	\$ 36.56	1,342	49,000	
Streets	1,608,661	1,219,661		Calculated						14,000	
Solid Waste	822,116		822,116	Town Home Population	9,868	\$ 83.31	1.00	\$ 83.31	410	34,000	
Cemetery	15,560		15,560	Fixed	-	-	-	-	-	-	
Special Appropriations	620,768		620,768	Fixed	-	-	-	-	-	-	
Contingency	500,000		500,000	Fixed	-	-	-	-	-	-	
Interfund Transfers	1,457,003			Fixed	-	-	-	-	-	-	
General Fund Expenditures	\$ 16,521,594	\$ 5,638,284	\$ 9,072,307							\$ 952,000	

Source: Town of Hillsborough, DPGF, 2023

Police Services

According to the Town’s Police Chief, the new Waterstone South residents and businesses are expected to generate demand for four (4) new police full-time equivalent (“FTEs”) positions. The annual Operating Cost of \$473,000 and the annual Capital Cost of \$49,000 are projected in Table 15. The total projected annual Police Service cost is \$522,000.

Table 15: Waterstone South Annual Police Expenditures - Town

Operating Cost		Amount
Personnel, Operating, Cost Alloc. & Debt Service Cost		\$4,418,623
Existing FTEs		37.40
Annual Cost per FTE		\$ 118,145
New FTEs		4.00
Annual Personnel, Operating, Cost Alloc & Debt Service Cost		\$ 473,000
Capital Cost		Amount
Town of Hillsborough Existing Level of Service:		
Functional Population		12,211
Police Department FTEs		37.40
Officers per 1,000 Population		3.06
Waterstone South:		
Functional Population		1,342
Officers per 1,000 Population		3.06
Projected Police Department FTEs		4.11
New Police Officers per Police Chief		4.00
Cost of New Vehicle		\$ 45,000
Total Vehicle Cost		\$ 180,000
Interest Rate		4.0%
Term, in Years		4
Annual Police Vehicle Cost		\$ 48,771
Annual Police Vehicle Cost - Rounded		49,000

Source: Town of Hillsborough, DPGF, 2023

Fire Protection Services

The Orange Rural Fire Department (“Fire Department”) provides fire, rescue, hazmat, and emergency medical care services to the Central Orange Fire District and the Town of Hillsborough. The Fire Department estimates Waterstone South will generate demand for 1.5 additional firefighters for each shift at an annual cost of \$265,000 as shown in Table 16.

Table 16: Waterstone South Annual Fire Expenditures – Orange Rural Fire Department

Orange Rural Fire Department Estimate	Amount
Firefighter per Shift	1.5
# of Shifts	3.0
Annual Cost per Firefighter (Including Benefits)	\$ 54,530
Estimated Annual Cost	\$ 245,385
Estimated Cost Radios, Protective Clothing, etc.	\$ 20,000
Estimated Annual Cost	\$ 265,385
Estimated Annual Cost - Rounded	\$ 265,000

Source: Orange Rural Fire Department, Town of Hillsborough, DPFG, 2023

Streets

Capkov Ventures estimates Waterstone South will dedicate approximately 1.632 miles of public roads to the Town. The annualized cost of periodic road resurfacing is provided in Table 17.

Table 17: Waterstone South Annual Streets Expenditures - Town

Description	Amount
Miles of Public Roads	1.632
Resurfacing Cost per Mile	\$ 175,000
Resurfacing Cost	\$ 285,600
Resurfacing Cycle, in years	20
Annualized Resurfacing Cost	\$ 14,280
Annualized Resurfacing Cost - Rounded	\$ 14,000

Source: Capkov Ventures, Inc., Town of Hillsborough, DPFG, 2023

ANNUAL NET FISCAL IMPACT

At buildout, Waterstone South is projected to generate an annual net fiscal benefit of \$958,000 for the Town.

Table 18: Waterstone South Net Fiscal Benefit – Town

General Fund	Annual Revenues
Revenues:	
Property Tax Revenue:	
Property Tax - Real Property	\$ 1,375,000
Property Tax - Business Personal	50,000
Property Tax - Motor Vehicle	61,000
Total Property Tax Revenue	<u>\$ 1,486,000</u>
Local Option Sales Tax	338,000
Auto Decal Fees	20,000
Other Town Revenues	115,000
Total Revenues	<u>\$ 1,959,000</u>
Expenditures:	
Administration	\$ 26,000
Accounting	15,000
Planning	45,000
Information Technology	31,000
Police	522,000
Fire Protection	265,000
Fleet Maintenance	49,000
Streets	14,000
Solid Waste	34,000
Total Expenditures	<u>\$ 1,001,000</u>
Excess Annual General Fund Revenues	<u>\$ 958,000</u>
Stormwater Revenue	<u>\$ 47,000</u>

Source: DPF, 2023

DEVELOPER CONTRIBUTIONS TOWN WATER AND SEWER SYSTEM

As part of the Waterstone South proposal to the Town, Capkov Ventures, Inc. will make a significant contribution to the Town's water and sewer system. The structure of the contribution is divided between the direct construction of needed improvements and accelerated "System Development Fees" for both water and sewer.

1. Direct Construction of Improvement

Capkov Ventures Inc. has proposed constructing the following to improve the existing Town sewer utility infrastructure. The estimated cost of the improvements is \$3.3 million.

- a. Demolish the old Nazarene lift station and construct a new lift station with significantly higher capacity. The new lift station will have the capacity to allow inflows from areas not currently being served along the I-86 corridor.
- b. Eliminate the existing Woods Edge South lift station on Alice Loop Drive and construct a new gravity sewer line. The Woods Edge South lift station is an antiquated lift station constructed to serve the Woods Edge Mobile Home community and was not constructed to municipal standards. The elimination of the lift station and conversion to gravity flow sewer will save the Town significant maintenance and replacement cost in the future.
- c. Run a new larger diameter forced main line from the Nazarene lift station to the Cates Creek Outfall, along Highway I-86 South and Waterstone Drive. This will allow more potential capacity from the public schools to the south and other potential future users.

2. Accelerate System Development Fee Payments

The Town needs to upgrade several elements of their existing system to handle the existing and committed sewer flows, and to add capacity for future development. Capkov Ventures proposes accelerating the System Development Fees for each townhome or apartment in the proposed community upon approval of each phase. This will provide immediate funding for the essential improvements.

The 2023 Sewer System Development Fee per unit is \$3,243, and the total 2023 Water System Development Fee per unit is \$3,864 for a total of \$7,107 per unit.

Table 19 summarizes the proposed developer contribution of \$8.0 million.

Table 19: Proposed Developer Contributions to Water and Sewer System - Town

Description	# of Units	Fees per Unit	Total
Phase II	205	\$ 7,107	\$ 1,456,935
Phase II	225	\$ 7,107	1,599,075
Phase III	225	\$ 7,107	1,599,075
Total System Development Fees	655		\$ 4,655,085
Direct Construction Improvements			3,300,000
Total Proposed Developer Contribution			\$ 7,955,085

Source: Capkov Ventures, Inc, 2023

KEY ASSUMPTIONS AND METHODOLOGY

METHODOLOGY AND KEY ASSUMPTIONS

Because substantial growth is projected for the Research Triangle area over the next decade, the residential and commercial impacts in this analysis are considered “new.” For example, even if new residents do not directly purchase or rent homes in the Project, vacancies left by existing residents will make existing units available for new residents. Likewise, population and job growth are expected to fuel the demand for the new commercial facilities in Waterstone South.

Market values for the residential properties in Waterstone South were estimated by Capkov Ventures, Inc. Residential market values were converted to taxable values by applying a (1) cost index to adjust values to the most recent County reappraisal (January 1, 2021) and (2) cost of sales factor. Non-residential tax values per product type were based on assessed values (January 1, 2021) of comparable Orange County properties.

The fiscal impact analysis of Waterstone South uses a marginal/average cost hybrid methodology to determine the Project’s impact on capital and operating costs. Revenues, such as property taxes, were projected on a marginal basis, whereas other revenues attributable to growth were reflected on an average cost basis. A full-time equivalent functional population approach was used in the per capita demand calculations to estimate certain annual expenditures.

The Town’s fiscal year (“FY”) 2024 budget forms the basis for the service levels and revenue and cost assumptions. This “snapshot” approach does not attempt to speculate how services, costs, revenues, and other factors will change over time. Instead, it evaluates the fiscal impact to the Town as it conducts business under the current budget. Tax rates in effect for FY 2024 are also held constant in this analysis.

All amounts in this report are presented in constant dollars (2023). Results are rounded to the nearest one thousand dollars (\$1,000).

The impacts of self-supporting funds (e.g., enterprise funds) were not included in this analysis as is typical in fiscal impact analysis. Utility rates and capacity fees are established through independent studies. Public utilities generally benefit from economies of scale (i.e., more customers) since rate structures are dependent upon recovering infrastructure costs which are considered fixed from a cost accounting perspective.

Supporting tables are provided in the Appendix.

GENERAL LIMITING CONDITIONS

Every reasonable effort has been made to ensure that the data contained in this report are accurate as of the date of this study; however, factors exist that are outside the control of DPFG and that may affect the estimates and/or projections noted herein. This study is based on estimates, assumptions and other information developed by DPFG from its independent research effort, general knowledge of the industry, and information provided by and consultations with the client and the client's representatives. No responsibility is assumed for inaccuracies in reporting by the client, the client's agent and representatives, or any other data source used in preparing or presenting this study.

This report is based on information that was current as of October 2023 and DPFG has not undertaken any update of its research effort since such date.

Because future events and circumstances, many of which are not known as of the date of this study, may affect the estimates contained therein, no warranty or representation is made by DPFG that any of the projected values or results contained in this study will actually be achieved.

Possession of this study does not carry with it the right of publication thereof or to use the name of DPFG in any manner without first obtaining the prior written consent of DPFG. No abstracting, excerpting or summarization of this study may be made without first obtaining the prior written consent of DPFG. This report is not to be used in conjunction with any public or private offering of securities, debt, equity, or other similar purpose where it may be relied upon to any degree by any person other than the client, nor is any third party entitled to rely upon this report, without first obtaining the prior written consent of DPFG. This study may not be used for purposes other than that for which it is prepared or for which prior written consent has first been obtained from DPFG. Any changes made to the study, or any use of the study not specifically prescribed under agreement between the parties or otherwise expressly approved by DPFG, shall be at the sole risk of the party making such changes or adopting such use.

This study is qualified in its entirety by, and should be considered in light of, these limitations, conditions and considerations.

APPENDIX

Appendix Table 1: Fiscal Assumptions - Town

Town of Hillsborough	
0.587	FY 2024 Property Tax Rate per \$100
97.00%	Collection %
\$ 30	Motor License Vehicle Fee
\$ 1,433,315,493	2022-23 Countywide Motor Vehicle Valuation
148,197	Countywide Population NCDOR (July 2023)
9,601	Town Population - NCDOR (July 2023)
4,614	Town Employed Population 16+ 2020 ACS 5-Year Est.
9,868	Town Population - Town of Hillsborough (State Demographer)
Census.Gov Single Family Construction Price Index	
185.1	August 2022
143.2	January 1, 2021 (December 2020)
0.7736	Ratio
6%	Single Family Residential Cost of Sales Factor
Census.Gov Multi-Family Construction Price Index	
195.9	Second Quarter 2022
179.9	January 1, 2021 (December 2020)
0.9183	Ratio
5%	MF Residential Cost of Sales Factor
Stormwater Fee	
\$ 75	Residential per Year
\$ 1,800	Non-Residential 30,001 to 100,000 sq. ft.
System Development Fee - Residential	
\$ 3,864	Water Treatment per Unit
\$ 3,243	Wastewater Treatment per Unit

Source: Town of Hillsborough, Census. Gov, NCDOR, DPGF, 2023

Appendix Table 2: Orange County Persons per Housing Unit

Housing Type	Units		Population B25033	Persons per Housing Unit
	B25024	Units		
1, detached	38,129			
1, attached	5,180	43,309	104,923	2.42
2	860			
3 to 4	2,091	2,951	4,839	1.64
5 to 9	3,075			
10 to 19	3,408			
20 to 49	1,880			
50 or more	3,658	12,021	18,466	1.54
Mobile Home	3,480	3,480	8,361	2.40
Boat, RV, Van	-	-	-	
Total	61,761	61,761	136,589	2.21
Townhome - per Town of Hillsborough				2.00

Source: 2021 ACS Estimates for Orange County, NC, DPGF, 2023

Appendix Table 3: Functional Population Calculations

Town of Hillsborough				
Full-Time Equivalent Functional Population				
Description	Hillsborough Population	24/7		%
		Functional Population Coefficient	24/7 Functional Population	
Working $\frac{(24 \times 7) - (9 \times 5)}{24 \times 7}$	4,614	0.7321	3,378	
Non-Working (24/24)	5,254	1.0000	5,254	
Permanent Population	9,868	0.8747	8,632	71%
Hillsborough Employment Population				
Agriculture Forestry, Fishing, & Hunting	77	0.3002	23	
Construction	319	0.3002	96	
Manufacturing	196	0.2904	57	
Transportation	10	0.3002	3	
Communication	19	0.3002	6	
Utility	30	0.3002	9	
Wholesale Trade	571	0.3095	177	
Retail Trade	2,942	0.8663	2,549	
Finance, Insurance, Real Estate	347	0.3064	106	
Hotels & Lodging	31	0.3714	12	
Automotive Services	33	0.3002	10	
Health Services	656	0.4747	311	
Legal Services	63	0.3064	19	
Education Institutions & Libraries	749	0.2679	201	
Other Services	1,460	0.3002	438	
Government	1,592	0.4066	647	
Unclassified	100	0.3002	30	
Total	9,195	0.3892	3,579	29%
Full-Time Equivalent Functional Population			12,211	100%
Waterstone South				
Waterstone South	Estimated Residents/ Employees	24/7		%
		Functional Population Coefficient	24/7 Functional Population	
Apartments	692	0.8747	605	
Townhomes	410	0.8747	359	
Total Projected Residents	1,102	0.8748	964	72%
Projected Employees				
Office	876	0.3064	268	
Retail	113	0.8663	98	
Day Care	25	0.4747	12	
Total Employees	1,014	0.3729	378	28%
Full-Time Equivalent Functional Population			1,342	100%

Source: 2021 ACS Estimates for Town of Hillsborough, NC, Town of Hillsborough, NC, DPGF, 2023

Waterstone South Neighborhood Meeting - October 10, 2023 at 7:00 pm.

Issues Raised

1. Open Space as part of the Trailer Park Development:

A neighbor mentioned that a portion of land south of the trailer park was supposed to be kept as open space. This agreement was potentially part of the approval process because (according to the neighbor) more trailers were allowed to be installed than normal. He also mentioned that an attorney said that a portion of the parcel could never be developed.

The developer responded that no such restriction was found during the title search phase of the acquisition but said that the issue would be investigated further.

The developer also mentioned that this is a very early stage in the process and that landscape buffers and open spaces have not been finalized yet.

2. Taxes:

A neighbor wondered if their taxes would increase because of the annexation.

Neighboring properties will not be annexed as part of this process and by law, the Town of Hillsborough cannot force them to be annexed.

3. Housing:

A neighbor asked how many houses would be built.

Residential units will consist of apartments and townhomes, and they will serve people working at the hospital and other nearby businesses. The current proposal includes 450 apartments and 205 townhomes.

4. Traffic:

a. Several neighbors mentioned that traffic in the area has increased in recent years.

A traffic impact analysis (TIA) was performed. The TIA concluded that by the time the project is completed in 2033, a traffic signal should be installed at the intersection of NC 86 and Waterstone Drive. Turn lanes into the project are also recommended on NC 86 and New Hope Church Road. These measures should help minimize impacts to traffic in the area.

- b. Someone asked if any potential turn lanes would impact their property. Any right of way expansion would only affect this project. A neighbor mentioned that people are unable to cross Hwy 86 at AL Stanback Middle School because of traffic.

The developer said they would look at putting a traffic signal in that area. Sidewalks will be installed to make the area more walkable.

- c. Another neighbor worried that they would lose land because Hwy 86 might be widened to 4 lanes.

There is currently no indication that Hwy 86 will be widened, or additional right of way acquired.

- d. Someone worried that traffic would impact them on Scarlett Mountain Road.

An entrance is not being proposed along that edge of the project.

5. Safety:

A neighbor mentioned that there have been bad auto accidents in the area and more traffic will make it worse.

The project will be built in phases over a period of about ten years. During that time as traffic counts warrant, traffic signals and turn lanes will be installed.

Changes Made in Response to Issues Raised

1. The applicant has changed the Master Plan by significantly increasing open space along the southern property line to the site. The plan has been changed to reflect a minimum of 100' of permanent open space along the southern property line adjacent to Scarlett Mountain Road. The 100' buffer then turns north to buffer the property and the northwest corner of Scarlett Mountain Road and Highway 86 South. The open space that separates the proposed community from Scarlett Mountain Road will ensure that there will be no vehicular connection between the community and Scarlett Mountain Road. Orange County does not require any buffer between residential uses in this residential zoning district.
2. There is roughly 10 acres of rural buffer in the southwestern corner of the site. The applicant had proposed the 10 acres to be used for a park containing youth baseball and soccer fields. The applicant had eliminated the playfields and will dedicate the entire 10 acres as permanent open space. This will provide a 10-acre undisturbed wooded open space between the proposed community and the western section of Scarlett Mountain Road.

3. Additional open space buffers have been added in the northern and western portions of the site to add buffering from I-40 and protect environmentally sensitive tree stands, steep slopes, and creeks.
4. The applicant has verified that no widenings outside our property and the existing right of way will need to be acquired.

**BOARD OF COMMISSIONERS
TOWN OF HILLSBOROUGH, NORTH CAROLINA**

Consistency Statement per Section 160D-605

*Request to amend the Official Zoning Map for the Town of Hillsborough -
Waterstone South Planned Development District*

September 9, 2024

The Board of Commissioners for the Town of Hillsborough has received and reviewed the request from Capkov Ventures, Inc. and Woodsedge Properties, LLC to amend the town's Official Zoning Map as follows:

- *Rezone approximately 99.14 acres from R1 (County), EDH-2 (County), and ESU (Town) to a Planned Development (PD) district for apartments, townhomes, and various nonresidential uses, such as medical, hospital, office, and neighborhood commercial*
(Parcel Identification Numbers: 9873-42-2375; 9873-42-5271; 9873-42-5076; 9873-41-5972; 9873-41-6716; 9873-51-0737; 9873-50-2573; 9873-50-4152; 9872-49-0872; and a portion of 9873-41-0172)

The Board of Commissioners has determined that the proposed rezoning **is/is not consistent** with the town's Comprehensive Sustainability Plan (CSP) because:

1. The proposed amendment **is/is not consistent** with the *Land Use and Development* chapter goal to "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.

2. The proposed regulations **advance/do not advance** identified goals and strategies found in the CSP and promote public health, safety, and welfare by creating more diversity in the town's housing stock, creating more affordable housing options in the community, and adding commercial development at Waterstone Drive and NC 86 S.

The foregoing consistency statement, having been submitted to a vote, received the following vote and was duly adopted this 9th day of September in the year 2024.

Ayes:

Noes:

Absent or excused:

Sarah E. Kimrey, Town Clerk



ORDINANCE

Annexing certain contiguous property to the Town of Hillsborough, NC
Waterstone South, a Planned Development

WHEREAS, a petition was received requesting the annexation of Parcel Identification Numbers 9873-42-2375; 9873-42-5271; 9873-42-5076; 9873-41-5972; 9873-41-6716; 9873-51-0737; 9873-50-2573; 9873-50-4152; 9872-49-0872; and a portion of 9873-41-0172, which are located south of Waterstone Drive, west of NC 86 S, north of E. Scarlett Mountain Road, and east of I-40 and together total 97.016 acres in area;

WHEREAS, the petition was signed by the owners of all the real property located within such area; and

WHEREAS, a public hearing on the annexation was held on August 15, 2024, following notice of said hearing being published in the *News of Orange County* in accordance with NC GS § 160A-31 (c).

Now, therefore, the Board of Commissioners for the Town of Hillsborough ordains:

- Section 1.** The petition requesting the annexation of the area described in Section 2 was properly signed by the owners of all the real property located within such area and that such area is contiguous to the boundaries of the Town of Hillsborough, as the term “contiguous” is defined in NC GS § 160A-31 (f).
- Section 2.** The area shown and described hereto in Exhibits A and B is hereby annexed and made part of the Town of Hillsborough.
- Section 3.** This ordinance shall become effective upon adoption.
- Section 4.** The Town Clerk shall cause an accurate map of the annexed territory described in Section 2 together with a duly certified copy of this ordinance to be recorded in the office of the Register of Deeds of Orange County. Such a map shall also be delivered to the Orange County Board of Elections as required by NC GS § 163-288.1.

The foregoing ordinance, having been submitted to a vote, received the following vote and was duly adopted this 9th day of September in the year 2024.

Ayes:

Noes:

Absent or excused:

Sarah E. Kimrey, Town Clerk

STATE OF NORTH CAROLINA
COUNTY OF ORANGE

I, _____, a Notary Public of the County and State aforesaid, certify that Sarah E. Kimrey personally appeared before me this day and acknowledged that she is the Town Clerk for the Town of Hillsborough, a North Carolina municipal corporation, and that she, as Town Clerk, being duly authorized to do so, executed the foregoing instrument to acknowledge that it is an Annexation Ordinance duly adopted by the Town of Hillsborough Board of Commissioners on the date indicated.

Witness my hand and official seal, this the ____ day of _____, 2024.

Notary Public Signature

(Official Seal)

My commission expires: _____

**EXHIBIT A
LEGAL DESCRIPTION**

**PARCEL DESCRIPTION - NORTH ANNEX
14.283 ACRES**

Situated in the State of North Carolina, County of Orange, Hillsborough Township and being all of that 4.451 acre tract conveyed to Capkov Ventures, Inc. of record in Deed Book 6653, Page 1382, all of that 3.980 acre tract conveyed to Capkov Ventures Inc. in Deed Book 6728, Page 908, all of that 4.013 acre tract conveyed to Capkov Ventures, Inc. in Deed Book 6728, Page 908, all of that 0.920 acre tract conveyed to Capkov Ventures, Inc. in Deed Book 6728, Page 231, and all of that 0.919 acre tract conveyed to Capkov Ventures, Inc. in Deed Book 6822, Page 565 in the Office of the Register of Deeds of Orange County, North Carolina, and being more particularly bounded and described as follows;

Beginning, at an iron pipe found at the southeastern corner of a 2.134 acre tract conveyed to Capkov Ventures Inc. of record in Deed Book 6718, Page 1700, being on the westerly line of a 15.8 acre tract conveyed to Crabtree Glenn, LLC of record in Deed Book 6009, Page 565, being the northeastern corner of said 4.451 acre tract and having State Plane Ground Coordinates (NAD 83 – 2011 Adjustment): Northing 832390.8190, Easting 1975249.9620;

Thence **S 01° 05' 37" E**, with the easterly line of said 4.451 acre tract, said 3.980 acre tract, said 4.013 acre tract and said 0.919 acre tract, and the westerly line of said 15.8 acre tract a distance of **635.30 feet** to an iron pipe found along the westerly line of said 15.8 acre tract, the northern right-of-way of Phoebe Drive and being the southeastern corner of said 0.919 acre tract;

Thence **S 85° 58' 04" W**, along the northern right-of-way of said Phoebe Drive a distance of **217.33 feet** to an iron pipe found at the southeastern corner of a 0.918 acre tract conveyed to Roger Stephens of record in Deed Book 4444, Page 274;

Thence along the common lines of said 0.919 acre tract, said 0.918 acre tract, said 4.013 acre tract and said 0.920 acre tract the following three (3) courses:

N 01° 09' 34" W, a distance of **186.96 feet** to an iron pipe found;

S 87° 21' 19" W, a distance of **210.98 feet** to an iron pipe found;

S 01° 09' 57" E, a distance of **192.08 feet** to an iron pipe found along the northern right-of-way of said Phoebe Drive and being the southwestern corner of said 0.918 acre tract;

Thence **S 85° 58' 04" W**, along said Phoebe Drive right-of-way a distance of **205.70 feet** to an iron pipe set at the southeastern corner of that 3.206 acre tract conveyed to Worth and Deanna Overman of record in Deed Book 664, Page 551;

Thence along the common lines of said 3.206 acre tract, said 0.920 acre tract and said 4.013 acre tract the following two (2) courses:

N 01° 14' 22" W, a distance of **197.87 feet** to an iron pipe found;

S 87° 19' 37" W, a distance of **598.88 feet** to an iron pipe found at the northeastern corner of said 3.206 acre tract, being on the easterly line of a 57.7 acre tract conveyed to the University of North Carolina Hospitals at Chapel Hill #319 in Deed Book 4832, Page 301 and being the southwestern corner of said 4.013 acre tract;

Thence **N 07° 36' 56" W**, along the common line of said 57.7 acre tract, said 4.013 acre tract, said 3.980 acre tract, and said 4.451 acre tract a distance of **410.56 feet** to an iron pipe set at the southwestern corner of said 2.134 acre tract and being the northwestern corner of said 4.451 acre tract;

Thence **N 85° 23' 33" E**, with the common line of said 2.134 acre tract and said 4.451 acre tract a distance of **1281.55 feet** to the **Point of Beginning**, and containing **14.283 acres** of land, more or less, as calculated by the above courses. Subject, to all legal restrictions, easements and/or right-of-way.

The above description was prepared by James D. Whitacre, P.L.S. L-5273 on July 2, 2024. This description is based on existing records from the Orange County Register of Deeds and an actual field survey by Advanced Civil Design, Inc. completed in September, 2023.

The **Basis of Bearings** used in this description is based upon monuments established by the National Geodetic Survey (NAD 83, 2011 Adjustment) and was determined using GPS equipment and procedures.

All references used in this description can be found at the Register of Deeds, Orange County, North Carolina.

PARCEL DESCRIPTION - SOUTHERN ANNEX
82.733 ACRES

Situated in the State of North Carolina, County of Orange, Hillsborough and Chapel Hill Townships and being all of that 13.697 acre tract conveyed to Capkov Ventures, Inc. of record in Deed Book 6820, Page 513, all of that 52.803 acre tract conveyed to Capkov Ventures, Inc. of record in Deed Book 6812, Page 98, a portion of that 16.409 acre tract conveyed to Capkov Ventures, Inc. of record in Deed Book 6540, Page 1 and a portion of that 48.313 (orig.) tract conveyed to Woodsedge Properties, LLC in Deed Book 1852, Page 224 in the Office of the Register of Deeds of Orange County, North Carolina, and being more particularly bounded and described as follows;

Beginning, at an iron pipe found in the westerly right-of-way of NC Highway 86, the southeasterly corner of said 13.697 acre tract, the northeasterly corner of said 52.803 acre tract and having State Plane Ground Coordinates (NAD 83 – 2011 Adjustment): Northing 829806.807, Easting 1976136.323;

Thence **S 09° 40' 00" E**, with the easterly line of said 52.803 acre tract and said right-of-way a distance of **118.52 feet** to an iron pipe set at the northeastern corner of a 5.108 acre tract conveyed to Advisory Board of the NC District Church of Nazarene of record in Deed Book 600, Page 329;

Thence with the common line of said 5.108 acre tract and said 52.803 acre tract the following two (2) courses:

S 88° 49' 38" W, a distance of **679.62 feet** to an iron pipe set;

S 09° 42' 51" E, a distance of **280.89 feet** to an iron pipe found at the southwestern corner of said 5.108 acre tract and being the northwestern corner of a 5.381 acre tract conveyed to Santos Guadalupe Mejia Reyes and Alicia Suyapa Mejia Vasquez of record in Deed Book 6637, Page 1403;

Thence **S 09° 35' 31" E**, with the common line of said 5.381 acre tract and said 52.803 acre tract a distance of **337.73 feet** to an iron pipe found at the northern right-of-way of Scarlette Mountain Road (private);

Thence **S 09° 35' 31" E**, across said right-of-way a distance of **29.05 feet** to a point on the center line of said Scarlette Mountain Road and being the southeasterly corner of said 52.803 acre tract;

Thence with the centerline of said Scarlette Mountain Road the following four (4) courses:

N 80° 27' 53" W, a distance of **449.66 feet** to a point;

N 87° 17' 53" W, a distance of **222.63 feet** to a point;

N 89° 46' 53" W, a distance of **199.58 feet** to a point;

N 73° 28' 04" W, a distance of **121.53 feet** to a point in the easterly line of a 7.87 acre tract conveyed to Karen Jordan of record in Deed Book 359, Page 169;

Thence with the common line of said 52.803 acre tract and said 7.87 acre tract the following two courses;

N 00° 28' 17" E, a distance of **36.71 feet** to an iron pipe found;

S 89° 39' 52" W, a distance of **942.40 feet** to a point on the easterly right of way of Interstate 40;

Thence with the westerly line of said 52.803 acre tract, the easterly right-of-way of said Interstate 40, the following six courses;

N 10°05' 55" W, a distance of **185.45 feet** to a concrete monument found;

N 13°40' 27" W, a distance of **305.71 feet** to a concrete monument found;

With a curve to the left, having a chord bearing and distance of N 16° 38' 15" W, **594.24 feet**, a radius of **3952.94 feet**, a central angle of **08° 37' 17"**, and an arc length of **594.80 feet** to a rebar found;

N 70°03' 27" E, a distance of **15.10 feet** to a concrete monument found;

N 12°43' 48" W, a distance of **154.12 feet** to a concrete monument found;

With a curve to the left, having a chord bearing and distance of N 24° 03' 34" W, **130.79 feet**, a radius of **3994.72 feet**, a central angle of **01° 52' 34"**, and an arc length of **130.80 feet** to a point in the centerline of a stream, the southwesterly corner of that 0.218 acre tract conveyed to North Carolina Department of Transportation of record in Deed Book 6814, Page 224;

Thence with the centerline of the stream, the common line of said 0.218 acre tract and said 52.803 acre tract the following seven (7) courses;

N 51°53' 36" E, a distance of **19.81 feet** to a point;

N 65°44' 56" E, a distance of **14.85 feet** to a point;

N 87°59' 35" E, a distance of **10.37 feet** to a point;

S 21°18' 06" E, a distance of **13.55 feet** to a point;

S 10°49' 00" E, a distance of **14.94 feet** to a point;

S 60°12' 19" E, a distance of **16.24 feet** to a point;

N 83°11' 17" E, a distance of **5.02 feet** to a point at the southeasterly corner of said 0.218 acre tract, southwesterly corner of said 48.313 (orig.) acre tract;

Thence with the common line of said 48.313 (orig.) acre tract and said 0.218 acre tract the following three courses;

N 09°42' 11" W, a distance of **6.91 feet** to a point;

N 24°51' 58" W, a distance of **53.01 feet** to a point;

N 37°12' 08" W, a distance of **329.50 feet** to a concrete monument found on the easterly right-of-way of said Interstate 40;

Thence with the westerly line of said 48.313 (orig.) acre tract, the easterly right-of-way of said Interstate 40 the following two (2) courses;

N 36°05' 34" W, a distance of **104.78 feet** to a concrete monument found;

With a curve to the left, having a chord bearing and distance of **N 36° 44' 37" W, 747.03 feet**, a radius of **3984.72 feet**, a central angle of **10° 45' 26"**, and an arc length of **748.12 feet** to a point at the northwesterly corner of said 48.313 (orig.) acre tract the southwesterly corner of that 57.7 acre tract conveyed to University of North Carolina Hospitals at Chapel Hill #319 of record in Deed Book 4832, Page 301;

Thence **S 89° 58' 08" E**, with the common line of said 48.313 (orig.) acre tract and said 57.7 acre tract a distance of **106.08 feet** to a point;

Thence **S 35° 32' 16" E**, across said 48.313 (orig.) acre tract, a distance of **1211.14 feet** to a point in the centerline of the creek, the southerly line of said 48.313 (orig.) acre tract, the northerly line of said 52.803 acre tract;

Thence with the centerline of said creek, the common line of said 48.313 (orig.) acre tract and said 52.803 acre tract the following twenty-two courses;

S 79°54' 09" E, a distance of **15.47 feet** to a point;

S 87°24' 39" E, a distance of **27.59 feet** to a point;

N 78°38' 06" E, a distance of **22.76 feet** to a point;

N 84°18' 24" E, a distance of **19.35 feet** to a point;

S 72°25' 59" E, a distance of **70.41 feet** to a point;

N 69°27' 22" E, a distance of **13.58 feet** to a point;

N 55°59' 25" E, a distance of **16.05 feet** to a point;

S 64°00' 12" E, a distance of **11.36 feet** to a point;

S 80°43' 27" E, a distance of **28.61 feet** to a point;

N 58°34' 08" E, a distance of **7.81 feet** to a point;

N 82°04' 36" E, a distance of **27.81 feet** to a point;

N 69°02' 05" E, a distance of **31.39 feet** to a point;

S 70°48' 35" E, a distance of **57.04 feet** to a point;

S 49°54' 40" E, a distance of **45.06 feet** to a point;

S 89°28' 32" E, a distance of **41.22 feet** to a point;

S 48°46' 48" E, a distance of **36.86 feet** to a point;

N 77°03' 15" E, a distance of **44.59 feet** to a point;

N 69°17' 26" E, a distance of **42.52 feet** to a point;

N 48°34' 08" E, a distance of **31.88 feet** to a point;

S 63°48' 18" E, a distance of **73.07 feet** to a point;

N 90°00' 00" E, a distance of **302.17 feet** to a point;

N 61°54' 05" E, a distance of **184.24 feet** to a point;

S 71°37' 17" E, a distance of **86.76 feet** to a point on the westerly line of said 16.409 acre tract, the southeasterly corner of said 48.313 (orig.) acre tract;

Thence N 00° 16' 18" E, with the common line of said 48.313 (orig.) acre tract and said 16.409 acre tract a distance of **174.79 feet** to an iron pipe set;

Thence across said 16.409 acre tract the following two courses;

S 89°23' 25" E, a distance of **626.12 feet** to an iron pipe set;

N 01°11' 36" E, a distance of **138.91 feet** to an iron pipe set at the southeasterly corner of that 3.77 acre tract conveyed to Roger Stephens of record in Deed Book 1638, Page 6, the southwesterly corner of that 8.35 acre tract conveyed to Lillie Mangum of record in Deed Book 232, Page 1392;

Thence S 89° 23' 25" E, with the common line of said 16.409 acre tract and said 8.35 acre tract a distance of **719.04 feet** to an iron pipe set on the westerly right-of-way of said State Route 86;

Thence with the westerly right-of-way of said State Route 86, the following two (2) courses:

S 08° 55' 32" E, with a distance of **506.04 feet** to a rebar found at the southeasterly corner of said 16.409 acre tract, the northeasterly corner of said 13.697 acre tract;

S 10° 28' 14" E, with a distance of **518.50 feet** to the **Point of Beginning**, and containing **82.733 acres** of land, more or less, as calculated by the above courses. Subject, to all legal restrictions, easements and/or right-of-way.

The above description was prepared by James D. Whitacre, P.L.S. L-5273 on July 2, 2024. This description is based on existing records from the Orange County Register of Deeds and an actual field survey completed by Advanced Civil Design, Inc. in September, 2023.

The **Basis of Bearings** used in this description is based upon monuments established by the National Geodetic Survey (NAD 83, 2011 Adjustment) and was determined using GPS equipment and procedures.

All references used in this description can be found at the Register of Deeds, Orange County, North Carolina.

ADVANCED CIVIL DESIGN, INC.



ORDINANCE

Amending the Official Zoning Map for the Town of Hillsborough Waterstone South, a Planned Development

WHEREAS, an application was made to amend the Official Zoning Map for the Town of Hillsborough, specifically to rezone 99.14 acres of property described hereto and identified as Parcel Identification Numbers 9873-42-2375; 9873-42-5271; 9873-42-5076; 9873-41-5972; 9873-41-6716; 9873-51-0737; 9873-50-2573; 9873-50-4152; 9872-49-0872; and a portion of 9873-41-0172 to *Planned Development (PD)*;

WHEREAS, the application was referred to the town Planning Board for its recommendation, and the Planning Board has provided the town board with a written recommendation addressing the consistency of the proposed rezoning amendment with the town's comprehensive plan and such other matters as the Planning Board deemed appropriate;

WHEREAS, the applicant and the Board of Commissioners have negotiated and mutually agreed to a list of conditions to be placed on the zoning district as allowed under NC GS § 160D-703 (b); and

WHEREAS, the town board has, prior to acting on the application, adopted a statement describing the consistency of the proposed rezoning with the town's comprehensive plan and explaining why the action contemplated by the town board as reflected herein is reasonable and in the public interest.

Now, therefore, the Board of Commissioners for the Town of Hillsborough ordains:

- Section 1.** The Official Zoning Map of the Town of Hillsborough is hereby amended to rezone the 99.14 acres of property shown and described hereto in Exhibits A and B to *Planned Development (PD)*.
- Section 2.** As part of this rezoning, the aforementioned property is subject to the conditions attached hereto as Exhibit C, to which both the applicant and the Board of Commissioners have mutually agreed.
- Section 3.** All provisions of any town ordinance in conflict with this ordinance are repealed.
- Section 4.** This ordinance shall become effective upon adoption.

The foregoing ordinance, having been submitted to a vote, received the following vote and was duly adopted this 9th day of September in the year 2024.

Ayes:

Noes:

Absent or excused:

Sarah E. Kimrey, Town Clerk

**EXHIBIT A
LEGAL DESCRIPTION**

**PARCEL DESCRIPTION - NORTH ANNEX
14.283 ACRES**

Situated in the State of North Carolina, County of Orange, Hillsborough Township and being all of that 4.451 acre tract conveyed to Capkov Ventures, Inc. of record in Deed Book 6653, Page 1382, all of that 3.980 acre tract conveyed to Capkov Ventures Inc. in Deed Book 6728, Page 908, all of that 4.013 acre tract conveyed to Capkov Ventures, Inc. in Deed Book 6728, Page 908, all of that 0.920 acre tract conveyed to Capkov Ventures, Inc. in Deed Book 6728, Page 231, and all of that 0.919 acre tract conveyed to Capkov Ventures, Inc. in Deed Book 6822, Page 565 in the Office of the Register of Deeds of Orange County, North Carolina, and being more particularly bounded and described as follows;

Beginning, at an iron pipe found at the southeastern corner of a 2.134 acre tract conveyed to Capkov Ventures Inc. of record in Deed Book 6718, Page 1700, being on the westerly line of a 15.8 acre tract conveyed to Crabtree Glenn, LLC of record in Deed Book 6009, Page 565, being the northeastern corner of said 4.451 acre tract and having State Plane Ground Coordinates (NAD 83 – 2011 Adjustment): Northing 832390.8190, Easting 1975249.9620;

Thence **S 01° 05' 37" E**, with the easterly line of said 4.451 acre tract, said 3.980 acre tract, said 4.013 acre tract and said 0.919 acre tract, and the westerly line of said 15.8 acre tract a distance of **635.30 feet** to an iron pipe found along the westerly line of said 15.8 acre tract, the northern right-of-way of Phoebe Drive and being the southeastern corner of said 0.919 acre tract;

Thence **S 85° 58' 04" W**, along the northern right-of-way of said Phoebe Drive a distance of **217.33 feet** to an iron pipe found at the southeastern corner of a 0.918 acre tract conveyed to Roger Stephens of record in Deed Book 4444, Page 274;

Thence along the common lines of said 0.919 acre tract, said 0.918 acre tract, said 4.013 acre tract and said 0.920 acre tract the following three (3) courses:

N 01° 09' 34" W, a distance of **186.96 feet** to an iron pipe found;

S 87° 21' 19" W, a distance of **210.98 feet** to an iron pipe found;

S 01° 09' 57" E, a distance of **192.08 feet** to an iron pipe found along the northern right-of-way of said Phoebe Drive and being the southwestern corner of said 0.918 acre tract;

Thence **S 85° 58' 04" W**, along said Phoebe Drive right-of-way a distance of **205.70 feet** to an iron pipe set at the southeastern corner of that 3.206 acre tract conveyed to Worth and Deanna Overman of record in Deed Book 664, Page 551;

Thence along the common lines of said 3.206 acre tract, said 0.920 acre tract and said 4.013 acre tract the following two (2) courses:

N 01° 14' 22" W, a distance of **197.87 feet** to an iron pipe found;

S 87° 19' 37" W, a distance of **598.88 feet** to an iron pipe found at the northeastern corner of said 3.206 acre tract, being on the easterly line of a 57.7 acre tract conveyed to the University of North Carolina Hospitals at Chapel Hill #319 in Deed Book 4832, Page 301 and being the southwestern corner of said 4.013 acre tract;

Thence **N 07° 36' 56" W**, along the common line of said 57.7 acre tract, said 4.013 acre tract, said 3.980 acre tract, and said 4.451 acre tract a distance of **410.56 feet** to an iron pipe set at the southwestern corner of said 2.134 acre tract and being the northwestern corner of said 4.451 acre tract;

Thence **N 85° 23' 33" E**, with the common line of said 2.134 acre tract and said 4.451 acre tract a distance of **1281.55 feet** to the **Point of Beginning**, and containing **14.283 acres** of land, more or less, as calculated by the above courses. Subject, to all legal restrictions, easements and/or right-of-way.

The above description was prepared by James D. Whitacre, P.L.S. L-5273 on July 2, 2024. This description is based on existing records from the Orange County Register of Deeds and an actual field survey by Advanced Civil Design, Inc. completed in September, 2023.

The **Basis of Bearings** used in this description is based upon monuments established by the National Geodetic Survey (NAD 83, 2011 Adjustment) and was determined using GPS equipment and procedures.

All references used in this description can be found at the Register of Deeds, Orange County, North Carolina.

PARCEL DESCRIPTION - SOUTHERN ANNEX
82.733 ACRES

Situated in the State of North Carolina, County of Orange, Hillsborough and Chapel Hill Townships and being all of that 13.697 acre tract conveyed to Capkov Ventures, Inc. of record in Deed Book 6820, Page 513, all of that 52.803 acre tract conveyed to Capkov Ventures, Inc. of record in Deed Book 6812, Page 98, a portion of that 16.409 acre tract conveyed to Capkov Ventures, Inc. of record in Deed Book 6540, Page 1 and a portion of that 48.313 (orig.) tract conveyed to Woodsedge Properties, LLC in Deed Book 1852, Page 224 in the Office of the Register of Deeds of Orange County, North Carolina, and being more particularly bounded and described as follows;

Beginning, at an iron pipe found in the westerly right-of-way of NC Highway 86, the southeasterly corner of said 13.697 acre tract, the northeasterly corner of said 52.803 acre tract and having State Plane Ground Coordinates (NAD 83 – 2011 Adjustment): Northing 829806.807, Easting 1976136.323;

Thence **S 09° 40' 00" E**, with the easterly line of said 52.803 acre tract and said right-of-way a distance of **118.52 feet** to an iron pipe set at the northeastern corner of a 5.108 acre tract conveyed to Advisory Board of the NC District Church of Nazarene of record in Deed Book 600, Page 329;

Thence with the common line of said 5.108 acre tract and said 52.803 acre tract the following two (2) courses:

S 88° 49' 38" W, a distance of **679.62 feet** to an iron pipe set;

S 09° 42' 51" E, a distance of **280.89 feet** to an iron pipe found at the southwestern corner of said 5.108 acre tract and being the northwestern corner of a 5.381 acre tract conveyed to Santos Guadalupe Mejia Reyes and Alicia Suyapa Mejia Vasquez of record in Deed Book 6637, Page 1403;

Thence **S 09° 35' 31" E**, with the common line of said 5.381 acre tract and said 52.803 acre tract a distance of **337.73 feet** to an iron pipe found at the northern right-of-way of Scarlette Mountain Road (private);

Thence **S 09° 35' 31" E**, across said right-of-way a distance of **29.05 feet** to a point on the center line of said Scarlette Mountain Road and being the southeasterly corner of said 52.803 acre tract;

Thence with the centerline of said Scarlette Mountain Road the following four (4) courses:

N 80° 27' 53" W, a distance of **449.66 feet** to a point;

N 87° 17' 53" W, a distance of **222.63 feet** to a point;

N 89° 46' 53" W, a distance of **199.58 feet** to a point;

N 73° 28' 04" W, a distance of **121.53 feet** to a point in the easterly line of a 7.87 acre tract conveyed to Karen Jordan of record in Deed Book 359, Page 169;

Thence with the common line of said 52.803 acre tract and said 7.87 acre tract the following two courses;

N 00° 28' 17" E, a distance of **36.71 feet** to an iron pipe found;

S 89° 39' 52" W, a distance of **942.40 feet** to a point on the easterly right of way of Interstate 40;

Thence with the westerly line of said 52.803 acre tract, the easterly right-of-way of said Interstate 40, the following six courses;

N 10°05' 55" W, a distance of **185.45 feet** to a concrete monument found;

N 13°40' 27" W, a distance of **305.71 feet** to a concrete monument found;

With a curve to the left, having a chord bearing and distance of N 16° 38' 15" W, **594.24 feet**, a radius of **3952.94 feet**, a central angle of **08° 37' 17"**, and an arc length of **594.80 feet** to a rebar found;

N 70°03' 27" E, a distance of **15.10 feet** to a concrete monument found;

N 12°43' 48" W, a distance of **154.12 feet** to a concrete monument found;

With a curve to the left, having a chord bearing and distance of N 24° 03' 34" W, **130.79 feet**, a radius of **3994.72 feet**, a central angle of **01° 52' 34"**, and an arc length of **130.80 feet** to a point in the centerline of a stream, the southwesterly corner of that 0.218 acre tract conveyed to North Carolina Department of Transportation of record in Deed Book 6814, Page 224;

Thence with the centerline of the stream, the common line of said 0.218 acre tract and said 52.803 acre tract the following seven (7) courses;

N 51°53' 36" E, a distance of **19.81 feet** to a point;

N 65°44' 56" E, a distance of **14.85 feet** to a point;

N 87°59' 35" E, a distance of **10.37 feet** to a point;

S 21°18' 06" E, a distance of **13.55 feet** to a point;

S 10°49' 00" E, a distance of **14.94 feet** to a point;

S 60°12' 19" E, a distance of **16.24 feet** to a point;

N 83°11' 17" E, a distance of **5.02 feet** to a point at the southeasterly corner of said 0.218 acre tract, southwesterly corner of said 48.313 (orig.) acre tract;

Thence with the common line of said 48.313 (orig.) acre tract and said 0.218 acre tract the following three courses;

N 09°42' 11" W, a distance of **6.91 feet** to a point;

N 24°51' 58" W, a distance of **53.01 feet** to a point;

N 37°12' 08" W, a distance of **329.50 feet** to a concrete monument found on the easterly right-of-way of said Interstate 40;

Thence with the westerly line of said 48.313 (orig.) acre tract, the easterly right-of-way of said Interstate 40 the following two (2) courses;

N 36°05' 34" W, a distance of **104.78 feet** to a concrete monument found;

With a curve to the left, having a chord bearing and distance of **N 36° 44' 37" W, 747.03 feet**, a radius of **3984.72 feet**, a central angle of **10° 45' 26"**, and an arc length of **748.12 feet** to a point at the northwesterly corner of said 48.313 (orig.) acre tract the southwesterly corner of that 57.7 acre tract conveyed to University of North Carolina Hospitals at Chapel Hill #319 of record in Deed Book 4832, Page 301;

Thence **S 89° 58' 08" E**, with the common line of said 48.313 (orig.) acre tract and said 57.7 acre tract a distance of **106.08 feet** to a point;

Thence **S 35° 32' 16" E**, across said 48.313 (orig.) acre tract, a distance of **1211.14 feet** to a point in the centerline of the creek, the southerly line of said 48.313 (orig.) acre tract, the northerly line of said 52.803 acre tract;

Thence with the centerline of said creek, the common line of said 48.313 (orig.) acre tract and said 52.803 acre tract the following twenty-two courses;

S 79°54' 09" E, a distance of **15.47 feet** to a point;

S 87°24' 39" E, a distance of **27.59 feet** to a point;

N 78°38' 06" E, a distance of **22.76 feet** to a point;

N 84°18' 24" E, a distance of **19.35 feet** to a point;

S 72°25' 59" E, a distance of **70.41 feet** to a point;

N 69°27' 22" E, a distance of **13.58 feet** to a point;

N 55°59' 25" E, a distance of **16.05 feet** to a point;

S 64°00' 12" E, a distance of **11.36 feet** to a point;

S 80°43' 27" E, a distance of **28.61 feet** to a point;

N 58°34' 08" E, a distance of **7.81 feet** to a point;

N 82°04' 36" E, a distance of **27.81 feet** to a point;

N 69°02' 05" E, a distance of **31.39 feet** to a point;

S 70°48' 35" E, a distance of **57.04 feet** to a point;

S 49°54' 40" E, a distance of **45.06 feet** to a point;

S 89°28' 32" E, a distance of **41.22 feet** to a point;

S 48°46' 48" E, a distance of **36.86 feet** to a point;

N 77°03' 15" E, a distance of **44.59 feet** to a point;

N 69°17' 26" E, a distance of **42.52 feet** to a point;

N 48°34' 08" E, a distance of **31.88 feet** to a point;

S 63°48' 18" E, a distance of **73.07 feet** to a point;

N 90°00' 00" E, a distance of **302.17 feet** to a point;

N 61°54' 05" E, a distance of **184.24 feet** to a point;

S 71°37' 17" E, a distance of **86.76 feet** to a point on the westerly line of said 16.409 acre tract, the southeasterly corner of said 48.313 (orig.) acre tract;

Thence N 00° 16' 18" E, with the common line of said 48.313 (orig.) acre tract and said 16.409 acre tract a distance of **174.79 feet** to an iron pipe set;

Thence across said 16.409 acre tract the following two courses;

S 89°23' 25" E, a distance of **626.12 feet** to an iron pipe set;

N 01°11' 36" E, a distance of **138.91 feet** to an iron pipe set at the southeasterly corner of that 3.77 acre tract conveyed to Roger Stephens of record in Deed Book 1638, Page 6, the southwesterly corner of that 8.35 acre tract conveyed to Lillie Mangum of record in Deed Book 232, Page 1392;

Thence S 89° 23' 25" E, with the common line of said 16.409 acre tract and said 8.35 acre tract a distance of **719.04 feet** to an iron pipe set on the westerly right-of-way of said State Route 86;

Thence with the westerly right-of-way of said State Route 86, the following two (2) courses:

S 08° 55' 32" E, with a distance of **506.04 feet** to a rebar found at the southeasterly corner of said 16.409 acre tract, the northeasterly corner of said 13.697 acre tract;

S 10° 28' 14" E, with a distance of **518.50 feet** to the **Point of Beginning**, and containing **82.733 acres** of land, more or less, as calculated by the above courses. Subject, to all legal restrictions, easements and/or right-of-way.

The above description was prepared by James D. Whitacre, P.L.S. L-5273 on July 2, 2024. This description is based on existing records from the Orange County Register of Deeds and an actual field survey completed by Advanced Civil Design, Inc. in September, 2023.

The **Basis of Bearings** used in this description is based upon monuments established by the National Geodetic Survey (NAD 83, 2011 Adjustment) and was determined using GPS equipment and procedures.

All references used in this description can be found at the Register of Deeds, Orange County, North Carolina.

ADVANCED CIVIL DESIGN, INC.

EXHIBIT C

CONDITIONS OF APPROVAL FOR WATERSTONE SOUTH, A PLANNED DEVELOPMENT

I. **Generally**

- a. Site plans and construction drawings for the development shall comply with these conditions of approval, as well as any applicable development regulations for the Town of Hillsborough that are in effect when the plans and/or drawings are submitted. When there is a conflict between a condition of approval and the development regulations of the town, the condition of approval shall govern.
- b. The size of the townhome blocks, denoted as Blocks A, B, C, and D on the master plan, and the number of units within them may be adjusted administratively with the Planning Manager's approval only if the overall acreage and density of the combined townhome blocks are not changed.
- c. Once construction on the project begins, the developer shall conduct a weekly inspection, as needed, of the erosion control and stream protection measures throughout the development of each phase to ensure that all the devices are working effectively. The developer will notify Town Planning staff and neighbors within 500' of the development site(s) of the planned inspection schedule.

II. **Affordable Housing**

- a. Fifteen percent (15%) of the total market rate homes in the development, including the townhomes and multi-family apartment units, shall be affordable to those earning an average of 80% or less of the median income. Median income shall be determined using data from the US Department of Housing and Urban Development for the geographic statistical area in which Hillsborough is located.
- b. A deed restriction reserving the affordable apartment units for a period of ninety-nine (99) years and requiring annual certification with the town of the number of affordable units shall be recorded before a Zoning Compliance Permit will be issued for the first residential unit. The deed restriction shall require the developer, its successors and/or assigns to certify to the town in writing during the month of July of each year that they comply with the affordability condition as of the date of the certification.
- c. For the affordable townhome units, the developer shall prepare and submit an affordable housing plan for the review and approval of the Planning Manager. The approved affordable housing plan shall be recorded in conjunction with the plat(s) for the townhome lots and these conditions of approval. The plan shall include the following information at a minimum:
 - i. General information about the nature and scope of the development.

- ii. The total number of market rate units and affordable dwelling units in the development.
 - iii. The number of bedrooms and bathrooms in each affordable dwelling unit.
 - iv. The approximate square footage of each affordable dwelling unit.
 - v. The approximate location of each affordable dwelling unit.
- d. The affordable units shall be integrated with the market-rate units, and the exterior finishes shall make the affordable units indistinguishable from those that are market-rate.
- e. Affordable units will be developed in accordance with the following minimum size schedule:

Minimum Net Livable Square Footage	
Number of Bedrooms in Unit	Minimum Square Footage
Efficiency/studio apartment	500
1 Bedroom	700
2 Bedroom	850
3 Bedroom	1,100
4 Bedrooms or more	1,200 plus 250 sq. ft. per additional bedroom above 4

- f. Floor plans for buildings containing affordable units must be submitted for review with zoning compliance permit applications.

III. Conservation Easement

- a. Approximately 12.8 acres along the southern project boundary shall be held in a conservation easement. The easement, shown on sheet MP1.1 of the approved Waterstone South Master Plan set, was mandated by the Orange County Board of Adjustment as part of the modified Special Use Permits for The Woods and Woodsedge on May 8, 2024. The applicant shall record the conservation easement in a form satisfactory to the Town of Hillsborough with the Orange County Register of Deeds within 120 days of annexation by the Town of Hillsborough. The Town of Hillsborough shall hold the conservation easement in perpetuity.

IV. Landscaping

- a. Invasive species are strictly prohibited from landscape designs for the development. All landscape plantings in the development shall be non-invasive, and the developer shall make every effort to use native species when commercially available.

V. Multi-modal Transportation

- a. The locations of the internal streets shown on the master plan are conceptual. Exact street locations will be established during site plan/construction drawing review.

The developer shall record a public access easement and private maintenance agreement in each phase for all trails labeled "Walking & Bicycle Trail" on the approved Master Plan before the recordation of the final plat for the residential lots for that phase.

- b.** The developer shall pave all trails labeled "Walking & Bicycle Trail" on the approved Master Plan unless a proposed trail is in an environmentally sensitive area (e.g., floodplains; wetlands; slopes exceeding 25%; highly erodible soils), in which case crushed stone or soft surfaces (e.g., natural earth; wood chips) may be used. All trails within the 12.8-acre conservation easement described in Section III above may be made of natural surfaces. The layout of trails shown on the Master Plan is conceptual. Exact trail locations and surfaces will be established during site plan/construction drawing review.
- c.** All trails shall be maintained in perpetuity by the developer, any successors and assigns of the developer, or other acquiring parties. The Town shall not be responsible for trail maintenance.
- d.** The developer shall install a sidewalk network interior to the site that connects with a sidewalk system on the west side of NC 86 S as shown on the Master Plan.
- e.** The developer shall install a painted crosswalk with high-visibility striping and a flashing beacon at E. Scarlett Mountain Road and Storey Lane at the NC 86 S intersections if allowed and approved by the North Carolina Department of Transportation.
- f.** The developer shall install a sidewalk on the east side of NC 86 S connecting to said crosswalk as shown on the Master Plan if allowed and approved by both the North Carolina Department of Transportation and the Orange County School Board.
- g.** The developer shall design all streets designated as public on the Master Plan to NCDOT Subdivision Design Standards and Town of Hillsborough cross-sections as required by the town's Unified Development Ordinance. This design shall include, but shall not be limited to, the following: radii, vertical curves, storm drainage design, and gutter spread. The design speed will be consistent with current Town of Hillsborough ordinances. Curb and gutter will be required on all streets proposed for town acceptance but will not be required at the taper and turn-lanes at the intersection of NC 86 S and the development's entrance.
- h.** The developer shall install all off-site improvements recommended by their Traffic Impact Analysis prepared September 19, 2023, and concurred with by NCDOT in its letter dated December 7, 2023.
- i.** The developer shall update the Traffic Impact Analysis prior to the issuance of any Zoning Compliance Permits for Phase 2 to ensure acceptable operation at the various study intersections. If an updated Traffic Impact Analysis projects a Level of Service (LOS) of D or

lower at the intersection of Waterstone Parkway and NC 86 S, then the developer shall install a traffic signal at the intersection before the approval of the final Certificate of Occupancy in Phase 2. If signalization has already been installed at Waterstone Parkway and NC 86 S by another developer, the developer of Waterstone South shall not be responsible for signalization at said intersection.

VI. Phasing

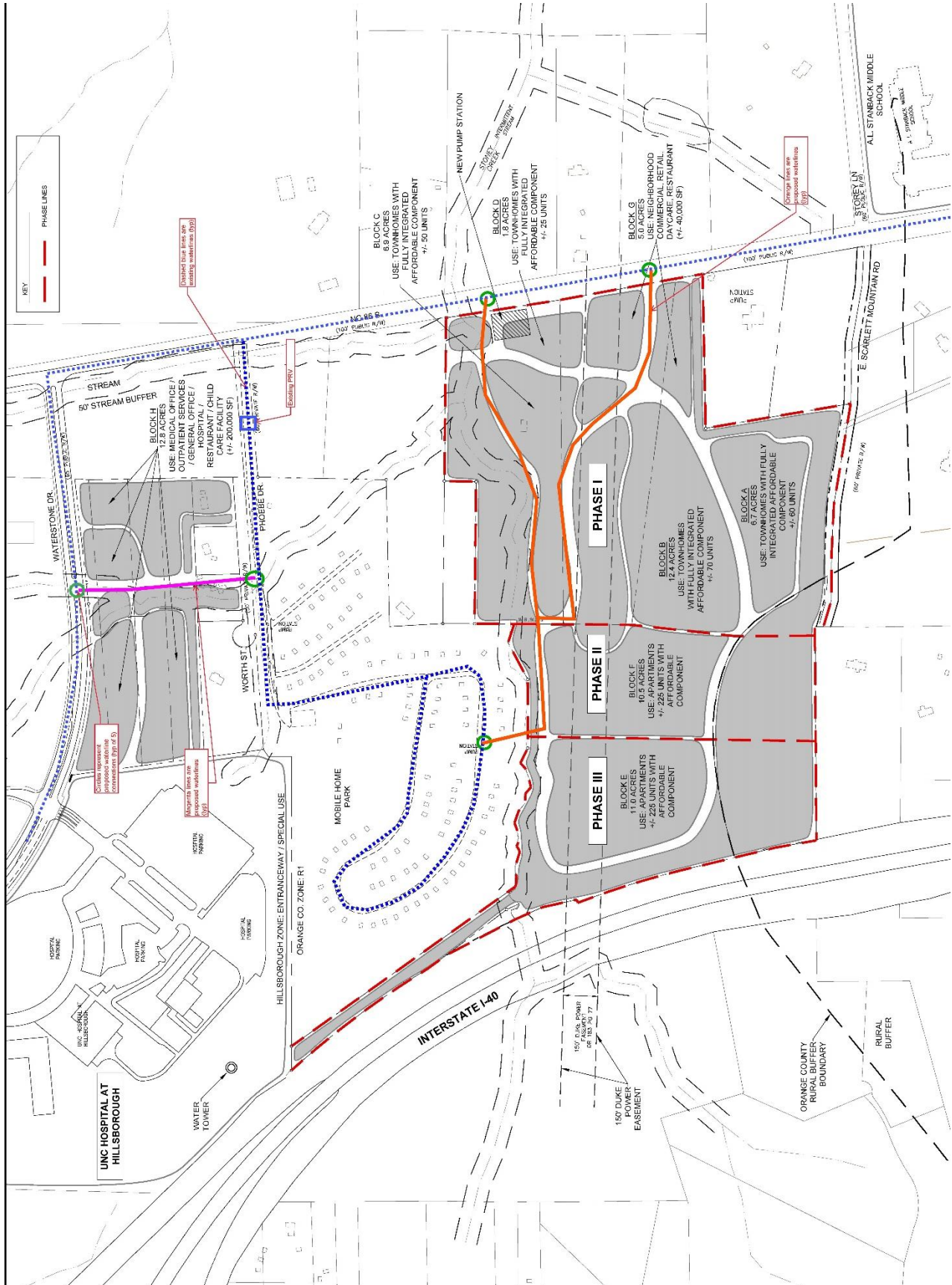
- a.** The Town of Hillsborough will not issue zoning compliance permits for the last 10 (ten) dwelling units in a phase until the developer
 - i.** completes, certifies, and submits for town acceptance of all public infrastructure (e.g., sidewalks, streets, trails, greenways, utilities) in said phase, and
 - ii.** installs or provides adequate performance security for the installation of all landscaping, street trees, and stormwater conveyances in said phase.
- b.** The development shall be constructed in three phases, with each phase of construction to last no more than three years per phase for a total of nine years of construction:
 - i.** Phase 1: 205 townhomes and 10,000 square feet of neighborhood commercial.
 - ii.** Phase 2: 225 apartment units and 10,000 square feet of neighborhood commercial.
 - iii.** Phase 3: 225 apartment units and 20,000 square feet of neighborhood commercial.
- c.** The developer shall coordinate with staff to create a mutually agreeable schedule for infrastructure improvements, and the developer shall install or provide adequate performance security for said improvements. However, the developer cannot post a performance security for the new sewer pumping station described in Section VII (a) below. The developer must construct this pumping station during Phase 1.
- d.** The medical and general office portion of the development (Blocks H and I as shown on sheet MP1.1 of the approved Waterstone South Master Plan set) is not included in the phasing plan and shall be developed based on market demand as the adjacent UNC Health facility grows.

VII. Utilities

- a.** As indicated on the approved Master Plan, a new sewer pumping station, associated force main, and all appurtenances shall be constructed by the developer and dedicated to the Town of Hillsborough by the developer after successful completion. The existing gravity sewer to the Woodsedge Back and Nazarene Pumping Stations shall be redirected into this new pumping station located at a site near or in the development as agreed to with the

- iv.** Water meters for Block H will be released upon completion of the water and sewer infrastructure required to serve the units in Block H and the stub to Worth Street. This infrastructure is shown as magenta in the attached Exhibit C.1. Block H will connect to the Town's existing sewer that drains to Woods Edge Front Pump Station, and no other blocks of the proposed development will be allowed to connect to the Woods Edge Front Pump Station. The developer shall evaluate the capacity of the Woods Edge Front pump station and make all upgrades needed to serve the proposed development if upgrades are needed to meet the state's minimum design criteria for pump stations.
- v.** Water meters for Blocks A, B, C, D, E, F and G will be released upon completion of the waterlines shown in orange in Exhibit C.1 as well as the abandonment of the existing Nazarene and Woods Edge Back Pump stations into the new pump station shown in Exhibit C.1.
- vi.** The developer shall make the connections shown in the green circles in Exhibit C.1 to all waterlines in platted Town right-of-way and NC DOT right-of-way. The developer shall make connections to existing Town waterlines on private property at the locations shown with green circles if the Town provides documentation of deeded and platted public utility easements at the proposed connection locations. If the Town does not provide the required easement and plat information by construction drawing approval of the proposed connection, the Town will require only a platted and deeded stub to the edge of the subject development.
- e.** The developer shall enter into a Water and Sewer Extension Contract as typical with the town. This contract shall provide the finer details of the design, permitting, construction and acceptance details.
- f.** The developer shall contribute \$250,000 to the cost of upgrading the Elizabeth Brady Pump Station to handle the additional flow generated by the proposed project. This contribution shall be made before the approval of the first site plan for the project and will be used by the town to install upgraded instrumentation, monitoring equipment, and controls.
- g.** By agreeing to the developer's proffers and pledged water and sewer improvements, the town guarantees capacity for each phase of the project as it comes online in accordance with the phasing schedule in Section V (b).

EXHIBIT C.1





Agenda Abstract

BOARD OF COMMISSIONERS

Meeting Date:	Sept. 9, 2024
Department:	Administrative Services
Agenda Section:	Regular
Public hearing:	No
Date of public hearing:	N/A

PRESENTER/INFORMATION CONTACT

Administrative Services Director Jen Della Valle

ITEM TO BE CONSIDERED

Subject: Strategic Plan Annual Report

Attachments:

1. Strategic Plan – FY24 Annual Report
2. FY25 Check-In Schedule

Summary:

The town board adopted the [FY24-26 Strategic Plan](#) in June 2023, a big milestone for the town after having discontinued the Balanced Scorecard. The strategic plan outlines the town’s strategic direction for a three-year period and is an action-oriented road map that aligns the town’s resources with priorities. Now that the strategic plan has been adopted, we are now in the plan implementation phase.

This is our final check in with the town board for the FY24 plan year, providing an opportunity to discuss progress made on initiatives that were identified for the past fiscal year. The annual report attached includes the status of the initiatives, across each focus area, that were identified to be worked on during FY24.

Also attached is the proposed strategic plan schedule for FY25. Staff is proposing moving away from quarterly check-ins, with the first update taking place at the budget retreat and a second update at the May budget presentation. This will mean less frequent but more substantive updates.

Financial impacts:

No financial impacts at this time.

Staff recommendation and comments:

N/A

Action requested:

Receive year-end report and provide feedback.



TOWN OF HILLSBOROUGH

STRATEGIC PLAN



FY24 ANNUAL REPORT

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Message from the Manager

FY24 YEAR-END REVIEW

We are pleased to present the town's first annual report for the FY24-26 Strategic Plan. When we discontinued the use of the balanced scorecard, we were unclear on the exact direction to take our performance efforts but we developed a vision of what was wanted: a plan that details where we're trying to go as an organization and how to get there. The strategic plan is our attempt to fulfill that vision.

While we have provided quarterly updates throughout the year, this report provides a summary of the work that has been done to advance the strategic plan initiatives that were identified for FY24. Some of the initiatives were completed and can be checked off the list, while others will need to be continued into FY25 or beyond. In the report, you'll find the exact status of each of the initiatives.

I want to thank the town board for the support and flexibility that has been provided as we navigate the first year implementing our strategic plan. Also, a big thanks to departments for their work in helping to develop and now make progress toward the plan, which serves as an action-oriented road map to achieve the town board's priorities.

Please don't hesitate to contact Administrative Services Director Jen Della Valle or myself if you have any questions, suggestions, concerns, or ideas related to this report. Most importantly, we look forward to listening and participating in the discussions of this report that will help us take the next steps in shaping Hillsborough's future.



Sincerely,

Eric Peterson
Town Manager

Elements of the PLAN

Vision

A statement that describes what organizational success will look like in the future.

Mission

A statement that outlines the organization's purpose.

Values

The set of core beliefs that will determine the approach to realizing the town's vision.

Focus Areas

Main categories that the town will focus on in the 3-year strategic plan window.

Strategic Objectives

A set of desired outcomes and promises that will align the town with its vision over the long-term.

Initiatives

Identifies specific action items to implement in the next 1-3 years to move the organization towards its goals.

PURPOSE

A strategic plan is a management tool that helps an organization align its leadership, resources, and operations to advance a set of goals. It also serves to establish priorities for policy initiatives, budgeting and staffing decisions, and capital investments to create outcomes that are important to the community.

The Town of Hillsborough has limited resources yet faces endless needs, opportunities, and distractions that compete for the use of these resources. The purpose of this strategic plan is to serve as an action-oriented road map that strategically aligns available resources with priorities, which is critical to the effective and efficient delivery of government services.

This strategic plan was drafted after years of collaboration among members of the Board of Commissioners and leadership from the town's departments and divisions.

STRATEGY MAP

VISION STATEMENT

We envision Hillsborough as a prosperous town, filled with vitality, fostering a strong sense of community, celebrating its unique heritage and small-town character.

MISSION STATEMENT

We are stewards of the public trust who exist to make the Vision for Hillsborough a reality. We manage and provide the infrastructure, resources, and services that enhance the quality of life for the living beings and land within our town.

VALUES

As we strive to achieve our goals, we commit to maintaining these core values:

- Vibrancy
- Equity & Inclusion
- Forward Thinking
- Public Service

FOCUS AREAS



VALUES

VIBRANCY

A vibrant Hillsborough is one that is lively and active. We see this manifest in cultural art events, recreation, and how people know each other and are connected by physical and social networks. The community can find ways to participate and connect from both inside and outside their homes. The people, physical environment, and business community are core to this vibrant atmosphere.

EQUITY & INCLUSION

Hillsborough is a place where every resident can thrive, where everyone who lives and works here feels they belong. We will strive to support policies, plans, and actions that are administered fairly to build a Hillsborough where people of all races, ethnicities, gender identifications, sexes, sexual orientations, abilities, and incomes want to live, can afford to live, and will be treated with dignity and respect.

FORWARD THINKING

We think and make decisions that can persist over generations for a sustainable Hillsborough, acknowledging that economic, environmental and social issues are interrelated. This community has a unique sense of place encapsulated by both Hillsborough's long and treasured history and where it meets change and looks to the future. We have an obligation to be fiscally, environmentally, and culturally wise in order to plan for the long term and be resilient to climate change and unforeseen events. We strive to foster a culture of innovation and creativity in town operations.

PUBLIC SERVICE

The town of Hillsborough is here to serve. We are committed to good and ethical governance. We are responsible stewards of community tax dollars put to use for the public good. We strive to ensure each resident, visitor, business, and employee are safe as they live, work, and play in Hillsborough, and this sense of safety should extend beyond the physical environment to foster a community where the people are free from worry regarding whether who they are has bearing on how they are treated.



FOCUS AREA 1

SUSTAINABILITY





SUSTAINABILITY

Optimize the built environment in a way that aligns with smart growth principles.

- Initiative 1.1 – Overhaul the Unified Development Ordinance and Zoning Map to reflect current development trends and patterns to incorporate sustainability, environmental and climate best practices, economic resiliency measures, and equity in development and redevelopment as well as meet water and sewer system-wide needs. (FY24-FY25)
Request for Proposals for the Unified Development Ordinance has been prepared and is ready for release with consideration for other projects kicking off, such as the parking study and code enforcement contract.
- Initiative 1.2 – Update the Future Land Use Map to simplify land use categories and express current preferred future land use and growth patterns (FY24-FY25).
Further coordination with Orange County and municipal partners indicated a need to update the Water and Sewer Management, Planning and Boundary Agreement (WASMPBA) to reflect the revised water and sewer boundary recommended by the Comprehensive Sustainability Plan, then Hillsborough/Orange County Central Orange Coordinated Area (COCA), then the town Future Land Use Plan. The goal is to transact these in the fall/winter 2025.

Intensify efforts to meet 2030 and 2050 clean energy goals, reducing overall energy consumption and increasing the use of clean energy for town operations.

- Initiative 2.1 – Assess renewable energy generation potential for solar photovoltaics and wind energy projects on town-owned properties and identify priority sites for planning and implementation (FY24-26).
Plans for the Adron F. Thompson Water/Sewer Facility renovation include providing conduit so that the facility is “solar-ready.” Town staff is exploring opportunities to apply for grant funding for solar panels at this facility. Plans for the future train station also include photovoltaic panels. No other progress has been made on this initiative due to staff capacity and funding constraints.
- Initiative 2.2 – Investigate opportunities and incorporate to the greatest extent possible sustainability and climate initiatives in facility development including geothermal, solar, weatherization, and green infrastructure (FY24-26).
Staff has completed an LED transition of site lighting at Town Hall, Town Hall Annex, and the Dorothy N. Johnson Community Center. Staff continue to work with Duke Energy on completing LED streetlight transition. Staff is incorporating energy efficient equipment and weatherization at facilities as funding allows. No further progress has been made on geothermal or solar projects due to staff capacity and funding constraints. Green infrastructure is being incorporated at town parks, future transportation projects, and the future train station plans.
- Initiative 2.4 – Evaluate the town’s vehicle fleet to determine right-sizing and transition to electric vehicle (EV) potential. Transition the town’s vehicle fleet to zero emission alternatives on a schedule consistent with vehicle lifecycles and market availability. Advance the schedule of this transition as feasible (FY24-FY26).
Fleet staff is monitoring the town’s hybrid police vehicles for fuel mileage increase over regular gas vehicles. It is unforeseen what the difference in maintenance costs and time out of service may be when compared to traditional units. Fleet staff is attending a yearly Fleet Sustainable Fuel Expo to stay up to date with the trending alternative fuel options.
- Initiative 2.7 – Continue to coordinate at a regional level on the Electric Vehicle Supply Equipment Location Suitability Analysis (FY24).
Staff continues to work with partners (Chapel Hill, Carrboro, Orange County, and UNC) to improve our grant competitiveness and hopes to apply for funding in a future round of Charging and Fueling Infrastructure (CFI) grant after not receiving a round 1 CFI grant.

Protect and enhance natural resources.

- Initiative 3.3 – Develop and adopt a landscape management plan for town-owned and town-maintained properties (FY24).

This initiative was inadvertently left off the list of initiatives to track in FY24 and it will be moved to FY25 for completion.

- Initiative 3.5 – Investigate options to develop incentives for developers to incorporate sustainable environmental best practices for managed natural areas and landscapes (FY25-FY26).

Stormwater and Environmental Services staff continues to research how to codify incentives for developers. While the town may not be more restrictive than the state, there is latitude if it can be shown as necessary to meet requirements of the town’s stormwater permit.

In a parallel process, staff provided review and input through the Upper Neuse River Basis Association (UNRBA) to allow soil improvement credit for new development. This request was submitted to the state, and it is currently under review. If soil improvement credit is approved by the state as a nutrient reduction/stormwater runoff reduction practice, it would incentivize developers to include various soil improvement and/or amendments.

- Initiative 3.6 – Update and adopt a comprehensive stormwater management plan (FY25).

Based on the town’s first ever stormwater program audit by the state, a new stormwater management plan was drafted and approved by North Carolina Department of Environmental Quality. The town’s new National Pollutant Discharge Elimination System (NPDES) stormwater permit was public noticed in May/June and became effective July 1, 2024. Stormwater and Environmental Services Division staff began implementing the new stormwater management plan and permit requirements on July 1, 2024.

- Initiative 3.7 – Continue implementing watershed improvement projects under the Interim Alternative Implementation Approach for compliance with the Falls Lake Stage 1 Existing Development Rule for Stormwater (FY24-FY26).

Completed the third year of the Interim Alternative Implementation Approach (IAIA) program, which was approved by the state to meet requirements of the Falls Lake Stage 1 Existing Development Rule for Stormwater. This is a five-year program. In FY24, the Stormwater and Environmental Services Division completed the following projects:

- Odie Street Green Infrastructure – currently in operational phase with additional outreach events planned in FY25.
- Dorothy N. Johnson Community Center Rain Garden and Stormwater Harvesting – a rain garden was installed and planted by volunteers. A cistern and two rain barrels were also installed.
- Riverwalk Bioswale – an existing drainage ditch was converted to a bioswale and planted by volunteers as part of the FY24 Creek Week event.

Stormwater and Environmental Services Division staff conducted an annual planning meeting and identified the following projects for FY25: native plantings for the stormwater swale at the Cates Creek Park skate spot; stream stabilization project at Odie Street (grant funding secured); compost blanket at the town’s wastewater treatment plant; living retaining wall at the town’s parking lot at 125 W. King St.; and design of an water access area and bank stabilization project along Riverw



Figure 1 Volunteers planting as part of Creek Week.



FOCUS AREA 2

CONNECTED COMMUNITY





CONNECTED COMMUNITY

Advance a multi-modal network that reduces single-occupancy vehicles and links Hillsborough residents to key places and each other.

- 1.1 – Complete Churton Street Multi-Modal Corridor Study to inform the future NC Department of Transportation-funded project (FY24).

The South Churton Street Multimodal Corridor Study is complete, it was endorsed by the town board in June 2024, and it has been shared with North Carolina Department of Transportation (NCDOT) to inform their funded project, U-5845. Staff will continue to coordinate with NCDOT as the funded project moves into the engineering phase and staff will provide updates to the town board as the project progresses.
- 1.2 – Contribute annual budget allocations to expand public art and amenities and public spaces (FY24-26).

A budget increase was funded in FY25. Staff is working on a plan for free expression/public art panels near the skate spot in Cates Creek Park. Staff continues to work with tourism program, Orange County Arts Commission, and Hillsborough Arts Council to identify new arts opportunities and support public art events like Uproar Public Art Festival. Also, Perpetual Bond (giraffes) sculpture was installed at Town Hall.
- 1.3 – Ridgewalk feasibility study is complete. If directed by the board, design and engineering for the section from downtown to Collins Ridge will proceed (FY24-FY25).

Ridgewalk Phase 2 Study is nearly complete, and it will be presented to the town board in September 2024 so that the board can determine the project scope and schedule.

Foster reliable, high-speed internet services throughout the community.

- 2.1 – Explore offering wireless access points at parks and public spaces to increase internet accessibility (FY24).

A plan and cost projections have been received from several internet service providers. Town staff met with North Carolina Department of Information Technology (NCDIT) to discuss the plan and cost projections for a fiber-to-town facilities project. Both Gold Park and Cates Creek Park are locations included in the fiber project. NCDIT has completed the planning phase of the project and is preparing to request quotes for the various phases of the project.

Town staff met with Spectrum regarding their free wireless in public spaces program. Their program was discontinued in 2017, and they only provide maintenance support for locations that were recipients of their program from 2015 to 2017
- 2.2 – Review broadband speed accessibility in different areas of town using the state’s coverage map (FY24).

North Carolina Division of Broadband and Digital Equity provides a map, Fixed Broadband Service Areas, detailing which broadband service providers serve which specific area of town with minimum speeds of 25mb/s download and 3mb/s upload. Google and Lumos have begun lighting up their high-speed fiber inside of town limits and throughout rural Orange County. Both vendors now provide high-speed broadband options to many different areas of town.



FOCUS AREA 3

ECONOMIC VITALITY





ECONOMIC VITALITY

Develop public projects, policies and marketing related to economic system goals.

- **1.1 – Conduct a downtown parking study to develop and adopt a long-range parking plan (FY24).**
Parking study Request for Letters of Interest (RFLOI) was released, a contractor was selected, and the project is in the contracting phase. Project kickoff expected in the first quarter of FY25, and this initiative will continue to be tracked in FY25.
- **1.2 – Complete Train Station Development Master Plan (FY24-FY25).**
This project is stacked behind others. The plan is to release Request for Proposal (RFP) after a Unified Development Ordinance (UDO) contractor is selected and that project is kicked off.
- **1.3 – Invest in wayfinding and interpretive signage programs (FY24-FY26).**
Interpretive signs for Dickerson Chapel, Occaneechi Village and Kings Highway Park were fabricated and installed. The interpretive signage walking tour map has been updated with those additions. The next phase will be design for prioritized signs including the topic of native trees. Staff is working with North Carolina Department of Transportation and Duke Power to locate a wayfinding sign for the Eno Arts Mill on Allison Street.
- **1.4 – Market and brand Hillsborough through town website and social media as a great place to live, work and do business by engaging in partnerships to highlight success stories and incentive opportunities (FY24-FY26).**
This initiative is ongoing. The Chapel Hill Magazine 'Best of' Ad was printed/run. Conversations continue on joining Triangle Restaurant Week and establishing a Social District. Staff assisted a retail business with permits for a move into a larger space on King Street in quarter 4 and is working with a local restaurateur to add a new restaurant concept somewhere in town.

Develop partnerships and programming that provide jobs, employment education, workforce development and training.

- **2.2 – Engage with the local business community through periodic small business workshops hosted by town or in conjunction with economic development partners (FY24-FY26).**
Town staff and the Hillsborough/Orange County Chamber are still planning to pick this up, but a challenge has been a lack of capacity. Businesses have expressed a desire for more data and staff has done a demonstration with Placer.AI (Chapel Hill/Carrboro uses them) on a platform that can track restaurant/retail customer behavior as well as report event statistics (tourism). Staff is going to discuss a cost share with Tourism Board/Tourism Development Authority on obtaining access to this data for FY25.

Create equitable economic opportunities for all residents.

- **3.2 – Work with local and regional partners to identify and promote woman and Black, Indigenous and People of Color (BIPOC) owned businesses through marketing success stories and tracking contractual partnerships with the town (FY24-FY26).**
Staff has compiled a preliminary list to identify businesses, but it is not complete. Staff discussed partnering with the Chamber for a Greater Chapel Hill/Carrboro on a position they are creating built around this goal, but they ended up wanting to focus solely on Chapel Hill and Carrboro initiatives to identify and promote woman and BIPOC owned businesses. This initiative may require funding and capacity in the future to make it successful.

Preservation of naturally occurring affordable housing.

- 4.1 – Actively participate in county-wide housing plan effort to inform a local action plan (FY24).
After the initial joint request for proposals was postponed, Orange County Housing staff reorganized, and a new draft Request for Proposals was developed and was under review. Additional budget participation needed from partner agencies, and additional progress is anticipated in early FY25. This initiative will continue to be tracked.

Develop policies and invest in projects that contribute to meeting identified affordable housing needs in town.

- 5.2 – Support changes to town code and state law to provide new funding sources and reduce administrative barriers for affordable housing creation (FY24-FY26).
Work was done on these efforts through the town’s advocacy networks. Planning for the first affordable housing workshop was done at the end of FY24, with the workshop held in July. The focus of the workshop was subject-matter expert partner needs and feedback.
- 5.3 – Prioritize surplus of town-owned land for creation of affordable housing and strategically acquire additional land or financial participation from new development for affordable housing (FY24-FY26).
Options are under consideration for town-owned land at Hillsborough Station, and conversations were held with funding partners and non-profit housing developers to guide next steps.



FOCUS AREA 4 COMMUNITY SAFETY





COMMUNITY SAFETY

Ensure that all people are safe and feel safe throughout town.

- **1.1 – Complete North Carolina League of Municipalities risk assessment and begin follow up on implementation of results (FY24).**
The Police Department’s new management analyst is in place and has been working to get up to speed on progress from prior work and has started working through the standards to see what needs to be done and gathering the necessary proofs. Management analyst has reviewed over half the standards and is starting to work on standards that have not had much prior work done. This initiative will continue into FY25.
- **1.2 – Host a community conversation that focuses on a broader concept of safety. Pilot completed in FY23 (FY24).**
This event is scheduled for September 14, 2024. Staff is currently working to get all the details set up and get the event ready.

Reinforce resiliency in town operations by implementing emergency preparedness strategies.

- **2.1 – Complete refresh of the Emergency Operations Plan (FY24).**
The Emergency Operations Plan has gone through all of steps necessary to put out a request for proposal (RFP). The current goal is to start reviewing RFPs on October 1, 2024. This initiative will continue to be tracked in FY25.
- **2.2 – Establish quarterly management check-ins (FY24-FY26).**
The Emergency Management Team has implemented quarterly check-ins, with meetings in December and March to discuss a variety of topics.
- **2.4. – Establish Emergency Operations Centers (FY24).**
The Emergency Management Team has developed portable Emergency Operations Centers (EOC) that could be deployed to different locations, based on the emergency. The EOC will be finalized with the updated Emergency Operations Plan.
- **2.5 – Restart employee emergency preparedness training (FY24).**
Employees who had not taken the ICS-100 course within the past 5 years were required to complete the course. All new employees are required to complete this course once they are hired.



FOCUS AREA 5
SERVICE EXCELLENCE





SERVICE EXCELLENCE

Maintain, protect, and optimize assets and infrastructure to drive reliability, cost effectiveness, and efficiency.

- 1.1 – Schedule and consolidate building maintenance services (FY24).
All building maintenance services except pest control have been consolidated. Facilities is working to consolidate pest control under one contract. Facility management software (Brightly) has been deployed in Beta format.

Provide quality municipal services through operational excellence and a culture of innovation.

- 2.1 – Evaluate onboarding process and identify gaps and redesign process (FY24).
Staff has received feedback and is working to make improvements regarding the onboarding process, including new employee orientation. Staff is still working to implement an onboarding checklist and scheduling focus groups. This initiative will continue to be tracked in FY25.
- 2.2 – Explore and develop strategies to encourage the timely completion of performance evaluations (FY24).
The town extended the timeframe for employees and supervisors to complete all evaluations. Since many departments already have a lot of tasks going on at the end of the fiscal year and the beginning of the new fiscal year, the deadline was extended from July 31 to August 15. The town removed the employee self-rating portion of the evaluation to reduce potential rating bias for supervisors. Competency language was revised to provide more clarity and direction. Staff will evaluate/review how these few changes impacted employees and supervisors and make further improvements to the process.

Promote inclusive community engagement in town services, programs, and projects.

- 3.1 – Assess representation on appointed boards and boost recruitment efforts for underrepresented groups and areas (FY24).
Member demographics have been collected for further analysis and staff will identify gaps in representation. Next step is to develop strategies for boosting recruitment efforts for any underrepresented groups and areas. This initiative will continue to be tracked in FY25.

Embed racial equity throughout the organization and in the services provided to the community.

- 4.1 – Develop, adopt, and implement a racial equity plan (FY24-FY26).
The Diversity, Equity and Inclusion Core Team has been exploring options on how to move forward to develop an equity action plan. Town staff is exploring moving forward by working with Central Pines Regional Council (CPRC) to develop our plan, with staff currently reviewing a proposal from CPRC. The Operations Team and DEI team members are continuing to test the racial equity assessment lens to further revise and develop a user guide.



TOWN OF
HILLSBOROUGH
NORTH CAROLINA

Strategic Plan

Check-In Schedule

Date	Board Meeting
TBD	Budget Retreat
May 12, 2025	Budget Presentation
August 25, 2025	August Work Session (year-end reporting)



Agenda Abstract

BOARD OF COMMISSIONERS

Meeting Date: Sept. 9, 2024
Department: Administrative Services
Agenda Section: Regular
Public hearing: No
Date of public hearing: N/A

PRESENTER/INFORMATION CONTACT

Town Manager Eric Peterson

ITEM TO BE CONSIDERED

Subject: Hot topics for work session Sept. 23, 2024

Attachments:

None

Summary:

The Ridgewalk Phase 2 Study and Benefits Analysis is scheduled as a tentative discussion item for the upcoming Sept. 23 work session. There are no other discussion topics at this time.

Financial impacts:

None

Staff recommendation and comments:

None

Action requested:

None



Agenda Abstract

BOARD OF COMMISSIONERS

Meeting Date: Sept. 9, 2024
Department: All
Agenda Section: Regular
Public hearing: No
Date of public hearing: N/A

PRESENTER/INFORMATION CONTACT

Department Heads

ITEM TO BE CONSIDERED

Subject: Staff (written reports in agenda packet)

Attachments:

Monthly departmental reports

Summary:

N/A

Financial impacts:

N/A

Staff recommendation and comments:

None.

Action requested:

Accept reports.



Administrative Services Report

August 2024

Budget

- Completed review of final Water & Sewer Rate model.

Communications

- Website — Added flood-prone town- and state-maintained roads to Ready Hillsborough page. Completed final dashboard training for web accessibility and quality assurance.
- Utilities Outreach — News releases on sewer overflow, plant tours, raw water pump refurbishment and replacement, and Annual Wastewater Quality Report. Bill insert on OC Alerts for water and sewer notifications. Bill message on wastewater report and OC Alerts.
- Other — Interns Sophie Pierson and Sarah Burgess ended work with the town on Aug. 14 and 22.

Fleet Maintenance

- No updates

Human Resources/Town Clerk

- Bi-weekly payrolls

RECRUITMENT AND SELECTION	
Position	Status
Administrative Support Specialist – Utilities	Closed 5/19. Interviews being scheduled.
Customer Service Representative – part-time	Closes 9/8.
Planning Technician	Start date: 9/9.
Police Officer	Continuous recruitment.
Utilities Intern	Closed 9/2.

Diversity, Equity and Inclusion:

- Reviewing draft proposal to work with Central Pines Regional Council to develop an Equity Action Plan.
- Continuing to use and make revisions to the equity lens and develop a best practices/user guide.
- Continued collaboration with the One Orange team with continuous improvements to the data dashboard and working to develop a scope of work for a countywide racialized history project.

TOWN OF HILLSBOROUGH
 DETAIL ACCOUNT INQUIRY BY ACCOUNT

PERIOD: 07/01/2024 TO 06/30/2025

FY 2024-2025

10-10-4100-5300-080 TRAINING/CONF./CONV.		BUDGET	PERIOD TO DATE	ENC AMT	REM BAL		
		32,810.00	10,994.59	0.00	21,815.41		
DATE	MOD	REFERENCE	JE # or VOUCHER#	CHECK#	DEBIT	CREDIT	BALANCE
		BALANCE FORWARD					0.00
07/12/2024	AP	CHAPEL HILL-CARRBORO CHAMBER OF COM	63736	72422	2,495.00		2,495.00
		QTY 1 - 2024 INTERCITY VISIT & LEADERSHIP CONFERENCE - SINGLE OCCUPANCY - EARLY BIRD REGISTRATION - ANN ARBOR, MI - 09/15- 09/17/24 -					
07/26/2024	AP	FERGUSON, KATHLEEN 07-22-24	64108	7896	82.34		2,577.34
		QTY 2 - TRANSPORTATION - UBER - 2024 WOMEN IN GOVERNMENT SUMMER CONF - HOLLYWOOD, FL - 07/16/24 & 07/20/24 - KATHLEEN FERGUSON					
07/26/2024	AP	FERGUSON, KATHLEEN 07-22-24	64108	7896		310.75	2,266.59
		QTY 1 - CREDIT ADVANCED DEPOSIT - THE DIPLOMAT BEACH RESORT - 2024 WOMEN IN GOVERNMENT SUMMER CONF - HOLLYWOOD, FL - 07/16 - 07/20/24 - KATHLEEN FERGUSON					
07/26/2024	AP	FERGUSON, KATHLEEN 07-22-24	64108	7896	1,243.00		3,509.59
		QTY 4 - THE DIPLOMAT BEACH RESORT - 2024 WOMEN IN GOVERNMENT SUMMER CONF - HOLLYWOOD, FL - 07/16 - 07/20/24 - KATHLEEN FERGUSON					
07/29/2024	AP	FERGUSON, KATHLEEN 07-22-24	64108	7896		82.34	3,427.25
		QTY 2 - TRANSPORTATION - UBER - 2024 WOMEN IN GOVERNMENT SUMMER CONF - HOLLYWOOD, FL - 07/16/24 & 07/20/24 - KATHLEEN FERGUSON					
07/29/2024	AP	FERGUSON, KATHLEEN 07-22-24	64108	7896	310.75		3,738.00
		QTY 1 - CREDIT ADVANCED DEPOSIT - THE DIPLOMAT BEACH RESORT - 2024 WOMEN IN GOVERNMENT SUMMER CONF - HOLLYWOOD, FL - 07/16 - 07/20/24 - KATHLEEN FERGUSON					
07/29/2024	AP	FERGUSON, KATHLEEN 07-22-24	64108	7896		1,243.00	2,495.00
		QTY 4 - THE DIPLOMAT BEACH RESORT - 2024 WOMEN IN GOVERNMENT SUMMER CONF - HOLLYWOOD, FL - 07/16 - 07/20/24 - KATHLEEN FERGUSON					
08/02/2024	AP	FERGUSON, KATHLEEN 07-22-24	64220	7966	82.34		2,577.34
		QTY 2 - TRANSPORTATION - WOMEN IN MUNICIPAL GOVERNMENT SUMMER CONFERENCE - HOLLYWOOD, FL - 07/15 - 07/20/24 - K.FERGUSON					
08/02/2024	AP	FERGUSON, KATHLEEN 07-22-24	64220	7966		310.75	2,266.59
		QTY 1 - CREDIT ADVANCE DEPOSIT- THE DIPLOMAT BEACH RESORT - WOMEN IN MUNICIPAL GOVERNMENT SUMMER CONFERENCE - HOLLYWOOD, FL - 07/15 - 07/20/24 - K.FERGUSON					
08/02/2024	AP	FERGUSON, KATHLEEN 07-22-24	64220	7966	1,243.00		3,509.59
		QTY 4 - THE DIPLOMAT BEACH RESORT - WOMEN IN MUNICIPAL GOVERNMENT SUMMER CONFERENCE - HOLLYWOOD, FL - 07/15 - 07/20/24 - K.FERGUSON					
08/16/2024	AP	CHAPEL HILL-CARRBORO CHAMBER OF COM	64227	72550	2,495.00		6,004.59
		REGISTRATION - 2024 INTERCITY VISIT & LEADERSHIP CONFERENCE - ANN ARBOR, MI - 09/15 - 09/17/24 - ROBB ENGLISH					

08/16/2024 AP CHAPEL HILL-CARRBORO CHAMBER OF COM 64228 72550 2,495.00 8,499.59
 10-10-4100-5300-080 TRAINING/CONF./CONV. (continued from previous page)

<u>DATE</u>	<u>MOD</u>	<u>REFERENCE</u>	<u>JE # or VOUCHER#</u>	<u>CHECK#</u>	<u>DEBIT</u>	<u>CREDIT</u>	<u>BALANCE</u>	
		REGISTRATION - 2024 INTERCITY VISIT & LEADERSHIP CONFERENCE - ANN ARBOR, MI - 09/15 - 09/17/24 - MEAGHUN DARAB						
08/16/2024	AP	CHAPEL HILL-CARRBORO CHAMBER OF COM	64488	72550	2,495.00		10,994.59	
		REGISTRATION - 2024 INTERCITY VISIT & LEADERSHIP CONFERENCE - ANN ARBOR, MI - 09/15 -09/17/24 - MATT HUGHES						
SUBTOTALS FOR ACCOUNT 10-10-4100-5300-080 :					<u>12,941.43</u>	<u>1,946.84</u>		
					<u>12,941.43</u>	<u>1,946.84</u>		

10-10-4100-5300-530 DUES & SUBSCRIPTIONS		<u>BUDGET</u>	<u>PERIOD TO DATE</u>	<u>ENC AMT</u>	<u>REM BAL</u>			
		26,522.00	18,599.00	0.00	7,923.00			
<u>DATE</u>	<u>MOD</u>	<u>REFERENCE</u>	<u>JE # or VOUCHER#</u>	<u>CHECK#</u>	<u>DEBIT</u>	<u>CREDIT</u>	<u>BALANCE</u>	
		BALANCE FORWARD						0.00
07/05/2024	AP	HILLSBOROUGH/OC CHAMBER OF COMMER	63714	7821	6,000.00		6,000.00	
		TRUSTEE MEMBER - 07/2024 - 06/2025						
07/05/2024	AP	N C LEAGUE OF MUNICIPALITIES I00046125	63715	72417	11,173.00		17,173.00	
		MEMBERSHIP SERVICE FEE FY 2024-2025						
07/19/2024	AP	N C BLACK ELECTED I0002334	63737	72465	75.00		17,248.00	
		MEMBERSHIP DUES - FY2024-2025 - MATTHEW HUGHES						
07/19/2024	AP	NC WOMEN IN MUNICIPAL GOVERNMENT I0	63741	72466	75.00		17,323.00	
		MEMBERSHIP DUES - FY24-25 - KATHLEEN FERGUSON						
08/12/2024	AP	BANK OF AMERICA NA NATIONAL LEAGE O	64495	8055	1,314.00		18,637.00	
		TOH - FY25 MEMBERSHIP DUES - NAT'L LEAGUE OF						
08/12/2024	AP	BANK OF AMERICA NA NATIONAL LEAGE O	64496	8055		38.00	18,599.00	
		CREDIT - TOH - FY25 MEMBERSHIP DUES - NAT'L LEAGUE OF CITIES						
SUBTOTALS FOR ACCOUNT 10-10-4100-5300-530 :					<u>18,637.00</u>	<u>38.00</u>		
					<u>18,637.00</u>	<u>38.00</u>		

Information Technology

- Worked with vendors (Computerbilities and A3) and architects to complete IT needs requirements for NC 86 building remodel project.
- Met with vendors (NetPlanner and A3) on low voltage and building access and security requirements for Adron Thompson remodel project.
- Completed Brightly Asset Essentials Fleet, Stormwater, and Safety modules demonstration.
- Completed module one for the Cybersecurity & Infrastructure Security Agency (CISA) Tabletop Exercise Package for Local Governments with Adam Pittman, from Computerbilities. Module two to be completed in late September/early October.
- Prep work for the National Institute of Standards and Technology (NIST) quantitative security baseline assessment has been completed. Assessment is scheduled to begin in September and will last approximately 6 to 8 weeks.
- Had project kick-off meeting with MCCI for the Human Resources records retention Laserfiche project.
- Had project kick-off meeting with A3 for the Wastewater Treatment Plant security camera replacement and front gate access control upgrade project.

Safety and Risk Management

- Safety and Risk Manager Phil Cundiff started in July and is assessing our current practices and making improvements as needed.



Public Works Report: August 2024

Work Orders

11 completed within two days.

Public Spaces

102 staff hours

Stormwater Maintenance

128 Storm drains were cleaned, 150 Staff hours, and 50 ft linear ft

Inspections

12 Utility inspections

Special Events

Last Friday's – 4 Staff hours, Tropical Storm – 76 staff hours

Training

5 staff attended training through ITRE

Cemetery

Marked 3 graves

Asphalt Repairs

1 utility cut repaired