



Agenda

Board of Adjustment Regular Meeting

6:00 PM February 11, 2026

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

1. Call to order and confirmation of quorum

2. Agenda changes and approval

3. Minutes review and approval

A. Draft December 10, 2025, minutes

4. Quasi-judicial evidentiary hearings

A. Case BA-01-2026: Auman Village at Meadowlands – Special Use Permit Modification request at 1314 US 70-A East (Orange County PINs 9874-81-6134, 9874-81-8049 and 9874-80-9603). The applicant is 640 Meadowlands Drive, LLC. The property owner is Habitat for Humanity, Orange County, NC, Inc. The request is for a waiver from the 250-foot driveway separation requirement of UDO Section 6.9.3.1.

5. Other business

A. Case BA-02-2026: Collins Ridge Phase 2 - Special Use Permit expiration extension request at 256 and 258 Orange Grove Street (Orange County PINs 9874-20-8071, 9874-11-1612, 9874-11-3638 and 9874-11-5687). The applicant is McAdams c/o Brad Rhinehalt, PE. The property owner is SFTEN, LLC. The request is for a three-year extension to the current Special Use Permit's February 14, 2026, expiration date.

6. Committee and staff reports

7. Adjournment

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

DRAFT

Minutes

BOARD OF ADJUSTMENT

Regular meeting

6 p.m. December 10, 2025

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



Present: Chair Raul Herrera, Vice Chair David Blankford, members: Rob Iglesias, Eddie Sain, Garrett Sparks and Richard Chapple

Absent: None

Staff: Town Attorney Bob Hornik and Senior Planner Tom King

1. Call to order and confirmation of quorum

Chair Raul Herrera called the meeting to order. Senior Planner Tom King confirmed the presence of a quorum.

2. Agenda changes and approval

Chair Herrera asked if there were any changes to the agenda. King said he had none to offer. No board members made suggestions. Chair Herrera asked for a motion to approve the agenda as presented.

Motion: Member Rob Iglesias moved to approve the agenda as presented. Member Richard Chapple seconded.

Vote: 7-0. Motion passed.

3. Minutes review and approval

Minutes from the rescheduled regular meeting on September 9, 2025.

Chair Herrera asked if board members had had a chance to review the minutes and if any changes needed to be made. No changes were suggested. Chair Herrera asked for a motion to approve the minutes as written.

Motion: Member Eddie Sain moved approval of the minutes as submitted. Iglesias seconded.

Vote: 7-0. Motion passed.

4. Other business

A. Review and approval of 2026 meeting schedule

King presented the draft 2026 meeting schedule to the board noting that the November 10, 2026, date reflected a shift due to the Veterans Day Holiday.

Motion: Member David Blankford moved to approve the 2026 meeting schedule as presented. Sain seconded.

Vote: 7-0. Motion passed.

B. Board training session with Town Attorney

Town Attorney Bob Hornik of the Brough Law Firm presented a MicroSoft PowerPoint presentation outlining the role, duties and responsibilities of boards of adjustment.

5. Committee and staff reports

King gave the board a brief update on progress on the town's UDO (Unified Development Ordinance) rewrite project.

King also updated the board on various members' term status. Chapple's term is set to expire at the end of September 2026. The Orange County Board of Commissioners may reappoint him for one additional year as an ETJ (Extraterritorial Jurisdiction) regular member. Sain's first full term expires at the end of June 2026. The Orange County Board of Commissioners may reappoint him for another three-year term as an ETJ alternate member. Chair Herrera's second full term as an ETJ regular member expires at the end of June 2026. He may not be re-appointed.

King finished by informing the board that, at their November quarterly joint public hearing, the Town Board of Commissioners and Planning Board heard a request to rezone the remainder of the Oakdale Village property at the corner of Oakdale Drive and South Churton Street from Entranceway Special Use to General Commercial. Also, the UDO was amended to comply with recently enacted state laws removing local governments' ability to require a waiting period on the refiling of development approval applications that have been denied or withdrawn and cleared up language regarding how subdivisions of 20 lots or more are processed when a planned development is involved.

6. Adjournment

Motion: Iglesias moved to adjourn the meeting at 7:54 p.m. Blankard seconded.

Vote: 7-0. Motion passed.

Respectfully submitted,



Tom King, AICP, CZO
Senior Planner
Staff support to the Board of Adjustment

Approved: Month X, 202X

**PLANNING & ECONOMIC
DEVELOPMENT DIVISION
STAFF REPORT**

Tom King, AICP, CZO - Senior Planner
Secretary to the Board of Adjustment



101 East Orange Street
P.O. Box 429
Hillsborough, NC 27278

Report Date: February 4, 2026

BOARD OF ADJUSTMENT

Agenda Item: 4.A

CASE NUMBER	CASE NAME	APPLICANT/PROPERTY OWNER
BA-01-2026	Auman Village at Meadowlands	640 Meadowlands Drive, LLC/Habitat for Humanity, Orange County, NC, Inc.
HEARING DATE	PARCEL ID NUMBERS	PROPERTY ADDRESS/LOCATION
February 11, 2026	9874-81-6134, 9874-81-8049 & 9874-80-9603	1317 US 70-A East

BRIEF SUMMARY OF REQUEST

Special use permit modification to allow a driveway connection to an adjoining commercial property (currently under development) that doesn't meet a specified driveway separation requirement. A waiver from the requirement is requested.

EXISTING ZONING	EXISTING LAND USE	SURROUNDING ZONING/LAND USE	FUTURE LAND USE CATEGORY	SIZE OF PROPERTY
RSU	75-unit townhouse project (currently under development)	<i>North:</i> R-1 (county)/US 70-A East & residential <i>South:</i> R-2 (county)/Residential <i>East:</i> R-1 & R-2 (county)/Residential <i>West:</i> HIC (town)/Commercial	Medium-density Residential	10.89 acres

DISCUSSION OF STAFF FINDINGS

COMPLIANCE with UDO (UNIFIED DEVELOPMENT ORDINANCE)

The proposed request does not comply with applicable UDO provisions.

COMPATIBILITY with CSP (COMPREHENSIVE SUSTAINABILITY PLAN (2030))

The subject development generally complies with the Future Land Use Map. There are no applicable CSP provisions that speak to the request.

ATTACHMENTS: 1. Application materials 2. Relative FLUM & UDO provisions 3. Zoning history

PROJECT DESCRIPTION:

The applicant's property at 640 Meadowland Drive (PIN 9874-81-3230) is being developed for a one-story flex space building with driveway access off Meadowland Drive. The project is known as "Tryon Investments Phase III." The property owner's project, Auman Village at Meadowlands (approved as "East Village at Meadowlands"), a 75-unit townhouse subdivision, is also under construction.

In late 2025, the applicant obtained an easement from the property owner allowing a connection to the entrance road (Public Road 1) serving the Auman Village at Meadowlands project with the intention of providing a second driveway access point to the Tryon Investments Phase III project. A site plan showing the proposed connection may be found in Attachment #1.

UDO Compliance: The proposed driveway connection doesn't comply with the following requirement of UDO Section 6 (Development Standards):

1. Subsection 6.9 (Driveway Connections), Paragraph 6.9.3 (Driveway Requirements), Sub-paragraph 6.9.3.1: "No driveway shall be located within two hundred fifty (250) feet of the intersection of a public street with an arterial or collector street unless no other site access is legally practicable."

Staff Comment: The North Carolina Department of Transportation classifies US 70-A East as a "Minor Collector" road. The town's adopted *Street Manual* classifies it as a "Two-lane Arterial" street.

The proposed driveway will be approximately 220 feet from the intersection of Public Road 1 and US 70-A East. This measurement is taken from the center point of the proposed driveway to the center of US 70-A East.

Since there is already a legal access for the Tryon Investments Phase III project on Meadowland Drive, staff cannot use the "unless no other site access is legally practicable" provision to allow the proposed driveway connection, thus the need for a waiver.

Staff Review: Applicable town, county and state staff reviewed the initial proposal in November 2025. The results of the review are as follows:

Review Agency	Review Comments
Town Public Works Division	
North Carolina Department of Transportation	No concerns with proposed driveway placement.
Town Engineering Services Division	
Town Stormwater and Environmental Services Division	Review of revised stormwater calculations required for both projects to evaluate if new impervious surface area affects approved stormwater management plans.
Orange County Erosion Control Division	May need to review revised erosion control plans for Tryon Investments Phase III project to evaluate if additional land disturbance affects approved erosion control plan.
North Carolina Department of Environmental Quality	Not consulted but assume same answer as Orange County Erosion Control. <i>Agency has jurisdiction over Auman Village at Meadowlands project.</i>

FINDINGS OF FACT ANALYSIS:

The following analysis represents staff's professional opinion based upon review of the application materials, UDO, Future Land Use Map and CSP. The Board must make its own determination as to whether all findings are met. **This determination must be based on factual, competent, material and substantial evidence presented at the hearing.**

Section 3 (Administrative Procedures), Subsection 3.8 (Special Use Permit), Paragraph 3.8.3 (General Standards/Findings of Fact): The Board of Adjustment shall not approve a Special Use Permit application unless it makes each of the following findings concerning the proposed special use:

3.8.3.1 That the use or development is located, designed, and proposed to be operated so as to maintain the public health, safety, and general welfare.

Applicant Statement Supporting Finding: The driveway connection as shown is aligned with an approved street within the approved construction drawings for Auman Village. This creates the safest connection point along the public street from a motorist and pedestrian standpoint.

Staff Analysis: The proposed driveway connection will be over 200 feet from the intersection of US 70-A East. North Carolina Department of Transportation and town Public Works Division staff have reviewed the location and identified no issues with the proposed driveway placement. The driveway also serves as a secondary point of ingress and egress to both properties which could be helpful in cases of emergency.

3.8.3.2 That the use or development complies with all required regulations and standards of this Ordinance, including all applicable provisions of Articles 4, 5, and 6 and all applicable regulations.

Applicant Statement Supporting Finding: The driveway and the connection will be in compliance with all UDO design criteria with approval of this waiver.

Staff Analysis: Staff offer the following in relation to this finding:

1. Compliance with Section 4 (Zoning Districts)

The requested waiver does not affect the existing development's compliance with UDO Section 4. The development continues to meet the intent of the RSU zoning district in effect at the time of project approval.

2. Compliance with Section 5 (Use Standards)

The requested waiver does not affect the existing development's compliance with UDO Section 5.

Subsection 5.2 (Use-specific Standards), Paragraph 5.2.9 (Dwelling, Attached), Sub-paragraph 5.2.9.2 (Standards of Evaluation), Item 5.2.9.2.c states "For developments consisting of 5 or more dwelling units, vehicular ingress and egress and exits for the development are directly off a public road(s) which is either a collector or arterial street and

meet the driveway standards in Section 6.9, *Driveway Connections*. Up to 4 dwelling units are permissible on any public street.”

The proposed driveway connection will not be a primary means of access for the Auman Village at Meadowlands development. It will serve as a secondary cross-connection between both projects to both US 70-A East and Meadowland Drive.

3. Compliance with Section 6 (Development Standards)

The proposed driveway connection does not comply with all applicable standards found in Section 6. The Board may find the project is in substantial compliance with Section 6 if the requested waiver is granted.

3.8.3.3 That the use or development is located, designed, and proposed to be operated so as to maintain or enhance the value of contiguous property, or that the use or development is a public necessity, and

Applicant Statement Supporting Finding: The proposed driveway connection will maintain the value of the adjacent property due to the driveway being specific to the adjacent property.

Staff Analysis: Staff find no reason why the use will not maintain or enhance the value of contiguous property. Neither use is considered a “public necessity” for the purposes of this finding.

3.8.3.4 That the use or development conforms with the general plans for the physical development of the Town and is consistent with the Town’s Comprehensive Plan.

Applicant Statement Supporting Finding: The use is consistent with the physical development standards of the Town and comprehensive plan with approval of this waiver. Connectivity.

Staff Analysis: Staff evaluated the request in relation to the town’s FLUM and CSP and offer the following findings:

1. FLUM

The property is classified as “Medium-density Residential.” The proposed driveway location has no negative effect on the project from a future land use standpoint.

2. CSP

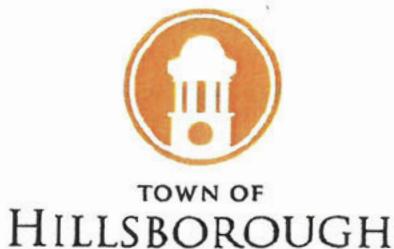
Staff found no goals or strategies either supporting or not supporting the requested driveway connection.

RECOMMENDED CONDITIONS OF APPROVAL:

Staff have no recommended conditions for this project, if approved. However, the board may attach reasonable and appropriate conditions and safeguards to the permit modification but may not include requirements for which the town has no authority to apply under state statute or that the courts have held to be unenforceable.

VOTING REQUIREMENT:

A majority vote is required to grant the waiver and special use permit modification.



GENERAL APPLICATION
Special Use Permit, Variance or Appeal
Board of Adjustment Hearing

Planning and Economic Development Division
 101 E. Orange St., PO Box 429, Hillsborough, NC 27278
 919-296-9475 | Fax: 919-644-2390
www.hillsboroughnc.gov

This application is for a special use permit (including modifications), variance or appeal.
Incomplete applications will not be accepted or processed.

OFFICIAL USE ONLY		
Case Number: BA-01-2026	Fee: \$ 1,000.00	Receipt No.: 060826
FLUM Designation: Medium Density Residential	Zoning District: RSU	Overlay Zone: Select One
Permit or Relief Requested: Special Use Permit Modification <input checked="" type="checkbox"/>		

PROJECT LOCATION AND DESCRIPTION	
Project Name: East Village at Meadowlands	Project Type: Residential <input checked="" type="checkbox"/>
Property Address/Location: 1317 US 70-A East	
PIN(s): 9874-81-6134 & 8049; 90-9603	Size of Property (Acres/Sq. Ft.): 10.89 Ac
Current Use of Property: Residential	Proposed Use of Property: Residential
Use Class (from UDO Sections 5.1.7 and 5.1.8): RSU	
Number Existing Buildings to Remain: 0	Number Proposed Buildings: 13
Gross Floor Area Existing Buildings: 0	Gross Floor Area Proposed Buildings: -
Number Lots Proposed: 76	Number Dwelling Units Proposed: 76
Brief Summary of Request (use separate sheet if necessary): Requesting a Waiver from the driveway spacing UDO requirement of Sect. 6.9.3.1 <input checked="" type="checkbox"/>	

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: 640 Meadowlands Drive, LLC	Legal Property Owner: HFH of Orange County
Mailing Address: [REDACTED]	Mailing Address: [REDACTED]
City, State, ZIP Code: Hillsborough, NC 27278	City, State, ZIP Code: Chapel Hill, NC 27514
Telephone: [REDACTED]	Telephone: [REDACTED]
Email: [REDACTED]	Email: [REDACTED]
Signature:	Signature: Grace Johnston
Date: 1/12/2026	Date: 1/12/2026
Legal Relationship of Applicant to Property Owner: none	

(TK) = by Senior Planner
 Tom King

General Application Form BOA 01/11/2023 TK



TOWN OF
HILLSBOROUGH

AUTHORIZATION FORM
Owner's Authorization for Agent
Board of Adjustment Hearing

Planning and Economic Development Division

101 E. Orange St., PO Box 429, Hillsborough, NC 27278

919-296-9475 | Fax: 919-644-2390

www.hillsboroughnc.gov

This form must accompany any application to go before the Board of Adjustment in which the application will not be represented by the legal property owner. Each owner shown on the property owner's deed must sign this authorization form.

I/We Habitat for Humanity of Orange County

(print names of legal property owners)

hereby authorize 640 Meadowland Drive, LLC - James Parker

(print name of agent)

to represent me/us in processing an application for Special Use Permit Modification on my/our behalf. In authorizing the agent to represent me/us, I/we as owner/owners attest that:

- The application is made in good faith.
- All information contained in the application is accurate and complete.
- The agent is authorized to accept any and all conditions that may be placed on the approval.
- I/we as the property owner(s) am/are bound by any decision of the board, including any and all conditions attached to board approvals.

Grace Johnston

Signature of Owner

Signature of Owner

Grace Johnston

Print Name of Owner

Print Name of Owner

NORTH CAROLINA

COUNTY

Sworn to and subscribed before me on this 8 day of January 2026 by

Grace Johnston

Print Name of Person Making Statement

Margaret R. Mack

Signature of Notary Public

Margaret R. Mack

Print Commissioned Name of Notary Public

7-6-27

Commission Expiration Date

The individual(s) making the above statement is/are personally known X or identification was produced ____.

Margaret R. Mack
NOTARY PUBLIC (SEAL)
DURHAM COUNTY, N.C.
My Commission Expires July 6, 2027



TOWN OF
HILLSBOROUGH

SUPPLEMENTAL FORM **Special Use Permit**

Planning and Economic Development Division
101 E. Orange St., PO Box 429, Hillsborough, NC 27278
919-296-9475 | Fax: 919-644-2390
www.hillsboroughnc.gov

To the Hillsborough Board of Adjustment:

I, 640 Meadowlands Drive, LLC - James Parker, hereby petition the Board of Adjustment to issue a Special Use Permit in the name of Auman Village (East Village @ Meadowlands) for use of the property described in the attached General Application in a manner set forth on that form or, if not adequately explained there, as more fully described herein:

Connection of an adjacent property driveway to a proposed street in Auman Village. The request for waiver from the 250' requirement from an intersecting street, the proposed connection is 220'.

Authority to grant the request is contained in the Hillsborough Unified Development Ordinance sections:

?

Factors Relevant to Permit Issuance

The Hillsborough Unified Development Ordinance imposes the following four general standards/findings of fact on the special use requested by the applicant. 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 Adjustment that it can properly reach these four required findings.

1. That the use or development is located, designed, and proposed to be operated so as to maintain the public health, safety, and general welfare.

the driveway connection as shown is aligned with an approved street within the approved construction drawings for Auman Village. This creates the safest connection point along the public street from a motorist and pedestrian standpoint.

2. That the use or development complies with all required regulations and standards of the Unified Development Ordinance, including all applicable provisions of articles 4, 5, and 6 and all applicable regulations.

the driveway and the connection will be in compliance with all UDO design criteria with approval of this waiver.

Last revised: December 2023

3. That the use or development is located, designed, and proposed to be operated so as to maintain or enhance the value of contiguous property or that the use or development is a public necessity.

The proposed driveway connection will maintain the value of the adjacent property due to the driveway being specific to the adjacent property.

4. That the use or development conforms with the general plans for the physical development of the Town and is consistent with the Hillsborough Comprehensive Plan.

The use is consistent with the physical development standards of the Town and comprehensive plan with approval of this waiver

Connectivity

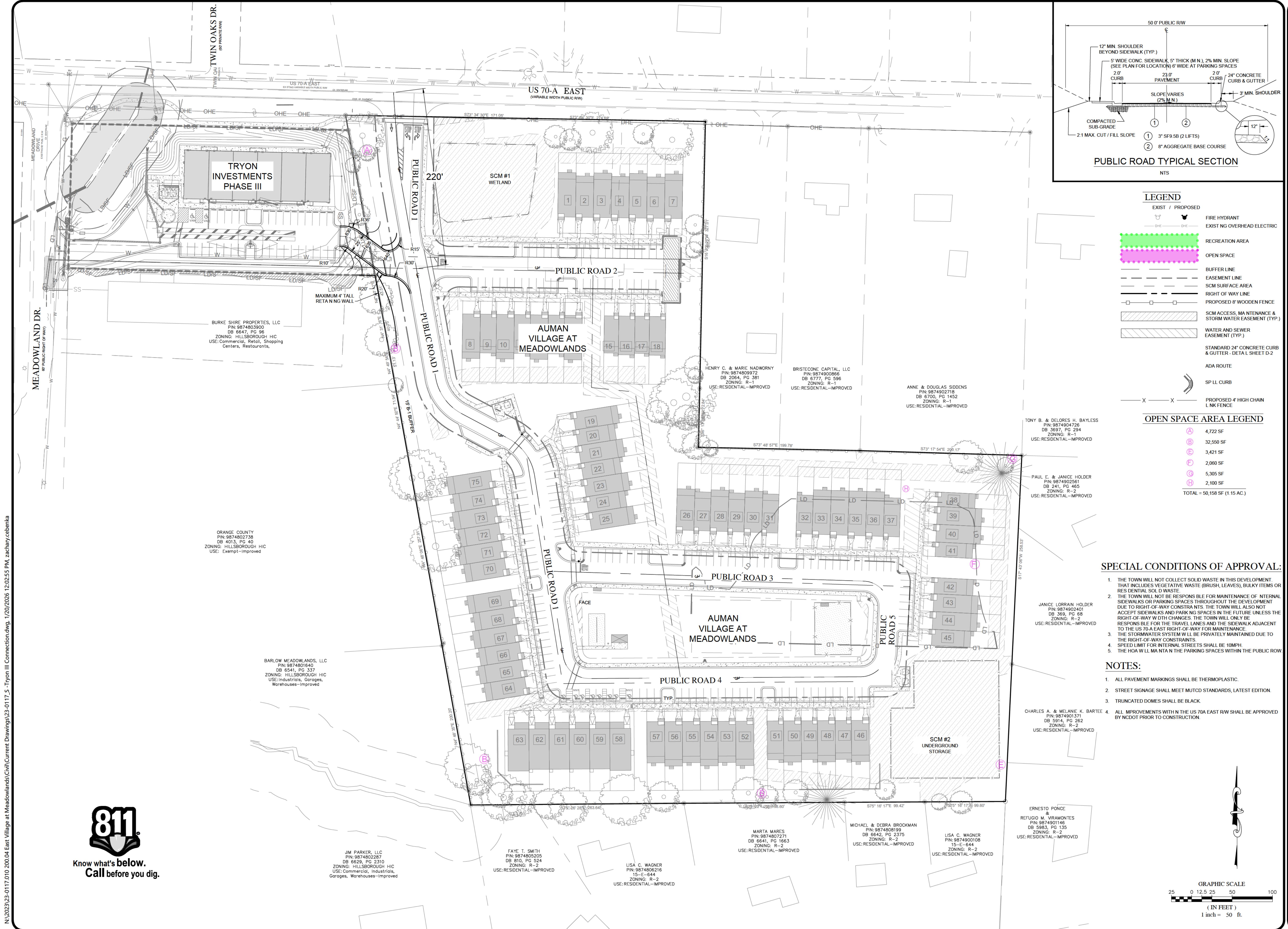
The Unified Development Ordinance also imposes the following use-specific requirements on the use requested by the applicant (town staff will assist the applicant in listing the specific requirements). The applicant should be prepared to demonstrate that the proposed use will comply with each of the following specific requirements if the land is used in a manner consistent with the plans, applications and other information presented to the board:

Not Applicable

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

Signature of Applicant

Date



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PROJECT ENGINEER/ARCHITECT
WW
PROJECT MANAGER
TG

DRAWN BY
WW
FIRST ISSUE DATE
7/22/2025

SEAL
NORTH CAROLINA
PROFESSIONAL
ENGINEER
WILLIAM M. WEST
052574

SUMMIT
DESIGN AND ENGINEERING SERVICES
State License #: 20-239
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CONSTRUCTION DRAWINGS for
AUMAN VILLAGE AT MEADOWLANDS
1317 US 70-A EAST
HILLSBOROUGH, NORTH CAROLINA 27278

TRYON III ROAD CONNECTION EXHIBIT

PROJECT NO.
23-0117

DRAWING NAME:
23-0117_S - Tryon III Connection

SHEET NO.
C-20

ATTACHMENT #2

Future Land Use Map and UDO Provisions Relative to the Case

Future Land Use Map Classification:

Medium-density Residential: These areas include existing and future areas for development of more dense residential neighborhoods that provide a diversity of housing types and housing options. Areas include single-family detached units, mobile homes, townhouses, duplexes, condominiums, apartments, senior housing, and other multi-family dwelling units. Housing densities should range from 3-8 dwelling units per acre. Other types of uses that may occur are schools, parks, and other public facilities. *Zoning Districts: R-10; R-15; R-20; Multi-Family; Mobile Home Park; Entranceway Special Use; Mixed Residential Special Use; Multi-Family Special Use; Residential Special Use.*

UDO Provisions:

Section 4 (Zoning Districts), Subsection 4.4 (Special Use Zoning Districts), Paragraph 4.4.4 (Residential Special Use District (RSU)), Sub-paragraph 4.4.4.1 (Intent): The purpose of the residential special use district is to create an open-ended use category for unique and diverse housing opportunities within existing residential districts as those districts age and redevelop.

This intent statement is taken form the UDO in effect at the time the Auman Village at Meadowlands project was approved.

Section 6 (Development Standards), Subsection 6.9 (Driveway Connections), Paragraph 6.9.3 (Driveway Requirements), Sub-paragraph 6.9.3.1: No driveway shall be located within two hundred fifty (250) feet of the intersection of a public street with an arterial or collector street unless no other site access is legally practicable.

ATTACHMENT #3

Zoning History

December 14, 2020: Town Board of Commissioners annex property from Orange County into the town's corporate limits, rezones it from county R-1 (Rural Residential) to town RSU (Residential Special Use) and grants a Special Use Permit for "East Village at Meadowlands"; a 76-unit townhouse project. Project approved subject to five waivers from UDO requirements and four conditions of approval. The permit expiration date is December 14, 2022.

September 12, 2022: Town Board of Commissioners approve one-year extension of Special Use Permit expiration date. New expiration date is December 14, 2024.

October 28, 2024: Town Board of Commissioners approve six-month extension of Special Use Permit expiration date. New expiration date is June 14, 2025.

June 13, 2025: Town staff approve construction drawings for the Auman Village at Meadowlands project. Number of townhouse units is reduced from 76 to 75. Town staff also issue Zoning Compliance Permit #8511 authorizing grading and site work associated with the project.

**PLANNING & ECONOMIC
DEVELOPMENT DIVISION****STAFF REPORT**

Tom King, AICP, CZO - Senior Planner
Secretary to the Board of Adjustment



101 East Orange Street

P.O. Box 429

Hillsborough, NC 27278

Report Date: February 4, 2026**BOARD OF ADJUSTMENT****Agenda Item:** 5.A

CASE NUMBER	CASE NAME	APPLICANT/PROPERTY OWNER
BA-02-2026	Collins Ridge, Phase 2 Permit Expiration Extension	McAdams c/o Brad Rhinehart/SFTEN, LLC
MEETING DATE	PARCEL ID NUMBERS	PROPERTY ADDRESS/LOCATION
February 11, 2026	9874-20-8071, 9874-11-1612, 9874-11-3638 & 9874-11-5687	256 & 258 Orange Grove Street

BRIEF SUMMARY OF REQUEST

Three-year (36-month) extension to the current special use permit's February 14, 2026, expiration date.

EXISTING ZONING	EXISTING LAND USE	SURROUNDING ZONING/LAND USE	FUTURE LAND USE CATEGORY	SIZE OF PROPERTY
RSU	Partially graded & developed acreage	<i>North:</i> LO, AR & MHP/Ball fields & vacant <i>South:</i> EDD/I-85 & vacant <i>East:</i> RSU, HIC & GI/Rail corridor & industrial <i>West:</i> HIC, MF & GC/Commercial & vacant	Mixed Residential Neighborhood	48.18 acres

DISCUSSION OF STAFF FINDINGS**COMPLIANCE with UDO (UNIFIED DEVELOPMENT ORDINANCE)**

Not applicable.

COMPATIBILITY with CSP (COMPREHENSIVE SUSTAINABILITY PLAN (2030))

Not applicable.

ATTACHMENTS:

1. Letter requesting extension
2. Approved Special Use Permit
3. Approved overall site plan

BACKGROUND:

The Board of Adjustment conditionally approved the special use permit for Collins Ridge, Phase 2 (Attachment #2) was approved on February 14, 2024. The project consists of the following components. Attachment #3 is a copy of the overall site plan approved for Collins Ridge, Phase 2.

	Development Pods Comprising Collins Ridge, Phase 2			
	Pod A	Pod B	Pod E	Pod F
Land Uses	Single-family Stormwater Control Measure #1	Single-family	Attached Dwellings, Townhomes	Attached Dwellings, Townhomes
# of Lots	50	29	36	15
Open Space (Acres)	2.88 ¹	1.84 ¹	0.18	2.51 ¹
Amenities	Park Area (.45 acres)	Park Area (1.60 acres)	Bike Rack	Park Area (acreage unspecified)
	Bike Rack	Walking/Biking Trail/Greenway (10 feet wide; asphalt; ~385 linear feet ²)		Walking/Biking Trail/Greenway (10-feet wide; asphalt; ~970 linear feet ²)
On-street Parking	0	0	17 spaces	0
Other Project Elements	Completion of perimeter walking/biking trail/greenway (10-feet wide; asphalt; ~5,415 linear feet ²)			
	Dedication of 0.77 acres on the north side of Gold Hill Way to the town			
	Dedication of 12.45 acres south of I-85 to the town			

¹ Includes identified Park Areas

² Part of a 6,291 linear foot perimeter greenway network.

The applicant first submitted construction drawings for town TRC (Technical Review Committee) review on July 3, 2024. The most recent plans were submitted for review on January 21, 2026. The following table lists the dates construction drawings were submitted for TRC review and dates TRC review comments were transmitted to the applicant and property owner.

Construction Drawings Submitted for TRC Review	Review Cycle Number	TRC Comments Transmitted to Applicant & Property Owner
July 3, 2024	1	August 12, 2024
December 23, 2024	2	January 24, 2025
April 16, 2025	3	July 1, 2025
August 18, 2025	4	October 22, 2025
January 21, 2026	5	Pending

APPLICANT'S REQUEST:

The applicant filed their request for a three-year (36-month) extension of the permit's expiration on January 16, 2026, placing the new expiration date as February 14, 2029. The request is made to allow additional time for project construction plan review and permitting through both the town and state. These permits involve road, water and sewer infrastructure, and are currently in progress.

APPLICABLE UDO PROVISIONS:

Section 1 (General Provisions), Subsection 1.8 (Vested Rights):

Paragraph 1.8.2 (Site-specific and Phased Development Plans), Sub-paragraph 1.8.2.2 (Site-specific Development Plan):

“Site-specific Development Plan” means a plan of land development submitted to the town by a landowner that describes with reasonable certainty the type and intensity of use for a specific parcel or parcels of land. *A Special Use Permit issued pursuant to Section 3.8 of this Ordinance is the only site-specific development plan recognized in this ordinance.*” [emphasis added]

Paragraph 1.8.3 (Vested Right), Sub-paragraph 1.8.3:

“Vested right” means the right to undertake and complete the development and use of property under terms and conditions of an approved building permit, or an approved site-specific or phased development plan, including any amendments thereto. Conditional approval of a site-specific or phased development plan shall result in a vested right, although failure to abide by such terms and conditions will result in forfeiture thereof.”

Paragraph 1.8.4 (Duration and Termination of Statutory Vested Rights), Sub-paragraph 1.8.4.1:

“An approved Site-specific Development Plan which has been vested as provided for in this section shall remain vested for a period of two (2) years from the date of approval. *This vesting shall not be extended by any amendments or modifications to a Site-specific Development Plan unless the property owner (or authorized agent) requests an extension in writing, and the permit-issuing authority approves such extension.*” [emphasis added]

Section 3 (Administrative Procedures), Subsection 3.8 (Special Use Permit), Paragraph 3.8.24 (Expiration):

“An approved Special Use Permit expires 24 months from the date of approval if the Zoning Permit has not been issued for the project unless an extension of the expiration date has been granted by the Board of Adjustment. Extensions may be in the form of a longer expiration time approved with the initial Special Use Permit, or a separate request made in writing before the expiration of the standard 24 months.”

VOTING REQUIREMENT:

A majority vote is required to grant the request.

ATTACHMENT #1



DRH21002

January 16, 2026

Town of Hillsborough – Board of Adjustment
101 East Orange Street
Hillsborough, North Carolina 27278

**RE: Collins Ridge – Phase 2 Special Use Permit Case Number BA-01-2024
Request For Extension**

Dear Chairman - Town of Hillsborough Board of Adjustment,

We would like to request a three (3) year extension of the current permit noted above. We request this time to allow for the continued construction plan and permitting approval process through both the Town of Hillsborough and State of North Carolina needed for the roadway, water and sewer infrastructure that are currently in progress.

We feel this additional time allowance will afford the team the time needed to complete the process successfully and move into construction.

Consideration of this response is greatly appreciated. If you should have any questions or require additional information, please do not hesitate to contact me at [REDACTED] or Jon Cooper at [REDACTED].

Sincerely,

A handwritten signature in blue ink that appears to read "Brad Rhinehalt".

Brad Rhinehalt, PE
Senior Technical Manager, Residential
McAdams

A handwritten signature in blue ink that appears to read "Jonathan Cooper".

Jonathan Cooper
Entitlements Manager
DR Horton – Central Carolina

BR/sms

ATTACHMENT #2

Return to: SFTEN, LLC, c/o Bobby Stuart - [REDACTED]

NORTH CAROLINA
ORANGE COUNTY

TOWN OF HILLSBOROUGH

SPECIAL USE PERMIT

On February 14, 2024, the Board of Adjustment for the Town of Hillsborough ("Board") met and held a quasi-judicial evidentiary hearing to consider the following application:

Case Number: BA-01-2024

Project Name: Collins Ridge – Phase 2

Applicant: The John R. McAdams Company, Inc. - [REDACTED]

Property Owner: SFTEN, LLC - [REDACTED]

Street Address: 256 and 258 Orange Grove Street

Orange County Parcel Identification Number: 9874-10-4417 [REDACTED]

Description of Property Subject to Permit: Approximately 97.12 acres of land and being a portion of that tract of land identified as "Elizabeth Collins Heirs" as shown on the plat and survey by The John R. McAdams Company, Inc. entitled "Elizabeth Collins Heirs Property" recorded in Plat Book 115, Page 129 of the Orange County Registry.

Zoning of Property: RSU (Residential Special Use)

Use Classification: Special Subdivision

Description of Development: Subdivision of property creating 130 lots (79 single-family detached and 51 attached dwelling (townhome) lots)

Having heard all the evidence and arguments presented at the quasi-judicial evidentiary hearing, the Board finds that the application is complete, that the application complies with all of the applicable requirements of the Town of Hillsborough UDO (Unified Development Ordinance) for the development proposed, and that therefore the application to make use of the above-described property for the purpose indicated is hereby approved, subject to all applicable provisions of the UDO and the following condition(s).

Submitted electronically by "Bagwell Holt Smith P.A."
in compliance with North Carolina statutes governing recordable documents
and the terms of the submitter agreement with the Orange County Register of Deeds.

Page 1 of 4

Submitted electronically by "Bagwell Holt Smith P.A."
in compliance with North Carolina statutes governing recordable documents
and the terms of the submitter agreement with the Orange County Register of Deeds.

Specific Conditions of Approval

(1) Land Dedication Timing: The 0.77-acre parcel of land located on the north side of Gold Hill Way, and 12.45-acre parcel of land located on the south side of US Interstate 85, both labeled in the submitted Collins Ridge-Phase 2, Special Use Permit plans as "to be dedicated to Town of Hillsborough," shall be formally offered for dedication to the Town of Hillsborough within 90 days of the approval of this SUP (Special Use Permit).

(2) Off-site Greenway Easement: The project developer shall cooperate with the Town in negotiating with the property owner regarding the off-site greenway easement crossing for the DOT (Department of Transportation) property identified as Orange County PIN (Parcel Identification Number) 9874-22-0495 and described in Deed Book 6316, Page 175, in the Orange County Registry.

Additional Stipulations Applying to Permit

Relationship to Approved Master Plan: The approval of this Special Use Permit shall not negate any applicable approval conditions attached to the Master Plan for the Collins Ridge development approved by the Town Board of Commissioners on March 14, 2016, as amended October 11, 2021, and June 12, 2023. The Collins Ridge Master Plan materials are on file with the Town of Hillsborough Community Services Department, Planning and Economic Development Division.

Relationship to Special Use Permit #2017-01: This Special Use Permit is intended to be in addition to the terms of Special Use Permit #2017-01 recorded at Records Book 6325, Pages 479 through 485 of the Orange County Registry. Its approval shall not negate any applicable waivers or conditions of approval attached to Special Use Permit #2017-01.

Completion of Project in Accordance with Approved Plans: The applicant shall complete the project strictly in accordance with the application materials and plans submitted to and approved by the Board, including any modifications or minor changes thereof as approved by the Board or minor changes approved by the Planning and Economic Development Manager, as applicable. A copy of the approved application materials and plans are filed in the Town of Hillsborough Community Services Department, Planning and Economic Development Division.

Permit Expiration: This Permit expires on **February 14, 2026**, if a Zoning Compliance Permit has not been issued for the project. Requests for an extension of the expiration date must be made to the Board of Adjustment in writing before the expiration date is reached.

Vested Right Established: This Special Use Permit constitutes a site-specific development plan establishing a vested right as provided by North Carolina General Statute 160D-108 (Permit Choice and Vested Rights) and UDO Subsection 1.8 (Vested Rights). Unless terminated at an earlier date, this Permit shall be vested until **February 14, 2026**. This vesting shall not be extended by any amendment or modification to the approved plans unless the property owner or authorized agent requests an extension in writing, and the Board approves such extension.

Minor Changes and Modifications: The Town of Hillsborough Planning and Economic Development Manager shall be consulted to determine whether any proposed change(s) to the approved project is a minor change or a modification, as defined in the UDO. Minor changes may be approved by the Planning and Economic Development Manager provided they are in harmony with the action of the Board. The Board shall approve any changes determined to be modifications.

Revocation: The Board may revoke this approval for any of the following:

- (a) substantial departure from the approved application, plans, or specifications,
- (b) refusal or failure to comply with the requirements of any applicable local development regulation or any State law delegated to the Town for enforcement purposes in lieu of the State, and/or
- (c) false statements or misrepresentations made in securing the approval.

Continued Validity: The continued validity and effectiveness of this approval is expressly conditioned on the continued compliance with the plans and conditions listed above.

Non-severability: If any of the conditions affixed hereto or any part shall be held invalid or void, then this Permit shall be void in its entirety and of no effect.

Specific Conditions of Approval Not Comprehensive: The list of specific conditions of approval applicable to this Permit is not intended to be comprehensive and does not exclude other federal, state, and local laws and regulations that may be applicable to this Permit and approved development project.

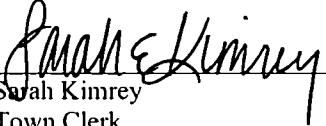
Permit Runs with the Land: The terms contained herein are binding on the present owners and their successors in title and interest, and shall henceforth be appurtenant to, and shall run with the title to said real property unless the conditions herein are otherwise vacated or changed by governmental action, the expiration of this Permit (including any approved extensions to its expiration date) or vacated or modified by action of a Court of competent jurisdiction.

IN WITNESS WHEREOF, the Town has caused this Special Use Permit to be issued in its name, and the undersigned, being all the property owners of the property above described, do hereby accept this Special Use Permit, together with all its conditions and requirements, as binding on them and their successors in interest.

TOWN OF HILLSBOROUGH

Attest:




Sarah Kimrey
Town Clerk


Tom King, AICP, CZO
Senior Planner
Secretary to the Board of Adjustment

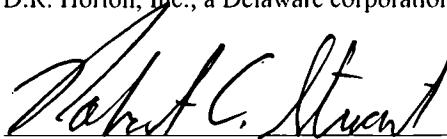
ACCEPTED BY:

I, Robert C. Stuart, Assistant Vice President of D.R. Horton, Inc., on behalf of SFTEN, LLC, owner of the above identified property, do hereby acknowledge receipt of this Special Use Permit. The undersigned owner does further acknowledge that no work may be done pursuant to this Permit except in accordance with all its conditions and requirements, that failure to comply with the approved terms and conditions stated herein will result in forfeiture of this Permit, and that these restrictions shall be binding on them and their successors in interest.

SFTEN, LLC, a Delaware limited liability company

By:

D.R. Horton, Inc., a Delaware corporation



Robert C. Stuart
Assistant Vice President
Property Owner

STATE OF NORTH CAROLINA

COUNTY of WAKE

I, S. Elaine Hudspeth, a Notary Public in and for said State and County, do hereby certify that Robert C. Stuart, Assistant Vice President of D.R. Horton, Inc., on behalf of SFTEN, LLC, personally appeared before me this day and acknowledged the due execution of the foregoing instrument.

WITNESS my hand and notarial seal, this the 1 day of March, 2024.


Notary Public

My commission expires: 11-01-2027.

(Not valid until fully executed and recorded)

