



Agenda

Planning Board and Board of Commissioners

Joint public hearing

7:00 PM October 17, 2024

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

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

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

2. Agenda changes and approval

3. Approval of minutes

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

4. Open the public hearing

5. Public hearing items

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

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

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

6. Close the public hearing

7. Planning Board recommendations

A. Paliouras Tract Master Plan amendment (applicant-initiated)

8. Updates

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.

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

Public Comment Instructions

For agenda items and items not on the agenda

Public Comment — Written

Members of the public may provide written public comment by submitting it via the Planning Board contact form at <https://www.hillsboroughnc.gov/about-us/contact-us/contact-planning-and-economic-development> by noon the day of the meeting.

When submitting the comment, include the following:

- Date of the meeting
- Agenda item you wish to comment on (Example: 5C)
- Your name, address, email, and phone number

Public Comment — Verbal

Members of the public can indicate they wish to speak during the meeting by contacting the Planning Board's staff support at 919-296-9470 or through the board contact form at <https://www.hillsboroughnc.gov/about-us/contact-us/contact-planning-and-economic-development> by noon the day of the meeting.

When submitting the request to speak, include the following:

- Date of the meeting
- Agenda item you wish to speak on (Example: 5C)
- Your name, address, email, and phone number

Members of the public can also attend the meeting and sign up to speak prior to the meeting starting. For concerns prior to the meeting related to speaking, contact staff support at 919-296-9470.

Minutes

PLANNING BOARD

Regular meeting

6:30 p.m. Sept. 19, 2024

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



Present: Chair Frank Casadonte, Vice Chair Hooper Schultz, Jeanette Benjey, Robert Iglesias, Saru Salvi and Christian Schmidt

Absent: Members John Giglia, Sherra Lawrence and Tiffney Marley

Staff: Planner II Molly Boyle, Planning and Economic Development Manager Shannan Campbell, Environmental Engineering Supervisor Bryant Green and Town Attorney Bob Hornik

1. Call to order and confirmation of quorum

Chair Frank Casadonte called the meeting to order at 6:30 p.m. Planner Molly Boyle confirmed the presence of a quorum.

2. Agenda changes and approval

There were no changes to the agenda.

Motion: Member Robert Iglesias moved to approve the agenda as it stood. Member Christian Schmidt seconded.

Vote: 6-0

3. Minutes review and approval

Minutes from regular meeting on Aug. 15, 2024.

Motion: Vice Chair Hooper Schultz moved to approve the minutes as presented. Member Jeanette Benjey seconded.

Vote: 6-0

4. Discussion

A. Paliouras Tract Master Plan amendment (applicant-initiated)

Boyle began with a review of the proposed master plan amendment for the Paliouras Tract, including staff recommendations. Boyle replied to Casadonte's request for the Waterstone South development timeline, stating that it is planned to reach full build-out in nine years.

The applicant, Seth Coker of Comet Development, presented a table from the North Carolina Department of Environmental Quality (NCDEQ) showing water usage for hotels versus multi-family dwellings. Based on this, Coker stated, multi-family developments require less water and generate less wastewater. Coker commented on the table of projects in the staff analysis, which showed developments that were approved by the town but not yet built. He remarked that some of the projects on the list were approved in 2016 and still had not been built.

Next, Environmental Engineering Supervisor Bryant Green explained NCDEQ just lowered the flow rates for residential development this year, but they have not updated non-residential flow rates yet, which explains the discrepancies between NCDEQ’s residential and nonresidential flow rates. Also, he stated that staff suggested conditions for the proposed amendment, which the applicant had not accepted, so Utilities staff was recommending denial of the proposed amendment.

Member Saru Salvi inquired about the conditions. Green summarized the Utilities Department’s recommended conditions and said he did not think they were in the agenda packet. Member Christian Schmidt clarified that the conditions were included in the board’s agenda packet, and his recommendation for approval was dependent on the conditions. Boyle confirmed, saying that the agenda packet included recommended conditions from both Planning and Utilities staff, and the applicant had not yet agreed to the conditions.

Coker stated that he had not received a response to his follow-up email about the conditions. The board asked the applicant to summarize his proposed changes. Coker suggested the following changes to the conditions and discussed them with the board and staff:

- Condition 1: change the proposed Average Median Income (AMI) to 80% instead of 70% based on a discussion he had with a commissioner;
- Condition 2: reduce the 99-year deed restriction to 10 years;
- Condition 3: acceptable (no changes);
- Condition 4: require that System Development Fees (SDFs) be paid at construction drawing approval instead of at Special Use Permit (SUP) approval; and
- Condition 5: include only current/active development projects in the updated sewer model.

Casadonte and Schmidt noted that the 99-year deed restriction in Condition 2 may be a way to ensure lifetime affordability.

In regards to Condition 5, Coker noted that Collins Ridge was included in the “approved but not built” table in the staff analysis. He said Collins Ridge was approved in 2016 but had not been built yet. Coker indicated that, if the sewer modeling/study was going to include the projects listed in the table, he did not think Collins Ridge should be included since it was not active.

Boyle explained that the overall Collins Ridge development was zoned in 2016, but it is being developed in phases. Green confirmed that construction drawings were under review for Collins Ridge Pod D, which is what was included in the table in the staff analysis. Coker said he understood and was amenable to using it in the modeling/study.

Green said staff could work with the applicant to come up with mutually agreeable language for the other Utilities conditions. Salvi said she wanted staff and the applicant to further discuss the conditions and come to an agreement before the Planning Board voted.

Board members debated whether to vote or table the item to their next meeting. Also, Schmidt discussed adding walkability to the conditions and perhaps changing the affordable housing condition to include units affordable to varying AMIs. Salvi agreed with Schmidt. Schmidt then proposed a required buffer between the proposed multi-family development and the existing car dealership. Boyle stated she would investigate the existing buffer requirements.

Motion: Saru motioned that the board table the discussion to the next meeting. Schmidt seconded.
 Vote: 6-0. Motion passed.

B. Unified Development Ordinance (UDO) text amendment to Section 5.2.8, *Dwelling, Accessory* (applicant-initiated)

Boyle began with a review of the proposed text amendment and staff recommendations.

The applicant, Natalie Dolgireff, addressed the board and explained the desire for detached Accessory Dwelling Units (ADUs) to be allowed on private streets. Dolgireff thanked the board for their consideration. Schmidt then inquired whether Dolgireff had viewed staff’s proposed version of the text amendment and if she thought it would be an acceptable solution. Dolgireff confirmed that she saw staff’s version and requested clarification on some aspects. Boyle explained that under staff’s version of the text amendment, ADUs will be allowed on private streets only if the private street conforms to the town’s private street standards.

Iglesias asked if a variance would be a better option in this case as opposed to a UDO text amendment. Boyle explained that a variance request is supposed to address a unique property issue. Since the issue/property is not unique in this case, the text amendment process was more appropriate for Ms. Dolgireff.

Casadonte asked Utilities staff to explain how attached and detached ADUs differ in terms of utilities. Green explained that, historically, utilities on private roads in Hillsborough were not well-documented with easements or plats. That tends to cause more problems for detached ADUs than attached ones. When building detached ADUs on private roads, utility lines without easements are often found, and sometimes these lines support other dwellings off the property, which creates complications. For attached ADUs, residents are typically tying on to their existing water and sewer connections. Also, an attached ADU is obviously closer to the main dwelling comparatively, where it is less likely to conflict with existing, undocumented utility lines out in the yard.

Dolgireff inquired about separate metering and sewer for ADUs. Green explained that residents can opt for separate metering or tie to the existing service.

Brynn Shreiner, a property owner in Hillsborough on a private street, asked to address the Planning Board. The Planning Board gave him permission to speak. He explained a detached or attached ADU would require property owner payment for utility upgrades regardless, which he agreed with. He pondered the effects on public safety for attached versus detached ADUs and thanked the board and applicant for their time and effort.

The board discussed the amendment. Jeanette Benjey voiced support for the amendment because she felt it was fair to residents on private streets. Schultz thanked the staff for its recommended changes, which would allow more density in town while considering safety and service. However, he noted he would eventually like to see the town move away from private streets. Salvi expressed support for the text amendment as well.

Motion: Schmidt motioned to recommend the text amendment to the town board with staff’s revisions.
Schultz seconded.
Vote: 6-0. Motion passed

C. UDO text amendment to Section 5.1.8 *Use Table for Non-residential Districts* (applicant-initiated)

Boyle began with a review of the proposed text amendment and staff recommendations.

The board recessed at 7:24 p.m. due to technical issues with the projector. The board reconvened at 7:32 p.m.

The applicant, Jenn Spada, explained her position that allowing multi-family development with a Special Use Permit (SUP) in the General Commercial (GC) district would create more flexibility for all GC-zoned parcels and benefit the town. She shared a town zoning map and highlighted the GC-zoned properties. She said the Planned Development rezoning process requires significant upfront costs. Also, she maintained that the SUP process would still give the town control over multi-family development in the GC district. Schultz clarified that the Board of Adjustment would make the SUP decision, not the Planning Board and Board of Commissioners. Spada acknowledged this. She went on to state that commercial, mixed-use concepts align with the town's sustainability and growth goals.

Casadonte inquired about existing methods to build residential in GC districts. Planning and Economic Development Manager Shannan Campbell said the current method to develop multi-family in General Commercial would be to rezone to either Multi-Family for solely residential use or Planned Development for mixed-use. She also noted that if the boards want to allow multi-family development in the GC district, staff has some recommended revisions to the text amendment. The revisions are intended to make sure development in the GC district would be either commercial or mixed-use, not just solely residential.

Schultz clarified the applicant is not amenable to PD rezoning. Spada reiterated the proposed amendment is for all GC properties, and PD rezoning requires extensive planning and professionally prepared plans, which is difficult for smaller properties. Casadonte and Spada debated the pros and cons of the SUP process versus rezoning and potential strategies to develop GC properties. Boyle interjected that an SUP requires site plan approval from the town's Technical Review Committee before the request can go to the Board of Adjustment for decision. Salvi asked if an SUP request requires a public hearing. Boyle said it does not. It would require an evidentiary hearing.

Town Attorney Bob Hornik explained that the SUP hearing would be open to the public, but not all members of the public could speak like they did at the public hearing for this text amendment. At the quasi-judicial/evidential hearing for the SUP, only people with standing could participate in the hearing. Salvi stated she favors public hearings and for all voices of Hillsborough to be heard.

Schmidt asked if the town did any analyses when preparing the Comprehensive Plan to determine 1) the demand for commercial space and 2) if enough space on the Future Land Use Map had been allocated for commercial. Campbell said some of that was done in the Economic Development chapter. She said she didn't see the proposed change as taking away from the commercial base as long as the developments are truly mixed-use, not just residential. Schmidt said he appreciated the staff recommendation from the packet that acknowledges the importance of mixed-use but suggests working on that during the rezoning/UDO rewrite instead of right now. Schultz stated he supports mixed-use development but was not convinced that this text amendment was what would work best for Hillsborough at this time.

Ron Spada addressed the board. He reiterated that, with the right language, the proposed text amendment could incentivize development and support the town's goals. Schmidt said if the goal is to create a true, mixed-use district with commercial priority, then the board should ask staff to investigate what that could look like, as opposed to changing the GC district now. Iglesias expressed concern that opening the GC district puts staff in a position of having to quickly consider and address all possible, unintended consequences of that. He said he thought the existing path to mixed-use development (rezoning) seems like it would work better.

The board discussed new zoning options to achieve the goals of the text amendment. Boyle stated staff is amenable to exploring this with the UDO update. Spada explained the toll the rezoning process can take on a small business owner and emphasized the incentive the text amendment would give to other small business owners on GC-zoned lots.

Schmidt said the conversation so far had focused on the merits of SUPs versus rezonings, and he wanted to bring it back to whether the town wants to conditionally allow multi-family residential in the General Commercial district. He said in his opinion, he did not support that right now. Casadonte and Salvi agreed. Schultz recognized the difficulties for the applicant, but said he did not support approval of the text amendment. Iglesias agreed and said he did not feel the text amendment would serve the broader interests of the town. Benjey agreed with Iglesias. She said she supported mixed-use but was not convinced this text amendment was the best path.

Motion: Schultz motioned to recommend denying the text amendment. Salvi seconded.
 Vote: 6-0. Motion passed.

Schmidt suggested the applicant get involved during the UDO update process to share their knowledge and ideas for mixed-use development. Casadonte thanked the applicant for their time.

D. UDO text amendment to Section 3.13, *Administrative Procedures- Site Plan Review* (staff-initiated)

Boyle, in lieu of Senior Planner Tom King, summarized the site plan review process and proposed text amendment. She stated the changes were intended to remove administrative barriers to developing duplexes, triplexes, and quadplexes. Iglesias said he favored the proposed changes. Other board members concurred.

Motion: Iglesias recommended approving the text amendment. Schmidt seconded.
 Vote: 6-0. Motion passed.

5. Updates

A. Board of Adjustments

There was no report since the Board of Adjustment has not met recently.

B. Parks and Recreation Board

Schultz gave an update on the Ridgewalk project. He requested staff send the Ridgewalk Benefits Analysis to the Planning Board. He noted that the estimated return on investment for the Ridgewalk is 72 cents extra on the dollar for every dollar the town invests in it. He said he was pleasantly surprised by that estimate.

C. Staff and Board Members

Boyle reported the new Planning Technician, Seth Brown, had started work.

6. Adjournment

Motion: Schultz motioned to adjourn the meeting. Schmidt seconded.
 Vote: 6-0. Motion passed.

Meeting adjourned at 8:18 pm.

Respectfully submitted,



Molly Boyle, Planner II
 Staff support to the Planning Board

Approved: Month X, 202X



Agenda Abstract

JOINT PUBLIC HEARING

Meeting Date: October 17, 2024
 Department: Community Services
 Agenda Section: 5A
 Public hearing: Yes
 Date of public hearing: October 17, 2024

PRESENTER/INFORMATION CONTACT

Molly Boyle, Planner II

ITEM TO BE CONSIDERED

Subject: Annexation and rezoning request for 3013 Rippy Lane

Attachments:

1. Annexation and rezoning applications
2. Vicinity, Zoning, and Future Land Use maps

Background and Proposal:

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

The applicants intend to convert the existing dwelling on the property into a law office for their firm, Schupp and Hamilton, PLLC. They are requesting annexation to receive water and sewer service. If annexed, the property must be zoned in the Town of Hillsborough as well. The owners are requesting Economic Development District (EDD) zoning.

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

Staff analysis:

Annexation request

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

Rezoning request

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

4.2.9 ECONOMIC DEVELOPMENT DISTRICT (EDD)

4.2.9.1 Intent

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

4.2.9.2 Application Criteria

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

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

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

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

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

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

Water and Sewer availability

The existing dwelling on the property currently uses a private well and septic system. There is potential to tie on to town utilities given the proximity of the dwelling to existing water and sewer infrastructure:

- **Water:** 16” water main in the Rippy Lane right-of-way to the east
- **Sewer:** 16” gravity sewer along the southern and western property lines

Comprehensive Sustainability Plan goals:

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

Financial impacts:

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

Staff recommendation:

Annexation of this parcel is reasonable given a) its proximity to existing water and sewer infrastructure and b) the potential for development of the 112-acre tract to the west. The proposed Economic Development District (EDD) zoning is consistent with the Future Land Use Map/Plan. Staff recommends approval of the request based on compliance with the town's adopted ordinances and plans.

Action requested:

Hold the public hearing. Once the public hearing is closed, the Planning Board may make its recommendation or wait until its next meeting on November 21, 2024.

received
9.30.24 MB



TOWN OF
HILLSBOROUGH

PETITION FOR
Annexation of Contiguous Property

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

TO THE BOARD OF COMMISSIONERS OF THE TOWN OF HILLSBOROUGH:

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

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

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

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

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

Respectfully submitted this 27th day of September, 2024

Property Owner

Property Owner

Witness

Witness

Property Owner Witness

Property Owner Witness

Property Owner Witness

Property Owner Witness

SURVEYORS' NOTES:

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

NOTE "B"
ALL DISTANCES ARE HORIZONTAL GROUND AND AREA BY QUADRANTAL COMPUTATION.

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

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

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

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

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

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

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

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

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

NOTE "L"
PROPERTY LINE MAY BE ALONG CENTERLINE OF CATES CREEK. CREEK NOT SPECIFIED AS PROPERTY LINE ON DB 460/283 OR 38/186. DETERMINATION OF SCOUR OF THIS PLAT FOR ANNEXATION. SURVEYOR RECOMMENDS TITLE SEARCH TO CLARIFY.

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

OWNERS SIGNATURE _____ DATE _____

SYMBOL & ABBREVIATION LEGEND

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

FLOOD ZONE HATCHING LEGEND

[Hatched]	AE FLOOD ZONE
[Hatched]	0.2% FLOOD ZONE X

LINE LEGEND

[Solid Line]	PROPERTY LINE
[Dashed Line]	LINE NOT SURVEYED
[Dotted Line]	RIGHT OF WAY LINE
[Thin Solid Line]	THE LINE
[Thick Solid Line]	NEW TOWN LIMIT
[Thin Dashed Line]	EXISTING TOWN LIMIT
[Thin Solid Line]	SEWER EASEMENT
[Thin Solid Line]	60' EASEMENT
[Thin Solid Line]	APPROX. EDGE OF ASPHALT

GRID CERTIFICATION:
I, WILLIAM H. MCCARTHY, JR., PLS NO. 3248, CERTIFY THAT THIS SURVEY MADE UNDER MY SUPERVISION AND THE FOLLOWING INFORMATION WAS USED TO PERFORM THE SURVEY:

- (1) CLASS OF SURVEY: "A"
- (2) POSITIONAL ACCURACY: 0.07'
- (3) TYPE OF GPS FIELD PROCEDURE: VRS
- (4) DATES OF SURVEY: 09/10/2024 - 09/13/2024
- (5) DATUM/EPOCH: 83/11
- (6) PUBLISHED CONTROL USED: HELD VRS
- (7) GEOID MODEL: 2018
- (8) COMBINED GRID FACTOR: 0.9999422
- (9) UNITS: US SURVEY FEET

SURVEYOR'S CERTIFICATES

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

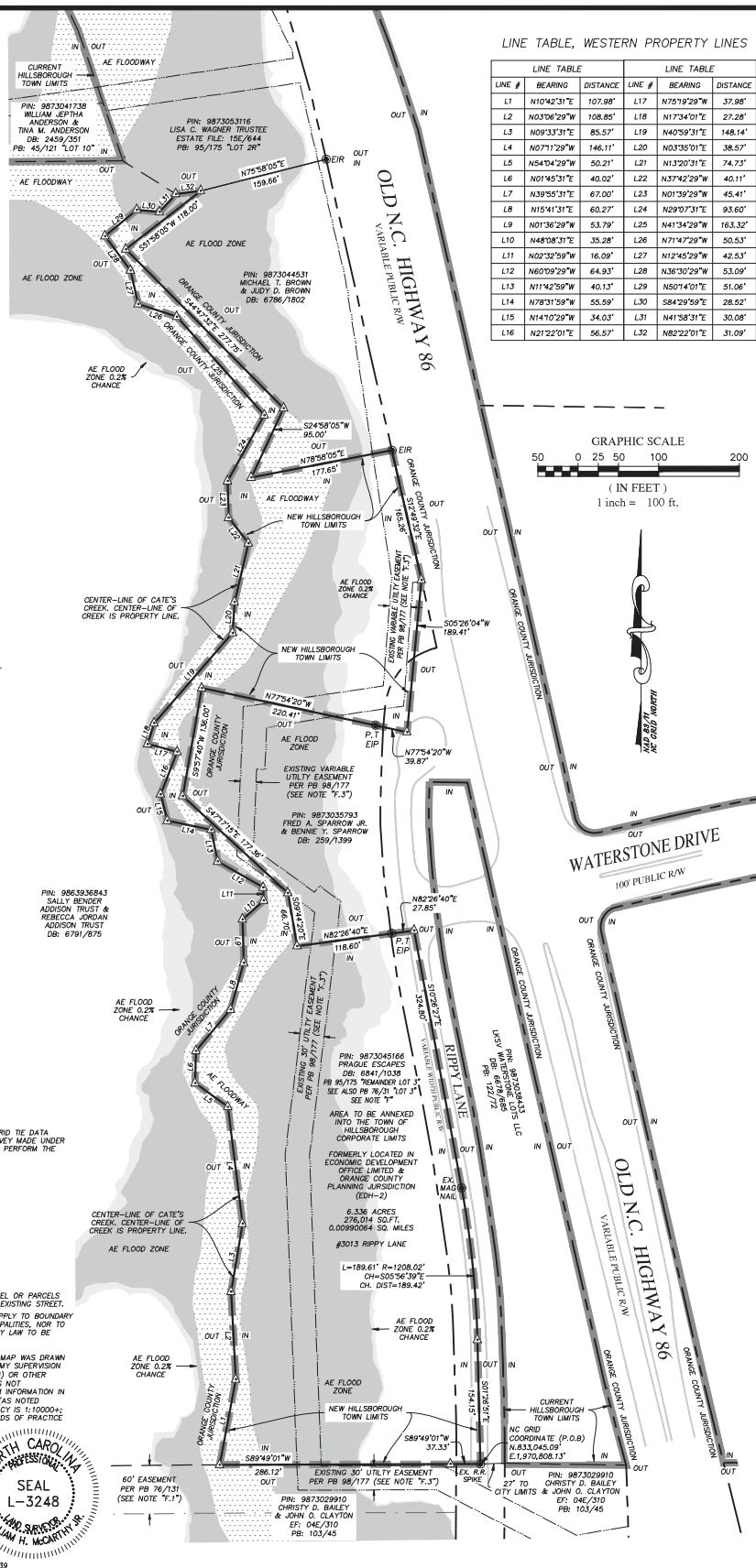
I, WILLIAM H. MCCARTHY, JR., PLS NO. 3248, CERTIFY THAT THIS MAP WAS DRAWN UNDER MY SUPERVISION FROM AN ACTUAL SURVEY MADE UNDER MY SUPERVISION (DEED DESCRIPTION RECORDED IN BOOK/PAGE/AS NOTED HEREON) OR OTHER REFERENCE SOURCE(S) AS NOTED HEREON; THAT THE BOUNDARIES NOT SURVEYED ARE INDICATED IN A BROKEN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

STATE OF NORTH CAROLINA (21 NCAC 56.1600). THIS MAP WAS DRAWN IN ACCORDANCE WITH G.S. 47-30 AS AMENDED, WITNESSED BY ORIGINAL SIGNATURE, REGISTRATION NUMBER AND SEAL THIS 2ND DAY OF OCTOBER 2024.

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

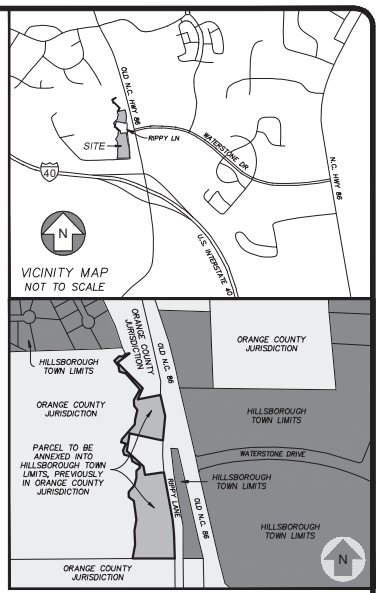
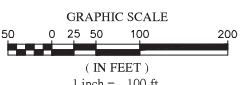
PROJECT NO. **24-0216**
DRAWING NAME **24-0216_ANNEX**

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



LINE TABLE, WESTERN PROPERTY LINES

LINE #	BEARING	DISTANCE	LINE #	BEARING	DISTANCE
L1	N10°42'31"E	107.98'	L17	N75°19'29"W	37.98'
L2	N03°06'29"W	108.98'	L18	N17°34'01"E	27.28'
L3	N09°33'31"E	85.57'	L19	N40°59'31"E	148.14'
L4	N07°12'29"W	146.11'	L20	N03°35'01"E	38.57'
L5	N54°04'29"W	50.21'	L21	N13°20'31"E	74.73'
L6	N07°45'31"E	40.02'	L22	N37°42'29"W	40.11'
L7	N39°55'31"E	67.00'	L23	N01°39'29"W	45.41'
L8	N15°41'31"E	60.27'	L24	N29°07'31"E	93.60'
L9	N01°36'29"W	53.79'	L25	N41°34'29"W	163.32'
L10	N48°08'31"E	35.28'	L26	N71°47'29"W	50.53'
L11	N02°32'29"W	16.09'	L27	N12°45'29"W	42.53'
L12	N60°29'29"W	64.93'	L28	N36°30'29"W	53.09'
L13	N11°42'59"W	40.13'	L29	N50°14'01"E	51.06'
L14	N78°31'59"W	55.59'	L30	S84°29'59"W	28.52'
L15	N14°20'29"W	34.03'	L31	N41°48'31"E	30.08'
L16	N21°22'01"E	56.57'	L32	N82°22'01"E	31.09'



ANNEXATION DETAIL
NOT TO SCALE

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

AUTHORIZED TOWN OFFICIAL
DATE _____

SURVEYOR'S DESCRIPTION
TOWN OF HILLSBOROUGH TOWN LIMITS EXTENSION: VOLUNTARY CONTIGUOUS ANNEXATION HILLSBOROUGH TOWNSHIP, ORANGE COUNTY, NC
PIN: 987431577

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

BEGINNING AT A RAILROAD SPIKE FOUND (NC GRID COORDINATES N.833,045.09 FEET, E.1970,808.13 FEET AND 83/11, (COMBINED GRID FACTOR 0.9999422) IN THE CENTER-LINE OF RIPPY LANE AT THE SOUTHEASTERN CORNER OF PRAGUE ESCAPES (SEE DEED BOOK 6841, PAGE 1038 AND LOT 1 PLAT BOOK 76, PAGE 31 ORANGE COUNTY REGISTRY) IN THE NORTH LINE OF CHRISTY D. BAILEY & JOHN O. CLAYTON (SEE ESTATE BOOK 042/310 AND PLAT BOOK 103/48 ORANGE COUNTY REGISTRY); THENCE LEAVING THE CENTER-LINE OF RIPPY LANE AND PROCEEDING ALONG THE NEW HILLSBOROUGH TOWN LIMIT WITH THE NORTH LINE OF CHRISTY D. BAILEY & JOHN O. CLAYTON SOUTH 89°00'1" WEST, 37.33 FEET TO A CALCULATED POINT; THENCE CONTINUING ALONG THE NEW HILLSBOROUGH TOWN LIMIT WITH THE NORTH LINE OF CHRISTY D. BAILEY & JOHN O. CLAYTON SOUTH 89°00'1" WEST, 286.12 FEET TO A CALCULATED POINT; THENCE CONTINUING ALONG THE CENTERLINE OF CATES CREEK THIRTYONE (31) COURSES AS FOLLOWS: (1) NORTH 10°42'31" EAST, 107.98 FEET TO A CALCULATED POINT, (2) NORTH 3°06'29" WEST, 108.98 FEET TO A CALCULATED POINT, (3) NORTH 9°33'31" EAST, 85.57 FEET TO A CALCULATED POINT, (4) NORTH 7°12'29" WEST, 146.11 FEET TO A CALCULATED POINT, (5) NORTH 54°04'29" WEST, 50.21 FEET TO A CALCULATED POINT, (6) NORTH 1°36'29" WEST, 53.79 FEET TO A CALCULATED POINT, (7) NORTH 39°55'31" EAST, 67.00 FEET TO A CALCULATED POINT, (8) NORTH 15°41'31" EAST, 60.27 FEET TO A CALCULATED POINT, (9) NORTH 1°36'29" WEST, 53.79 FEET TO A CALCULATED POINT, (10) NORTH 48°08'31" EAST, 35.28 FEET TO A CALCULATED POINT, (11) NORTH 2°32'29" WEST, 16.09 FEET TO A CALCULATED POINT, (12) NORTH 60°29'29" WEST, 64.93 FEET TO A CALCULATED POINT, (13) NORTH 11°42'59" WEST, 40.13 FEET TO A CALCULATED POINT, (14) NORTH 78°31'59" WEST, 55.59 FEET TO A CALCULATED POINT, (15) NORTH 14°20'29" WEST, 34.03 FEET TO A CALCULATED POINT, (16) NORTH 21°22'01" EAST, 56.57 FEET TO A CALCULATED POINT, (17) NORTH 82°22'01" EAST, 31.09 FEET TO A CALCULATED POINT, (18) NORTH 17°34'01" EAST, 27.28 FEET TO A CALCULATED POINT, (19) NORTH 40°59'31" EAST, 148.14 FEET TO A CALCULATED POINT, (20) NORTH 3°35'01" EAST, 38.57 FEET TO A CALCULATED POINT, (21) NORTH 13°20'31" EAST, 74.73 FEET TO A CALCULATED POINT, (22) NORTH 37°42'29" WEST, 40.11 FEET TO A CALCULATED POINT, (23) NORTH 1°39'29" WEST, 45.41 FEET TO A CALCULATED POINT, (24) NORTH 71°47'29" EAST, 50.53 FEET TO A CALCULATED POINT, (25) NORTH 41°34'29" WEST, 163.32 FEET TO A CALCULATED POINT, (26) NORTH 71°42'29" WEST, 50.53 FEET TO A CALCULATED POINT, (27) NORTH 12°45'29" WEST, 42.53 FEET TO A CALCULATED POINT, (28) NORTH 36°30'29" WEST, 53.09 FEET TO A CALCULATED POINT, (29) NORTH 84°29'59" EAST, 50.53 FEET TO A CALCULATED POINT, (30) SOUTH 84°29'59" EAST, 28.52 FEET TO A CALCULATED POINT AND (31) NORTH 41°48'31" EAST, 30.08 FEET TO A CALCULATED POINT AT THE SOUTHWEST CORNER OF LISI C. WAGNER TRUST (SEE ESTATE BOOK PAGE 644, AND PLAT BOOK 76, PAGE 175 LOT 28; ORANGE COUNTY REGISTRY); THENCE LEAVING THE CENTERLINE OF CATES CREEK AND CONTINUING ALONG THE NEW HILLSBOROUGH TOWN LIMIT WITH THE SOUTH LINE OF LISI C. WAGNER TRUST NORTH 82°22'01" EAST, 31.09 FEET TO A CALCULATED POINT IN THE NORTH LINE OF MICHAEL T. & JUDY T. BROWN (SEE DEED BOOK 6786, PAGE 1809, ORANGE COUNTY REGISTRY); THENCE CONTINUING ALONG THE NEW HILLSBOROUGH TOWN LIMIT WITH SPARROW ALONG SEVEN (7) COURSES AS FOLLOWS: (1) NORTH 77°54'20" WEST, 39.87 FEET TO A CALCULATED POINT, (2) SOUTH 17°54'20" WEST, 138.00 FEET TO A CALCULATED POINT, (3) SOUTH 47°17'18" EAST, 177.36 FEET TO A CALCULATED POINT, (4) SOUTH 47°17'18" EAST, 177.36 FEET TO A CALCULATED POINT, (5) SOUTH 17°54'20" WEST, 138.00 FEET TO A CALCULATED POINT, (6) NORTH 77°54'20" WEST, 39.87 FEET TO A CALCULATED POINT, (7) NORTH 77°54'20" WEST, 220.41 FEET TO A CALCULATED POINT, (8) SOUTH 47°17'18" EAST, 177.36 FEET TO A CALCULATED POINT, (9) NORTH 82°22'01" EAST, 118.60 FEET TO AN EXISTING PINCH-TOP IRON PIPE AND (7) NORTH 82°22'01" EAST, 27.75 FEET TO AN EXISTING POINT IN THE CENTER-LINE OF RIPPY LANE; THENCE CONTINUING ALONG THE NEW HILLSBOROUGH TOWN LIMIT ALONG THE CENTER-LINE OF RIPPY LANE ALONG THREE (3) COURSES AS FOLLOWS: (1) SOUTH 10°28'27" EAST, 34.80 FEET TO A CALCULATED POINT, (2) A CURVE TO THE RIGHT WITH A RADIUS OF 12008.02', AN ARC LENGTH OF 189.61 FEET (CHORD BEARING AND DISTANCE SOUTH 05°56'30" EAST, 189.42.80 FEET) TO A CALCULATED POINT AND (3) SOUTH 10°28'27" EAST, 34.80 FEET TO THE POINT AND PLACE OF BEGINNING, CONTAINING 6.336 ACRES OR 0.00990068 SQ. MILES MORE OR LESS, BEING ALL OR PART OF THE WESTERN RIGHT OF WAY OF OLD HIGHWAY 86, ORANGE COUNTY REGISTRY AS SHOWN ON PLAT ENTITLED "ANNEXATION PLAT OF VOLUNTARY CONTIGUOUS ANNEXATION FOR TOWN OF HILLSBOROUGH CORPORATE LIMITS EXTENSION" BY WILLIAM H. MCCARTHY, JR., PLS NO. 3248, DATED 08/27/2024; THE DESIGN & ENGINEERING SERVICES PROJECT 24-0216, TO WHICH PLAT REFERENCE IS HEREBY MADE FOR A MORE PARTICULAR DESCRIPTION. THE FOREGOING DESCRIPTION IS DERIVED FROM SOURCES AS REFERENCED IN CONJUNCTION WITH RECOVERY OF PROPERTY CORNERS AS NOTED AND NO CLAIM IS MADE BY GPS SURVEY FOR PURPOSE OF MUNICIPAL ANNEXATION AND IS NOT INTENDED TO REPRESENT A CURRENT BOUNDARY SURVEY OF THE SUBJECT PARCEL.

ANNEXATION PLAT OF VOLUNTARY CONTIGUOUS ANNEXATION FOR
TOWN OF HILLSBOROUGH CORPORATE LIMITS EXTENSION

HILLSBOROUGH TOWNSHIP, ORANGE COUNTY, NORTH CAROLINA
FIELD WORK PERFORMED 09/10/2024 - 09/13/2024
PROPERTY AS DESCRIBED IN DEED BOOK 6841 PAGE 1038
STANDING IN THE NAME OF
PRAGUE ESCAPES

SUMMIT
DESIGN AND ENGINEERING SERVICES

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

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SUMMIT DESIGN AND ENGINEERING SERVICES

DRAWING ALTERATION
IT IS A VIOLATION OF LAW FOR ANY PERSON, UNLESS ACTING UNDER THE DIRECTION OF LICENSED ARCHITECT, PROFESSIONAL ENGINEER, LANDSCAPE ARCHITECT, OR LAND SURVEYOR, TO MAKE ANY CHANGES TO THIS DOCUMENT IN ANY WAY, AND ANY ALTERS THIS DOCUMENT IS REQUIRED TO BE NOTED ON THE SEAL AND THE TITLE OF THIS DOCUMENT BY THE DESIGNER OR ARCHITECT. ANY ALTERS NOT SO SPECIFICALLY DESCRIBED BY THE ALTERER.

SURVEYOR'S DESCRIPTION

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

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

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

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

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

received
9.30.24 MB



TOWN OF
HILLSBOROUGH

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

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

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

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

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

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

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



TOWN OF
HILLSBOROUGH

SUPPLEMENTAL FORM

Amendment to Official Zoning Map

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

To the Hillsborough Board of Commissioners:

MICHELLE HAMILTON AND CAMILLA SCHUPP

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

FACTORS RELEVANT TO DECISION TO AMEND THE OFFICAL ZONING MAP

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

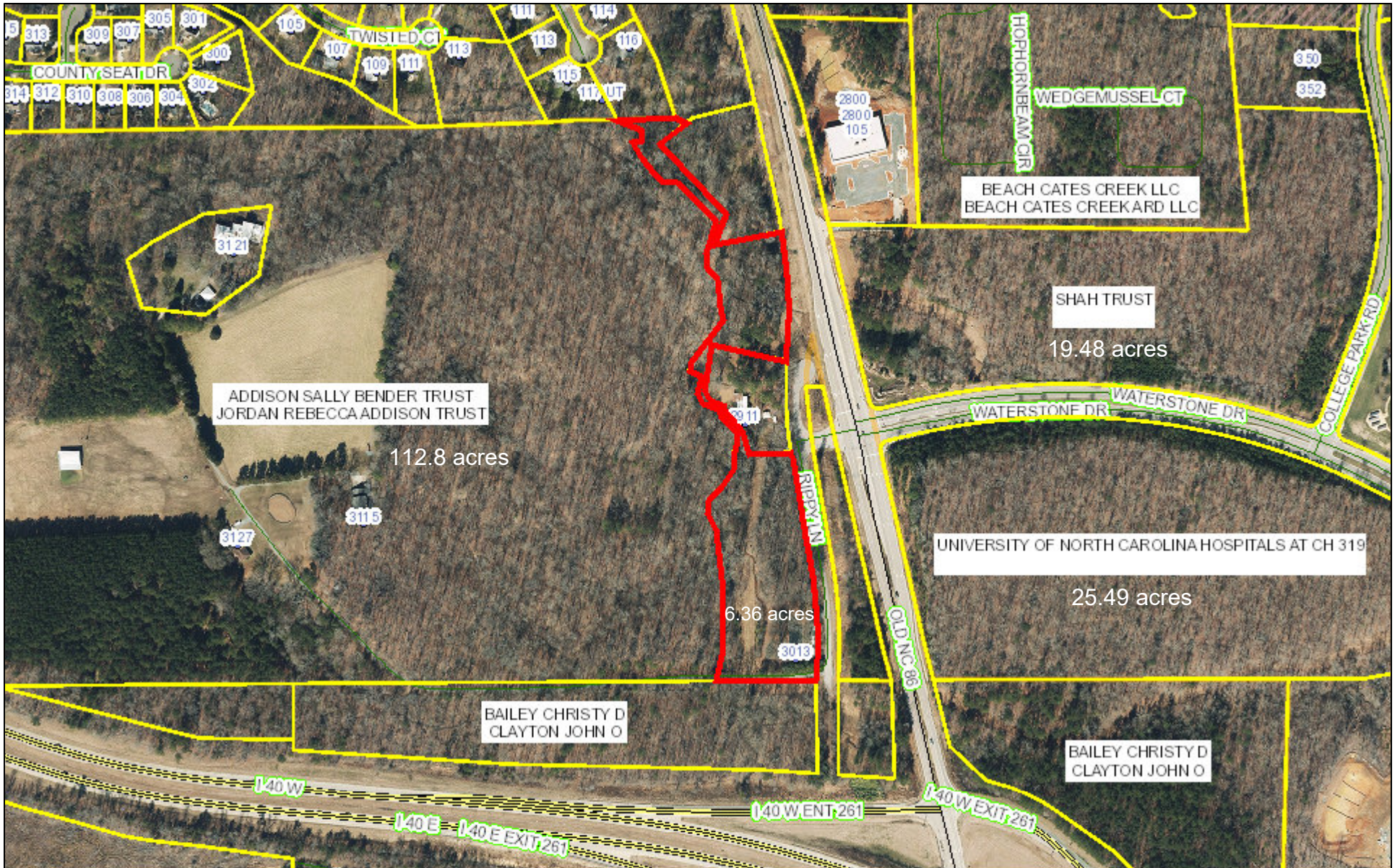
I certify that all the information presented by me in this application is accurate to the best of my knowledge, information, and belief.

Signature of Applicant

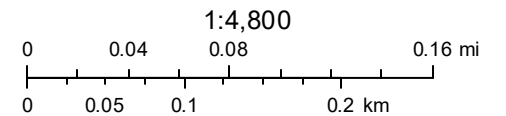
Date

9/29/2024

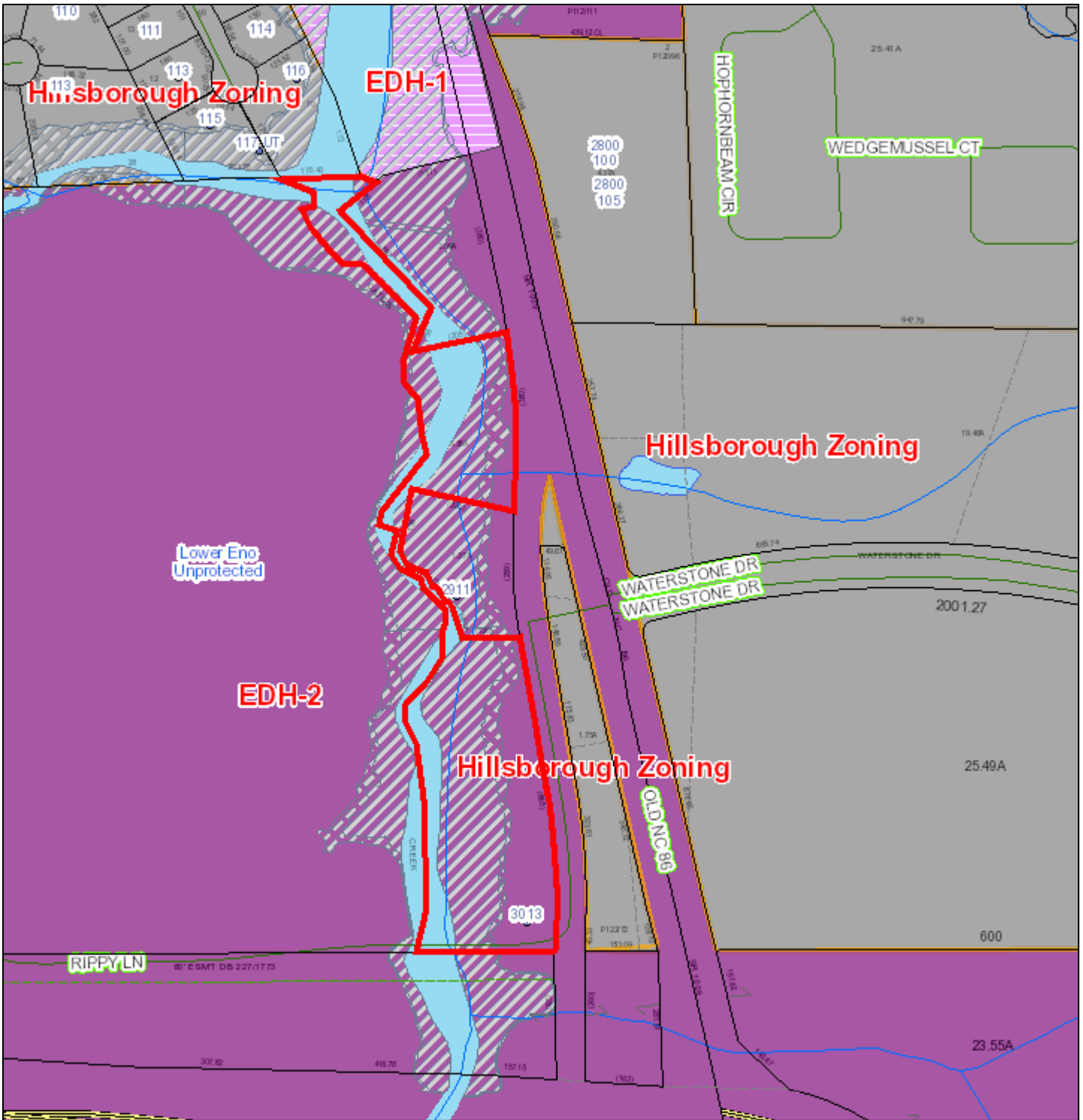
Vicinity Map - 3013 Rippy Lane



June 7, 2024



Zoning Map - 3013 Rippy Lane



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

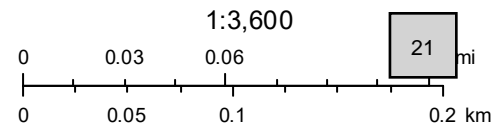
May 30, 2024

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

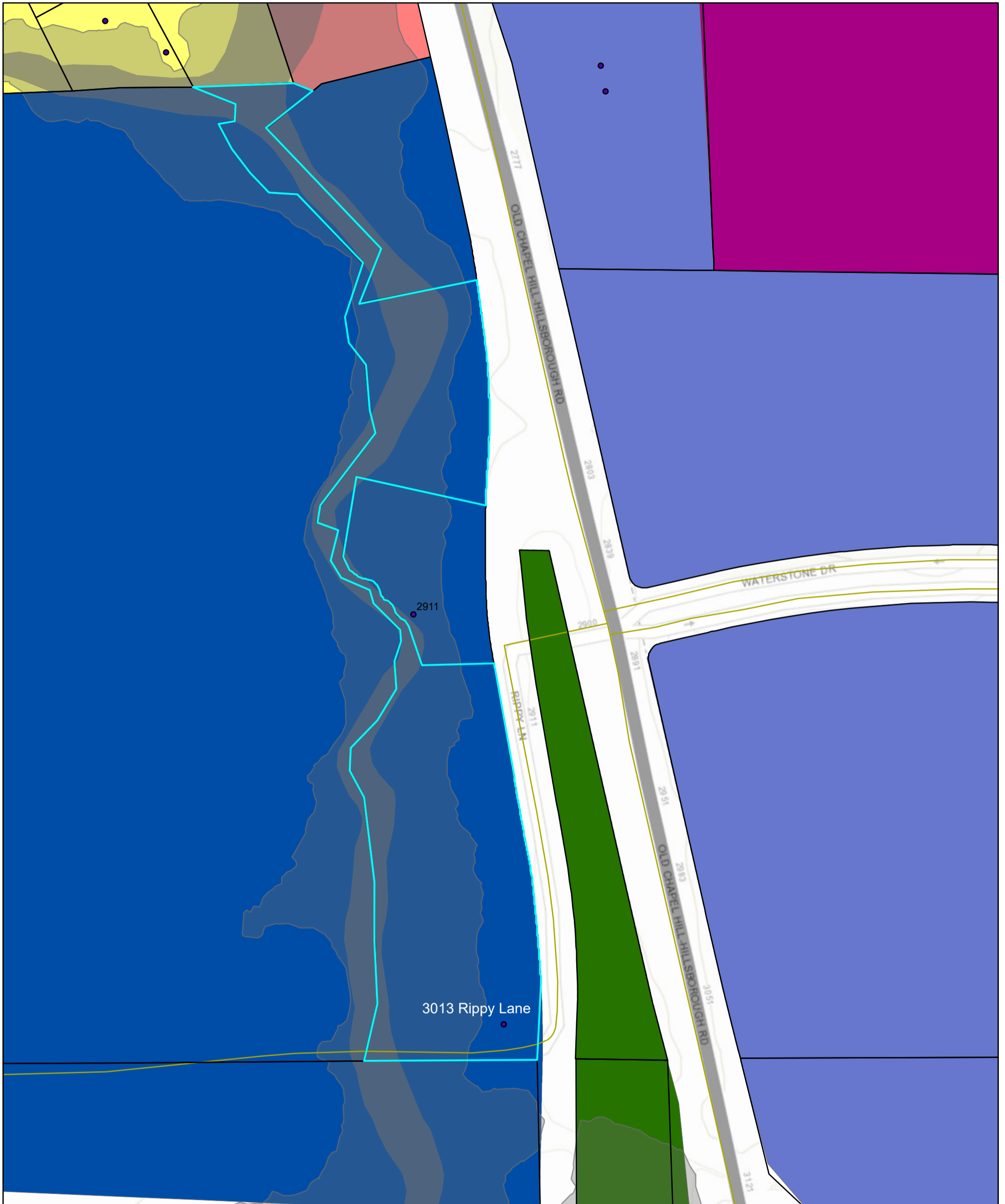
SIZE: 6.36 A
DEED REF: 6841/1038
RATECODE: 00
DATE SOLD: 3/21/2024
BLDG SQFT: 1566
YEAR BUILT: 1954

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

STATE ZIP: NC 27514
Section 5, Item A. MAJ 3 JAMES C RIPPY P76/31

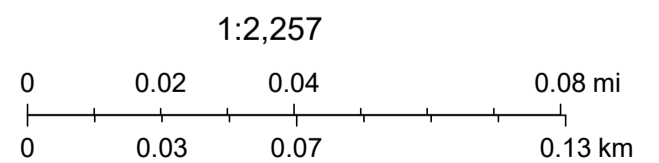


Future Land Use Map - 3013 Rippy Lane



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

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



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



Agenda Abstract

JOINT PUBLIC HEARING

Meeting Date: October 17, 2024
Department: Community Services
Agenda Section: 5B
Public hearing: Yes
Date of public hearing: October 17, 2024

PRESENTER/INFORMATION CONTACT

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

ITEM TO BE CONSIDERED

Subject: Unified Development Ordinance (UDO) text amendment (staff initiated):

- Section 6, *Development Standards*, Subsection 6.18, *Signage*, Paragraph 6.18.10, *Billboards*

Attachments:

1. Section 6, Subsection 6.18, Paragraph 6.18.10 with proposed amendments & clean version

Summary:

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

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

Comprehensive Sustainability Plan goals:

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

Financial impacts: None.

Staff recommendation: Hold the public hearing.

Action requested: Hold the public hearing. After the public hearing closes, the Planning Board may make its recommendation or wait until its next meeting on November 21, 2024.

6.18.10 BILLBOARDS RESERVED

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

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

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

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

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

VERSION 1: July 18, 2024 - CLEAN

6.18.10 RESERVED



Agenda Abstract

JOINT PUBLIC HEARING

Meeting Date: October 17, 2024
Department: Community Services
Agenda Section: 5C
Public hearing: Yes
Date of public hearing: October 17, 2024

PRESENTER/INFORMATION CONTACT

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

ITEM TO BE CONSIDERED

Subject: Unified Development Ordinance (UDO) text amendment (staff initiated): Section 3, *Administrative Procedures*, Subsection 3.8, *Special Use Permit*, Paragraph 3.8.11, *Notice of Evidentiary Hearing*

Attachments:

1. Section 3, Subsection 3.8, Paragraph 3.8.11 with proposed amendments & clean version

Summary:

NCGS section 160D-406, *Quasi-judicial Procedure*, paragraph (b) *Notice of Hearing*, requires notice of evidentiary hearings be mailed to the applicant, owner of property subject to the hearing if not the applicant, owners of abutting property & other persons entitled to be notified by local ordinance. Notice must be mailed at least 10 but not more than 25 days prior to the hearing date. Notice must also be posted on the subject property or an adjacent street right-of-way within the same timeframe as the mailed notice.

UDO paragraph 3.8.11 requires (i) newspaper notice, (ii) mailed notice to property owners within 500 feet of property subject to a special use permit application & (iii) posted notice. The newspaper notice must be provided once a week for two consecutive calendar weeks in a newspaper of general circulation in the county & published within the same timeframe specified in NCGS 160D-406. Notice of town meetings are also provided as a courtesy via the town website.

The proposed amendment removes the newspaper notice requirement. Staff believes this amendment removes a form of notice that is likely the least effective of the three currently prescribed by the UDO.

Comprehensive Sustainability Plan goals:

- Town Government & Public Services Goal 1: Conduct town government operations in a transparent & responsible manner.
 - Strategy: Deliver town services equitably, efficiently & effectively.
 - Implementation Action: Use equitable & effective strategies to engage with the public.

Financial impacts: Reduction in advertising costs may be passed on to applicants via reduced application fees.

Staff recommendation: Hold the public hearing

Action requested: Hold the public hearing. After the public hearing closes, the Planning Board may make its recommendation or wait until its next meeting on November 21, 2024.

3.8.11 NOTICE OF EVIDENTIARY HEARING

Notice of the evidentiary hearing on a Special Use Permit application shall be given once a week for two (2) consecutive calendar weeks in a newspaper of general circulation in Orange County. The notice shall be published the first time not less than ten (10) days no more than twenty-five (25) days before the date fixed for the hearing. In computing such period, the day of publication is not to be included but the day of the hearing shall be included.

Written notice shall be sent to the applicant, owner of the property subject to the request, and the owners of all property lying within 500 feet of the property which that is the subject of the application as indicated on the then-current Orange County tax rolls. The notice must be deposited in the mail at least ten (10) days, but not more than twenty-five (25) days before the hearing date. In computing such period, the day of publication is not to be included but the day of the hearing shall be included.

A notice of the request shall be placed on the site that is subject to the hearing or on an adjacent street or highway right-of-way at least ten (10) days, but not more than twenty-five (25) days before the hearing date.

VERSION 1: July 18, 2024 - CLEAN

3.8.11 NOTICE OF EVIDENTIARY HEARING

Written notice shall be sent to the applicant, owner of the property subject to the request, and owners of all property lying within 500 feet of the property that is the subject of the application as indicated on the then-current Orange County tax rolls. The notice must be deposited in the mail at least 10 days, but not more than 25 days before the hearing date.

A notice of the request shall be placed on the site that is subject to the hearing or on an adjacent street or highway right-of-way at least 10 days, but not more than 25 days before the hearing date.



Agenda Abstract PLANNING BOARD

Meeting Date: October 17, 2024
Department: Community Services
Agenda Section: 7A
Public hearing: Yes
Date of public hearings: August 15, 2024

PRESENTER/INFORMATION CONTACT

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

ITEM TO BE CONSIDERED

Subject: Paliouras Tract Master Plan amendment

Attachments:

1. Submitted Application Package
2. Vicinity, Zoning, and Future Land Use Maps
3. Original Paliouras Tract Master Plan & Approval
4. Staff Analysis
5. Draft Consistency Statement

Background & Proposal:

In 2019, James Paliouras submitted annexation, rezoning, and master plan applications for several parcels totaling 25 acres east of NC Highway 86 S and south of the I-85 interchange. The 25 acres is known as the “Paliouras Tract.” The Board of Commissioners approved the requests on June 10, 2019. This annexed the Paliouras Tract to the town, rezoned it to Entranceway Special Use (ESU), and enacted the master plan.

Vicinity, zoning, and future land use maps for the Paliouras Tract are enclosed, as are the master plan and the Resolution of Approval. Note that the Sheetz site (1990 NC 86 S; PIN 9873-69-3547) is not part of the Paliouras Tract. It was annexed and rezoned separately and is zoned High Intensity Commercial (HIC).

The applicant is proposing the following amendments to the Paliouras Tract Master Plan:

- Change the allowable land uses for lots 1, 2, and 8 from retail and hotel/retail to multi-family residential to allow for the development of apartments (see original master plan map to the right);
- Allow a maximum of 260 apartment units, 30% of which would be affordable to those making 70% of the average median income (AMI); and
- Set a maximum building height of 60’ for the apartment units.



Original Paliouras Tract Master Plan 2019

The applicant is proposing to amend the master plan for the Paliouras Tract but not the zoning designation. If this amendment request is approved, the zoning will remain Entranceway Special Use (ESU). Under the terms of the master plan, the applicant will need to submit a Special Use Permit application, including a site plan, to the Board of Adjustment for approval to develop the property.

Note the applicant has submitted a sketch plan showing a conceptual layout for the apartment units. This is for illustrative purposes only. If the proposed master plan amendments are approved, the applicant will be submitting a site plan to the Board of Adjustment as stated above.

The joint public hearing for this proposal was held on August 15, 2024. The draft minutes for the hearing are enclosed in this agenda packet for Planning Board review and approval.

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: To be determined

Staff comments and recommendations:

See the enclosed Staff Analysis for detailed comments.

Staff and the applicant have agreed to the conditions below. Staff supports approval of the proposed amendment with these conditions. Note that staff recommendations are based on compliance with the town’s adopted plans and ordinances. Staff cannot consider personal opinions or public comment when making recommendations. However, the Planning Board and Board of Commissioners can.

1. Thirty percent (30%) of the market rate apartment units shall be affordable to those earning 70% or less of the average median income (AMI) OR ten percent (10%) of the market rate units shall be affordable to those making 60% or less of the AMI. Median income shall be determined using data from the US Department of Housing and Urban Development for the geographic statistical areas in which Hillsborough is located.
2. A deed restriction shall be recorded that reserves the affordable units for a period of ten (10) years before a Zoning Compliance Permit will be issued for the first apartment building. 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.
3. If allowed and approved by the North Carolina Department of Transportation, the developer shall modify the intersection of NC 86 S and Paliouras Court/Hampton Point Boulevard and install a painted crosswalk with high-visibility striping, pedestrian signal heads, and a flashing beacon.
4. A “Type A” land use buffer shall be required along the shared property lines with Parcel Identification Numbers 9873-69-8536 (2000 NC 86 S) and 9873-78-6516 (1400-UT Old NC 10). The developer may choose from the Type A buffer options in UDO Table 6.5.4.1, *Standards for Type A Buffers*.

5. To encourage walkability, the proposed development shall conform to UDO Section 6.17, *Sidewalks and Pedestrian Access*.
6. To provide better cash flow for downstream capital improvement projects that are necessary and will benefit the project, the developer agrees to accelerate payment of System Development Fees (SDFs) sooner than otherwise provided by state statute for the apartment development. The SDFs shall be paid within sixty (60) days of construction drawing approval for either the upgrade of the private pump station or for the multi-family development, whichever comes first. The SDFs shall be calculated based on the unit bedroom counts, and construction drawing approval will not be issued until the appropriate SDFs are paid. SDFs shall be those in effect at the time of payment. This condition shall not impact any replacement of the force main under NC 86.
7. The developer shall contribute \$100,000 to cover the costs associated with the interim upgrade of the Elizabeth Brady Pump Station. This contribution shall be made before the approval of the construction drawings for the apartments and will be used by the town to install upgraded facilities, monitoring equipment, and controls. If the timing of the proposed development does not align with the town's Capital Improvement Plan, then the town may use the contributed funds for the design of the replacement pump station and associated force main in lieu of an interim upgrade.

Action requested:

Make a recommendation on the proposed Master Plan amendment.



TOWN OF HILLSBOROUGH

APPLICATION FOR Master Plan Amendment

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

Project Title: Comet Hills brough Apartments

Address: intersection of Hwy 86 and Old Hwy 10 ... approximately 10.74 acres

PIN #: a portion of 9873-79-0052

Applicant Name: Comet Development, LLC

Mailing Address: PO Box 116
City, State, Zip: Colfax, NC 27235

Phone: 336-362-3070
Email: scoker@cometdev.com

Property Owner Name: Paliouras Enterprises, LLC

Mailing Address: 303 Wesley Dr
City, State, Zip: Chapel Hill, NC 27516

Phone: 919-942-5356
E-mail: globaltravel@yahoo.com

Amendment Requested: In the space provided below, or on a separate sheet of paper, explain the details of the proposed change(s) requested. Be as specific as possible. Also, attach a site plan indicating all proposed changes.

See attached plan ... request is to change lots 1, 2, and 8 from uses of retail/hotel to multi-family.

- Maximum density of 260-units.
- 30% of multi-family units would be restricted to rental levels that would not exceed the affordability of 70% of AMI.
- Height of buildings will not exceed 60'

Note: master plan for 25 acres was originally approved at SE Quadrant of I-85/NC Hwy 86 was originally approved on 6/10/19.

I, the applicant, hereby certify that the forgoing application is complete and accurate. I understand that I am bound to comply at all times with the rules and regulations of the issued Special or Conditional Use Permits for the property, as well as all applicable requirements of the Town of Hillsborough Unified Development Ordinance. APPLICATIONS WILL NOT BE ACCEPTED WITHOUT SIGNATURE OF LEGAL OWNER OR OFFICIAL AGENT.

Applicant Signature Date 3/20/24

Property Owner Signature Date 3/20/24

DEPARTMENT USE ONLY
Date Received:
Fee: \$.00 Receipt #: Staff: Misc:

April 8, 2024

Shannan Campbell
Planning Director, Town of Hillsborough
101 E. Orange St
Hillsborough, NC 27278

Re: Paliouras Master Plan Amendment

Dear Ms. Campbell:

This letter is relating the proposed master plan amendment to the four evaluation categories of the original master plan approved June 10, 2019 and the conditions placed on that approval.

FOUR EVALUATION CATEGORIES

1. High Quality Development

- **2019 Narrative:** the proposed development for this property has the potential to include a variety of retail and commercial tenants. The owner has interviewed several of these already, including national restaurant chains and retail stores and pharmacies, hotel developers, and major grocery store brands. A car dealership is also interested in occupying part of the property. The intent of the Master Plan development of the property is to integrate these businesses together with complimentary architectural designs that meet the UDO requirements and highlighted with the proper screening and landscaping as required.
- **2024 Update:** development as originally intended has integrated a variety of quality businesses including Hillsborough Chrysler Jeep Ram, Sheetz Convenience Store, and ALDI grocery store. One outparcel, which is under contract to a restaurant developer, remains undeveloped along Hwy 86. The remainder of the master plan either facing Old Hwy 10 or behind the access road are being requested to amend use from Hotel/Retail to Multifamily.

2. Environmental and Traffic Impacts

- **2019 Narrative:** the development of this area has already started with the construction of the Sheetz Convenience Store and is served by an access road at the intersection of Hampton Pointe Dr and NC Hwy 86. This signalized intersection was improved with full access turn-lanes on NC Hwy 86 and a two-way entrance/exit drive with median island on the south side of the Sheetz store. This will remain the only access from NC Hwy 86 into the property, which will prevent adverse traffic impacts that would occur if there were multiple access points. The proposed Master Plan will have an internal road that extends southward through the property and will connect with Old NC 10. This access point will be approximately 500' from the intersection of Old NC 10 and NC Hwy

86. The NCDOT district engineer has reviewed this propose connection and has given preliminary approval. Additionally, the stormwater runoff from the proposed development will meet or exceed the stormwater management requirements for water quality and runoff rate/volume. One Stormwater Control Measure (SCM) has already been constructed for stormwater management of the Sheetz parcel and additional measures will be designed and installed for the proposed developed area. Since the property has extensive road frontage on NC Hwy 86 and I-85, there will be very minimal impact to any neighboring residential properties.

- **2024 Update:** if approved, the development of the multifamily community will complete the envisioned connection of Hampton Pointe Dr and Old NC Hwy 10 relieving pressure on the Hampton Pointe Dr and Hwy 86 intersections and the Old NC Hwy 10 and Hwy 86 intersection. In general, a multifamily community generates fewer daily traffic trips than comparable density hotel or retail uses.

3. District Objectives

- **2019 Narrative:** the property is located along a main entryway corridor to the Town of Hillsborough and the proposed requested zoning is Entryway Special Use (ESU). The west side of the entryway is occupied by Home Depot, Eagles Gas station/Convenience Mart and other diverse uses including restaurants and retail/commercial development. This proposed Master Plan will continue the diversity of the development along this primary entrance to Hillsborough and will offer a variety of employment opportunities. The proposed mixture of tenants previously noted, will help to build a solid business community to serve the local and transient population and build economic strength for the Town.
- **2024 Update:** the proposed amendment to the Master Plan will continue to meet the district's objectives offering employment opportunities, building the Town's economic strength, and additionally offering workforce housing.

4. Regulatory Compliance

- **2019 Narrative:** as required, the project has frontage along an arterial street leading into the Hillsborough area; has adequate capacity and infrastructure to accommodate future traffic volumes and will not endanger the safety or welfare of the public; and can be served by the water and sewer utilities of the Town of Hillsborough.
- **2024 Update:** the proposed amendment to the Master Plan will, for comparable density of use, have a reduction in daily traffic volume than the current hotel/retail designated use. The water lines have been upgraded on the Master Plan property and can serve the remaining property. The sewer utilities will need an upgrade regardless of the use of which the proposed multi-family community is prepared to participate in paying for the upgrade beyond normal connection fees.

CONDITIONS OF APPROVAL

- **Condition 1:**
 - a. **2019:** the Master Plan Narrative included a condition for the outparcels to not have individual driveway access to NC 86 or Old NC 10. This is made a condition of the Master Plan
 - b. **2024:** amendment will still abide by approved Master Plan condition
- **Condition 2:**
 - a. **2019:** the Master Plan shows some aspects that would require the approval of waivers on a Special Use Permit. This town does not commit to issuing those waivers for future Special Use Permits, but the applicant may request the waiver at the time of each application for a Special Use Permit
 - b. **2024:** the amendment is designating a part of the master plan to Multifamily. Under the Master Plan's zoning, Multifamily requires a Special Use Permit. Any proposed Multifamily project must be able to demonstrate it meets the finding of facts requirements of the Special Use Permit.

Thank you for your consideration and please let me know what questions, desired clarifications, or concerns you have with this request.

Sincerely,

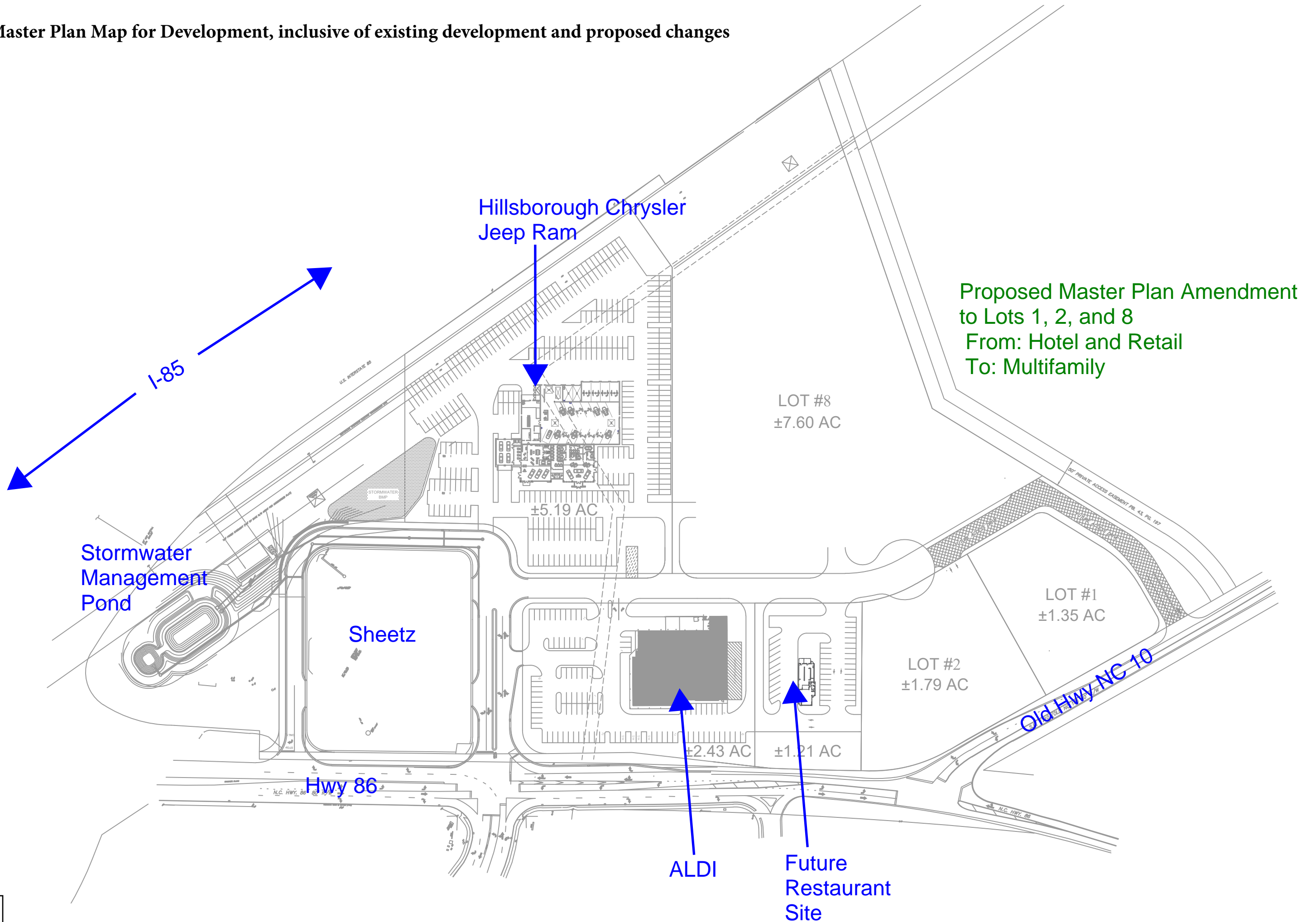


Seth Coker
scoker@cometdev.com
PO Box 116
Colfax, NC 27235
www.cometdev.com
336-362-3070

Attachments:

- 2019 Master Plan Narrative
- 2019 Master Plan Map
- 2019 Master Plan Approval
- 2024 Master Plan Updated for Development Since 2019 and Proposed Amendment Map
- 2024 Sketch of Potential Multifamily Site Plan
- Comet Community Websites Listing

2024 Master Plan Map for Development, inclusive of existing development and proposed changes



Current Comet Communities

www.cometwestgate.com

www.cometbermudarun.com

www.cometgreensboro.com

www.cometwnb.com

www.cometgarner.com

www.cometspartanburg.com

www.cometscottshill.com

Comet Sneads Ferry - need website live May 2024

Comet North Raleigh – need website live Dec 2024

Comet Richland - need website live Mar 2025

Built and Sold Comet Communities

www.beckston-apts.com ... formerly Comet Creek Apartments (sold 2018)

www.seapathon67.com (sold 2022)

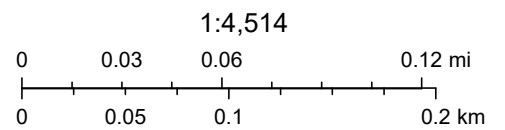
www.magnoliasouthapts.com (sold 2023)

Vicinity Map



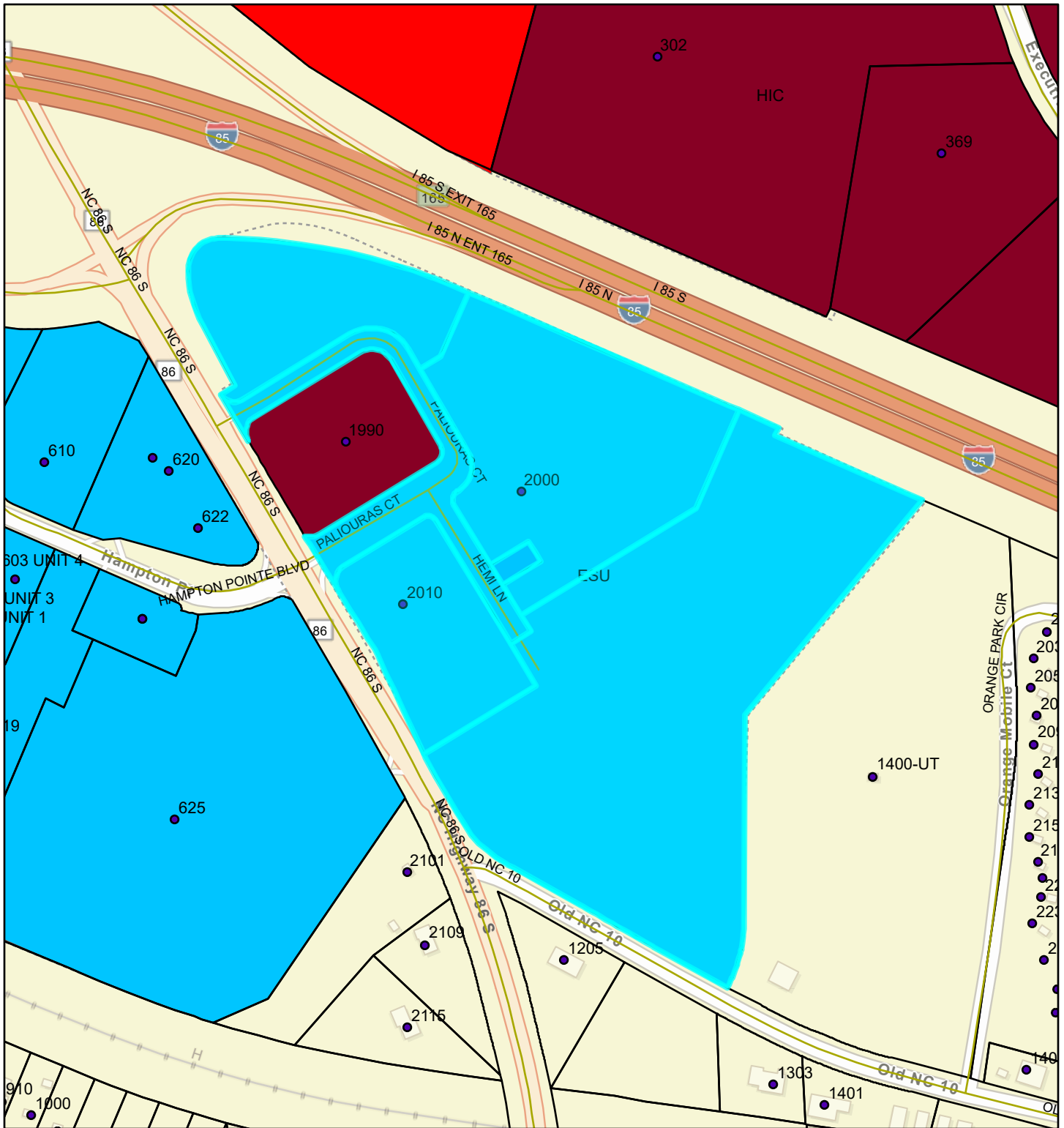
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-  Streets
-  Addresses
-  Parcels









NC CGIA, Maxar

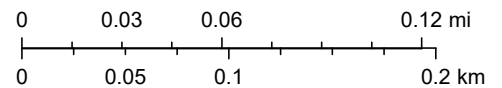
Zoning Map



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1:4,514

- | | |
|---|---|
|  Streets | ZoningLayers |
|  Addresses |  ESU Entranceway Special Use |
|  Parcels |  GC General Commercial |
| |  HIC High Intensity Commercial |



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January 22, 2019

Town of Hillsborough Planning Department
Margaret Hauth, Planning Director
101 East Orange Street
Hillsborough, NC 27278

Re: NC Highway 86 Commercial Parcel – Master Plan Application Narrative

Dear Margaret:

As you are aware our client, James Paliouras, has requested annexation of the remaining 25 acres on the east side of NC Hwy 86 across from Walmart and the Hampton Pointe Shopping Center. Along with our Annexation, Zoning Map Amendment and Master Plan applications, we offer the following information as required per Appendix K.

- **High Quality Development:**

The proposed development for this property has the potential to include a variety of retail and commercial tenants. The owner has interviewed several of these already, including national restaurant chains and retail stores and pharmacies, hotel developers and major grocery store brands. A car dealership is also interested in occupying part of the property. The intent of the Master Plan development of the property is to integrate these businesses together with complimentary architectural designs that meet the UDO requirements and highlighted with the proper screening and landscaping as required.

- **Environmental and Traffic Impacts:**

The development of this area has already started with the construction of the Sheetz Convenience Store and is served by an access road at the intersection of Hampton Pointe Drive and NC Hwy 86. This signalized intersection was improved with full access turn-lanes on NC Hwy 86 and a two-way entrance/exit drive with median island on the south side of the Sheetz store. This will remain the only access from NC Hwy 86 in to the property, which will prevent adverse traffic impacts that would occur if there were multiple access points. The proposed Master Plan will have an internal road that extends southward through the property and will connect with Old NC 10. This access point will be approximately 500-ft. from the intersection of Old NC 10 and NC Hwy 86. The NCDOT district engineer has reviewed this proposed connection and has given preliminary approval. Additionally, the stormwater runoff from the proposed development will meet or exceed the stormwater management requirements for water quality and runoff rate/volume. One Stormwater Control Measure (SCM) has already been constructed for stormwater management of the Sheetz parcel and additional measures will be designed and installed for the proposed developed area. Since the property has extensive road frontage on NC Hwy 86 and I-40/85, there will be very

minimal impact to any neighboring residential properties.

- **District Objectives:**

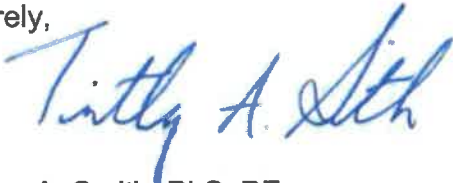
The property is located along a main entryway corridor to the Town of Hillsborough and the proposed requested zoning is Entryway Special Use (ESU). The west side of this entryway is occupied by Home Depot, Eagles Gas Station/Convenience Mart and other diverse uses including restaurants and retail/commercial development. This proposed Master Plan will continue the diversity of the development along this primary entrance to Hillsborough and will offer a variety of employment opportunities. The proposed mixture of tenants previously noted, will help to build a solid business community to serve the local and transient population and build economic strength for the Town.

- **Regulatory Conformance:**

As required, the project has frontage along an arterial street leading in to the Hillsborough area; has adequate capacity and infrastructure to accommodate future traffic volumes and will not endanger the safety or welfare of the public; and can be served by the water and sewer utilities of the Town of Hillsborough.

Please let me know if you have any questions regarding this supporting documentation for our application or if you need any additional information for acceptance.

Sincerely,

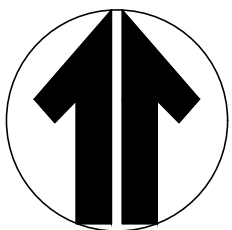


Timothy A. Smith, PLS, PE
Senior Land Development Project Manager

Attachment – Master Plan Exhibit



Section 7, Item A.



NORTH

0 300' 600'

PROPOSED MASTER PLAN FOR:
N.C. HWY 86 COMMERCIAL

HILLSBOROUGH, NORTH CAROLINA
 (PALIOURAS ENTERPRISES, INC.)

SUMMIT
 DESIGN AND ENGINEERING SERVICES

Creatively Inspired - Technically Executed

License #: P-0339
 504 Meadowland Drive
 Hillsborough, NC 27278-8551
 Voice: (919) 732-3883 Fax: (919) 732-6676
 www.summit-engineer.com

THIS GRAPHIC REPRESENTATION IS MEANT FOR ILLUSTRATION PURPOSES ONLY.
 ELEMENTS SHOWN ARE APPROXIMATE IN LOCATION AND ARE SUBJECT TO CHANGE AT THE TIME OF SPECIAL USE PERMIT.

TOWN OF HILLSBOROUGH BOARD OF COMMISSIONERS

**RESOLUTION APPROVING THE MASTER PLAN
FOR 25 ACRES IN THE SOUTHEAST QUADRANT OF THE I-85/NC 86
INTERCHANGE**

WHEREAS, the Town of Hillsborough Board of Commissioners has received an application from Paliouras Enterprises, LLC, as owner, for the approval of a Master Plan pursuant to Sections 3 of the Unified Development Ordinance for the Town of Hillsborough to guide development of the 25 acres on the southeast quadrant of the I-85/NC 86 interchange and known as OC PINs 9873-69-8276 & 9873-69-4294.

WHEREAS, the Town of Hillsborough Board of Commissioners has referred the application to the Town of Hillsborough Planning Board in accordance with the applicable provisions and procedures of the Town of Hillsborough Unified Development Ordinance; and

WHEREAS, the Town of Hillsborough Planning Board and the Board of Commissioners conducted a joint public hearing to consider the application for the Master Plan on April 18, 2019 after giving notice as required by law of such hearing; and

WHEREAS, at the aforesaid public hearing, the applicant and all others wishing to be heard in connection with the application for the Master Plan were given an opportunity to speak; and

WHEREAS, the Town of Hillsborough Planning Board made its recommendation of approval on May 16, 2019 to the Town of Hillsborough Board of Commissioners regarding the application for the Master Plan approval; and

WHEREAS, the Town of Hillsborough Board of Commissioners has considered the recommendation of the Planning Board and all the information and testimony presented to it at the public hearing; and

WHEREAS, the Master Plan application and associated exhibits, including but not limited to a Master Plan prepared by Summit Design and Engineering Services and submitted with the application, are incorporated herein by reference; and

NOW, THEREFORE, BE IT RESOLVED by the Town of Hillsborough Board of Commissioners, on motion of Commissioner Kathleen Ferguson, seconded by Commissioner Jenn Weaver, this 10th day of June, 2019, as follows:

1. The Board of Commissioners has considered all the information presented to it both in support of and in opposition to the application a Master Plan at the April public hearing;
2. The Board of Commissioners finds that the application a Master Plan is complete, and, subject to additional condition of approval detailed below, complies with all applicable provisions of the Town of Hillsborough Zoning Ordinance;

3. The Board of Commissioners finds that the Conditions of Approval, are intended to preserve and/or promote the health, safety and welfare of the surrounding areas and the Town of Hillsborough in general; and
4. The Board of Commissioners attaches these specific conditions to this master plan:
 - a. The Master Plan narrative included a commitment for the outparcels to not have individual driveway access to NC 86 or Old NC 10. This is made a condition of the Master Plan.
 - b. The Master Plan shows some aspects that would require the approval of waivers on a Special Use Permit. This town does not commit to issuing those waivers for future Special Use Permits, but the applicant may request waivers at the time of each application for a Special Use Permit.

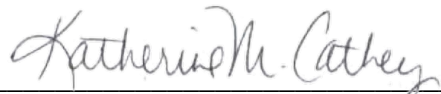
WHEREFORE, the foregoing Resolution was put to a vote of the Town of Hillsborough Board of Commissioners this 10th day of June, 2019 the result of which vote was as follows:

Ayes: 5

Noes: 0

Absent or Excused: 0

Dated: June 10, 2019



Katherine M. Cathey, Town Clerk

Memorandum

To: Planning Board
From: Molly Boyle, Planner II
Cc: Shannan Campbell, Planning & Economic Development Manager
Date: October 17, 2024
Subject: Staff analysis – Paliouras Tract Master Plan amendment



Property and Proposal Summary

Property/Proposal Summary – Paliouras Tract Master Plan Amendment	
Property Owner	Paliouras Enterprises, LLC
Applicant	Comet Development, LLC
Property Location	East of NC 86 S and south of I-85 interchange
Parcel ID Number	PIN 9873-79-0052 (portion of the Paliouras Tract, which is subject to a master plan approved in 2019)
Zoning Designation	Entranceway Special Use (ESU)
Future Land Use Designation	Retail Services
Applicant Request	Amend the Paliouras Tract Master Plan to allow multi-family residential on lots 1, 2, and 8 of the Paliouras Tract with a maximum of 260 apartment units, 30% of which would be affordable to those making 70% of the average median income (AMI).

Consistency with the Unified Development Ordinance (UDO) and Zoning Map

Staff reviewed the submittal at its Technical Review Committee (TRC) meeting in May 2024. Staff found that the application conformed with the application requirements in UDO. The UDO is available on the town’s website at <https://www.hillsboroughnc.gov/about-us/departments/community-services/planning/unified-development-ordinance>.

The applicant is proposing to amend the master plan associated with the property, but no changes to the Official Zoning Map are proposed. If the master plan amendment is approved, only the conditions of the master plan will change. The property will still be zoned Entranceway Special Use (ESU).

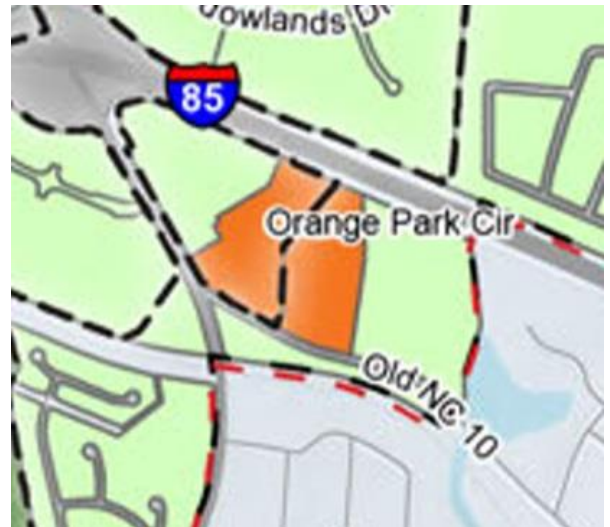
The Board of Commissioners can negotiate conditions for the master plan with the applicant pursuant to [NC GS § 160D-703 \(b\) Zoning districts – Conditional Districts](#). Both the Board of Commissioners and the applicant must agree to the conditions.

Consistency with Comprehensive Sustainability Plan/Future Land Use Plan

The North Carolina General Statutes and the UDO require that the Planning Board and Commissioners consider if this proposed amendment is consistent with the comprehensive plan/future land use plan. Staff finds the proposal consistent in some ways but inconsistent in others. Figure 4.4 *Potential Growth Areas* (Comprehensive Sustainability Plan, page 4-23) identifies the project area as a “potential growth area,” as shown in the image on

the next page. The proposed amendment is consistent with this. However, the Future Land Use Map/Plan designates this area as Retail Services. The Future Land Use Plan defines “Retail Services” as follows:

“Retail Services. These areas focus on retail and commercial uses. They should be located near residential and employment areas to provide good access to commerce and personal services. Retail areas can have a range of characteristics depending on their primary markets. The larger scale regional draws are more automobile-oriented and draw people from throughout the region. These areas should be located near interstate access, and they may include larger scale stores like “big boxes”, warehouse clubs, and large specialty retailers. Smaller, accessory uses can also locate in these areas to provide convenience shopping and include restaurants and smaller specialty retailers; often located on outparcels or in smaller shopping centers.



Excerpt from Figure 4.4 - Potential Growth Areas (potential growth areas shown in orange)

Zoning Districts: Adaptive Re-Use; Neighborhood Business; Neighborhood Business Special Use; Central Commercial; Central Commercial Special Use; General Commercial; High Intensity Commercial; Entranceway Special Use; Special Design Special Use”

The Retail Services designation focuses on retail and commercial uses, not residential. Staff finds the proposed master plan amendment to be inconsistent with the Future Land Use Map/Plan in this regard.

Note that the Board of Commissioners can determine that a zoning amendment is inconsistent (in full or in part) with its comprehensive plan/future land use 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.” The Comprehensive Sustainability Plan is available online at <https://www.hillsboroughnc.gov/home/showpublisheddocument/572/638556087250230532>.

Residential Units – Approved but Not Constructed

The boards may also wish to consider the number of residential units “in the pipeline” (i.e., approved but not yet constructed). As of September 9, 2024, Hillsborough has 1,532 residential units pending construction:

Residential Units Approved but Not Yet Built		
Project Name	Type of Units Approved	# of Units Approved
Collins Ridge Pod D	Apartments	326
Collins Ridge Phase 2	Townhomes	51
Collins Ridge Phase 2	Single-family	79
East Village at Meadowlands	Townhomes (Habitat)	75
Persimmon Phase 1	Townhomes (Rental)	30
Persimmon Phase 1	Apartments	316
Waterstone South	Apartments	450
Waterstone South	Townhomes	205
Total		1,532

Utilities

The Utilities Department has indicated that, based on its calculations, a multifamily development at this site would use significantly more water and discharge significantly more sewer than a hotel. The town's current hydraulic sewer modeling does not account for a higher density use such as this. Also, the town is still working on a water system master plan. Utilities staff cannot identify deficiencies with and needed improvements to the water system until that plan is completed.

As such, the Utilities Department maintains that additional conditions to the master plan are necessary, which are listed in the next section. Failure to conduct off-site improvements to facilitate the proposed development could have direct impacts on the environment and the town's ability to serve the development as proposed.

Proposed Conditions of Approval

After the Planning Board meeting in September, staff and the applicant discussed and agreed to the conditions below. The Planning Board may recommend changes to these conditions as part of its recommendation to the Commissioners.

1. Thirty percent (30%) of the market rate apartment units shall be affordable to those earning 70% or less of the average median income (AMI) OR ten percent (10%) of the market rate units shall be affordable to those making 60% or less of the AMI. Median income shall be determined using data from the US Department of Housing and Urban Development for the geographic statistical areas in which Hillsborough is located.
2. A deed restriction shall be recorded that reserves the affordable units for a period of ten (10) years before a Zoning Compliance Permit will be issued for the first apartment building. 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.
3. If allowed and approved by the North Carolina Department of Transportation, the developer shall modify the intersection of NC 86 S and Paliouras Court/Hampton Point Boulevard and install a painted crosswalk with high-visibility striping, pedestrian signal heads, and a flashing beacon.
4. A "Type A" land use buffer shall be required along the shared property lines with Parcel Identification Numbers 9873-69-8536 (2000 NC 86 S) and 9873-78-6516 (1400-UT Old NC 10). The developer may choose from the Type A buffer options in UDO Table 6.5.4.1, *Standards for Type A Buffers*.
5. To encourage walkability, the proposed development shall conform to UDO Section 6.17, *Sidewalks and Pedestrian Access*.
6. To provide better cash flow for downstream capital improvement projects that are necessary and will benefit the project, the developer agrees to accelerate payment of System Development Fees (SDFs) sooner than otherwise provided by state statute for the apartment development. The SDFs shall be paid within sixty (60) days of construction drawing approval for either the upgrade of the private pump station or for the multi-family development, whichever comes first. The SDFs shall be calculated based on the unit bedroom counts, and construction drawing approval will not be issued until the appropriate SDFs are paid. SDFs shall be those in effect at the time of payment. This condition shall not impact any replacement of the force main under NC 86.

7. The developer shall contribute \$100,000 to cover the costs associated with the interim upgrade of the Elizabeth Brady Pump Station. This contribution shall be made before the approval of the construction drawings for the apartments and will be used by the town to install upgraded facilities, monitoring equipment, and controls. If the timing of the proposed development does not align with the town's Capital Improvement Plan, then the town may use the contributed funds for the design of the replacement pump station and associated force main in lieu of an interim upgrade.



PLANNING BOARD STATEMENT OF PLAN CONSISTENCY AND RECOMMENDATION

October 17, 2024

Request from Comet Development, LLC to amend the Paliouras Tract Master Plan

WHEREAS, the Town of Hillsborough Planning Board has received and reviewed an application from Comet Development, LLC to amend the Paliouras Tract Master Plan to change the allowable land uses for Lots 1, 2, and 8 of the tract to multi-family residential instead of hotel/retail as previously approved.

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

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

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

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

1. The proposed amendment **IS/IS NOT CONSISTENT** with the Town of Hillsborough Comprehensive Sustainability Plan; specifically, the following goal and strategy in the *Land Use and Development* chapter:
 - Land Use and Development Goal 1: Ensure that future growth and development, including infill and redevelopment, are aligned with smart growth principles and consider infrastructure constraints such as water and wastewater system capacity.

- Strategy: 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/DO NOT PROMOTE** public health, safety, and welfare by allowing for in-fill development and affordable housing in the community.

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

Ayes:

Noes:

Absent:

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

Frank Casadonte, Chair
Town of Hillsborough Planning Board

Date of signature by Chair: _____