

Minutes

PLANNING BOARD AND BOARD OF COMMISSIONERS

Joint public hearing

7 p.m. May 21, 2026

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



Present

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

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

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

Staff: Senior Planner Molly Boyle and Town Attorney Bob Hornik

1. Call to order and confirmation of quorum

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

2. Agenda changes and approval

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

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

Vote: 10-0. Motion passed.

3. Open the public hearing

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

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

Vote: 10-0. Motion passed.

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

4. Public hearings

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

5. Close the public hearing

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

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

Vote: 10-0. Motion passed.

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

6. Planning Board recommendations

Rezoning Request for 515 Meadowlands Drive

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

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

Vote: 6-0. Motion passed.

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

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

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

Vote: 6-0. Motion passed.

7. Updates

A. Board of Adjustment

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

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

B. Parks & Recreation Board

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

C. Staff and board members

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

8. Adjournment

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

Vote: 6-0. Motion passed.

The meeting was adjourned at 8:28 pm.

Respectfully submitted,



Molly Boyle, Senior Planner
Staff support to the Planning Board

Approved: Month X, 202X