



Agenda Abstract

BOARD OF COMMISSIONERS

Meeting Date: June 22, 2026
 Department: Planning and Economic Development
 Agenda Section: Public hearing
 Public hearing: Yes
 Date of public hearing: Feb. 19, 2026

PRESENTER/INFORMATION CONTACT

Shannan Campbell, Planning and Economic Development Manager

ITEM TO BE CONSIDERED

Subject: General use rezoning request and development agreement for 715 US HWY 70 East; Assistive Living Neighborhood to Multifamily

Attachments:

1. Rezoning application
2. Vicinity, Zoning, and Future Land Use Maps
3. UDO Table 5.1.7, Use Table for Residential Districts (allowable uses in ALN and MF highlighted)
4. Consent Order and Exhibit E (Joint Motion for Entry of Consent Order)
5. Development Agreement for Approval
6. Adopted Planning Board Consistency Statement and Recommendation
7. Town Board Consistency Statement and Ordinance

Summary:

715 US HWY 70 EAST – Rezoning Details	
Property owner	KEPSC LLC
Applicant	Robin Tatum, attorney for the property owner
Parcel ID Numbers (PINs)	9874490155
Location	715 US HWY 70 East
In town limits?	Yes
Acreage	Approx. 13.44
Current zoning	Assistive Living Neighborhood (ALN)
Proposed zoning	Multifamily (MF)
Future Land Use category	Mixed Residential Neighborhood (no change)

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.

Action: Analyze additional opportunities for infill and redevelopment and increased density in existing neighborhoods, focusing on the provision of water and sewer and other infrastructure and services.

Financial impacts:

Low to Moderate. Streets and trash collection will be private.

Staff recommendation and comments:

Background

This parcel was originally master planned under a Special Use Permit in the early 2000's for development with the parcel directly to the west, already constructed and commonly known as the Corbinton Commons neighborhood, a 55+ community.

The project was originally called the 'Corbinton Commons Retirement Campus' and included plans for 47-69 single family detached homes (what is now known as Corbinton Commons) and either A.) 142-unit Multi-unit Assisted Housing with Services facility or B.) a 275-unit Continuing Care Retirement Facility which included approximately 53 healthcare beds.

Original concept plan snippet for full 'Corbinton Commons Retirement Campus':



The development of either scenario A.) or B.) above did not ever come to fruition on the east side of the property and the developer would like to pivot and build something else more suited to today's current market demand.

The applicant is requesting to rezone the eastern parcel through a general use rezoning to Multifamily with a development agreement that has an accompanying exhibit and the following highlights:

- A 10-year term.
- Construction of up to 67 attached dwelling units, generally consistent with the concept plan attached to the draft development agreement noted as 'Exhibit B'.
- The utilization of one entrance/exit out to US 70 East.
- No subdivision of lots.

- A payment in lieu of \$40,000 to the Town's Affordable Housing Fund.
- Construction of private streets, with curb, gutter, and stormwater facilities serving the project.
- Construction of sidewalks along the properties frontage on US HWY 70 East and a walking trail on the perimeter of the property to connect with an existing walking trail in Corbinton Commons.
- Necessary repairs to the pedestrian bridge located at the southeast corner of the property.
- Town water and sewer service to the project as soon as it is available, but no later than June 30, 2028.
- Water infrastructure developed with two points of water line connection.
- Future connection to the Corbinton Commons pump station.

'Exhibit B' Concept Plan snippet from the draft Development Agreement:



Zoning designation

The applicant requests to rezone the parcel from Assitive Living Neighborhood to Multifamily. The allowable land uses in both districts are mostly comparable, as demonstrated in Attachment #3, with both districts being intended for a mix of residential and residential-type uses. One key difference is that every allowable use in the Assitive Living Neighborhood district requires a Special Use Permit. Only some uses in the Multifamily district require a Special Use Permit.

Note that the North Carolina General Assembly deauthorized special use zoning districts, like the Assitive Living Neighborhood district, in 2021 with Chapter 160D of the General Statutes. However, properties zoned as special use districts before 2021, are still zoned that way until a town or applicant initiated rezoning process.

Future Land Use Plan designation

The rezoning request is compatible with the Future Land Use Plan's recommended Future Land Use designation of 'Mixed Use Residential'. The Future Land Use Plan is available on the town's website at <https://www.hillsboroughnc.gov/about-us/departments/community-services/planning/future-land-use-plan>.

Water and sewer availability

Engineering/Utilities determine if the town can serve a project when development plans are submitted. Since this is a general rezoning request with only a concept plan as an exhibit to the development agreement, staff cannot fully evaluate capacity at this time. However, the town recently performed an interim upgrade to the downstream pump station as part of restoration associated with Tropical Storm Chantal and is actively working on downstream pipeline upgrade requirements. The timelines for both projects are reflected in the availability of service outlined in the development agreement.

Staff recommendation

Staff of the Planning and Economic Development Division recommend approval of the requested rezoning based on consistency with the Unified Development Ordinance and Future Land Use Plan.

Action requested:

Approve the proposed rezoning and development agreement by completing the following actions in order. Each action will require a motion, second, and vote:

1. Adopt the attached consistency statement for the proposed rezoning.
2. Adopt the attached rezoning ordinance.
3. Approve the attached development agreement.