



TOWN OF
HILLSBOROUGH

APPLICATION
General Use Rezoning

Planning and Economic Development Division
101 E. Orange St., PO Box 429, Hillsborough, NC 27278
919-296-9470 | Fax: 919-644-2390
planning@hillsboroughnc.gov
www.hillsboroughnc.gov

This application is to rezone properties to General Use and/or Overlay Zoning Districts. If you want to rezone property to a Planned Development District, please use the Planned Development Rezoning Application.

SUBMITTAL REQUIREMENTS

- ☒ Complete application form, including signature ☒ Application fee per current Planning fee schedule

PROPERTY OWNER CONTACT

Name Oakdale/Hillsborough, LLC Attn: W. Jack McGhee

Address 2828 Pickett Road Durham, NC 27705

Phone [REDACTED]

Email [REDACTED]

APPLICANT CONTACT

Name Tony M. Whitaker

Address 3708 Lyckan Pkwy. Suite 201 Durham, NC 27707

Phone [REDACTED]

Email [REDACTED]

PROPERTY DETAILS

Addresses/Location 115 Oakdale Drive, and two adjacent unaddressed parcels (3 parcels total)

Parcel ID Numbers 9863878657, 9863971719 and 9863972991

Existing Land Uses/Structures Commercial multi-tenant building with supporting infrastructure

Total Acreage Approx. 6.9 acres Current Zoning ESU Proposed Zoning GC

CONSISTENCY WITH THE COMPREHENSIVE SUSTAINABILITY PLAN

Please describe how your proposed amendment is consistent with the town's Comprehensive Sustainability Plan, which is available online at <https://www.hillsboroughnc.gov/about-us/departments/community-services/public-space-and-sustainability/sustainability-initiatives>. You may include additional sheets if necessary.

Please see Attachment #1.

GENERAL STANDARDS CONSIDERED BY THE BOARD OF COMMISSIONERS

A rezoning request is decided legislatively, meaning the Hillsborough Board of Commissioners votes whether to approve or deny the request. When considering the request, the commissioners are to consider ten factors listed in Unified Development Ordinance Sec. 3.7.2, General Standards/Findings of Fact. You can find the Unified Development Ordinance on the town's website at <https://www.hillsboroughnc.gov/about-us/departments/community-services/planning/unified-development-ordinance>.

The ten factors are enclosed. Please describe how your proposed rezoning aligns with these factors. You may include additional sheets if necessary.

Please see Attachment #1.

SIGNATURES

I hereby agree to conform to all applicable laws and regulations of the Town of Hillsborough, County of Orange, and State of North Carolina as may be applicable to my request, and I certify that the information presented in this application is true and accurate to the best of my knowledge.

<u>Oakdale/Hillsborough, LLC</u> Printed name of owner	 Signature	<u>10-15-2025</u> Date
<u>Tony M. Whitaker</u> Printed name of applicant	 Digitally signed by Tony M. Whitaker Date: 2025.10.15 18:04:38-04'00' Signature	<u>10-15-2025</u> Date

STAFF USE ONLY

Date received <u>10-16-2025</u>	Received by <u>M. Boyle</u>
Fee and receipt number <u>\$1,350 (J6JCCYFM4H)</u>	Tentative hearing date <u>11-20-2025</u>

Attachment #1

Zoning Map Amendment Request from ESU to GC for Oakdale Village Parcels

PINs 9863878657, 9863971719 and 9863972991

I. Consistency with Hillsborough Comprehensive Sustainability Plan

Approval of the requested amendment will be consistent with the Comprehensive Sustainability Plan in multiple ways, specifically:

Smart Growth Principle 1: Mixed land uses.

The proposed amendment will encourage and support a mixture of land uses in the larger commercial node that the subject property lies within.

Smart Growth Principle 7: Strengthen and direct development toward existing communities.

Numerous residential communities surrounding the subject property will benefit from conveniently-located services that will be allowed on the property under GC zoning.

Land Use & 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.

The subject property already has most of the necessary infrastructure in place for adequate access, internal vehicular and pedestrian circulation, and utilities. Relatively small amounts of additional infrastructure will be needed for specific users. Approval of the proposed amendment will support the smart growth strategy of leveraging existing development infrastructure to attain logical and cohesive community development.

Land Use & Development Goal 2: Invest in infrastructure that supports preferred land use and growth patterns.

The Town of Hillsborough expects the subject property to fulfill its commercial development potential, increasing its contribution to the commercial tax base. The proposed amendment will support this expectation of preferred land use and growth.

Environment and Natural Systems Goal 1: Employ an integrated ecosystem approach and stewardship mentality to protect, conserve, and restore critical environmental areas and natural systems.

The proposed amendment is consistent with this important goal in that the subject property does not contain any sensitive environmental areas, and did not contain any such areas when it was initially developed. In addition, future development under the proposed GC zoning is not anticipated to require any offsite infrastructure that would impact critical environmental areas.

II. Items listed in UDO 3.7.2, General Standards / Findings of Fact

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

Hillsborough's Future Land Use Plan identifies desired development of the subject property as "Retail Services", which is further described as "... retail and commercial uses" that "... should be located near residential and employment areas...". The Future Land Use Plan lists several appropriate zoning districts for such areas, including the requested General Commercial (GC) district. The uses allowed under this district include typical retail and commercial uses, and are also closely matched to those anticipated by the previous Masterplan approved for the subject property. For these reasons, the proposed amendment is consistent with applicable Town-adopted plans.

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

The existing zoning district is not currently supported by Town staff for new usage due to recent changes in State legislation, and is therefore becoming an antiquated zoning designation that will likely not survive the next UDO revision. The commercial market will view the GC district as a more standardized and durable zoning designation for this property, providing more long-term reliability for investment purposes. Secondly, it has become clear that development of this mid-sized commercial property will draw from a relatively small set of potential users which strongly favor a streamlined and predictable review process for their land use. Approval of the proposed amendment would permit a typical range of commercial uses to be established on the subject property via an administrative review process rather than a more elaborate and subjective quasi-judicial process.

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

The small-scale retail and personal service uses anticipated for this property by the Future Land Use Plan will be more easily established on the subject property under the proposed zoning. The subject property provides a convenient location for these types of uses near several residential neighborhoods.

3.7.2.4. 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.

The proposed zoning for the subject property will allow a range of uses that are very similar to those allowed under the current zoning, so the amendment will be compatible with current development expectations for the subject property.

3.7.2.5. *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 subject property has been partially developed under a cohesive masterplan with an orderly and integrated layout. The original commercial use intent for the subject property has not changed, and development under the proposed amendment will conform to the general layout and access patterns already established on the larger development.

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

The subject property is already partially developed and the remainder is rough-graded for development, with some supporting infrastructure already in place and no known offsite improvements needed.

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

Current zoning for the subject property anticipates a variety of commercial uses. The proposed amendment will retain this characteristic.

3.7.2.8. *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.*

The proposed zoning district will allow a very similar range of uses as compared to those currently allowed, continuing virtually the same zoning relationships with adjoining properties as in the current condition.

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

Adjacent property values are not expected to be adversely affected since the supported uses under the proposed amendment will be very similar to those anticipated under current zoning.

3.7.2.10. *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.*

The subject property contains no wetlands, streams, wildlife corridors or forests. The property has already been largely prepared for commercial development.