



TOWN OF
HILLSBOROUGH

**APPLICATION FOR
Text and/or Map Amendment Request**

Planning Department

101 E. Orange Street/P.O. Box 429

Hillsborough, NC 27278

Phone: (919) 296-9477 Fax: (919) 644-2390

Website: www.hillsboroughnc.gov

Amendment Type: ☐ Future Land Use Plan Map

☒ Zoning Map

☐ Comprehensive Plan Text

☐ Unified Development Ordinance text

Property Address: 1509 Orange Grove Road, Hillsborough NC 27278

PIN: 9864-92-4639

Applicant Name: Nathan & Michelle Robinson

Mailing Address: 1900 Borland Rd

Phone: 919-245-7017

City, State, Zip: Hillsborough, NC 27278

E-mail: michelle@landmark.build

Property Owner Name: 1509 Orange Grove Road, LLC

Mailing Address: 1900 Borland Rd

Phone: 919-245-7017

City, State, Zip: Hillsborough, NC 27278

E-mail: michelle@landmark.build

Location/Streets Accessed: Orange Grove Road

Current Zoning District(s): R-10

Proposed Zoning District(s): Multi-family

Acreage: 1.70ac

Water Service: ☒ Public Water ☐ Well

Sewer Service: ☒ Public Sewer ☐ Septic Tank

Existing Structures on Site: NONE

Critical Areas:


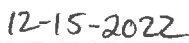
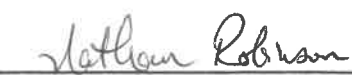
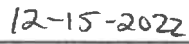
☐ Flood ☐ Drainage/Stream/Pond ☐ Cemetery ☐ Historic Resource ☐ Steep Slopes

☐ Easement **See next page**

Describe how the request will address the following factors that the Town Board of Commissioners must determine when considering an amendment to the test of the Unified Development Ordinance or Zoning Map (use separate sheet):

1. The extent to which the amendment is consistent with all applicable Town-adopted plans.
2. The extent to which there are changed conditions that require an amendment.
3. The extent to which the proposed amendment addresses a demonstrated community need.
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.
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.
6. The extent to which the proposed amendment would encourage premature development.
7. The extent to which the proposed amendment would result in strip or ribbon commercial development.
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.
9. The extent to which the proposed amendment would result in significant adverse impacts on the property values of surrounding lands.
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.

I/We certify that all of the information presented by me/us in this application is accurate to the best of my/our knowledge, information, and belief. **APPLICATIONS WILL NOT BE ACCEPTED WITHOUT SIGNATURE OF PROPERTY OWNER.**

	
Applicant's signature	date
	
Property Owner's signature	date

We are requesting a zoning amendment modification to the existing Zoning Map for the parcel located at 1509 Orange Grove Rd, Hillsborough NC. This parcel is shown in orange on the attached Exhibit A.

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

According to the Town of Hillsborough's Future Land Use Plan, the subject parcel is designated as **Neighborhood Mixed Use**. Exhibit B is excerpted from the Future Land Use Plan to visualize the designation of this parcel and the adjacent parcels. For ease of reference, the Town's definition of Neighborhood Mixed Use is as follows:

These areas provide opportunities for goods and services that residents of the district and surrounding neighborhoods need on a daily basis. Lots with this designation will front on an arterial or collector street and back up to single family neighborhoods. Buildings and uses will generally be in scale with the surrounding neighborhoods and be walkable as well as providing vehicular access. Sites may be single use or, mixed use, may incorporate residential uses or may be solely residential at a higher density than the adjacent neighborhood.
Zoning Districts: Adaptive Re-Use; R-10; Multi-family; Neighborhood Business; Neighborhood Business Special Use; Central Commercial; Central Commercial Special Use; Multi-Family Special Use; Residential Special Use

The proposed zoning change to rezone this parcel as "Multi-Family" instead of "R10" is much more consistent with the stated intended future use plan of existing nearby properties, and more closely matches the Future Use Plan designations and zoning of adjacent and nearby properties along Orange Grove Road.

The Orange Grove Road roadway is already classified a "Commercial Industrial Collector", which is fitting as the subject property will front a collector street and is consistent with the intention for a Multi-Family zoning designation.

The subject property backs up to a property that's currently under the ownership of the Exchange Club, which is a recreational area with a mixture of open, wooded, and field space. This is a suitable location for multifamily zoning designation as the proximity promotes walkability and enjoyment of the outdoors. Also, the current R-10 designation allows up to 4 houses per acre. By amending the zoning to be Multi-family will accomplish a goal of the Neighborhood Mixed Use designation as listed in the Future Use Plan since this will allow higher density than R-10 zoning.

Finally, amending the subject property to be Multi-family is an allowed Zoning District within the Neighborhood Mixed Use definition.

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

It is unknown why this parcel has remained zoned as R-10, while the adjacent and nearby properties along Orange Grove Road are zoned differently as GC (General Commercial). In order to more closely align with the nearby properties and fit into the future land use plan, this rezoning amendment is appropriate.

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

Due to the development that has occurred in the surrounding area, the highest and best use of the current subject property is as a multi-family dwelling units. The amendment will align the zoning with this objective.

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 neighboring parcels adjacent to the subject parcel are the addresses 1511 & 1501 Orange Grove Rd., and the parcels across the street are currently zoned GC (General Commercial). It seems incompatible that this parcel has remained zoned as R-10.

The proposed zoning amendment requests a rezoning of the subject property from R-10 to Multi-Family. This amendment is compatible with the Town of Hillsborough's Future Land Use designation, as described above. Additionally, utilization of this property as Multi-family fits within the intended designation of the property and the surrounding neighborhood.

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 logical development of the surrounding properties has resulted in them no longer being zoned as residential R-10. This amendment will result in a rezoning of the subject property that makes sense and is fitting with the development in this area.

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

This proposed amendment helpfully aligns the subject property to be similar in zoning designation with the surrounding properties. It does not request zoning which would be excessive or dissimilar to development in the area, rather the proposed amendment is inline with land designation as listed in the Future Land Use Plan.

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

We are not proposing commercial rezoning so this is not an issue.

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 current zoning has already created an isolated zoning district, which the proposed amendment seeks to resolve. The current zoning of R10 currently allows 4 dwellings/acre. However, the neighboring properties described earlier are zoned General Commercial; as such the subject property exists as an isolated zoning district that isn't really compatible with the surrounding zoning. The proposed amendment of Multi-family will allow higher density which is more typically compatible and found closer to commercially zoned areas.

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

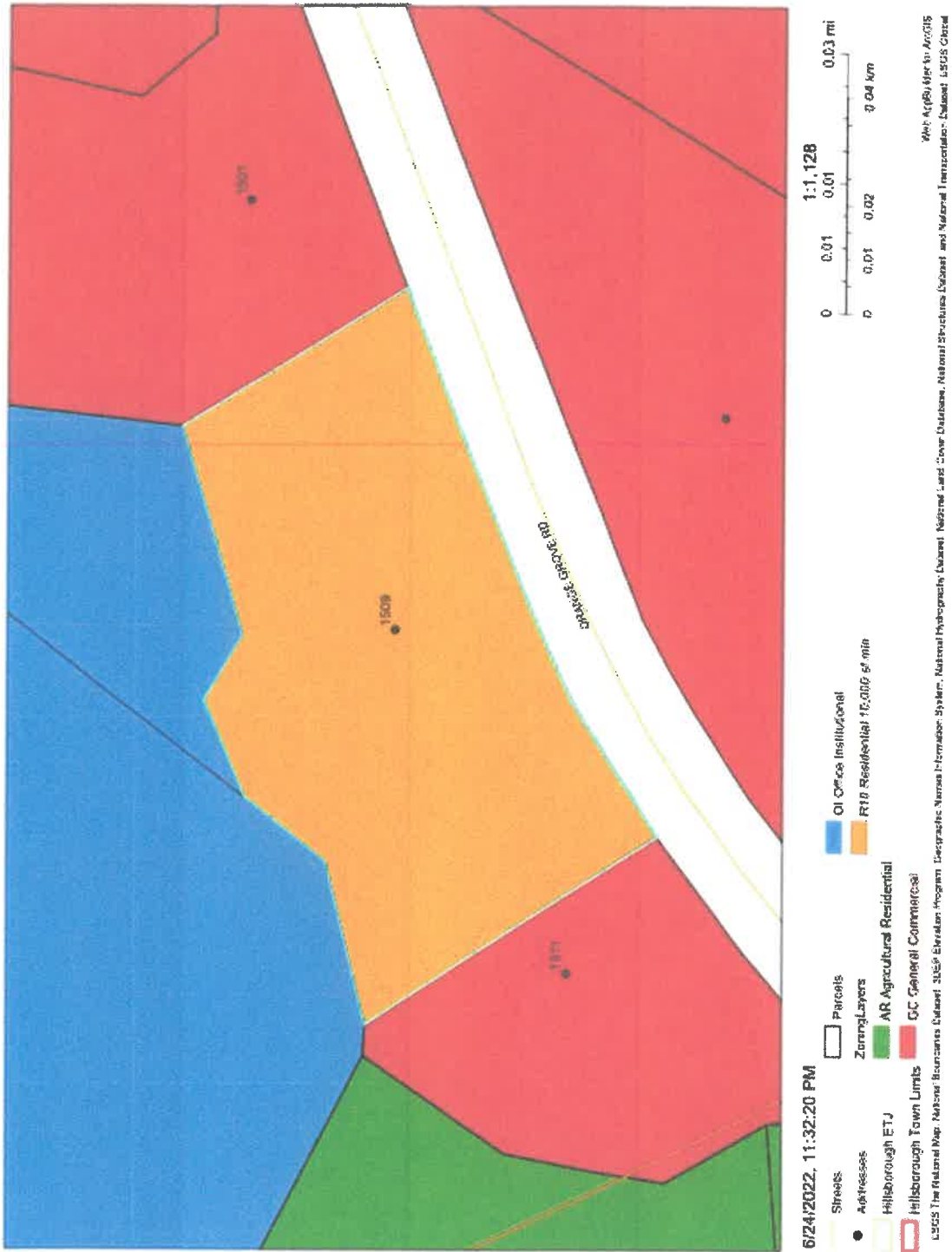
Rezoning this property from R-10 to Multi-family would have no adverse impacts to the surrounding lands. The neighboring properties as described above are already zoned General Commercial, so this amendment will more closely align the compatibility of subject property with the surrounding lands.

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.**

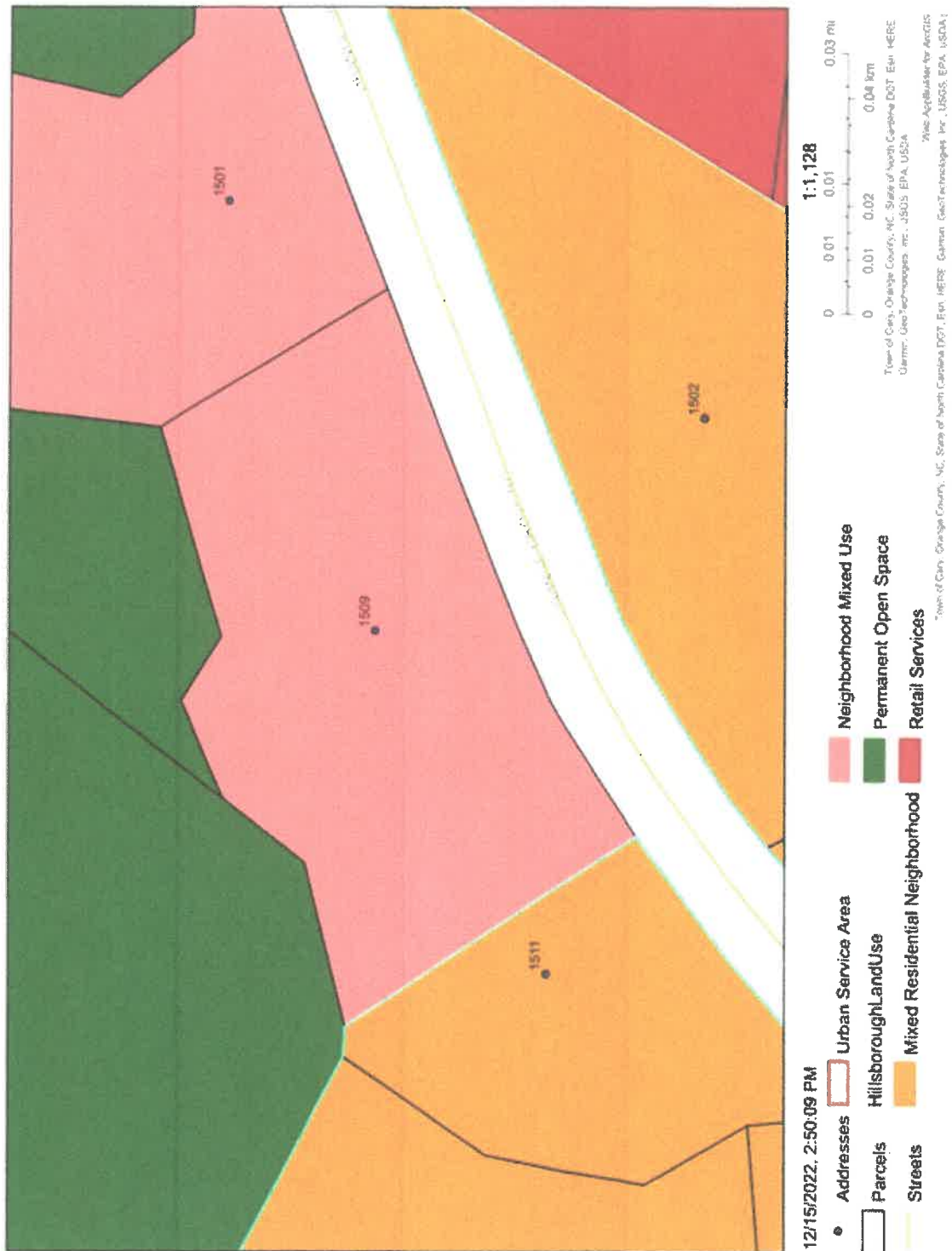
The proposed amendment is expected to have minimal or negligible significant adverse environmental impacts. Multi-family zoning designation will not result in an industrial or commercial usage that might have chance of environmental impacts to consider. Usage of resources will be inline with typical multi-family usage and the natural functioning of residential property.

EXHIBIT A: EXISTING ZONING DESIGNATION MAP

1509 Orange Grove Rd - zoning map



ArcGIS Web Map



50162

~~50162~~

BK 6793 PG 2271 - 2272 (2) DOC# 30078109
This Document eRecorded: 08/31/2022 02:33:59 PM
Fee: \$26.00 Tax: \$0.00
Orange County, North Carolina
MARK CHILTON, Register of Deeds by JESSICA HAGER

Prepared by: Kim K. Steffan, Steffan & Associates, P.C., 2411 Old NC 86, Hillsborough, NC 27278

Return to: Grantee @ 1900 Borland Road, Hillsborough, NC 27278

N.C. Excise Tax - \$0.00

NORTH CAROLINA

SPECIAL WARRANTY DEED

ORANGE COUNTY

This deed, made and entered into this 29 day of August, 2022, by and between LANDMARK MANAGEMENT PARTNERS, LLC, whose address is 1900 Borland Rd, Hillsborough, NC 27278, hereinafter referred to as "Grantor"; and 1509 ORANGE GROVE ROAD, LLC, whose address is 1900 Borland Rd., Hillsborough, NC 27278, hereinafter referred to as "Grantee".

WITNESSETH:

That said Grantor, for and in consideration of valuable consideration paid to Grantor, the receipt of which is hereby acknowledged, does grant, bargain, sell and convey unto the Grantee in fee simple all that certain tract or parcel of land lying and being in Hillsborough Township, Orange County, North Carolina, and more particularly described as follows:

PIN: 9864-92-4639 *DB*

BEING all of that tract or parcel of land labeled as "AREA LOT 3 OUTSIDE R/W 1.70 ACRES 74,012 SF", as shown on plat of survey entitled "PROPERTY SURVEYED FOR CHRIS WACHHOLZ" by Summit Consulting Engineers, which plat is recorded in Plat Book 101, Page 194 in the Orange County Registry and to which plat reference is hereby made for a more particular description of the same.

The property described above was acquired by Grantor by instrument recorded in Book 6790, Page 1734, Orange County Registry. A map of the above property is located in Plat Book 101, Page 194.

submitted electronically by "Steffan & Associates PC"
in compliance with North Carolina statutes governing recordable documents
and the terms of the submitter agreement with the Orange County Register of Deeds.

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in compliance with North Carolina statutes governing recordable documents
and the terms of the submitter agreement with the Orange County Register of Deeds.

To have and hold the aforesaid tract or parcel of land and all privileges thereunto belonging in fee simple forever.

Grantor covenants with Grantee that Grantor has done nothing to impair such title as Grantor received, and Grantor will warrant and defend the title against the lawful claims of all persons claiming by, under or through Grantor, other than the exceptions listed below.

Title to the property described above is subject to ad valorem taxes for the current year and easements and restrictive covenants of record, if any.

The designation Grantor and Grantee as used herein shall include the parties hereto, their heirs, successors, assigns and legal and/or personal representatives.

In Testimony Whereof, said Grantor has caused this instrument to be signed in its corporate name by its duly authorized officer by authority of its Board of Directors, the day and year first above written.

LANDMARK MANAGEMENT PARTNERS, LLC

By: H. Nathan Robinson
H. Nathan Robinson, Member-Manager

NORTH CAROLINA
Orange COUNTY

I, Allison E. Lassiter, Notary Public of said County, do hereby certify that H. Nathan Robinson, personally came before me this day and acknowledged that he is Member-Manager of Landmark Management Partners, LLC and that he as Member-Manager, being authorized to do so, acknowledged, on behalf of Landmark Management Properties, LLC the due execution of the foregoing instrument.

Witness my hand and official seal, this the 29th day of August, 2022.

Allison E. Lassiter
NOTARY PUBLIC

My commission expires: 10/25/25

