

**PLANNING & ECONOMIC  
DEVELOPMENT DIVISION  
STAFF REPORT**

Tom King, AICP, CZO - Senior Planner  
Secretary to the Board of Adjustment



101 East Orange Street  
P.O. Box 429  
Hillsborough, NC 27278

**Report Date:** February 4, 2026

## BOARD OF ADJUSTMENT

**Agenda Item:** 4.A

CASE NUMBER	CASE NAME	APPLICANT/PROPERTY OWNER
BA-01-2026	Auman Village at Meadowlands	640 Meadowlands Drive, LLC/Habitat for Humanity, Orange County, NC, Inc.
HEARING DATE	PARCEL ID NUMBERS	PROPERTY ADDRESS/LOCATION
February 11, 2026	9874-81-6134, 9874-81-8049 & 9874-80-9603	1317 US 70-A East

### BRIEF SUMMARY OF REQUEST

Special use permit modification to allow a driveway connection to an adjoining commercial property (currently under development) that doesn't meet a specified driveway separation requirement. A waiver from the requirement is requested.

EXISTING ZONING	EXISTING LAND USE	SURROUNDING ZONING/LAND USE	FUTURE LAND USE CATEGORY	SIZE OF PROPERTY
RSU	75-unit townhouse project (currently under development)	<i>North:</i> R-1 (county)/US 70-A East & residential <i>South:</i> R-2 (county)/Residential <i>East:</i> R-1 & R-2 (county)/Residential <i>West:</i> HIC (town)/Commercial	Medium-density Residential	10.89 acres

### DISCUSSION OF STAFF FINDINGS

#### COMPLIANCE with UDO (UNIFIED DEVELOPMENT ORDINANCE)

The proposed request does not comply with applicable UDO provisions.

#### COMPATIBILITY with CSP (COMPREHENSIVE SUSTAINABILITY PLAN (2030))

The subject development generally complies with the Future Land Use Map. There are no applicable CSP provisions that speak to the request.

**ATTACHMENTS:** 1. Application materials      2. Relative FLUM & UDO provisions      3. Zoning history

## PROJECT DESCRIPTION:

The applicant's property at 640 Meadowland Drive (PIN 9874-81-3230) is being developed for a one-story flex space building with driveway access off Meadowland Drive. The project is known as "Tryon Investments Phase III." The property owner's project, Auman Village at Meadowlands (approved as "East Village at Meadowlands"), a 75-unit townhouse subdivision, is also under construction.

In late 2025, the applicant obtained an easement from the property owner allowing a connection to the entrance road (Public Road 1) serving the Auman Village at Meadowlands project with the intention of providing a second driveway access point to the Tryon Investments Phase III project. A site plan showing the proposed connection may be found in Attachment #1.

**UDO Compliance:** The proposed driveway connection doesn't comply with the following requirement of UDO Section 6 (Development Standards):

1. Subsection 6.9 (Driveway Connections), Paragraph 6.9.3 (Driveway Requirements), Sub-paragraph 6.9.3.1: "No driveway shall be located within two hundred fifty (250) feet of the intersection of a public street with an arterial or collector street unless no other site access is legally practicable."

*Staff Comment:* The North Carolina Department of Transportation classifies US 70-A East as a "Minor Collector" road. The town's adopted *Street Manual* classifies it as a "Two-lane Arterial" street.

The proposed driveway will be approximately 220 feet from the intersection of Public Road 1 and US 70-A East. This measurement is taken from the center point of the proposed driveway to the center of US 70-A East.

Since there is already a legal access for the Tryon Investments Phase III project on Meadowland Drive, staff cannot use the "unless no other site access is legally practicable" provision to allow the proposed driveway connection, thus the need for a waiver.

**Staff Review:** Applicable town, county and state staff reviewed the initial proposal in November 2025. The results of the review are as follows:

Review Agency	Review Comments
Town Public Works Division	
North Carolina Department of Transportation	No concerns with proposed driveway placement.
Town Engineering Services Division	
Town Stormwater and Environmental Services Division	Review of revised stormwater calculations required for both projects to evaluate if new impervious surface area affects approved stormwater management plans.
Orange County Erosion Control Division	May need to review revised erosion control plans for Tryon Investments Phase III project to evaluate if additional land disturbance affects approved erosion control plan.
North Carolina Department of Environmental Quality	Not consulted but assume same answer as Orange County Erosion Control. <i>Agency has jurisdiction over Auman Village at Meadowlands project.</i>

## **FINDINGS OF FACT ANALYSIS:**

The following analysis represents staff's professional opinion based upon review of the application materials, UDO, Future Land Use Map and CSP. The Board must make its own determination as to whether all findings are met. **This determination must be based on factual, competent, material and substantial evidence presented at the hearing.**

**Section 3 (Administrative Procedures), Subsection 3.8 (Special Use Permit), Paragraph 3.8.3 (General Standards/Findings of Fact):** The Board of Adjustment shall not approve a Special Use Permit application unless it makes each of the following findings concerning the proposed special use:

**3.8.3.1 That the use or development is located, designed, and proposed to be operated so as to maintain the public health, safety, and general welfare.**

*Applicant Statement Supporting Finding:* The driveway connection as shown is aligned with an approved street within the approved construction drawings for Auman Village. This creates the safest connection point along the public street from a motorist and pedestrian standpoint.

*Staff Analysis:* The proposed driveway connection will be over 200 feet from the intersection of US 70-A East. North Carolina Department of Transportation and town Public Works Division staff have reviewed the location and identified no issues with the proposed driveway placement. The driveway also serves as a secondary point of ingress and egress to both properties which could be helpful in cases of emergency.

**3.8.3.2 That the use or development complies with all required regulations and standards of this Ordinance, including all applicable provisions of Articles 4, 5, and 6 and all applicable regulations.**

*Applicant Statement Supporting Finding:* The driveway and the connection will be in compliance with all UDO design criteria with approval of this waiver.

*Staff Analysis:* Staff offer the following in relation to this finding:

1. Compliance with Section 4 (Zoning Districts)

The requested waiver does not affect the existing development's compliance with UDO Section 4. The development continues to meet the intent of the RSU zoning district in effect at the time of project approval.

2. Compliance with Section 5 (Use Standards)

The requested waiver does not affect the existing development's compliance with UDO Section 5.

Subsection 5.2 (Use-specific Standards), Paragraph 5.2.9 (Dwelling, Attached), Sub-paragraph 5.2.9.2 (Standards of Evaluation), Item 5.2.9.2.c states "For developments consisting of 5 or more dwelling units, vehicular ingress and egress and exits for the development are directly off a public road(s) which is either a collector or arterial street and

meet the driveway standards in Section 6.9, *Driveway Connections*. Up to 4 dwelling units are permissible on any public street.”

The proposed driveway connection will not be a primary means of access for the Auman Village at Meadowlands development. It will serve as a secondary cross-connection between both projects to both US 70-A East and Meadowland Drive.

3. Compliance with Section 6 (Development Standards)

The proposed driveway connection does not comply with all applicable standards found in Section 6. The Board may find the project is in substantial compliance with Section 6 if the requested waiver is granted.

**3.8.3.3 That the use or development is located, designed, and proposed to be operated so as to maintain or enhance the value of contiguous property, or that the use or development is a public necessity, and**

*Applicant Statement Supporting Finding:* The proposed driveway connection will maintain the value of the adjacent property due to the driveway being specific to the adjacent property.

*Staff Analysis:* Staff find no reason why the use will not maintain or enhance the value of contiguous property. Neither use is considered a “public necessity” for the purposes of this finding.

**3.8.3.4 That the use or development conforms with the general plans for the physical development of the Town and is consistent with the Town’s Comprehensive Plan.**

*Applicant Statement Supporting Finding:* The use is consistent with the physical development standards of the Town and comprehensive plan with approval of this waiver. Connectivity.

*Staff Analysis:* Staff evaluated the request in relation to the town’s FLUM and CSP and offer the following findings:

1. FLUM

The property is classified as “Medium-density Residential.” The proposed driveway location has no negative effect on the project from a future land use standpoint.

2. CSP

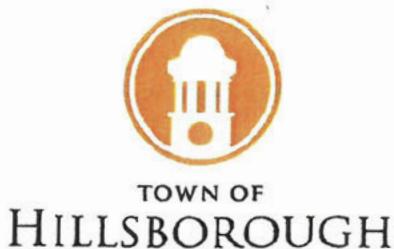
Staff found no goals or strategies either supporting or not supporting the requested driveway connection.

**RECOMMENDED CONDITIONS OF APPROVAL:**

Staff have no recommended conditions for this project, if approved. However, the board may attach reasonable and appropriate conditions and safeguards to the permit modification but may not include requirements for which the town has no authority to apply under state statute or that the courts have held to be unenforceable.

**VOTING REQUIREMENT:**

A majority vote is required to grant the waiver and special use permit modification.

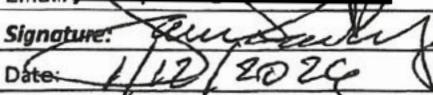


**GENERAL APPLICATION**  
**Special Use Permit, Variance or Appeal**  
**Board of Adjustment Hearing**  
 Planning and Economic Development Division  
 101 E. Orange St., PO Box 429, Hillsborough, NC 27278  
 919-296-9475 | Fax: 919-644-2390  
[www.hillsboroughnc.gov](http://www.hillsboroughnc.gov)

This application is for a special use permit (including modifications), variance or appeal.  
Incomplete applications will not be accepted or processed.

OFFICIAL USE ONLY		
Case Number: BA-01-2026	Fee: \$ 1,000.00	Receipt No.: 060826
FLUM Designation: Medium Density Residential	Zoning District: RSU	Overlay Zone: Select One <span style="float: right;">N/A Applicable (TK)</span>
Permit or Relief Requested: Special Use Permit Modification <input checked="" type="checkbox"/>		

PROJECT LOCATION AND DESCRIPTION	
Project Name: East Village at Meadowlands	Project Type: Residential <input checked="" type="checkbox"/>
Property Address/Location: 1317 US 70-A East	
PIN(s): 9874-81-6134 & 8049; 90-9603	Size of Property (Acres/Sq. Ft.): 10.89 Ac
Current Use of Property: Residential	Proposed Use of Property: Residential
Use Class (from UDO Sections 5.1.7 and 5.1.8): RSU	
Number Existing Buildings to Remain: 0	Number Proposed Buildings: 13
Gross Floor Area Existing Buildings: 0	Gross Floor Area Proposed Buildings: -
Number Lots Proposed: 76	Number Dwelling Units Proposed: 76
Brief Summary of Request (use separate sheet if necessary): Requesting a Waiver from the driveway spacing UDO requirement of Sect. 6.9.3.1 (TK)	

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: 640 Meadowlands Drive, LLC	Legal Property Owner: HFH of Orange County
Mailing Address: [REDACTED]	Mailing Address: [REDACTED]
City, State, ZIP Code: Hillsborough, NC 27278	City, State, ZIP Code: Chapel Hill, NC 27514
Telephone: [REDACTED]	Telephone: [REDACTED]
Email: [REDACTED]	Email: [REDACTED]
Signature: 	Signature: Grace Johnston
Date: 1/12/2026	Date: 1/12/2026
Legal Relationship of Applicant to Property Owner: none	

(TK) = by Senior Planner  
 Tom King



TOWN OF  
**HILLSBOROUGH**

**AUTHORIZATION FORM**  
**Owner's Authorization for Agent**  
**Board of Adjustment Hearing**

Planning and Economic Development Division

101 E. Orange St., PO Box 429, Hillsborough, NC 27278

919-296-9475 | Fax: 919-644-2390

[www.hillsboroughnc.gov](http://www.hillsboroughnc.gov)

This form must accompany any application to go before the Board of Adjustment in which the application will not be represented by the legal property owner. Each owner shown on the property owner's deed must sign this authorization form.

I/We Habitat for Humanity of Orange County

(print names of legal property owners)

hereby authorize 640 Meadowland Drive, LLC - James Parker

(print name of agent)

to represent me/us in processing an application for Special Use Permit Modification  on my/our behalf. In authorizing the agent to represent me/us, I/we as owner/owners attest that:

- The application is made in good faith.
- All information contained in the application is accurate and complete.
- The agent is authorized to accept any and all conditions that may be placed on the approval.
- I/we as the property owner(s) am/are bound by any decision of the board, including any and all conditions attached to board approvals.

Grace Johnston

Signature of Owner

Signature of Owner

Grace Johnston

Print Name of Owner

Print Name of Owner

NORTH CAROLINA

COUNTY

Sworn to and subscribed before me on this 8 day of January 2026 by

Grace Johnston

Print Name of Person Making Statement

Margaret R. Mack

Signature of Notary Public

Margaret R. Mack

Print Commissioned Name of Notary Public

7-6-27

Commission Expiration Date

**Margaret R. Mack**  
NOTARY PUBLIC (SEAL)  
DURHAM COUNTY, N.C.  
My Commission Expires July 6, 2027

The individual(s) making the above statement is/are personally known X or identification was produced \_\_\_\_.



TOWN OF  
**HILLSBOROUGH**

## **SUPPLEMENTAL FORM** **Special Use Permit**

Planning and Economic Development Division  
101 E. Orange St., PO Box 429, Hillsborough, NC 27278  
919-296-9475 | Fax: 919-644-2390  
[www.hillsboroughnc.gov](http://www.hillsboroughnc.gov)

To the Hillsborough Board of Adjustment:

I, 640 Meadowlands Drive, LLC - James Parker, hereby petition the Board of Adjustment to issue a Special Use Permit in the name of Auman Village (East Village @ Meadowlands) for use of the property described in the attached General Application in a manner set forth on that form or, if not adequately explained there, as more fully described herein:

Connection of an adjacent property driveway to a proposed street in Auman Village. The request for waiver from the 250' requirement from an intersecting street, the proposed connection is 220'.

Authority to grant the request is contained in the Hillsborough Unified Development Ordinance sections:

?

### **Factors Relevant to Permit Issuance**

The Hillsborough Unified Development Ordinance imposes the following four general standards/findings of fact on the special use requested by the applicant. 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 Adjustment that it can properly reach these four required findings.

**1. That the use or development is located, designed, and proposed to be operated so as to maintain the public health, safety, and general welfare.**

the driveway connection as shown is aligned with an approved street within the approved construction drawings for Auman Village. This creates the safest connection point along the public street from a motorist and pedestrian standpoint.

**2. That the use or development complies with all required regulations and standards of the Unified Development Ordinance, including all applicable provisions of articles 4, 5, and 6 and all applicable regulations.**

the driveway and the connection will be in compliance with all UDO design criteria with approval of this waiver.

**3. That the use or development is located, designed, and proposed to be operated so as to maintain or enhance the value of contiguous property or that the use or development is a public necessity.**

The proposed driveway connection will maintain the value of the adjacent property due to the driveway being specific to the adjacent property.

**4. That the use or development conforms with the general plans for the physical development of the Town and is consistent with the Hillsborough Comprehensive Plan.**

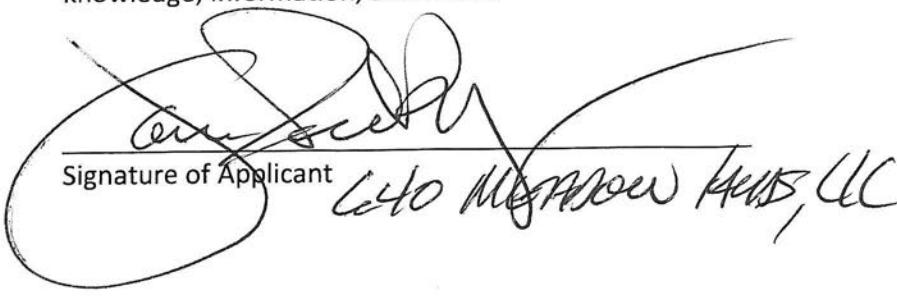
The use is consistent with the physical development standards of the Town and comprehensive plan with approval of this waiver

Connectivity

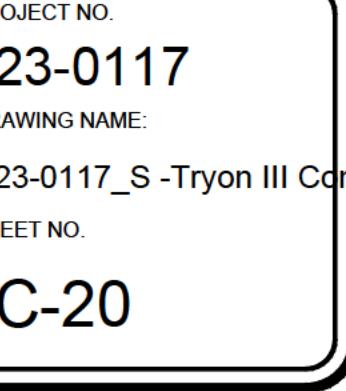
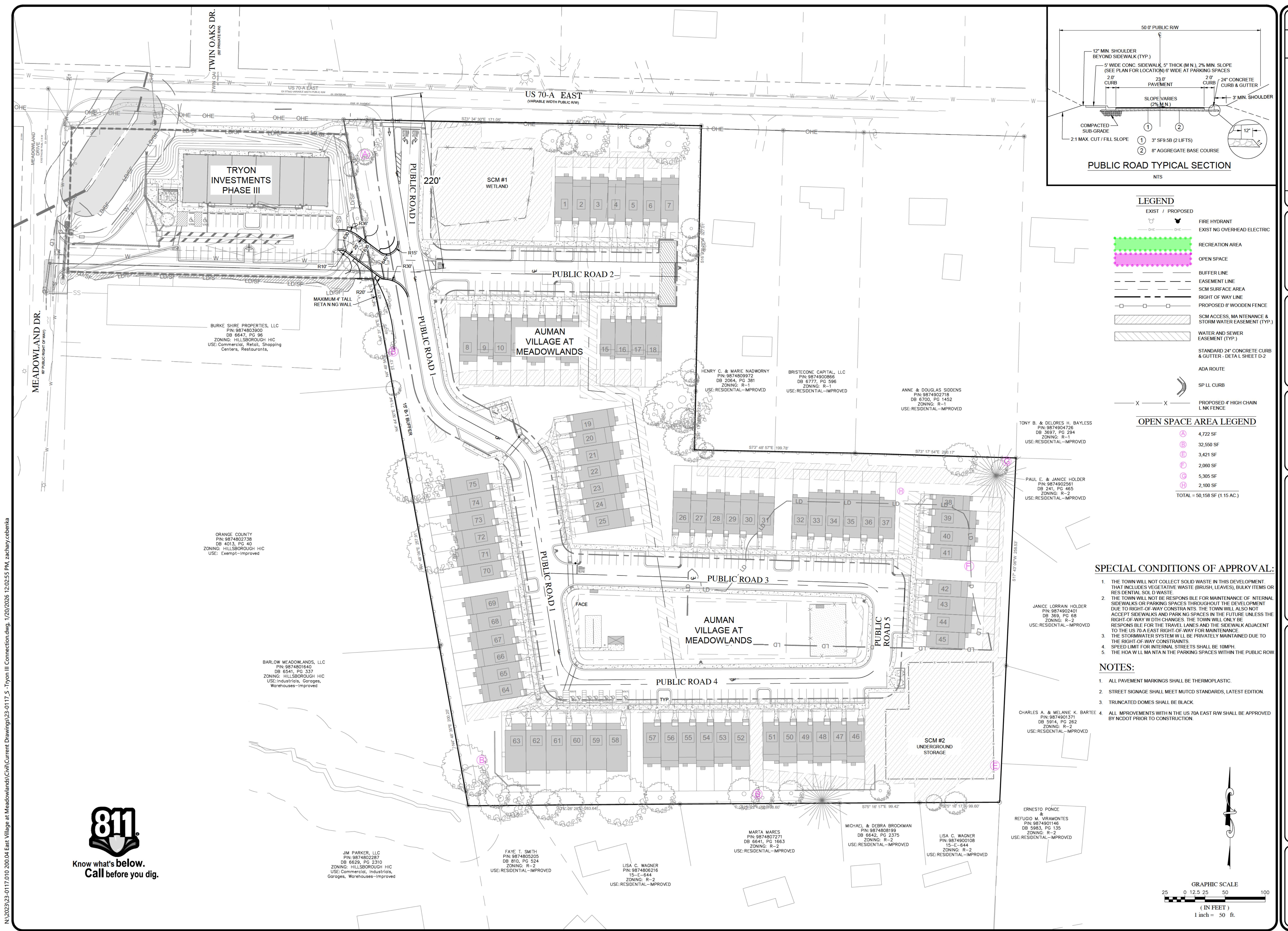
The Unified Development Ordinance also imposes the following use-specific requirements on the use requested by the applicant (town staff will assist the applicant in listing the specific requirements). The applicant should be prepared to demonstrate that the proposed use will comply with each of the following specific requirements if the land is used in a manner consistent with the plans, applications and other information presented to the board:

Not Applicable

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



## ATTACHMENT #2

### Future Land Use Map and UDO Provisions Relative to the Case

#### Future Land Use Map Classification:

**Medium-density Residential:** These areas include existing and future areas for development of more dense residential neighborhoods that provide a diversity of housing types and housing options. Areas include single-family detached units, mobile homes, townhouses, duplexes, condominiums, apartments, senior housing, and other multi-family dwelling units. Housing densities should range from 3-8 dwelling units per acre. Other types of uses that may occur are schools, parks, and other public facilities. *Zoning Districts: R-10; R-15; R-20; Multi-Family; Mobile Home Park; Entranceway Special Use; Mixed Residential Special Use; Multi-Family Special Use; Residential Special Use.*

#### UDO Provisions:

**Section 4 (Zoning Districts), Subsection 4.4 (Special Use Zoning Districts), Paragraph 4.4.4 (Residential Special Use District (RSU)), Sub-paragraph 4.4.4.1 (Intent):** The purpose of the residential special use district is to create an open-ended use category for unique and diverse housing opportunities within existing residential districts as those districts age and redevelop.

*This intent statement is taken form the UDO in effect at the time the Auman Village at Meadowlands project was approved.*

**Section 6 (Development Standards), Subsection 6.9 (Driveway Connections), Paragraph 6.9.3 (Driveway Requirements), Sub-paragraph 6.9.3.1:** No driveway shall be located within two hundred fifty (250) feet of the intersection of a public street with an arterial or collector street unless no other site access is legally practicable.

## ATTACHMENT #3

### Zoning History

December 14, 2020: Town Board of Commissioners annex property from Orange County into the town's corporate limits, rezones it from county R-1 (Rural Residential) to town RSU (Residential Special Use) and grants a Special Use Permit for "East Village at Meadowlands"; a 76-unit townhouse project. Project approved subject to five waivers from UDO requirements and four conditions of approval. The permit expiration date is December 14, 2022.

September 12, 2022: Town Board of Commissioners approve one-year extension of Special Use Permit expiration date. New expiration date is December 14, 2024.

October 28, 2024: Town Board of Commissioners approve six-month extension of Special Use Permit expiration date. New expiration date is June 14, 2025.

June 13, 2025: Town staff approve construction drawings for the Auman Village at Meadowlands project. Number of townhouse units is reduced from 76 to 75. Town staff also issue Zoning Compliance Permit #8511 authorizing grading and site work associated with the project.