



## Agenda Abstract

### BOARD OF COMMISSIONERS

Meeting Date:	Dec. 12, 2022
Department:	Planning and Economic Development
Agenda Section:	Regular
Public hearing:	Yes
Date of public hearing:	Oct. 20, 2022

#### PRESENTER/INFORMATION CONTACT

Planning and Economic Development Manager Shannan Campbell

#### ITEM TO BE CONSIDERED

**Subject:** Annexation and General Use Rezoning - request from the Town of Hillsborough to:

- Annex approx. 19.5 ac consisting of OC PIN 9874132066
- Rezone approx. 6.62 ac of that parcel from AR to LO (train station area)
- Keep the remaining 12.88 ac zoned AR

#### Attachments:

1. Annexation Ordinance
2. Consistency Statement
3. Rezoning Ordinance
4. Annexation and Rezoning Application Materials & Maps

#### Summary:

This parcel is largely vacant except for a portion that housed rented baseball fields. In 2008, the town acquired the parcel adjacent to the North Carolina Railroad corridor as a potential location to re-establish passenger rail service and provide for economic development. In 2016, a concept plan for a future train station was developed. The future train station was funded in the 2016-2025 State Transportation Improvement Program. In 2020, the town entered into a funding agreement with NCDOT and GoTriangle to facilitate the design and construction of the station building and site. A request for proposals for design of the future station was issued in September 2021. In December 2021, the Board of Commissioners authorized staff to negotiate a contract with Clearscapes for design and engineering of the future train station and greenway connection to downtown Hillsborough. The parcel is contiguous to town limits and needs to be annexed and rezoned to accommodate the construction of the train station. LO (limited office) is the most appropriate zoning.

The request is for a general use rezoning – meaning a range of uses are permitted by right. This is a legislative decision for the board – meaning the members can take a wide range of information into consideration and testimony may be in writing and does not need to be sworn. The board has broad discretion in determining whether to approve this request. No statements by the applicant as to potential use of the property are binding on the applicant or the town. For this reason, the town requires no development plans from applicants seeking rezoning to a general-purpose district.

#### GENERAL STANDARDS/FINDINGS OF FACT:

Before amending this Ordinance or the Official Zoning Map, the town board must find, after conducting the process below, that the request is not inconsistent with the adopted Comprehensive Plan for the Town of Hillsborough.

Amending the Official Zoning Map (Rezoning) is a matter committed to the legislative discretion of the Town Board. In determining whether to adopt a proposed amendment, the town board shall consider and weigh the relevance of the following factors:

- (a) The extent to which the proposed amendment is consistent with all applicable town-adopted plans;
- (b) The extent to which there are changed conditions that require an amendment;
- (c) The extent to which the proposed amendment addresses a demonstrated community need;
- (d) 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;
- (e) The extent to which the proposed amendment would result in a logical and orderly development pattern, or deviate from logical and orderly development patterns;
- (f) The extent to which the proposed amendment would encourage premature development;
- (g) The extent to which the proposed amendment would result in strip or ribbon commercial development;
- (h) 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;
- (i) The extent to which the proposed amendment would result in significant adverse impacts on the property values of surrounding lands; and
- (j) 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.

#### October Joint Public Hearing Minutes:

- A. Annexation and General Use Rezoning: 255 Orange Grove St. — Request from the Town of Hillsborough to annex approximately 19.5 acres, rezone approximately 6.62 acres from Agricultural/Residential to Limited Office and keep the remaining 12.88 acres zoned Agricultural/Residential (OC PIN 9874132066)

Planning and Economic Development Manager Shannan Campbell presented the staff report. She said the proposal is for a town-owned parcel. Displaying a map, Campbell said the Town of Hillsborough proposes annexing the full parcel and rezoning the portion on which Hillsborough's train station will be built. She said the parcel currently is zoned Agricultural Residential, and the zoning needed to build the train station is Limited Office. She invited the applicant's representative to speak.

Johnston reminded the board members the rezoning would be a general use rezoning with all approved uses for Limited Office being allowed by right. Campbell agreed, noting no plan of development is required for general use rezonings.

Public Space and Sustainability Manager Stephanie Trueblood presented the application on the town's behalf. She explained it was important to move forward tonight because the town signed a funding agreement in 2020 to deliver the train station within 7 years. She said moving forward with the annexation and rezoning is important to keeping the project on schedule.

Trueblood explained only part of the 20-acre parcel is needed for the train station. She said the train station might not require the entire 6-acre portion the town is requesting to rezone. She said for simplicity's sake the town requests rezoning the largest possible space that might be needed for the train station. She said the zoning could be reconfigured in 2023 after the town board works on the site's master plan. Trueblood said the larger part of the site would remain zoned Agricultural/Residential. She said the town requests the smaller

portion, which will be used for the train station, town offices and a park and ride lot, be rezoned Limited Office. She said additional future uses could involve additional rezonings.

Ferguson expressed excitement about the train station project moving forward.

Johnston invited members of the public to speak.

Resident Gary Miller said he was in favor of the annexation and rezoning, anticipating mass transit would be a be part of North Carolina's future.

There were no other comments for this item.

November Planning Board Meeting:

At the November Planning Board meeting there was no additional discussion of the item. The Planning Board voted 7-0 to recommend approval.

**Financial impacts:**

None.

**Staff recommendation and comments:**

Staff recommends approval as presented.

**Action requested:**

Approve or deny the request for annexation and rezoning.