

MINUTES
JOINT PUBLIC HEARING
HILLSBOROUGH TOWN BOARD and PLANNING BOARD
Thursday, November 8, 2007
7:00 PM, Gordon Battle Courtroom, Orange County Courthouse

BOARD OF COMMISSIONERS PRESENT: Mayor Tom Stevens, Commissioners Frances Dancy, Mike Gering, L. Eric Hallman, and Brian Lowen.

PLANNING BOARD MEMBERS PRESENT: Chair Matthew Farrelly, Edna Ellis, Kate Faherty, Neil Jones, Dave Remington, and Barrie Wallace.

STAFF PRESENT: Planning Director Margaret Hauth.

ITEM #1: Call to Order.

Mayor Stevens called the public hearing to order at 7:03 p.m. He then turned the meeting over to Planning Board Chair Matthew Farrelly.

ITEM #2: Presentation and discussion of a future Land Use Map for the Hillsborough Planning jurisdiction. This map is the next step in the Strategic Growth Plan process to establish future land uses within the Town's current jurisdictions. Jurisdictional changes and land uses in those areas will be the next phase of the project.

Mr. Farrelly noted the purpose of the Public Hearing was to inform the public and gather comments and feedback, but with no decisions being made at this time.

Planning Director Margaret Hauth stated the Land Use Plan was the first step in working towards a Zoning Ordinance rewrite, and was another part of the Strategic Growth Plan in that now under State law zoning requests were to be consistent with Land Use Plans. She stated the Town did not presently have a very detailed Land Use Plan, but had a colored map in the Vision 2010 Plan that spoke to mixed uses in most districts but did not always provided a lot of guidance when looking at rezoning requests. Ms. Hauth stated the Planning Board had worked closely with the consultants, Clarion and Associates, to look at what uses should be in what locations. She said once the Planning Board reviewed it again, hopefully at its next meeting, it would then go to the Town Board for consideration and a decision.

Ms. Hauth said for clarification, the Land Use Plan did not change the zoning on anyone's property; it only indicated what the preferred land use was at that location to indicate to those who owned residential property and were wondering if other uses could be utilized, and that the Land Use Plan would provide an indication of whether a rezoning was a reasonable request or not. She said for those who had non-residential property, the Land Use Plan would provide an indication of what the appropriate uses might be and at what intensity of uses the Town might like to see there.

So, she said, it provided a first impression of what the Town believed the land should be developed for. Ms. Hauth then introduced Roger Waldon, with Clarion and Associates, to go through the proposal in detail.

Roger Waldon stated the Land Use Plan was only one in a series of things the Town was doing to best manage its growth and development while dealing with the different pressures occurring in the area. He stated the Land Use Plan being presented tonight for consideration and comment did have much history behind it: the Orange County and Hillsborough Land Use Plans now in place; the Vision 2010 Plan; the Strategic Growth Plan; and, the regional context that Hillsborough was a fabulous place in the middle of a hotbed of interest and activity.

Mr. Waldon displayed the map produced in conjunction with the Strategic Growth Plan. He said one of the pieces of that project was to identify developable land in and around the Town; that is, land that was currently vacant or undeveloped where there was some possibility of urban services being provided. Mr. Waldon said they had looked at the ideas that came out of the past Land Use Plan process as well as the Strategic Growth Plan, which included:

- focus residential growth to the south of the existing Town to minimize the worsening of the Churton Street traffic problem;
- to pull in the utility service and annexation areas that had previously appeared on the map because there was more land shown than could be served;
- take advantage of the interstate access;
- take into consideration those growth drivers mostly to the south of Town, such as growth in Chapel Hill and Carrboro;
- encourage mixed use development; and,
- coordinate the Town's planning with the existing rural buffer.

Mr. Waldon stated next were the action steps that came from that planning effort:

- try to identify, always be aware of, and try to stay within the water constraints facing the Town;
- a proposal to define a very firm service area and annexation line, to minimize residential growth to the north; and
- two specific actions recommended in the Strategic growth Plan: one to adjust Land Use Plans for both Hillsborough and Orange County, and secondly, along with that to execute and Interlocal Agreement between Hillsborough and Orange County for the planning and zoning in that area that was immediately outside of Hillsborough's boundary but in which Hillsborough had an interest.

Mr. Waldon stated that looking at adjustments to Hillsborough's Land Use Plan was the subject of tonight's hearing. He stated the map on display and the handouts indicated an area not only within Hillsborough's jurisdiction but an area where Hillsborough was likely to grow that was outside its jurisdiction, and was the area that should be the topic of an Interlocal Agreement between the Town and Orange County. Mr. Waldon said what was within the blue-lined areas of the map were the areas that the Town had unilateral authority to adopt Land Use Plans and administer zoning regulations. He stated that once that new Land Use Plan was in place, then the recommendation was to go to the County and negotiate for the areas immediately outside of that line.

Mr. Waldon paused in his presentation to compliment the work of the Planning Board, noting they were very clear about their direction, brought good ideas to the table, and represented the interests of the Town very well.

Mr. Waldon stated the Planning Board had held two public information meetings to gather public comment as well as to provide information so that the best possible comments could be made at tonight's hearing. He said that there were four things that came out of the public information meetings that he wanted to highlight:

- the map did not do a good enough job of identifying sensitive environmental resource areas such as floodplains;
- the map did not show all land under the control and guidance of the CAHPT (Classical American Homes Preservation Trust);
- the discussion regarding train stations was noteworthy but was not going to be a part of the Land Use Plan; but, almost all the locations for a train station under consideration were in areas where the Land Use Plan showed some intense activity; and
- Ben Lloyd would be asking that some property noted as low density residential be considered for a different category, and pointed that out as the brown area on the map.

Mr. Waldon stated that after adoption of the Land Use Plan for the Town, the next action would be to work with the County on a new Interlocal Agreement for the area shown in red on the map and noted as the area of mutual interest. He said the next step would be to refer the Land Use Plan to the Planning Board of its meeting next week, if they were collectively ready to move forward. Mr. Waldon said once the Planning Board made its final recommendation, the Plan would go to the Town Board for consideration of adoption.

Commissioner Gering asked what this would be in relation to the Vision 2010 Plan. Mr. Waldon replied it would serve as a supplement; that the Vision 2010 Plan was still in place and this Land Use Plan drew upon the ideas that were in that Plan, but this would be the Town's official Land Use Plan referenced in zoning cases. He said it would be an aid when making decisions about capital improvements and other issues.

Mayor Stevens said then this Plan would not supercede the Vision 2010 Plan. Mr. Waldon responded it would not; that it was supportive and more specific, but was not a replacement.

Mr. Farrelly then called on citizens who wished to speak.

Bill Crowther, representing CAHPT, stated he had attended the workshops which were very helpful. He requested that the Land Use Plan include all the land owned by CAHPT, noting some had been left out. Mr. Crowther stated they would prefer to have everything included under one designation, and would prefer the Permanent Open Space designation. He also suggested that when the Town began discussions with Orange County, that there were two natural areas of County and State-wide significance – Poplar Ridge and Occaneechee Mountain – that should be looked at carefully. Mr. Crowther said they might also want to highlight in the Land Use Plan the natural areas of national significance, which was the Eno River that ran through the Town.

Ben Lloyd stated that the property Mr. Waldon had previously mentioned was on Orange Grove Road, and his parents had started housekeeping on that property in 1920, and then in 1929 had moved to Efland. He said his Aunt and Uncle had then lived there until 1968. Mr. Lloyd said all four had lived to be elderly, and he had gained much experience with the needs of the elderly. He said he had made a decision a number of years ago to utilize that property for senior benefits, and he had been contacted several years ago by Carrie Moriarty about its use as an assisted living center. Mr. Lloyd said after checking into that and being impressed with his research, he had worked out an agreement with Ms. Moriarty to make the property available for that use. Mr. Lloyd said that assisted living facility was now near capacity.

Mr. Lloyd stated he had then received a call from Jack Chestnut, who heads a senior group, who wanted to see the remainder of the property developed for a senior living facility. He said in January of 2006, he had been contacted by an organization who wanted to proceed with building such a facility. Mr. Lloyd said that organization had approached the Town Board, but had been told that the Town had started developing a Strategic Growth Plan and did not want to do anything until that Plan was completed. He said the Town had suggested at that time that they get some input from the senior organization, which they did and it had been well received.

Mr. Lloyd said the organization making the proposal then learned that the Strategic Growth Plan would extend out through the entire year and upon learning of that had withdrawn from the contract because they could not invest money for that long period of time. He said two weeks ago, another developer with unquestionable senior living experience had approached him and expressed a large amount of interest in developing the property as an active senior community. Mr. Lloyd stated the Town's Strategic Growth Plan had this property identified as having primary growth potential, and he had been assured by Mr. Waldon that the property would not be affected. But just this week when attending one of the hearings, he said, he had discovered that the new map called for that property to be low density residential with a maximum of 3 units per acre. Mr. Lloyd said that would destroy any plans for senior living benefits.

Mr. Lloyd said he had questioned what had been changed on the map. He said on the north side of the property it was noted as future commercial, on the south side it was already high density apartments, and on the west side was a State park. He said he could not think of any place that would be more amenable to being utilized for senior needs than this property with all its amenities. Mr. Lloyd said it was a short 5-minute walk from a shopping center, it was adjacent to a State park, and most of all it would surround a beautiful, already operational assisting living center.

Mr. Lloyd said a low density designation did not seem to him to be appropriate. He said in his opinion, it was not in the best interest of the seniors who were in need of such a community. Mr. Lloyd said he had been and continued to be totally committed to this property being utilized for seniors. He asked that consideration be given to increasing the density of this property so that it could be used as an active senior community.

Mr. Remington asked would a designation as medium residential be more appropriate. Mr. Lloyd responded it would be 10 times more appropriate. He stated that 3 units per acre was not appropriate.

Ms. Ellis stated what the Town was looking for was continuous care facilities, and asked could that be provided. Mr. Lloyd replied he did not think the property was suitable for that. He said that Corbinton Commons was going to provide such a facility, but he believed the entrance fee for a CCRC was too high and it would exclude many Orange County seniors.

Mr. Farrelly stated they needed to remain focused on the Land Use Plan and the general use of the property in terms of the density of the property and not the uses of the property. Mr. Lloyd commented that there was only one Certificate of Need for Orange County, and Carillon had it. He said his basic interest was in using the property for senior benefits, based on his experiences with his own parents. Mr. Lloyd asked to Boards for consideration in increasing the density.

Mr. Farrelly determined there were no other speakers.

ITEM #3: Adjourn.

Upon a motion by Commissioner Gering, seconded by Commissioner Hallman, the Board moved to adjourn the hearing. The vote was unanimous. The meeting was adjourned at 7:38 p.m.



Respectfully submitted,
Donna F. Armbrister, MMC
Town Clerk