



Town of Carrboro

Town Hall
301 W. Main St.
Carrboro, NC 27510

Meeting Agenda Board of Aldermen



Tuesday, November 18, 2014

7:30 PM

Board Chambers - Room 110

7:30-7:35

A. REQUESTS FROM VISITORS AND SPEAKERS FROM THE FLOOR

7:35-7:40

B. RESOLUTIONS, PROCLAMATIONS, AND ACKNOWLEDGEMENTS

1. [14-0319](#) Proclamation - Carrboro Women's State Cross Country Champions
2. [14-0322](#) A Resolution Regarding Support for Unaccompanied Immigrant Minors from Central America
Attachments: [Resolution Unaccompanied Immigrant Minors](#)
3. [14-0323](#) Energy Efficiency in School Board Bond Referendum
Attachments: [Energy Efficiency in School Board Bond Referendum](#)
4. [14-0321](#) Charge Issued - Will Potter, Recreation and Parks Commission

7:40-7:45

C. CONSENT AGENDA

1. [14-0318](#) Approval of Previous Meeting Minutes
2. [14-0313](#) Permit Extension Request for Previously Issued Conditional Use Permit for The Butler Mixed-Use CUP at 120 Brewer Lane

PURPOSE: The Board is asked to review a request for an extension of the date when a Conditional Use Permit would otherwise expire for The Butler Mixed-Use CUP. The Town Staff recommends approval of the request
Attachments: [Attachment A Butler PermitExtensionRequest-Resolution](#)
[Attachments B, Butler Permit Extension](#)
3. [14-0311](#) Permit Extension for Previously Issued Conditional Use Permit for The Matthew's Family Building at 609 Highway 54 West

PURPOSE: The Board is asked to review a request for an extension of the date when a Conditional Use Permit would otherwise expire for the Matthew's Family Building at 609 Highway 54 West. The Town Staff recommends approval of the request.

Attachments: [Staff Report](#)
[CUP Extension Resolution](#)
[Bud Matthews Letter for Extension 2014](#)

4. [14-0314](#) Permit Extension Request for Previously Issued Conditional Use Permit for the Shoppes at Jones Ferry at 405 Jones Ferry Road

PURPOSE: The Board is asked to review a request for an extension of the date when a Conditional Use Permit would otherwise expire for The Shoppes at Jones Ferry at 405 Jones Ferry Road. The Town Staff recommends approval of the request.

Attachments: [Staff Report](#)
[Resolution](#)
[Letter from David Rooks](#)

D. OTHER MATTERS

7:45-8:00

1. [14-0320](#) Orange County Partnership to End Homelessness Revised Memorandum of Understanding and Presentation

PURPOSE: To provide the Board of Alderman with an overview of OCPEH and an updated Memorandum of Understanding for consideration of adoption.

Attachments: [Attachment A - MOU OCPEH 2014](#)
[Attachment B - PEH Update](#)
[Attachment C - OCPEH 2013 Report to the Community](#)
[Attachment D - Homeless Programs Coordinator Job Description](#)

8:00-8:15

2. [14-0302](#) Follow up on Community Forum on Policing in Carrboro

Attachments: [Attachment A - Fair and Impartial Policing](#)

8:15-8:30

3. [14-0299](#) PTA Thrift Shop CUP, Minor Modification

PURPOSE: PTA Thrift, Inc. is requesting a modification to their Conditional Use Permit for the property located at 103 Jones Ferry Road

(OC PIN 9778757939). The CUP modification, if granted, will allow the project to be phased and will slightly modify the approved site plan.

Attachments: [Attachment A - Resolution Approving the Minor Modification](#)
[PTA Minor Mod attachments](#)

8:30-8:45

4. [14-0316](#) Discussion of Options for the 2015 Board of Aldermen Retreat

PURPOSE: The purpose of this item is for the Board of Aldermen to discuss various options for a Board retreat.

E. MATTERS BY TOWN CLERK

F. MATTERS BY TOWN MANAGER

G. MATTERS BY TOWN ATTORNEY

H. MATTERS BY BOARD MEMBERS

I. CLOSED SESSION - ECONOMIC DEVELOPMENT MATTER

A RESOLUTION SUPPORTING AND WELCOMING UNACCOMPANIED IMMIGRANT
MINORS FLEEING VIOLENCE IN THEIR HOME COUNTRIES

WHEREAS, Carrboro strives to be a compassionate and caring community and to create a welcoming environment for all people; and

WHEREAS, on June 10, 2014, the Board of Aldermen approved a resolution recognizing that Carrboro has vibrant and healthy immigrant communities; noting that support of immigrant communities is critical to preserving our legacy as a nation of immigrants; and establishing Immigrant Heritage Month; and

WHEREAS, on March 12, 2013, the Board of Aldermen approved a resolution in opposition to a discriminatory version of NC House Bill 184 that would have created a special driver's license denoting the holder's immigration status; and

WHEREAS, on March 5, 2013, the Board of Aldermen approved a resolution in support of the federal Uniting American Families Act, noting that an important goal of US immigration law is to facilitate family reunification and to enable families and individuals to reside legally in the United States; and

WHEREAS, the number of children and adolescents from Central American nations who are seeking refuge in the United States has risen dramatically over the past three years and, according to the US Department of Homeland Security, their immigration may result in the apprehension of 90,000 minors; and

WHEREAS, approximately three-quarters of the minors seeking refuge in the United States are fleeing extreme violence and poverty in their home countries, including Guatemala, El Salvador, and Honduras; and

WHEREAS, Honduras has the world's highest murder rate, and El Salvador has the world's fourth highest murder rate; and

WHEREAS, any refugee who flees his or her country may consider expectations of safety and reunification with family members when determining a destination, making the United States an attractive option for these minors; and

WHEREAS, most of the minors entering the United States, including those coming to North Carolina, are returning to parents or other family members who are present in the United States; and

WHEREAS, between January 1, 2014, and August 31, 2014, approximately 1429 of these minors were placed in North Carolina, and many of these minors are reuniting with their North Carolina families who can care and provide for them; and

WHEREAS, these families are an important part of our community who should be welcomed and supported, and we should protect vulnerable children fleeing violence who seek safety in our community;

NOW, THEREFORE, BE IT RESOLVED:

SECTION 1. The Board of Aldermen affirms that Carrboro is a welcoming community for minors seeking refuge from violence in their home countries and is a welcoming community for the sponsors of these minors.

SECTION 2. The Board of Aldermen requests that Congressman David Price encourage the Obama Administration and the Department of Homeland Security to ensure that the thousands of minors seeking safety in the United States and being apprehended by the Border Patrol receive due process and legal representation in court hearings.

SECTION 3. The Board of Aldermen supports municipal and county efforts to welcome and provide services to minors seeking refuge from violence in their home countries and encourages continuing collaboration among governmental entities to support and protect these minors.

SECTION 4. The manager is directed to cooperate with other governmental entities and community partners to identify available resources to support efforts to welcome and provide services to minors in our community and to report to the Board of Aldermen with information about such resources by January 31, 2015.

SECTION 5. Moreover, the Board of Aldermen affirms the longstanding right of children to equal educational opportunities, including the right to attend public elementary and secondary schools in the county in which they reside, without regard to their immigration status.

SECTION 6. The clerk is directed to send copies of this resolution to Congressman David Price, the chair of the Orange County Board of Commissioners, the chair of the Chapel Hill-Carrboro City Schools Board of Education, the mayor of the Town of Chapel Hill, and the mayor of the Town of Hillsborough.

RESOLUTION REQUESTING ORANGE COUNTY COMMISSIONERS INCLUDE COSTS OF ENERGY EFFICIENCY UPGRADES IN THE PROPOSED SCHOOL FACILITIES UPGRADES BOND REFERENDUM AND THAT THE CHCCS BOARD OF EDUCATION JOIN CARRBORO IN FORMALLY MAKING THIS REQUEST

WHEREAS the CHCCS Board of education is proposing a bond referendum for the Orange County Board of Commissioners to pursue for upgrading the ten oldest facilities in the district at a cost of 160.84 million

WHEREAS these proposed upgrades do not include energy efficiency upgrades

WHEREAS energy is the second-second highest operating expenditure for k-12 schools after personnel costs – more money than is spent on textbooks and computers combined.ⁱ

WHEREAS the EPA estimates that schools can achieve 25% – 30% cost savings in energy efficiency improvements in schools (U.S. EPA, 2004b; U.S. DOE, 2006).

WHEREAS case studies show school facilities energy efficiency upgrades can have simple pay-back periods ranging from 6.5 to 15 years and more significantly high Net Present Value profits

WHEREAS Schools represent 6% of Carrboro's Greenhouse gas emissions

WHEREAS The Town of Carrboro seeks, and will facilitate the community at large, to cut CO2 emissions by its proportion of the amount which is required to stabilize the climate back to less than 350 ppm of CO2 in the atmosphere in time for a 90% probability for success as defined by the most up to date scientific consensus.

WHEREAS the science describes for equitable reduction of ghg gases by climate debtor a reduction of 40% below 1990 levels by 2020.

WHEREAS successive generations of young people will inherit a planet increasingly less supportive of life, contingent on this generation's degree of (in)action within the next 10 years.

WHEREAS Schools are the place in our community most dedicated to our youth.

WHEREAS at the October 28, 2014 Joint Carrboro Board of Alderman and CHCCS Board of education meeting there was general support for petitioning the county to include energy efficiency upgrade costs in the proposed school facilities bond referendum.

THEREFORE BE IT RESOLVED that the Carrboro Board of Alderman requests the Orange County Board of Commissioners include energy efficiency costs in the proposed school facilities upgrade referendum.

BE IT FURTHER RESOLVED that the Carrboro Board of Alderman requests that the CHCCS Board of Education formally join Carrboro in petitioning the Orange County Board of Commissioners to include energy efficiency costs in the proposed school facilities upgrade referendum.

BE IT FURTHER RESOLVED that the school district or county should identify the energy efficiency measures to achieve in these upgrades by both 1) Net Present

Value cost savings and 2) drastically reducing greenhouse gas emissions to the degree that the science is calling for.

^{i i} Borgeson, Merrian, and Mark Goggio Zimring, 2013 “Financing Energy Upgrades for K-12 School Districts: A Guide to Tapping into Funding for Energy Efficiency and Renewable Energy Improvements” <http://tinyurl.com/mcabxgj>



Town of Carrboro

Town Hall
301 W. Main St.
Carrboro, NC 27510

Agenda Item Abstract

File Number: 14-0313

Agenda Date: 11/18/2014

File Type: Abstract

In Control: Board of Aldermen

Version: 1

TITLE:

Permit Extension Request for Previously Issued Conditional Use Permit for The Butler Mixed-Use CUP at 120 Brewer Lane

PURPOSE: The Board is asked to review a request for an extension of the date when a Conditional Use Permit would otherwise expire for The Butler Mixed-Use CUP. The Town Staff recommends approval of the request

DEPARTMENT: Planning

CONTACT INFORMATION: Jeff Kleaveland 919-918-7332

INFORMATION: Kay Richardson, owner of record for the property identified as 120 Brewer Lane (PIN 9778968060) has requested an extension of the date on a previously issued Conditional Use Permit (CUP); this permit which would otherwise expire on January 1st, 2015 (Attachment B1, B2). The Board of Aldermen originally granted the permit on August 26, 2008 (Attachment B3-B7). It allows for the construction of a five story mixed use building (which includes 57 residential units, about 22,000 sf of office space and two decks of parking (Attachment B8, B9)). Permit extensions are regulated by Section 15-62 of the LUO (Attachment B10, B11). The Board previously approved a permit extension for this project on November 19th, 2013. Construction of the project has not commenced.

FISCAL & STAFF IMPACT: The applicant has paid the applicable fee associated with this request. No other impact noted

RECOMMENDATION: The Town Staff recommends that the Board of Aldermen adopt the attached resolution (Attachment A) approving the permit extension request. The new expiration date for the permit would be January 1, 2016.

ATTACHMENT A

**A RESOLUTION APPROVING AN EXTENSION OF THE DATE ON WHICH A
CUP WOULD OTHERWISE EXPIRE FOR THE BUTLER CUP
LOCATED AT 120 Brewer Lane**

WHEREAS, the Carrboro Board of Aldermen approved a Conditional Use Permit for The Butler Mixed-Use CUP at 120 Brewer Lane (PIN 9778968060) on August 26, 2008; and

WHEREAS, the original CUP expiration date was extended by state legislative action to January 1, 2013 in response to the economic crisis and then, by the Board subsequent to another request, to January 1, 2014; and

WHEREAS, the Board of Aldermen finds, per Section 15-62(c) of the LUO, that: 1) the CUP has not yet expired, 2) the permit recipient has proceeded with due diligence and in good faith, and 3) conditions have not changed so substantially as to warrant a new application.

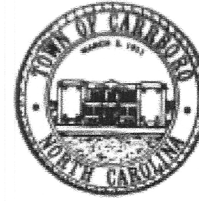
NOW, THEREFORE BE IT RESOLVED by the Carrboro Board of Aldermen that the expiration date for the Butler Mixed-Use CUP is hereby extended to January 1, 2016.

From: **Laura Van Sant** laura@300eastmain.com
 Subject: 2nd document for Kay to sign
 Date: October 22, 2014 at 1:07 PM
 To: Sherman Richardson swr@nc.rr.com

She should sign on the "applicant" line.

TOWN OF CARRBORO

LAND USE PERMIT APPLICATION



DATE: 10/22/14 FEE: _____

APPLICANT: Kay Richardson	OWNER: Same
ADDRESS: 8 Kendall Dr.	ADDRESS:
CITY/STATE/ZIP: Chapel Hill, NC 27517	CITY/STATE/ZIP:
TELEPHONE/EMAIL: PHONE: 919-942-4800 EMAIL: kayrichardson@nc.rr.com	TELEPHONE/EMAIL: PHONE: EMAIL:

LEGAL RELATIONSHIP OF APPLICANT TO PROPERTY OWNER: Owner	PN: 9778-96-8060
PROPERTY ADDRESS: 120 Brewer Ln.	PROPOSED LAND USE & USE CLASSIFICATION:
PRESENT LAND USE & USE CLASSIFICATION:	LOT AREA: 0.96 Acres Square Feet
ZONING DISTRICT(S) AND AREA WITHIN EACH (including Overlay Districts): B-1(c)	

# OF BUILDINGS TO REMAIN n/a	# OF BUILDINGS PROPOSED	
EXISTING GROSS FLOOR AREA OF BUILDING(S) n/a square feet	GROSS FLOOR AREA of proposed BUILDING (proposed ADDITION) square feet	AMOUNT OF IMPERVIOUS SURFACE (proposed ADDITION) square feet

NAME OF PROJECT/DEVELOPMENT: _____

TYPE OF REQUEST	**INFORMATION REQUESTED (Refer to Attached Key)
SUBDIV. FINAL PLAT / EXEMPT PLAT	1, 18, 19, 21, 23, 31, 33, 34, 38
CONDITIONAL USE PERMIT (CUP)	1, 2, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 32, 34, 35, 36, 37, 38
CUP MODIFICATION	SAME AS CONDITIONAL USE PERMIT (CUP)
SPECIAL USE PERMIT (SUP)	1, 3, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 32, 34, 35, 36, 37, 38
SUP MODIFICATION	SAME AS SPECIAL USE PERMIT (SUP)
ZONING PERMIT (Project)	1, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 22, 23, 24, 25, 26, 27, 29, 30, 32, 34, 35, 36, 37, 38
ZONING PERMIT (Building) Residential Infill & Additions	9, 10, 22, 24, 34, 37 (also see "Building Permit Review - Residences Only" checklist)
SIGN PERMIT	1, 10, 13, 14, 17, 20, 38
VARIANCE	4, 5, 10, 20, 29, 34, 38, Attachment A
APPEAL	4, 5, 38, Attachment B
SPECIAL EXCEPTION	1, 4, 5, 8, 10, 20, 35, Attachment C

APPLICANT: Kay Richardson DATE: _____
 OWNER: _____ DATE: _____

Kay Richardson
8 Kendall Dr.
Chapel Hill, NC 27517
919-942-4800
krichardson@nc.rr.com

10/22/14

Marty Roupe
Development Review Administrator
Town of Carrboro
301 W. Main St.
Carrboro, NC 27510

Dear Mr. Roupe:

This letter serves as a request for a one-year extension of the conditional-use permit issued for The Butler, 120 Brewer Lane, which without extension expires Jan. 1, 2015.

I am proceeding with due diligence and in good faith toward using the property in accordance with the CUP. Main Street Properties of Chapel Hill LLC has an option to purchase the property and is in negotiations with Orange County about locating a library/residential building on the site.

Those negotiations won't be complete by Jan. 1, so I request an extension to provide time to continue working toward this proposed development.

Please let me know if you have any questions or require additional information.

Yours truly,



Kay Richardson

MM

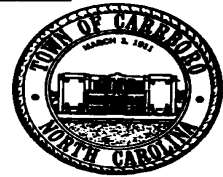


20081022000250430 PRMIT
Bk: RB4618 Pg: 473
10/22/2008 01:25:25 PM 1/5

M
LB

FILED Joyce H. Pearson
Register of Deeds, Orange Co., NC
Recording Fee: \$26.00
NC Real Estate TX: \$.00

PREPARED BY AND RETURN TO:
TOWN CLERK
TOWN OF CARRBORO
301 West Main Street
CARRBORO, NORTH CAROLINA 27510



ORANGE COUNTY
NORTH CAROLINA

TOWN OF CARRBORO
CONDITIONAL USE PERMIT GRANTED
The Butler Mixed Use Building

On the date(s) listed below, the Board of Aldermen of the Town of Carrboro met and held a public hearing to consider the following application:

APPLICANT: Downtown Urban Ventures, LLC and Edwin Andrews Properties, Inc.
OWNERS: Downtown Urban Ventures, LLC and Edwin Andrews Properties, Inc.
PROPERTY LOCATION (Street Address): 120 Brewer Lane
TAX MAP, BLOCK, LOT(S): 7.92.A.22 9778-96-8060
PROPOSED USE OF PROPERTY: Construction of a five-story mixed use building.
CARRBORO LAND USE ORDINANCE USE CATEGORY: Building Site: 27.000, Combination Use including: 1.310, 3.110, 3.120, 3.130, 3.150, 3.210, 3.220, 3.250
MEETING DATES: June 24 and August 26, 2008

Having heard all the evidence and arguments presented at the hearing, the Board finds that the application is complete, that the application complies with all of the applicable requirements of the Carrboro Land Use Ordinance for the development proposed, and that therefore the application to make use of the above-described property for the purpose indicated is hereby approved, subject to all applicable provisions of the Land Use Ordinance and the following conditions:

1. The applicant shall complete the development strictly in accordance with the plans submitted to and approved by this Board, a copy of which is filed in the Carrboro Town Hall. Any deviations from or changes in these plans must be submitted to the Development Review Administrator in writing and specific written approval obtained as provided in Section 15-64 of the Land Use Ordinance.
2. If any of the conditions affixed hereto or any part thereof shall be held invalid or void, then this permit shall be void of no effect.



3. That no size-limited unit may be enlarged for one year after issuance of a certificate of occupancy.
4. That the applicant make a payment-in-lieu of affordable housing for four (4) of the nine (9) proposed affordable units in the amount not to exceed \$100,000 per unit to be paid to the Town of Carrboro's Affordable Housing Special Review Fund, and that the remaining five (5) affordable dwellings provided be, at a minimum, one-bedroom units.
5. That a fee in-lieu of recreation points equivalent to 44.93 points @ \$186.98 per point, or \$8,401.00 (subject to fee change on July 1, 2008) be paid to the Town of Carrboro prior to construction plan approval.
6. That the trellis facility in the courtyard is equipped with outdoor furniture (tables, chairs, benches, etc.) sufficient to adequately serve the residents of the building, per the submitted rendering (Attachment E-2).
7. That prior to construction plan approval, the applicant provide to the Town of Carrboro evidence of a shared access easement (or equivalent) agreed upon by the owners of the 110 Brewer Lane mixed-use project so as to secure access to the proposed project at 120 Brewer Lane and that said easement will be shown and referenced on any plat associated with the project.
8. That the applicant be allowed to deviate from the presumptive parking standard requirement 149 spaces by providing 136 spaces based upon their written justification that anticipates shared use of spaces between business and residential uses (Attachment G).
9. That the applicant must receive a Town of Carrboro driveway permit for Brewer Lane prior to construction plan approval (if found to be necessary).
10. That, per the provisions of Section 15-309 of the Carrboro Land Use Ordinance, the screening requirements of Section 15-308 are waived as they do not create a substantial benefit to the adjacent properties and because the project is to be rezoned to B-1(c), which has no setback requirements, based upon the applicant's screening justification letter (Attachment I).
11. That screening gates be provided for the proposed dumpster (on 110 Brewer Lane) to prevent views of the dumpster from the south, while still allowing access as needed.
12. That, prior to approval of any plat submitted for the project, a maintenance agreement for stormwater facilities used jointly by the owners of the 110 and 120 Brewer lane be approved by the Town Attorney and addressed in the condominium owners association documents.
13. That the applicant shall provide to the Carrboro Zoning Division, prior to the recordation of the final plat for the project or before the release of a bond if some features are not yet in place at the time of the recording of the final plat, Mylar and digital as-builts for the stormwater features of the project. Digital as-builts shall be in DXF format and shall include a base map of the whole project and all separate plan sheets. As-built DXF files shall include all layers or tables containing storm drainage features. Storm drainage features will be clearly delineated in a data table. The data will be tied to horizontal controls.
14. That the developer shall include a detailed stormwater system maintenance plan specifying responsible entity and schedule. The plan shall include scheduled maintenance activities for each unit in the development (including cisterns, bio-retention areas, swales, check dams, and irrigation pond, performance evaluation protocol, and frequency of self-reporting requirements, including a proposed self-reporting form) on maintenance and performance. The plan and supporting documentation shall be submitted to the Town of Carrboro engineer and Environmental Planner for approval prior to construction plan approval. Upon approval, the plans shall be included in the homeowners' association documentation.



15. That prior to construction plan approval, the applicant gain written permission from the UNC Property Office to access their site via the Libba Cotton Bikeway so as to perform work necessary to implement the approved plan.
16. That prior to construction plan approval, a construction traffic management plan be approved by the Town of Carrboro addressing the project's impact during construction on both the Libba Cotton Bikeway and the surrounding streets.
17. That prior to issuance of the Certificate of Occupancy, if it is deemed necessary by the Carrboro Fire Department, the applicant replace the existing bollards on the Libba Cotton bikeway (the ones that directly affect emergency access to the new building) with improved, removable or collapsible bollards.
18. That prior to construction plan approval, the design for the landscape island on the east side of the building be shortened as necessary to facilitate movement of solid waste and recycling trucks, as recommended by Orange County Solid Waste.
19. That prior to construction plan approval, a shared-use and maintenance easement between the owners of 110 and 120 Brewer Lane be approved by the Town Attorney and recorded regarding the solid waste facility arrangement for the two properties.
20. That prior to issuance of the Certificate of Occupancy, the applicant provide evidence that they have fulfilled the relevant terms, provisions and requirement of their recorded Brownfield Agreement with NCDENR.
21. That the applicant must obtain all necessary temporary and permanent easements prior to construction plan approval.
22. That condominium owner's association documents are approved by the Carrboro Town Attorney prior to issuance of the Certificate of Occupancy.
23. That the applicant receive(s) CAPS from the Chapel Hill-Carrboro City Schools district pursuant to Article IV, Part 4 of the Carrboro Land Use Ordinance prior to construction plan approval.
24. That if Orange Community Housing and Land Trust is unable to sell any affordable unit within one year of the date it receives a certificate of occupancy, Downtown Urban Ventures, or its successors or assigns, will be released from its obligation to sell that unit to OCHLT and may instead provide to the Town of Carrboro a payment-in-lieu of providing an affordable unit, consistent with the applicable related Carrboro Land Use Ordinance language.
25. That prior to construction plan approval, the applicant must prepare, and the Town Manager accept, a three-party agreement between the future owner's association, Orange Community Housing and Land Trust, and the Town of Carrboro. The agreement must: 1) stipulate that either the Land Trust or the Town must verify compliance with the applicable provisions of the conditional use permit and Land Use Ordinance relating to affordable housing prior to the sale/resale of any affordable unit; 2) establish and implement a 1% transfer fee program wherein market-rate units will subsidize affordable units within the development; and 3) stipulate that the owner's association covenants must include language regarding the affordable units and properly disclose related information to purchasers of market-rate units information regarding the 1% transfer fee program. Details regarding this condition must be presented to and approved by the Carrboro Town Attorney and Town Manager prior to construction plan approval. Monies collected in the affordable housing transfer fee program, associated with the sale/resale of properties, are to be placed into a fund for the specific purpose of paying condominium and townhome owner's association dues for persons who acquire affordable housing.
26. That the applicant fulfill their agreements as listed in Attachment E-1 (Summary Actions Agreed to by the Applicant Relative to Advisory Board Recommendation), with the revision of #17 to require the pedestrian connection to the north from the courtyard be handicap accessible.



27. That the developer will post in a prominent location on the building site, a contact number for the public to call to report concerns. The contact should be available at all times.

This permit shall automatically expire within two years of the date of issuance if the use has not commenced or less than 10 percent (10%) of total cost of construction has been completed or there has been non-compliance with any other requirements of Section 15-62 of the Carrboro Land Use Ordinance.

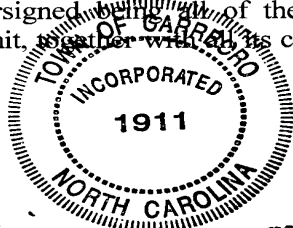
All street construction on those streets proposed for acceptance by the Town of Carrboro shall be certified by an engineer. Engineering certification is the inspection by the developer's engineer of the street's subgrade, base material, asphalt paving, sidewalks and curb and gutter, when used. The developer's engineer shall be responsible for reviewing all compaction tests that are required for streets to be dedicated to the town. The developer's engineer shall certify that all work has been constructed to the town's construction specifications.

If this permit authorizes development on a tract of land in excess of one acre, nothing authorized by the permit may be done until the property owner properly executes and returns to the Town of Carrboro the attached acknowledgment of the issuance of this permit so that the town may have it recorded in the Orange County Registry.

NORTH CAROLINA

ORANGE COUNTY

IN WITNESS WHEREOF, the Town of Carrboro has caused this permit to be issued in its name, and the undersigned, being all of the property above described, do hereby accept this Conditional Use Permit, together with its conditions, as binding upon them and their successors in interest.



THE TOWN OF CARRBORO

ATTEST:

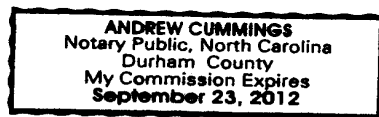
Sarah C. Williamson (SEAL)
Town Clerk

BY Steve Stewart
Town Manager

I, ANDREW CUMMINGS, a Notary Public in and for said County and State, do hereby certify that Sarah C. Williamson, Town Clerk for the Town of Carrboro, personally came before me this day and being by me duly sworn says each for himself that she knows the corporate seal of the Town of Carrboro and that the seal affixed to the foregoing instrument is the corporate seal of the Town of Carrboro, that Steven E. Stewart, Town Manager of said Town of Carrboro and Sarah C. Williamson, Town Clerk for the Town of Carrboro subscribed their names thereto; that the corporate seal of the Town of Carrboro was affixed thereto, all by virtue of a resolution of the Board of Aldermen, and that said instrument is the act and deed of the Town of Carrboro.

IN WITNESS THEREOF, I have hereunto set by hand and notarial seal this the 7th day of OCTOBER, 2008.

(SEAL)



Andrew Cummings
Notary Public

My Commission Expires: 9/23/2012



IN TESTIMONY WHEREOF, the undersigned Limited Liability Partnership Grantor has caused this instrument to be executed in the appropriate partnership name by the duly authorized general partner, and has adopted as its seal the word "Seal" appearing beside its name and their signature(s), this sealed instrument being executed and delivered on the date first above written.

(SEAL)

DOWNTOWN URBAN VENTURES, LLC

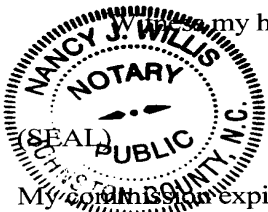
By: [Signature]

Title: Member/Manager

North Carolina (STATE)

Wake (COUNTY)

I, Nancy J. Willis, a Notary Public of the County and State aforesaid, certify that Richard W. Gaylor, Jr personally appeared before me this day and acknowledged that he is Member/Manager of Carr Mill Limited Partnership, and that by authority duly given and as the act of the limited partnership, the foregoing instrument was signed in its name by him as Member/Manager on behalf of the limited partnership as Member/Manager thereof all by authority duly given.



my hand and official seal, this 29th day of September, 2008.

Nancy J. Willis
Notary Public

My commission expires: 10/30/09

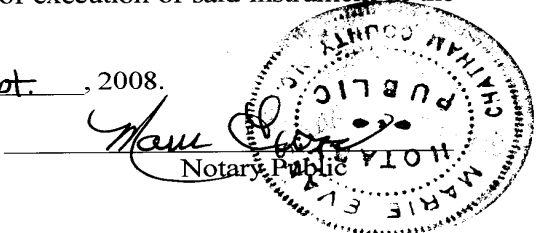
Attest: [Signature] (SEAL)
Secretary

EDWIN ANDREWS PROPERTIES, INC.
BY [Signature]
President

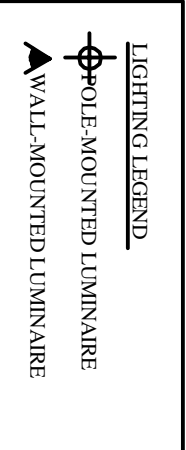
NORTH CAROLINA
ORANGE COUNTY

I, Marie Evans, a Notary Public of Chatham County, N.C. do hereby certify that Donald Whitzer appeared before me this day and being duly sworn says that he/she knows the common seal of Edwin Andrews Properties, Inc., and is acquainted with Donald Whitzer who is Secretary of said corporation and he/she, Donald Whitzer who is Secretary of said corporation, saw the said Donald Whitzer sign the foregoing instrument and that he/she, Donald Whitzer, Secretary as aforesaid, affixed said seal of said instrument and he/she, the said Donald Whitzer, signed his/her name in attestation of execution of said instrument in the presence of said Donald Whitzer President of said corporation.

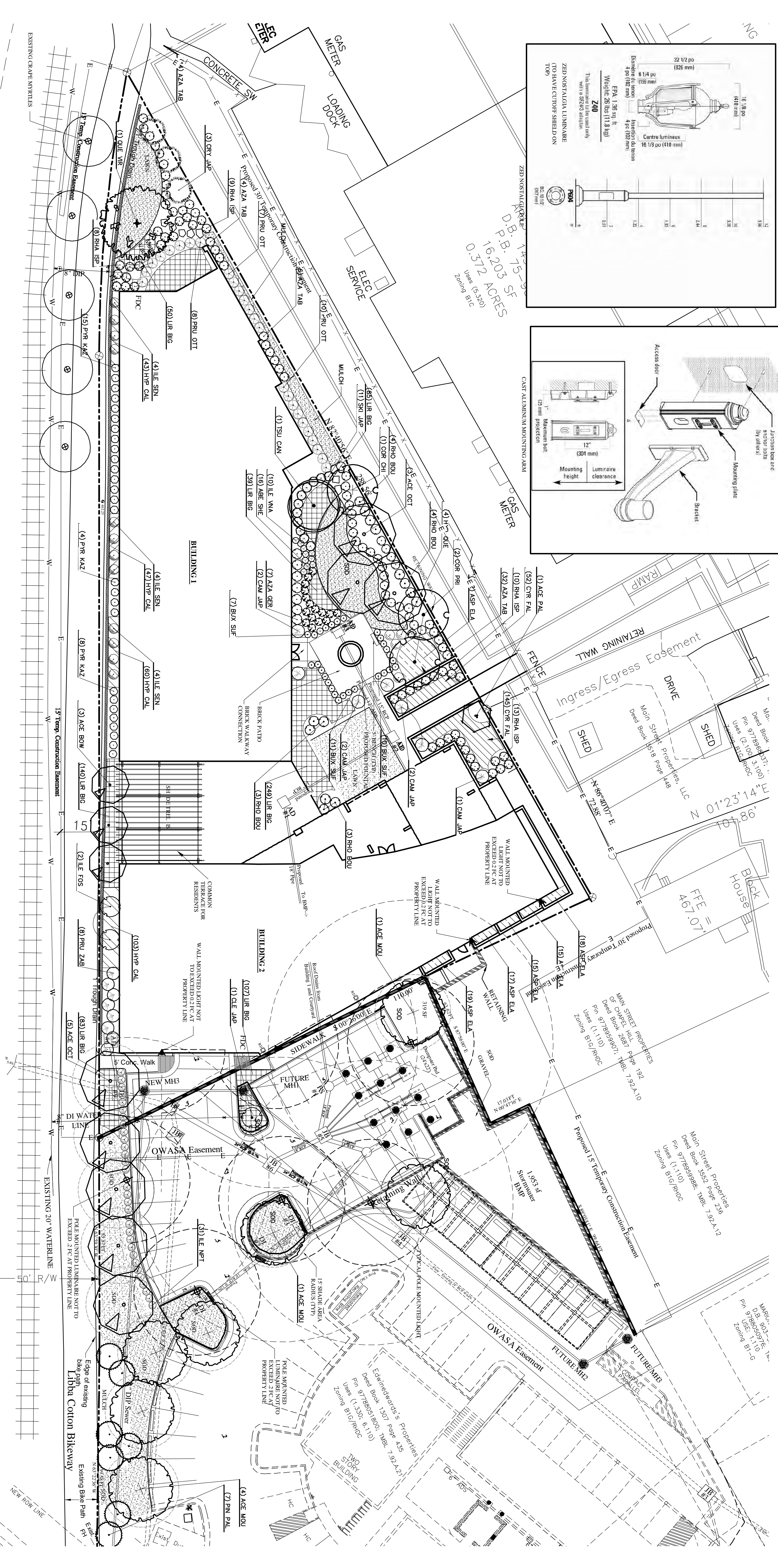
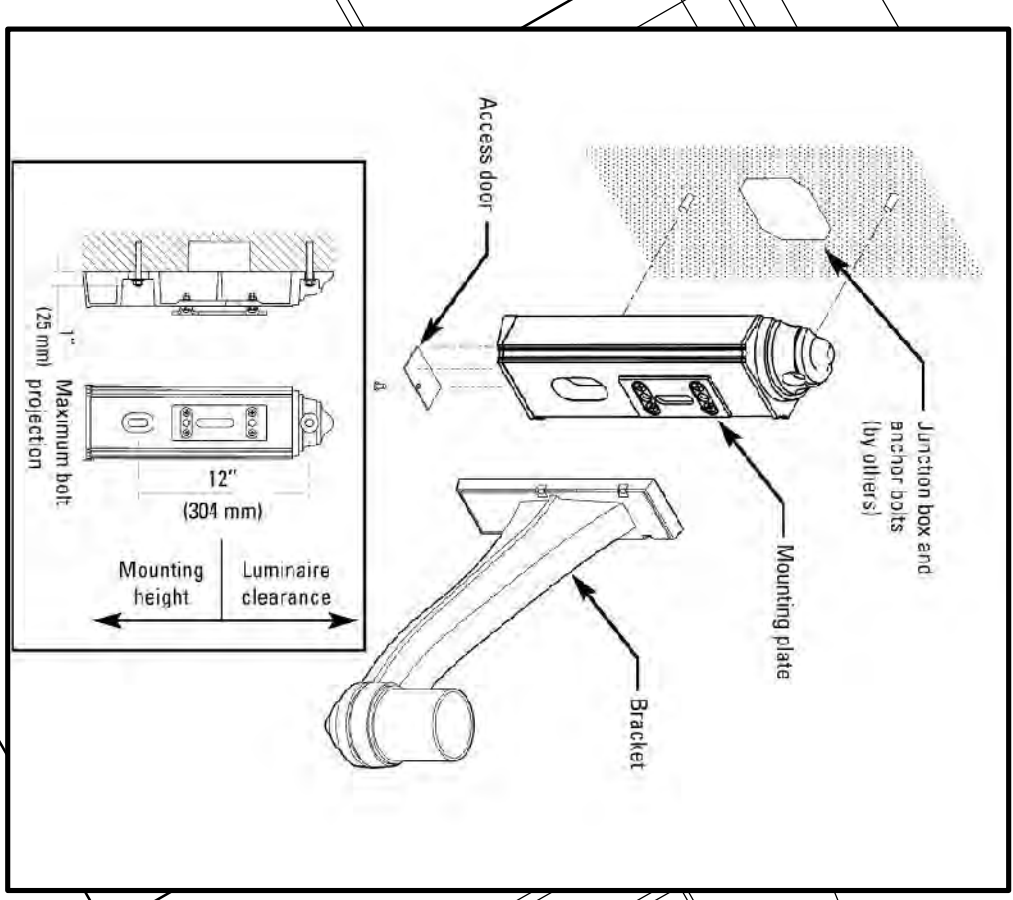
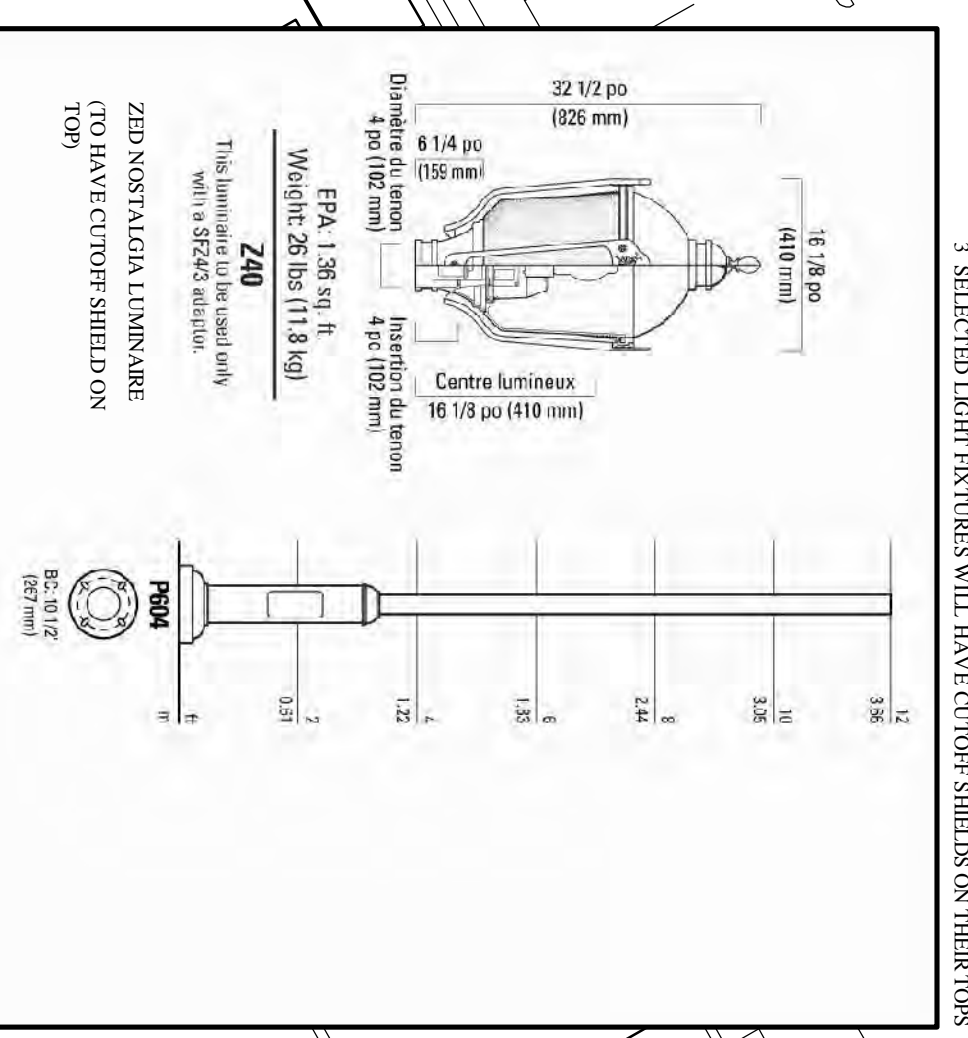
Witness my hand and notarial seal, this the 25 day of Sept., 2008.



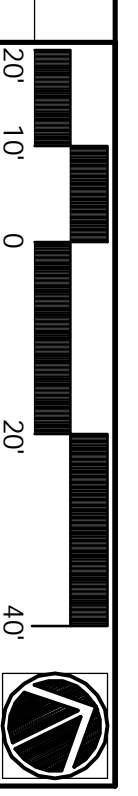
My Commission Expires: 4-28-2013



NOTES
 1. ALL LIGHT FIXTURES ARE AT 12 FT MOUNTING HEIGHT
 2. PER SECTION 15.24(b), THE LIGHT LEVEL AT THE LOT LINE MAY NOT EXCEED 0.2 FOOT CANDLES MEASURED AT GROUND LEVEL. LIGHT SHIELDS TO MEET ORDINANCE REQUIREMENTS.
 3. SELECTED LIGHT FIXTURES WILL HAVE CUTOFF SHIELDS ON THEIR TOWNS



01 PLANTING PLAN FOR 320 E. MAIN CONDOMINIUMS & 110 BREWER LANE
 Scale: 1"=20'-0"



Number	Designed by:	Description	Date
-	SP/GS/WEW	Comment Revisions	01/06/06
-	SPH/LEV	Comment Revisions	06/08/06
-	SPH/LEV	Comment Revisions	04/03/07
-	SPH/LEV	Comment Revisions	11/05/07
-	FAC/REV	Comment Revisions	05/23/08

Owner:
 Downtown Urban Ventures, LLC
 3716 National Drive, Ste. 200
 Raleigh, NC 27612
 Phone: 919-783-5777
 Fax: 919-783-6707

Owner's Contact: Bill Jackson
 Office Phone: 919-787-4282
 Mobile Phone: 919-740-2487

PROJECT: 09056
 DATE: 06/08/06
 SUBMITTAL FOR:
 Conditional Use Rezoning
 Permit Application

DATE: _____
 DRAWN BY: SP/GS/H
 CHECKED BY: EW
 PLANTING PLAN

LP1.00

Town of Carrboro
 Conditional Use Rezoning
 Resubmittal
 NOT FOR CONSTRUCTION

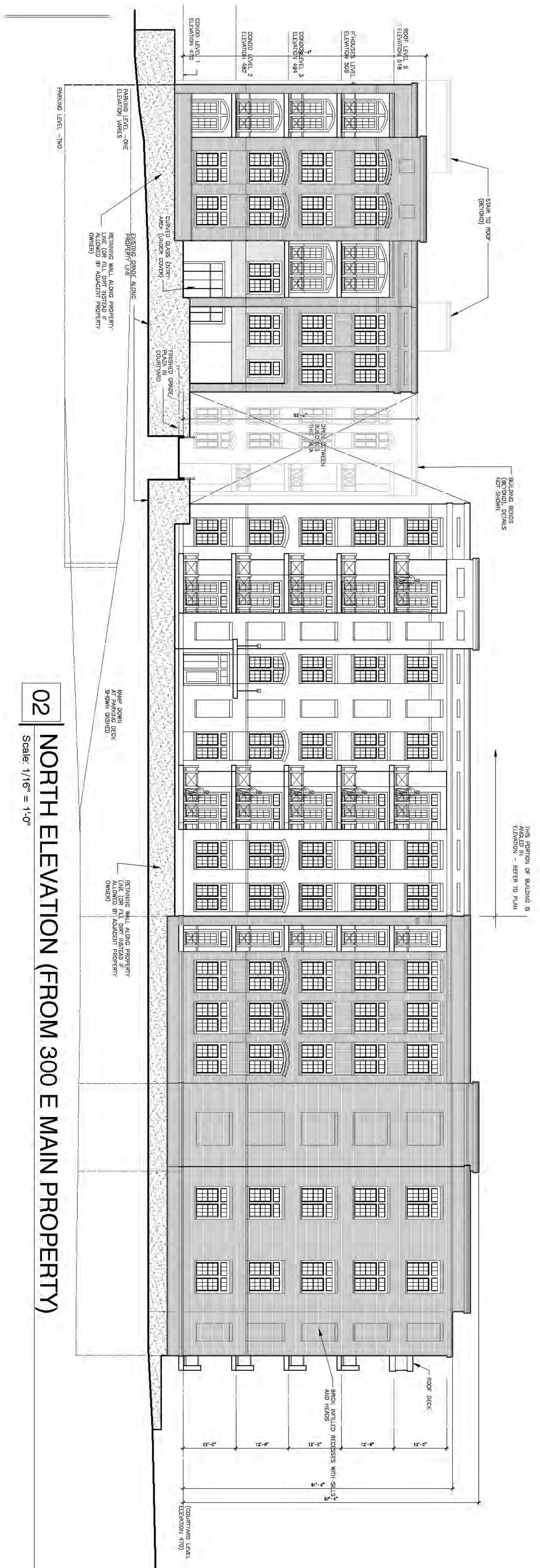
"The Butler" Condominiums

120 Brewer Lane
 Carrboro, NC

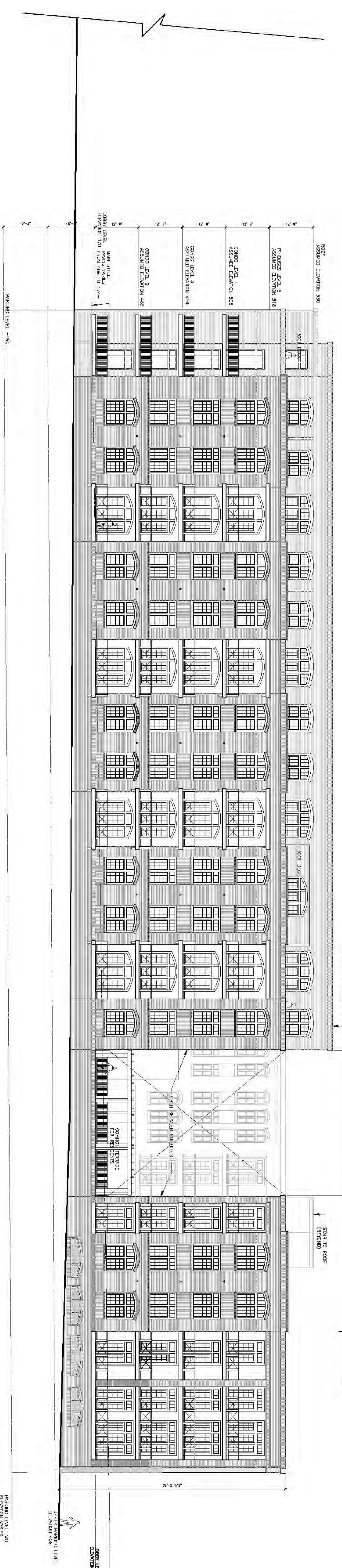
125 N. Harrington St.
 Raleigh, NC 27603
 919/833-4413
 919/836-1280 FAX
 ClineDesignAssoc.com

CLINE DESIGN

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02 NORTH ELEVATION (FROM 300 E MAIN PROPERTY)
Scale: 1/16" = 1'-0"



01 SOUTH ELEVATION (FROM BIKE PATH)
Scale: 1/16" = 1'-0"

TYPICAL MATERIALS
 RED BRICK WITH BRICK HEADERS AND DETAILING
 WHITE ALUMINUM CLAD WINDOWS AND DOORS
 DARK BRONZE FTD. METAL MESH AND COVERS AT GARAGE
 OFF-WHITE STUCCO AT INSET TERRACES
 (SIMILAR TO OAKHILL)

Owner:
 Downtown Urban Ventures, LLC
 3716 National Drive, Ste. 200
 Raleigh, NC 27612
 Phone: 919-783-5177
 Fax: 919-783-6707
 Owner's Contact: Bill Jackson
 Office Phone: 919-787-2482
 Mobile Phone: 919-740-2487

REVISIONS		
Number	Drawn by/ Description	Date
DG	Comment Revisions 01/05/05	
DG	Comment Revisions 06/08/06	
DG	Comment Revisions 04/05/07	
DG	Comment Revisions 11/05/07	
DG	Comment Revisions 05/27/08	

*Conditional Use Rezoning
 Permit Application*

"The Butler" Condominiums
 120 Brewer Lane
 Carrboro, NC

Town of Carrboro
 Conditional Use Rezoning
 Resubmittal
 NOT FOR CONSTRUCTION

PROJECT: 090156
 DATE: 02/07/07
 SUBMITTAL FOR:
 DATE: 5/27/08
 DRAWN BY: DG
 CHECKED BY:
 NORTH & SOUTH
 ELEVATIONS
A2.1

CLINE DESIGN
 125 N. Harrington St.
 Raleigh, NC 27603
 919/833-6443
 919/236-1280 FAX
 ClineDesignAssoc.com

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(c) If a development that is to be built in phases or stages includes improvements that are designed to relate to, benefit, or be used by the entire development (such as a swimming pool or tennis courts in a residential development) then, as part of his application for development approval, the developer shall submit a proposed schedule for completion of such improvements. The schedule shall relate completion of such improvements to completion of one or more phases or stages of the entire development. Once a schedule has been approved and made part of the permit by the permit-issuing authority, no land may be used, no buildings may be occupied, and no subdivision lots may be sold except in accordance with the schedule approved as part of the permit, provided that:

- (1) If the improvement is one required by this chapter then the developer may utilize the provisions of Subsections 15-60(a) or 15-60(c);
- (2) If the improvement is an amenity not required by this chapter or is provided in response to a condition imposed by the board, then the developer may utilize the provisions of Subsection 15-60(b).
- (3) Changes in phasing schedules may be made in the same manner as other permit modifications pursuant to the procedures set forth in Section 15-64. **(AMENDED 2/24/87)**

Section 15-62 Expiration of Permits.

(a) Zoning, special use, conditional use, and sign permits shall expire automatically if, within two years after the issuance of such permits: **(AMENDED 5/26/81)**

- (1) The use authorized by such permits has not commenced, in circumstances where no substantial construction, erection, alteration, excavation, demolition, or similar work is necessary before commencement of such use; or
- (2) Less than ten percent of the total cost of all construction, erection, alteration, excavation, demolition, or similar work on any development authorized by such permits has been completed on the site. With respect to phased development (see Section 15-61), this requirement shall apply only to the first phase.

(b) If, after some physical alteration to land or structures begins to take place, such work is discontinued for a period (i) of one year if the date of discontinuance occurs more than one year after the issuance of the permit, or (ii) equal to two years less the time between the issuance of the permit and the time work is discontinued if the date of discontinuance occurs less than one year after the issuance of the permit, then the permit authorizing such work shall immediately expire. However, expiration of the permit shall not affect the provisions of Section 15-63.

(c) The permit-issuing authority may extend for a period up to one year the date when a permit would otherwise expire pursuant to subsections (a) and (b) if it concludes that (i) the permit has not yet expired, (ii) the permit recipient has proceeded with due diligence and in good faith, and (iii) conditions have not changed so substantially as to warrant a new application. Successive extensions may be granted for periods up to one year upon the same findings. All such extensions may be granted without resort to the formal processes and fees required for a new permit.

(d) For purposes of this section, a permit within the jurisdiction of the Board of Aldermen or the board of adjustment is issued when such board votes to approve the application and issue the permit. A permit within the jurisdiction of the zoning administrator is issued when the earlier of the following takes place: **(AMENDED 11/10/81)**

- (1) A copy of the fully executed permit is delivered to the permit recipient, and delivery is accomplished when the permit is hand delivered or mailed to the permit applicant; or
- (2) The zoning administrator notifies the permit applicant that the application has been approved and that all that remains before a fully executed permit can be delivered is for the applicant to take certain specified actions, such as having the permit executed by the property owner so it can be recorded if required under G.S. 15-46(c).

(e) Notwithstanding any of the provisions of Article VIII (Nonconforming Situations), this section shall be applicable to permits issued prior to the date this section becomes effective.

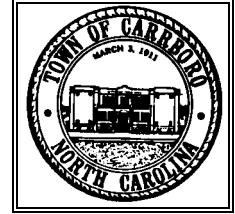
Section 15-63 Effect of Permit on Successors and Assigns.

(a) Zoning, special use, conditional use and sign permits authorize the permittee to make use of the land and structures in a particular way. Such permits are transferable. However, so long as the land or structures or any portion thereof covered under a permit continues to be used for the purposes for which the permit was granted, then:

- (1) No person (including successors or assigns of the person who obtained the permit) may make use of the land or structures covered under such permit for the purposes authorized in the permit except in accordance with all the terms and requirements of that permit; and
- (2) The terms and requirements of the permit apply to and restrict the use of land or structures covered under the permit, not only with respect to all persons having any interest in the property at the time the permit was obtained, but also with respect to persons who subsequently obtain any interest in all or part of the covered property and wish to use it for or in

TOWN OF CARRBORO

BOARD OF ALDERMEN



PERMIT EXTENSION WORKSHEET

I. FINDINGS REQUIRED BY SECTION 15-62(c)

A. The permit has not yet expired.

- Yes
- No

B. The permit recipient has proceeded with due diligence and in good faith.

- Yes
- No

C. Conditions have not changed so substantially as to warrant a new application.

- Yes
- No

II. GRANTING THE PERMIT EXTENSION REQUEST

- The Permit Extension Request is granted, extending the expiration date of the previously issued Conditional Use Permit by a period of one year from the date on which it would otherwise expire.

III. DENYING THE PERMIT EXTENSION REQUEST

- The Permit Extension Request is denied because it fails to comply with the ordinance requirements set forth above in Section I.



Town of Carrboro

Town Hall
301 W. Main St.
Carrboro, NC 27510

Agenda Item Abstract

File Number: 14-0311

Agenda Date: 11/18/2014

File Type: Abstract

In Control: Board of Aldermen

Version: 1

TITLE:

Permit Extension for Previously Issued Conditional Use Permit for The Matthew's Family Building at 609 Highway 54 West

PURPOSE: The Board is asked to review a request for an extension of the date when a Conditional Use Permit would otherwise expire for the Matthew's Family Building at 609 Highway 54 West. The Town Staff recommends approval of the request.

DEPARTMENT: Planning Department

CONTACT INFORMATION: James Thomas, 918-7335

INFORMATION: The property owner, Mr. Bud Matthews, has requested an extension of the date on which a previously issued Conditional Use Permit (CUP) would otherwise expire. The Board of Aldermen originally granted the Conditional Use Permit on September 25th, 2007. The CUP allowed the renovation of the existing 3,200 square foot building and the construction of metal type prefabricated building that is approximately 3,000 square feet in size.

The Board of Aldermen extended the CUP once before and set the new expiration on September 25th, 2010 and then State Bill 831 extended the expiration of this CUP till November 21st, 2013.

The Board of Aldermen extended the CUP for an additional year at their November 21st, 2013 meeting with the new expiration date of November 21st, 2014.

In essence, Mr. Matthews wishes to receive an extension to the date on which the CUP would otherwise expire.

FISCAL & STAFF IMPACT: None

RECOMMENDATION: The Town Staff recommends that the Board of Aldermen adopt the attached resolution approving the permit extension request. The new expiration date for the permit would be November 21st, 2015.

STAFF REPORT

TO: Board of Aldermen

DATE: October 18th, 2014

PROJECT: Conditional Use Permit Extension Request for The Matthew's Family Building at 609 Highway 54 West

APPLICANT: Bud Matthews
205 Severin Street
Chapel Hill, NC 27516

OWNER: W3M, LLC
205 Severin Street
Chapel Hill, NC 27516

PURPOSE: Request for an extension of date when Conditional Use Permit would otherwise expire for The Matthew's Family Building project.

EXISTING ZONING: B-5- Watershed Commercial

TAX MAP NUMBER: 7.113.B.22

LOCATION: 609 Highway 54 West

TRACT SIZE: 2.08 acres/90,797 square feet

EXISTING LAND USE: Vacant- existing masonry building on-site

PROPOSED LAND USE: Use# 3.120, 2.120, 2.130, 2.220, 2.230 & 3.220

SURROUNDING LAND USES: North: Street Right-of-Way
South: WR- Single Family Residence
East: B5- Vacant
West: WR- Single Family Residence

ZONING HISTORY: B5, since 1983

RELEVANT ORDINANCE SECTIONS: Section 15-62 Expiration of Permits

BACKGROUND

The property owner, Mr. Bud Matthews, has requested an extension of the date on which a previously issued Conditional Use Permit (CUP) would otherwise expire. The Board of Aldermen originally granted the Conditional Use Permit on September 25th, 2007. The CUP allowed the renovation of the existing 3,200 square foot building and the construction of metal type prefabricated building that is approximately 3,000 square feet in size.

The Board of Aldermen extended the CUP once before and set the new expiration on September 25th, 2010 and then State Bill 831 extended the expiration of this CUP till November 21st, 2013.

The Board of Aldermen extended the CUP for an additional year at their November 21st, 2013 meeting with the new expiration date of November 21st, 2014.

Upon realizing that the permit expiration date was nearing, staff contacted Mr. Matthews to discuss the possibility of seeking an extension. In a letter submitted to staff regarding this matter, Mr. Matthews cited market conditions and economic factors as reasons why he has not moved forward expeditiously with construction of the project.

Should the Board choose to grant the permit extension request, please note that construction plans must still be reviewed and approved, and a pre-construction meeting must be held before construction may begin.

APPLICABLE LUO PROVISIONS

Extensions to the date on which a permit would otherwise expire must be granted in accordance with Section 15-62 (Expiration of Permits) of the LUO, which is attached for your information. Specifically, please note that Section 15-62(a) of the LUO dictates that the CUP would expire on September 25th, 2009 in this case (i.e.- two years after the date of issuance) because less than ten percent (10%) of the total cost of all construction, erection, alteration, excavation, demolition, or similar work on the development authorized by the permit has been completed on the site. As previously mentioned, Mr. Matthews has been trying to obtain financing, but no work (0%) has been completed on the site to date.

Section 15-62(c) gives the permit-issuing authority (Board of Aldermen) the authority to grant an extension to the date on which the permit would otherwise expire. Section 15-62(c) reads as follows:

“(c) The permit-issuing authority may extend for a period up to one year the date when a permit would otherwise expire pursuant to subsections (a) and (b) if it concludes that (i) the permit has not yet expired, (ii) the permit recipient has proceeded with due diligence and in good faith, and (iii) conditions have not changed so substantially as to warrant a new

application. Successive extensions may be granted for periods up to one year upon the same findings. All such extensions may be granted without resort to the formal processes and fees required for a new permit.”

Staff offers the following information related to the conditions outlined in Section 15-62(c):

1. The permit has not yet expired.

COMPLIANCE: *Yes, it is true that the permit has not yet expired. As previously mentioned, the permit would expire on November 21st, 2014 should an extension not be granted.*

2. The permit recipient has proceeded with due diligence and in good faith.

COMPLIANCE: *Yes, the permit recipient has proceeded with due diligence and in good faith. Mr. Matthews has actively been trying to obtain financing for the project. Due to the economic downturn, Mr. Matthews has been unable to obtain the appropriate financing for the project. Mr. Matthews states in his letter that he has every intention of building the project.*

3. Conditions have not changed so substantially as to warrant a new application.

COMPLIANCE: *Yes, it is true that conditions have not changed so substantially as to warrant a new application. No changes to the property have taken place since the permit was originally approved.*

RECOMMENDATION

The Town Staff recommends that the Board of Aldermen adopt the attached resolution approving the permit extension request. The new expiration date for the permit would be November 21st, 2015.

**A RESOLUTION APPROVING THE EXTENSION OF THE DATE ON WHICH
A CUP WOULD OTHERWISE EXPIRE FOR THE MATTHEW'S FAMILY
BUILDING AT 609 HIGHWAY 54 WEST**

WHEREAS, the Carrboro Board of Aldermen approved a Conditional Use Permit for The Matthew's Family at 609 Highway 54 West on September 25th, 2007; and

WHEREAS, Section 15-62(a) of the Town of Carrboro Land Use Ordinance states that a CUP will expire automatically within two years of the issuance date if less than ten percent (10%) of the total cost of the project has been completed on site, unless the permit-issuing authority extends the expiration date pursuant to the findings found in Section 15-62(c) of the Land Use Ordinance;

WHEREAS, the Board of Aldermen finds, per Section 15-62(c) of the LUO, that: 1.) the CUP has not yet expired 2.) the permit recipient has proceeded with due diligence and good faith, and 3.) conditions have not changed so substantially as to warrant a new application.

NOW, THEREFORE BE IT RESOLVED that the Carrboro Board of Aldermen that the expiration date for The Matthew's Family Building Conditional Use Permit is hereby extended to November 21st, 2015.

This the 18th day of November 2014.



BUD MATTHEWS SERVICE
545 Old Farrington Road • Chapel Hill, NC 27517
info@BudMatthewsinc.com
(919) 929.0203 • Fax (919) 929.8566



October 13, 2014

Town of Carrboro
Planning, Zoning, Inspections Department
301 West Main Street
Carrboro, NC 27510

Attn: Mr. James Thomas

Reference: CUP Extension
Matthews Family Building
Carrboro, NC 27510

Dear Mr. Thomas:

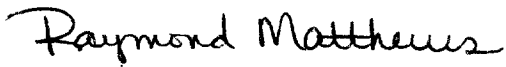
A Conditional Use Permit (CUP) was granted to W3M, LLC on September 27, 2007, in order to develop the Matthews Family Building at 609-611 NC 54 W, Carrboro, NC. Phase 1 of the project consists of remodeling an existing ~3,000 sf structure, constructing a parking lot and associated storm water facilities. In a subsequent phase, a second 3,000sf building will be constructed. Although the construction plans for this project were completed and approved by the Town, the existing CUP will expire because the use authorized by the CUP has not commenced and because less than 10% of the total cost of construction authorized by the CUP has been completed. W3M, LLC, the CUP holder represented by Mr. Raymond (Bud) Matthews, requests that the current CUP, due to expire November 21, 2014 be extended for one year.

As is discussed in the Town of Carrboro, LUO, section 15-62 (c) a CUP may be extended for one year and in additional one-year increments provided three conditions are satisfied. In summary, these conditions are: 1) the existing permit has not expired; 2) the permit recipient has proceeded with due diligence and in good faith; and 3) the conditionals have not changed so substantially as to warrant a new application. These three conditions are satisfied by W3M, LLC on this project. Unfortunately, despite the developers' desire to complete this project, we are waiting for sustainable financial projections and indications that the neighborhood is improving and will then commence with this project as originally planned.

W3M, LLC believes that completion of the Bud Matthews Family Building project will not only be of economic benefit to the Town of Carrboro, but will also provide substantial visual improvement to the Town's western entrance. Please consider and approve this request for a CUP extension of one year.

If additional information is necessary, please do not hesitate to contact W3M, LLC at (919)929-0203.

Respectfully,
W3M, LLC

A handwritten signature in cursive script that reads "Raymond Matthews".

Raymond (Bud) Matthews



Town of Carrboro

Town Hall
301 W. Main St.
Carrboro, NC 27510

Agenda Item Abstract

File Number: 14-0314

Agenda Date: 11/18/2014

File Type: Abstract

In Control: Board of Aldermen

Version: 1

TITLE:

Permit Extension Request for Previously Issued Conditional Use Permit for the Shoppes at Jones Ferry at 405 Jones Ferry Road

PURPOSE: The Board is asked to review a request for an extension of the date when a Conditional Use Permit would otherwise expire for The Shoppes at Jones Ferry at 405 Jones Ferry Road. The Town Staff recommends approval of the request.

DEPARTMENT: Planning Department

CONTACT INFORMATION: James Thomas, 918-7335

INFORMATION: The property owner, Calvin Mellot, has requested an extension of the date on which a previously issued Conditional Use Permit (CUP) would otherwise expire. The Board of Aldermen originally granted the Conditional Use Permit on September 25th, 2007.

The original developer objected to one or more conditions placed on the CUP by the Board of Aldermen and appealed those impositions to Superior Court, which ruled in favor of the Board of Aldermen. The developer appealed this decision to the Court of Appeals which determined that the Board of Aldermen had failed to include adequate findings of fact in its order approving the permit with the conditions in question and remanded that case back to the Superior Court with the instructions to the Superior Court to remand the case to the Board of Aldermen to make findings of fact to support its decision to impose the conditions. Afterwards, the permit remained inactive but still valid until at least November 21, 2013, as described in the Abstract for this agenda item.

The Board of Aldermen extended the permit for an additional year at their February 18th, 2014 meeting with an expiration date of November 21st, 2014.

In essence, Mr. Mellot wishes to receive an extension to the date on which the Conditional Use Permit would otherwise expire.

FISCAL & STAFF IMPACT: None

Agenda Date: 11/18/2014

File Type:Abstract

In Control: Board of Aldermen

Version: 1

RECOMMENDATION: Town Staff recommends that the Board of Aldermen adopt the attached resolution approving the permit extension request. The new expiration date for the permit would be November 21st, 2015.

STAFF REPORT

TO: Board of Aldermen

DATE: November 18th, 2014

PROJECT: Conditional Use Permit Extension Request for The Shoppes at Jones Ferry at 405 Jones Ferry Road

APPLICANT/OWNERS: Calvin & Nora Mellot
PO Box 537
Carrboro, NC 27510

PURPOSE: Request for an extension of date when Conditional Use Permit would otherwise expire for The Shoppes at Jones Ferry project.

EXISTING ZONING: M1- Light Manufacturing

PIN: 9778-64-1957 & 9778-54-9917

LOCATION: 405 Jones Ferry Road

TRACT SIZE: 7.771 acres/335,858 square feet

EXISTING LAND USE: Construction Yard- Permissible Use # 3.220

PROPOSED LAND USE: Use 2.110- High-Volume Traffic Generation Sales

SURROUNDING LAND USES: North: M1- OWASA/Jones Ferry Road
South: R-7.5- University Lake Apartments
East: R-7.5- Single-family residence/Barnes Street
West: R-7.5- Collins Crossings Apartments

ZONING HISTORY: M1, since 1980

RELEVANT ORDINANCE SECTIONS: Section 15-62 Expiration of Permits

BACKGROUND

The property owner, Calvin Mellot, has requested an extension of the date on which a previously issued Conditional Use Permit (CUP) would otherwise expire. The Board of Aldermen originally granted the Conditional Use Permit on September 25th, 2007.

The original developer objected to one or more conditions placed on the CUP by the Board of Aldermen and appealed those impositions to Superior Court, which ruled in favor of the Board of Aldermen. The developer appealed this decision to the Court of Appeals which determined that the Board of Aldermen had failed to include adequate findings of fact in its order approving the permit with the conditions in question and remanded that case back to the Superior Court with the instructions to the Superior Court to remand the case to the Board of Aldermen to make findings of fact to support its decision to impose the conditions. Afterwards, the permit remained inactive but still valid until at least November 21, 2013, as described in the Abstract for this agenda item.

The Board of Aldermen extended the permit for an additional year at their February 18th, 2014 meeting with an expiration date of November 21st, 2014.

Mr. Calvin Mellott made payment for the extension of the permit on October 16th, 2014. In a letter submitted to staff regarding this matter, David Rooks, representing Mr. Mellott, cited market conditions and economic factors as reasons why he has not moved forward expeditiously with construction of the project.

Should the Board choose to grant the permit extension request, please note that construction plans must still be reviewed and approved, and a pre-construction meeting must be held before construction may begin. Following is a description of the applicable LUO sections regarding this application, along with staff's determinations with compliance for each one.

APPLICABLE LUO PROVISIONS

Extensions to the date on which a permit would otherwise expire must be granted in accordance with Section 15-62 (Expiration of Permits) of the LUO, which is included below, section-by-section. As previously mentioned, Mr. Mellott has been trying to obtain interest from potential grocery stores, but no work (0%) has been completed on the site to date.

Section 15-62(c) gives the permit-issuing authority (Board of Aldermen) the authority to grant an extension to the date on which the permit would otherwise expire. Section 15-62(c) reads as follows:

“(c) The permit-issuing authority may extend for a period up to one year the date when a permit would otherwise expire pursuant to subsections (a) and (b) if it concludes that (i) the permit has not yet expired, (ii) the permit recipient has proceeded with due diligence and

in good faith, and (iii) conditions have not changed so substantially as to warrant a new application. Successive extensions may be granted for periods up to one year upon the same findings. All such extensions may be granted without resort to the formal processes and fees required for a new permit.”

Staff offers the following information related to the conditions outlined in Section 15-62(c):

1. The permit has not yet expired.

COMPLIANCE: *Yes, it is true that the permit has not expired. As previously mentioned, the permit would expire on November 21st, 2014 should an extension not be granted.*

2. The permit recipient has proceeded with due diligence and in good faith.

COMPLIANCE: *Yes, according to a letter provided by David Rooks, Mr. Mellott has proceeded with due diligence and in good faith and has received expressions of interest in the property as permitted but no one has made a firm offer as of yet for this project.*

3. Conditions have not changed so substantially as to warrant a new application.

COMPLIANCE: *Yes, it is true that conditions have not changed so substantially as to warrant a new application. No changes to the property have taken place since the permit was originally approved.*

RECOMMENDATION

Town Staff recommends that the Board of Aldermen adopt the attached resolution approving the permit extension request. The new expiration date for the permit would be November 21st, 2015.

**A RESOLUTION APPROVING THE EXTENSION OF THE DATE ON WHICH
A CUP WOULD OTHERWISE EXPIRE FOR THE SHOPPES AT JONES
FERRY AT 405 JONES FERRY ROAD**

WHEREAS, the Carrboro Board of Aldermen approved a Conditional Use Permit for The Shoppes at Jones Ferry at 405 Jones Ferry Road on September 25, 2007; and

WHEREAS, the current expiration date for the permit was November 21, 2014, and

WHEREAS, Section 15-62(a) of the Town of Carrboro Land Use Ordinance states that a CUP will expire automatically within two years of the issuance date if less than ten percent (10%) of the total cost of the project has been completed on site, unless the permit-issuing authority extends the expiration date pursuant to the findings found in Section 15-62(c) of the Land Use Ordinance;

WHEREAS, the Board of Aldermen finds, per Section 15-62(c) of the LUO, that: 1) the CUP has not yet expired 2) the permit recipient has proceeded with due diligence and in good faith, and 3) conditions have not changed so substantially as to warrant a new application.

NOW, THEREFORE BE IT RESOLVED that the Carrboro Board of Aldermen hereby extend the date on which the CUP for the Shoppes at Jones Ferry project otherwise would expire. The new expiration date is November 21, 2015.

This the 21st day of November 2014.

NORTHEN BLUE, L.L.P.
A LIMITED LIABILITY PARTNERSHIP
ATTORNEYS AT LAW
THE EXCHANGE AT MEADOWMONT
1414 RALEIGH ROAD
SUITE 435
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October 16, 2014

Hon. Lydia Lavelle
Mayor
Town of Carrboro
301 W. Main Street
Carrboro, NC 27510

Re: Special use permit issued to Calvin and Nora Mellott and Mellott Trucking and Supply, Co. on property at 407 Jones Ferry Road, PIN: 9778549917 & 9778641957.

Dear Mayor Lavelle:

I represent Mr. & Mrs. Mellott and Mellot Trucking and Supply Company who own two parcels on Jones Ferry Road where Mr. Mellott's grading contracting business is now headquartered. I write to request another extension of the special use permit the Town granted to Mr. & Mrs. Mellott, Mellott Trucking and Supply Co. and Northwest Property Group, LLC as developer for the two tracts for one year pursuant to Section 15-62(c) of the Land Use Ordinance.

The Board initially granted this special use permit on September 25, 2007 for the redevelopment of the property as a grocery store based shopping center. The developer objected to two conditions imposed by the Board and appealed the imposition of those conditions to Superior Court. The Superior Court ruled in favor of the Town. The developer appealed this decision to the Court of Appeals which determined that the Board had failed to include adequate findings of fact in its order approving the permit with the conditions in question and remanded the case back to the Superior Court with instructions to the Superior Court to remand the case to the Board of Alderman to make findings of fact to support its decision to impose the conditions. All of this took time so the final special use permit was not issued until November 21, 2011.

The original developer was no longer in a position to go forward with the project when the final permit was issued. Mr. Mellot continues to receive expressions of interest in the property as permitted but no one has made a firm offer as of yet, but the level of interest remains high enough to warrant paying the extension fee and asking the Board to extend the permit for another year.

NORTHEN BLUE, L.L.P.

Hon. Lydia Lavelle
October 16, 2014
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Under Section 15-62(c) of the Land Use Ordinance, the Board may extend a permit for up to a year if it concludes that

- i. the permit has not yet expired,
- ii. the permit recipient has proceeded with due diligence and in good faith, and
- iii. conditions have not changed so substantially as to warrant a new application.

The permit has not expired and the Mellotts have proceeded with all the diligence a weak economy would allow them to muster and they have acted in good faith. There have no changes in the surrounding property or in the use of the applicants' property that would warrant a new application. Mr. Mellott anticipates that if the project were to go forward, it would be as a grocery store just as was the case when the project was originally considered.

Please let me know if you need any additional information.

Sincerely,

NORTHEN BLUE, L.L.P.



David M. Rooks

DMR
dc: Calvin Mellott



Town of Carrboro

Town Hall
301 W. Main St.
Carrboro, NC 27510

Agenda Item Abstract

File Number: 14-0320

Agenda Date: 11/18/2014

File Type: Abstract

In Control: Board of Aldermen

Version: 1

TITLE:

Orange County Partnership to End Homelessness Revised Memorandum of Understanding and Presentation

PURPOSE: To provide the Board of Alderman with an overview of OCPEH and an updated Memorandum of Understanding for consideration of adoption.

DEPARTMENT: Manager's Office

CONTACT INFORMATION: Nate Broman-Fulks

INFORMATION: Members of the OCPEH will present an update on the work of OCPEH and a revised Memorandum of Understanding to the Board of Aldermen. Alderman Seils serves as Carrboro's representative to the Partnership and requested the Board's consideration of this matter.

FISCAL & STAFF IMPACT: The Town of Carrboro budgeted \$15,531 to OCPEH for FY 2014-15. There is no change being asked for in funding or staff impact.

RECOMMENDATION: Staff recommends the Board consider the adoption of the revised MOU.

**Memorandum of Understanding between Orange County and the
Towns of Chapel Hill, Carrboro, and Hillsborough:
Orange County Partnership to End Homelessness**

Whereas, in April 2008, the Orange County Board of Commissioners, Chapel Hill Town Council, Carrboro Board of Aldermen, and Hillsborough Board of Commissioners endorsed the Orange County 10-Year Plan to End Chronic Homelessness and entered into a memorandum of understanding to fund and support the Plan's implementation by the Orange County Partnership to End Homelessness, and

Whereas, the Partnership has made significant progress in ending and preventing homelessness in Orange County over the past six years, and

Whereas, reflecting a combination of national best practices, national funding models, and local experience, the Orange County 10-Year Plan to End Chronic Homelessness has evolved to become an ongoing program, the Orange County Plan to End Homelessness, and

Whereas, the role of the Partnership is to implement Orange County's Plan to End Homelessness, and

Whereas, the parties to this Memorandum understand the value of this work to each jurisdiction and accordingly intend to continue to fund and support it, and

Whereas, the initial 10-Year Plan created a body called the Executive Team, now called the Leadership Team, consisting of representatives appointed from each of the above governmental partners and a cross-section of community representation, charged with providing oversight and direction to the plan, and the parties to this Memorandum intend for the Leadership Team to continue to perform this role, and

Whereas, the parties to this Memorandum intend to continue funding the Partnership's Homeless Programs Coordinator, whose responsibilities have been outlined in a Job Description (Attachment A), and

Whereas, the four elected appointees recommend the creation of an Executive Team, which shall consist of the four elected appointees, to ensure that the interests of all four funding jurisdictions are consistently represented;

The parties to this Memorandum hereby clarify the roles and responsibilities of each body as it relates to funding and oversight.

A. The Executive Team will:

1. Provide ongoing supervision of the Coordinator through the County Manager by:

- i. Conducting joint annual performance reviews of the Coordinator with the Manager, after gathering input from the Chair of the Leadership Team and others, as appropriate;
 - ii. Approving an annual work plan for the Coordinator based on the goals of the Plan, subject to final approval by the Manager;
 - iii. Meeting with and reviewing the work plan with the Coordinator and the Manager quarterly ;
 - iv. Participating in interviews for the hiring of the Coordinator;
 - v. Making recommendations to the Manager regarding performance concerns related to the Coordinator.
2. Operate its program on the same fiscal year as that operated by the Towns and County.
 3. Not have supervisory authority over any Town or County staff who may be assigned to provide assistance to the Leadership Team or Executive Team.
 4. Meet quarterly, with staff support, to review progress under the annual work plan.

B. Towns and County will:

1. Provide office space and supplies for the use of the Coordinator.
2. Provide staff assistance as needed to support the Executive Team and Leadership Team subject to Town Manager and County Manager direction.
3. Provide an annual appointment from the elected governing bodies to the Leadership/Executive Team.
4. Assist with the annual implementation efforts of the Plan.
5. Continue to support the Partnership.
6. Ensure funding for the Coordinator position, benefits, and operating expenses are secured on an annual basis.
7. Receive an annual report from the Coordinator.
8. Not be required or expected to continue funding the Coordinator position should the funding not be available through any one or more of the other partners.
9. Not require or suggest the Coordinator perform work on goals that are not in her/his work plan for the Partnership.

- C. The Plan is understood to be a living document that the Partnership will update over time to reflect its accomplishments and the evolution of policies, evidence-based practices, and funding.
- D. This Memorandum supersedes the 2008 Memorandum of Understanding that supported the Orange County 10-Year Plan to End Chronic Homelessness. It will remain in effect for two years from the date of its adoption by all Parties. The Memorandum may be renewed for up to five additional two-year terms. Any Party hereto may withdraw from the Memorandum by providing written notice to every other Party at least 12 months prior to the start of the fiscal year in which the Party wishes to withdraw.

[SIGNATURES TO FOLLOW]

Wherefore the Parties hereto have set their hands and seals on the day and dates recorded below.

ORANGE COUNTY

Barry Jacobs, Chair

ATTEST

STATE OF NORTH CAROLINA
ORANGE COUNTY

I, the undersigned Notary Public of the County and State aforesaid, do hereby certify that _____, personally came before me this day and acknowledged that she is the Clerk to the Board of Commissioners for Orange County, North Carolina and that by authority duly given and as the act of said County, the foregoing instrument was signed in its name by the Chair of said Board of Commissioners and attested by her as Clerk to said Board of Commissioners.

Witness my hand and official stamp or seal this _____ day of _____, 20__.

Notary Public_____

(Notary Seal)

My commission expires:_____

TOWN OF CHAPEL HILL

Mark Kleinschmidt, Mayor

ATTEST

STATE OF NORTH CAROLINA
ORANGE COUNTY

I, the undersigned Notary Public of the County and State aforesaid, do hereby certify that _____, personally came before me this day and acknowledged that he/she is the Town Clerk for the Town of Chapel Hill, North Carolina and that by authority duly given and as the act of said Town, the foregoing instrument was signed in its name by the Mayor of the Town of Chapel Hill, NC and attested by her as Town Clerk for the Town of Chapel Hill, NC.

Witness my hand and official stamp or seal this _____ day of _____, 20__.

Notary Public _____

(Notary Seal)

My commission expires: _____

TOWN OF CARRBORO

Lydia Lavelle, Mayor

ATTEST

STATE OF NORTH CAROLINA
ORANGE COUNTY

I, the undersigned Notary Public of the County and State aforesaid, do hereby certify that _____, personally came before me this day and acknowledged that she is the Town Clerk for the Town of Carrboro, North Carolina and that by authority duly given and as the act of said Town, the foregoing instrument was signed in its name by the Mayor of the Town of Carrboro, NC and attested by her as Town Clerk for the Town of Carrboro, NC.

Witness my hand and official stamp or seal this _____ day of _____, 20__.

Notary Public_____

(Notary Seal)

My commission expires:_____

TOWN OF HILLSBOROUGH

Tom Stevens, Mayor

ATTEST

STATE OF NORTH CAROLINA
ORANGE COUNTY

I, the undersigned Notary Public of the County and State aforesaid, do hereby certify that _____, personally came before me this day and acknowledged that he/she is the Town Clerk for the Town of Hillsborough, North Carolina and that by authority duly given and as the act of said Town, the foregoing instrument was signed in its name by the Mayor of the Town of Hillsborough, NC and attested by her as Town Clerk for the Town of Hillsborough, NC.

Witness my hand and official stamp or seal this _____ day of _____, 2008.

Notary Public_____

(Notary Seal)

My commission expires:_____

Orange County Plan to End Homelessness

Latest Revision: 8/9/13

The Plan to End Homelessness (PEH) will be reviewed annually in January by the relevant committees of the Orange County Partnership to End Homelessness. The committees will outline accomplishments during the previous year to be included in the OCPEH Annual Report and will determine whether they recommend updates to the PEH; these recommendations will be presented to the OCPEH Leadership Team at its February meeting and voted on.

OVERARCHING GOALS

OG.1: Adopt the goals of “Opening Doors: Federal Strategic Plan to Prevent and End Homelessness 2010:”

1. Set a path to ending all types of homelessness
2. Finish the job of ending chronic homelessness in 5 years
3. Prevent and end homelessness among Veterans in 5 years
4. Prevent and end homelessness for families, youth and children in 10 years

OVERARCHING STRATEGIES

OS.1: Measure the success of programs/projects in achieving HEARTH Act goals and use this information to improve program performance and guide funding decisions.

1. Reduce length of time people are homeless (aim for under 30 days).
2. Reduce returns to homelessness.
3. Reduce new homelessness.

OS.2: Work to ensure service providers have the resources and capacity to provide housing and services to people experiencing homelessness.

OS.3: The Partnership will research and support evidence-based practices that are shown to be most effective in ending and preventing homelessness, e.g. Housing First, Supportive Housing, Supportive Employment, Rapid Re-Housing, Critical Time Intervention, Assertive Community Treatment (ACT) Teams, etc.

Goals	Strategies	Action Steps	Timeframe & Outcomes
HOUSING			
<p>Goal H.1: Increase affordable housing opportunities for people experiencing or at risk of homelessness</p>	<ol style="list-style-type: none"> 1. Continue to support a broad range of housing options including: <ol style="list-style-type: none"> a. Emergency Shelter b. Transitional Housing c. Rapid Re-Housing d. Permanent Supportive Housing e. Affordable Rental Housing 2. Analyze unmet housing needs and work to fill gaps with evidence-based models. <ol style="list-style-type: none"> a. Explore a variety of housing models such as Single Room Occupancy (SRO), Oxford House, mixed income rental complexes, Low Income Housing Tax Credit developments, inclusionary housing rental units, etc. 3. Investigate a variety of funding sources: NCHFA; Farmer's Home Administration; Federal Home Loan Bank, HUD, banks, UNC Healthcare, private investors, etc. 4. Work to obtain (local, state and 	<ol style="list-style-type: none"> 1. OCPEH Leadership Team elected officials will meet with UNC Healthcare administrators to discuss UNCH financial support of affordable housing units. 2. Apply for rental subsidies/leasing dollars for PSH each year in CoC Application. 3. Participate in local and regional affordable housing committees and initiatives including the Town of Chapel Hill Mayor's Committee on Affordable Rental Housing and the Orange County Affordable Housing Advocacy Group. 4. Work in partnership with the Triangle Apartment Association's "A New Lease on Life" program. 5. Work with the United Way of the Greater Triangle, Wake and Durham counties to implement a regional public/private initiative to increase the supply of affordable rental housing. 6. Work with the Community Empowerment Fund to expand and maintain its database of affordable rental properties and 	<p>Over five years: 2013-2017</p> <p><u>Permanent Supportive Housing (PSH)</u></p> <ul style="list-style-type: none"> • Create 34 new units • Create 34 new rental subsidies for individuals and families experiencing homelessness <p><i>(Numbers are based on the 2012 PIT Count, Housing Inventory and Unmet Needs Assessment)</i></p> <p><u>Affordable Rental Housing</u></p> <ul style="list-style-type: none"> • Create 50 new units <p>Develop additional timeframes and outcomes.</p>

Goals	Strategies	Action Steps	Timeframe & Outcomes
	<p>federal) government-funded rental subsidies.</p> <ol style="list-style-type: none"> 5. Encourage local political leaders to provide publicly-owned properties to developers of housing for the homeless. 6. Increase exits from CoC-funded PSH programs for those who are able to obtain alternative permanent housing. 7. Work to maintain current affordable apartment stock. 8. Strengthen relationships with landlords to increase rental housing opportunities for people with barriers including poor credit and criminal backgrounds. 9. Identify an agency that could house a “housing locator” position that would collect and maintain information about available rental units and develop relationships with landlords. 	<p>to make this information accessible to service providers and individuals. CEF should explore the possibility of uploading its data into NC Housing Search.</p> <ol style="list-style-type: none"> 7. Identify and develop relationships with the personnel at rental properties who have the authority to make rental application approval decisions. 	
<p>Goal H.2: Develop a Coordinated Intake and Assessment System</p>	<ol style="list-style-type: none"> 1. Seek technical assistance from the NC Coalition to End Homelessness (NCCEH) and other agencies to develop a Coordinated Intake & Assessment system. 2. Begin implementing the Coordinated Intake process with the 100,000 Homes Taskforce agencies. 	<ol style="list-style-type: none"> 1. Identify funding (2012 CoC Application funding, other?) sources. 2. Identify agency(s) to design and implement system. 3. Develop a holistic intake & assessment tool for agencies to use. 4. Work with CHIN staff to enable intake information to be easily 	<ul style="list-style-type: none"> • Conduct research and planning in 2013 • Begin implementation in 2014 <p>Develop additional timeframes and outcomes.</p>

Goals	Strategies	Action Steps	Timeframe & Outcomes
		<p>shared among agencies.</p> <ol style="list-style-type: none"> 5. Create cooperative agreements (MOAs) between agencies participating in Coordinated Intake. 6. Develop discharge planning policies and agreements with public institutions including UNC Hospitals, mental health facilities, foster care system, and Orange County jail and prisons. 	
<p>Goal H.3: Maintain an emergency shelter system with services.</p>	<ol style="list-style-type: none"> 1. Explore a range of options for providing emergency shelter. 	<ol style="list-style-type: none"> 1. Apply for emergency shelter funds for the IFC each year through the Emergency Solutions Grant (ESG) application. 2. Create a workgroup to explore options for meeting local needs for emergency shelter. 	<p>Convene workgroup in 2013</p> <p>Develop additional timeframes and outcomes.</p>
<p>Goal H.4: Expand Rapid Re-Housing (RRH) Capacity</p>	<ol style="list-style-type: none"> 1. Continue to prioritize IFC residents for the RRH program. 2. Work to increase funding for RRH. 	<ol style="list-style-type: none"> 1. Apply annually for RRH funds for the Orange County Department of Social Services through the ESG application. 2. Investigate funding sources including local, state and federal sources, e.g. HOME Utility and Security Deposit Assistance. 3. Set goals and develop strategies for expanding the number of RRH clients served annually. 	<p>Rapidly re-house 15 households in 2013.</p> <p>Develop additional timeframes and outcomes.</p>

Goals	Strategies	Action Steps	Timeframe & Outcomes
EMPLOYMENT			
<p>Goal E.1: Strengthen the Job Partners (JP) Program.</p>	<ol style="list-style-type: none"> 1. Target people experiencing or at risk of homelessness with a special focus on: <ul style="list-style-type: none"> ○ At-risk youth (15 and up) particularly youth aging out of the foster care system; ○ People with criminal histories. 2. Evaluate the effectiveness of the JP program annually and improve as needed; get feedback from employers and program graduates. 3. Establish funding sources for the JP program. 4. Increase the capacity of the Community Empowerment Fund (CEF) and other agencies that help those experiencing and at risk of homelessness become job-ready and find employment. 5. Seek a commitment from the four local governments to hire JP graduates. 6. Develop a PR/marketing campaign that promotes the JP program and improves public perception of hiring people experiencing and at-risk of 	<ol style="list-style-type: none"> 1. Recruit and engage potential JP employers through the Chapel Hill Downtown Partnership, Chapel Hill Carrboro Chamber of Commerce, Hillsborough Chamber of Commerce and other business associations. 2. Create ways to recognize and honor employers that hire Job Partners graduates. 3. Create a means for regular communication with JP employers, potential employers and the broader community. 4. Apply for funding from various sources including: <ul style="list-style-type: none"> ○ Strowd Roses Foundation ○ Weaver Street Market ○ Phil Harvey Enterprises (PHE) ○ Research Department of Labor and Department of Commerce Requests for Proposals ○ United Way of the Greater Triangle 	<ul style="list-style-type: none"> • Twenty-five (25) people will graduate the Job Partners Program in 2013 • There will be forty (40) Job Partners Employers by the end of 2013 • Fifteen (15) Job Partners Program graduates will get stable employment in 2013. <p>Develop additional timeframes and outcomes.</p>

Goals	Strategies	Action Steps	Timeframe & Outcomes
	<p>homeless.</p> <ol style="list-style-type: none"> 7. Continue to recruit JP program Employer Liaisons and provide training and support. 8. Develop internship, on-the-job training and work experience opportunities with employers. 9. Increase coordination and communication with employment and job-training agencies including JobLink, Durham Tech, Vocational Rehab and the Workforce Investment Board. 10. Increase the number of employers participating in the Job Partners Workgroup. 11. Support JP Program participants who find jobs in retaining their employment. 		
<p>Goal E.2: Increase transportation resources and options.</p>	<ol style="list-style-type: none"> 1. Strengthen the partnership with Wheels4Hope, an agency in Raleigh that helps people purchase used vehicles. 2. Strengthen the partnership with LOVE Chapel Hill, a faith group that provides transportation resources. 3. Support a transportation expansion and coordination plan for Chapel Hill Transit, Orange Public Transportation (OPT), Town of Hillsborough and Triangle Transit systems. 	<ol style="list-style-type: none"> 1. Help build the capacity of and raise awareness about Wheels4Hope and LOVE Chapel Hill. 	<p>Begin working on these in 2013; develop more specific timeframes and outcomes.</p>

Goals	Strategies	Action Steps	Timeframe & Outcomes
Goal E.3: Investigate developing a Transitional Employment program to provide employment opportunities.	1. Review 2012 report by UNC City and Regional Planning students proposing a transitional employment program and recommend how to proceed.		Timeframe and outcomes TBD

Goals	Strategies	Action Steps	Timeframe & Outcomes
SERVICES			
<p>Goal S.1: Establish effective collaborations among agencies to provide needed services.</p>	<ol style="list-style-type: none"> 1. Maintain and strengthen the 100,000 Homes Taskforce. 2. Strengthen collaborations with: <ol style="list-style-type: none"> a. The UNC system including UNC Healthcare, School of Social Work and other departments; b. Cardinal Innovations; c. The broader community including businesses, citizens, faith-based communities, etc.; d. Public schools; e. Transit agencies, law enforcement. 	<ol style="list-style-type: none"> 1. Invite Executive Directors of homeless service provider agencies to Leadership Team meetings where their input would be important. 2. Invite Debra Farrington, Yvonne Copeland and Steve Thomlinson of Cardinal Innovations to Leadership Team and/or 100,000 Homes Taskforce meetings. 3. Meet with Orange County and Chapel Hill Carrboro City Schools administrators, family specialists and social workers to inform them about the OCPEH and Project Connect and find out how we can improve collaboration to help homeless children (e.g. provide urgent I.E.P assessments and transportation to original schools when they move). 4. CHIN users will allow other agencies to see their clients' data. 5. Explore interconnectivity of CHIN with other database systems, especially medical/healthcare systems. 	<p>Begin working on these in 2013; develop more specific timeframes and outcomes.</p>

Goals	Strategies	Action Steps	Timeframe & Outcomes
Goal S.2: Strengthen homeless street outreach.	<ol style="list-style-type: none"> 1. Increase hours of homeless street outreach in Orange County to 1.5 FTE. 2. Increase street outreach in northern Orange County. 3. Work with Housing for New Hope, the Community Empowerment Fund (CEF), street psychiatrists and VA Outreach team to provide a safe, confidential location for meeting with outreach clients. 	<ol style="list-style-type: none"> 1. Explore funding sources to augment outreach staffing capacity. 2. Connect Housing for New Hope PATH with the Neighbor House Program in Hillsborough for potential enrollees. 3. Identify potential location(s) and/or funding source(s) for an office/meeting space and a day center targeted toward the unsheltered homeless. 	Begin working on these in 2013; develop more specific timeframes and outcomes.
Goal S.3: Increase access to healthcare.	<ol style="list-style-type: none"> 1. Sustain the Critical Time Intervention (CTI) program by finding a permanent funding source. 2. Develop a street medicine program. 3. Increase access to dental and vision services. 4. Increase access to medication at free or reduced rates. 5. Increase capacity to provide preventive medical care. 6. Increase access to mental health and substance abuse services. 	<ol style="list-style-type: none"> 1. Further develop relationships with UNC Healthcare and the School of Medicine to expand street medicine. 2. Determine whether a model like the Lincoln Center in Durham could be implemented in Orange County. 3. Work with Piedmont Health Services (PHS) to explore the Healthcare for the Homeless program. 4. Explore the Durham Access model for free appointments with specialists. 	Begin working on these in 2013; develop more specific timeframes and outcomes.
Goal S.4: Increase access to services for basic and social needs.	<ol style="list-style-type: none"> 1. Hold an annual Project Connect event. 2. Increase access to disability benefits and the number of dedicated SOAR workers in the 	<ol style="list-style-type: none"> 1. Hold SOAR trainings and educate providers about the model and its effectiveness. 2. Establish a permanent coordinator position for the 	Begin working on these in 2013; develop more specific timeframes and outcomes.

Goals	Strategies	Action Steps	Timeframe & Outcomes
	<p>community.</p> <ol style="list-style-type: none"> 3. Strengthen the Support Circles Program. 4. Increase access to obtaining necessary identification including picture ID and driver's license. 	<p>Support Circles program.</p> <ol style="list-style-type: none"> 3. Create additional Support Circles. 4. Research how to expedite the process to obtain ID. 5. Distribute the "How to Obtain Important ID Documents" guide. 	
Goal S.5: Increase access to legal services.	<ol style="list-style-type: none"> 1. Strengthen Outreach Court and make it a permanent program. 2. Develop a pro-bono program – with private lawyers supervising UNC School of Law students - for legal services for those experiencing homelessness. 	<ol style="list-style-type: none"> 1. Make presentations to local government elected bodies to educate them about Outreach Court. 2. The DA's office will arrange for Outreach Court to have its own scheduling slot separate from district court. 3. Contact Legal Aid of NC Executive Director requesting support for Outreach Court including the participation of a lawyer from the Pittsboro office. 4. The UNC School of Law will work on developing the pro-bono program including an intake process. 	Begin working on these in 2013; develop more specific timeframes and outcomes.

Goals	Strategies	Action Steps	Timeframe & Outcomes
COMMUNITY EDUCATION			
<p>Goal CE.1: Increase public awareness of the issues of homelessness.</p>	<ol style="list-style-type: none"> 1. Help implement the Real Change campaign that seeks to: <ol style="list-style-type: none"> a. Educate the community about the issues of homelessness; b. Encourage & enable people to donate to street outreach providers; c. Discourage people from giving money to panhandlers; d. Involve the community in the work of the OCPEH. 2. Disseminate stories of people formerly or experiencing homelessness including successes, challenges, what their needs are, etc. 	<ol style="list-style-type: none"> 1. Work with the Chapel Hill Downtown Partnership, Chapel Hill Carrboro Chamber of Commerce, UNC representatives and local businesses to implement the Real Change campaign. 	<p>Begin working on these in 2013; develop more specific timeframes and outcomes.</p>

GLOSSARY

Assertive Community Treatment (ACT) Teams

Coordinated Intake and Assessment: *a single or coordinated method by which homeless people and those at risk find and access shelter, housing and/or services. Typically the intake conducts outreach, assessment, initial system intake (including eligibility determinations such as income and housing status), and program referral or program placement/reservations (such as shelter bed reservations). Includes Common Barrier Assessment and Targeting Tool.*

Critical Time Intervention**Housing First****Permanent Supportive Housing**

Rapid Re-Housing: *Household is assisted to obtain permanent housing as quickly as possible. Assistance to retain housing can include any combination of financial help – such as rental or utility assistance – and the support services needed to set up a new home, meet the expectations of the lease and avoid serious conflict with the landlord or other tenants.*

Supportive Employment

PROJECT CONNECT

The 7th Annual Project Connect was held on October 10, 2013 at the Hargraves Community Center in Chapel Hill.

- More than 50 healthcare, mental healthcare, substance abuse treatment, legal services, housing and employment agencies participated
- 250 people experiencing or at risk of homelessness served
- 2,600 client contacts between guests and service providers

Project Connect 2014 will take place on October 9th!

To volunteer with Project Connect 2014, contact:

HousingHumanRightsCD@orangecountync.gov

Elizabeth Waugh-Duford or Jamie Rohe at 919.245.2496



2013



Attachment C

Orange County Partnership to End Homelessness

REPORT TO THE COMMUNITY



Since 2007, the Orange County Partnership to End Homelessness (OCPEH) has worked towards preventing and ending homelessness in Orange County. We are pleased to present our 2013 Report to the Community, which is an opportunity for us to present our progress towards ensuring that all Orange County residents are safely and securely housed. Eradicating homelessness within our community requires ongoing support from everyone. We invite you to join with us to help make Orange County a place where all residents have a place to call home.

To learn more about the Partnership's work to prevent and end homelessness in Orange County, visit:

<https://www.facebook.com/OrangeCountyPEH>

<http://www.co.orange.nc.us/housing/endinghomelessness.asp>

Follow us on Twitter: @OCPEHNC

OCPEH PARTNERS

CASA

- Chapel Hill-Carrboro Chamber of Commerce
- Chapel Hill Downtown Partnership
- Chapel Hill Restaurant Group
- Chapel Hill-Carrboro City Schools
- Child Care Services Association
- Community Empowerment Fund
- Compass Center for Women & Families
- Durham Technical Community College
- Durham Veterans' Affairs
- EmPOWERment Inc.
- Episcopal Church of the Advocate
- Family Preservation
- Freedom House Recovery Center
- Greenleaf Church
- Hidden Voices
- Housing for New HOPE
- Institute for Family-Centered Services
- Inter-Faith Council for Social Service
- JobLink Career Center

JOCCA

- Justice United
- KidSCOPE
- Legal Aid of NC
- Lutheran Services Carolinas
- Mount Carmel Baptist Church
- Neighbor House of Hillsborough
- New Goloka Hare Krishna Temple
- OCC Pre-Release Program
- Orange Congregations in Mission Orange County
- Orange County Courts
- Orange County Literacy Council
- Orange County Schools
- Piedmont Health Services
- PTA Thrift Shop
- RHA Health Services, Inc.
- Second Family Foundation
- St. Thomas More Catholic Church
- Town of Carrboro

Town of Chapel Hill

- Town of Hillsborough
- UNC-Chapel Hill
- UNC Center for Excellence in Community Mental Health
- UNC Healthcare
- UNC Horizons
- UNC Dept. of City & Regional Planning
- UNC School of Journalism
- UNC School of Law
- UNC School of Social Work
- University United Methodist Church
- Vocational Rehabilitation



The OCPEH is funded by Orange County and the Towns of Chapel Hill, Carrboro, and Hillsborough. It is a collaboration of housing and service providers, local governments, faith-based and other community groups, local businesses, the UNC-CH community, and volunteers.

We work to prevent and end homelessness in Orange County by increasing access to:

- Housing
- Employment
- Services

Inside the Report:

- Housing Initiatives
- Featured Community Partner
- Employment Initiatives
- Community Participation
- Services
- Project Connect



HOUSING INITIATIVES

The **100,000 HOMES** Taskforce has developed treatment plans for several individuals in our community who are chronically homeless, most of whom have serious health, mental health, and/or substance use problems. The Taskforce includes law enforcement officers, street outreach workers, and case managers from Freedom House Recovery Center, Cardinal Innovations, UNC Hospitals, and the Inter-Faith Council for Social Service.

In 2013, eight (8) of the most vulnerable people experiencing long-term homelessness in Orange County obtained housing and services.

In 2013, the Partnership coordinated the funding process for the following HUD grants.

Continuum of Care (CoC) Grant:

- \$450,000 awarded to Cardinal Innovations/OPC and the UNC Center for Excellence in Community Mental Health to serve disabled homeless

Emergency Solutions Grant (ESG):

- \$105,564 awarded to the Orange County Department of Social Services and the Inter-Faith Council for Social Services for rapid re-housing and emergency shelter



OUR 2013 FEATURED PARTNER:

Critical Time Intervention (CTI) Program at the UNC Center for Excellence in Community Mental Health

Interview with Bebe Smith, Project Director for CTI and OCPEH volunteer for the 100,000 Homes Taskforce

What is the CTI (Critical Time Intervention) Program?

CTI is an intensive case management program based at the UNC Center for Excellence in Community Mental Health. Funded by the Kate B. Reynolds Charitable Trust, CTI uses a team-based approach, focusing on supporting people with severe and persistent mental illness during major life transitions.

How does the CTI program help to prevent homelessness?

CTI provides support and encouragement to help meet clients' most basic needs, including accessing housing, benefits, and health care; and teaching financial management and independent living skills. The first people enrolled in CTI were all from the 100,000 Homes Taskforce's list of most vulnerable homeless in our community.

How can I learn more about the CTI Program?

Visit our website, www.unccti.org.



Bebe Smith, LCSW

EMPLOYMENT INITIATIVES

In 2013:

- **12 new businesses** agreed to serve as Job Partners Employers
- **18 people participated** in the program, and **12 gained employment upon graduating**



The Job Partners Program began in 2012, helping people at risk of homelessness—with a focus on at-risk youth and those with criminal histories—become job ready and find employment. Each participant attends weekly Opportunity Classes as well as working with a personal Job Coach. The program is administered by the Community Empowerment Fund (CEF).

COMMUNITY PARTICIPATION

In 2013:

- **Two Support Circle teams**, made up of volunteers from the faith community committed to helping individuals and families achieve greater self-sufficiency, were formed
- **Two families** were assisted with transitioning out of homelessness into permanent housing



SERVICES

In 2013, Outreach Court served 43 individuals, and was successful both in reducing jail time, and decreasing instances of criminal activity and arrest, for people experiencing chronic homelessness. The court is unique in North Carolina as the first special court to offer people experiencing homelessness an alternative to incarceration for misdemeanor crimes. Participants are screened by the UNC Center for Excellence in Community Mental Health, which designs individualized treatment plans. Once participants complete a 6-month plan, most charges are dropped.

[Close this window](#)

Homeless Program Coordinator

Class Code:
2011ORANGE COUNTY GOVERNMENT
Revision Date: Sep 14, 2012

SALARY RANGE

\$48,709.00 - \$79,813.00 Annually

DESCRIPTION:

Under general supervision, performs administrative and professional work in providing staff support and leading an effort to develop a comprehensive approach to end homelessness in the County. Work involves working closely with the Partnership to End Homelessness.

EXAMPLES OF DUTIES:

ESSENTIAL JOB FUNCTIONS

Develops an overall approach for implementation of the Orange County Ten Year Plan to End Chronic Homelessness.

Identifies strategic priorities to be undertaken each year by convening the natural partners associated with each outcome of the plan.

Completes an assessment of potential financial resources including both public and private resources for the ten-year plan.

Develops a comprehensive understanding of Housing First; build the necessary infrastructure to create units targeting the chronically homelessness.

Facilitates the regular bimonthly meetings and the annual preparation of the Continuum of Care's HUD application and applying for other potential grants that would generate revenue for the plan.

Provides staff support to the Partnership to End Homelessness Executive Team and Work Group to include notice of meetings, agenda planning, and recording meeting minutes.

Designs and executes an operational and capital budget necessary to achieve annual priorities.

Creates the capacity and/or incentives for housing developers to rehabilitate and build housing for the targeted population.

Works with natural partners to build an assertive street outreach component designed to engage the chronically homes and enroll them into services and housing.

Increases participation in the Homeless Management Information System in order to provide accurate and timely data about the homeless population and success of the ten-year plan.

Coordinates communication among partners with the media and for the general public utilizing various forms including website, press releases, newspaper articles, reports, etc.

Conducts annual evaluation of the program; makes recommendations to the Partnership.

Implements a public education campaign to increase understanding of and participation in the program throughout Orange County.

Receives and/or reviews various records and reports such as HUD Notice of Funding Availability, National Alliance to End Homelessness reports, correspondence from Executive Team and Work Group, electronic mail from colleagues, and news and other media.

Prepares and/or processes various records and reports such as annual report, strategic work plan, PEH Executive Team meeting minutes, reports and presentations, and electronic mail.

Refers to Federal Notices fro applications/funding, Federal technical assistance presentations, related websites, reports, newsletters, policy papers, advocacy papers, policy and procedure manuals, codes / laws / regulations, publications and reference texts, etc.

Operates a vehicle and a variety of office equipment such as copier, telephone, fax machine, desktop computer, printer, etc.

Uses a variety of tools such as stapler, standard office tools, etc.; a variety of supplies such as general office supplies, etc.; and a variety of computer software such as Microsoft Word, Microsoft Publisher, Microsoft PowerPoint, Microsoft Excel, Contribute, etc.

Interacts and communicates with various groups and individuals such as Director, Partnership to End Homelessness Executive Team and Work Group, Continuum of Care, Project Homelessness Connect Steering Committee, United Way Regional Ten Year Plan Coordinators, and the general public.

ADDITIONAL JOB FUNCTIONS

Attends departmental staff meetings.

Performs general administrative/office duties as required, including typing reports and correspondence, entering and retrieving computer data, copying and filing documents, sending and receiving faxes, answering the telephone, establishing and maintaining filing systems, etc.

Performs other related work as required.

TYPICAL QUALIFICATIONS:

Requires any combination of education and experience equivalent to a Master's degree in planning, urban studies, public administration, or related field and three to five years of experience in rural and urban planning at the local government level. Possession of or ability to readily obtain a valid driver's license issued by the State of North Carolina for the type of vehicle or equipment operated.



Town of Carrboro

Town Hall
301 W. Main St.
Carrboro, NC 27510

Agenda Item Abstract

File Number: 14-0302

Agenda Date: 11/18/2014

File Type: Abstract

In Control: Board of Aldermen

Version: 1

TITLE:

Follow up on Community Forum on Policing in Carrboro

PURPOSE: The purpose of this item is to provide an update on the community forum and the next steps planned.

DEPARTMENT: Police Department

CONTACT INFORMATION: Chief Walter Horton, 919-918-7397

INFORMATION: On October 6, 2014, a Community Forum on Policing in Carrboro was held and provided an opportunity for positive dialogue and exchange of information between citizens of Carrboro and members of the Carrboro Police Department. Numerous questions and topics were raised, however a few recurring themes were recognized by the police department, the Town Manager's Office, and the forum mediator, Andy Sachs. They are listed below including steps for an Action Plan.

1) **Racial Equity Training of Police Personnel**

Carrboro Police Department administrators are attending the Racial Equity Workshop sponsored by Organizing Against Racism (OAR) on December 1-2 2014. The police department is also researching other trainings including the Fair and Impartial Policing program suggested by Public Defender James Williams (see Attachment A). Since there is substantial costs for this particular training, CPD has started discussions with other local police departments to share costs and broaden the availability to all police officers.

2) **Racial Profiling and Bias in the Police Department**

In addition to racial equity training, the police department is looking at what data is collected by CPD and how it is entered in to their Records Management System (RMS) to address the issue of racial profiling and bias. By recording with more detail, the police department can compile more accurate statistical data that can identify if profiling within the police department exists and allow us to alter policing methods to prevent this practice. The police department also plans to meet with the Public Defender's office to discuss and learn more about the data referenced during the forum and using it to help improve CPD record keeping.

3) Fear of Police by People of Color

The Carrboro Police Department will meet with members of the local NAACP chapter and various church groups to plan a discussion between police officers and target groups (e.g. young black males, the Latino community). The focus of these conversations will be to open a dialog between those who fear the police and the officers in the community and will establish a better understanding of each other.

4) Community & Citizen Engagement

While ideas of a Citizen Review Board were carefully considered by the Carrboro Police Department and other senior administration, other methods of community & citizen engagement are effective in creating a positive relationship between police and citizens. Collaboration between the two groups is an effective public safety strategy that can also increase the accountability of police officers and members of the community. Collaborative efforts, if implemented effectively, can reduce crime, address social concerns, and build community trust. Therefore, CPD plans to take the following courses of action.

Very positive feedback from community members touts its success and the need to continue the practice in the future. The police department plans to have recurring community forums twice a year. The next forum is tentatively scheduled for June 2015. The next forum will provide an update of these steps in the action plan.

The police department also plans to contact neighborhood associations, neighborhood watch groups, and other community groups to see if they are interested in police department representatives attending some of their meetings. This will allow more personal and direct contact with officers and an opportunity for citizens to discuss problems or concerns they have about policing in Carrboro and other issues specific to that particular neighborhood.

In the future, the Carrboro Police Department would also like to implement a Citizen's Academy to educate interested community members on police practices and policing in Carrboro.

In the short term, CPD will gather questions from the forum and other general questions regarding police practices and create an FAQ section on our website for citizens to easily reference.

5) Restorative Justice

Carrboro Police Department and other Town Staff recognize the value of restorative justice as a criminal justice system. However, this is best addressed and implemented in the court system. CPD will engage in conversation and collaboration with the Public Defender's office and Orange County court system on the topic to the fullest extent.

The Carrboro Police Department takes the questions and concerns raised by the citizens at the community forum very seriously and have given careful consideration to this follow-up Action Plan. It is our goal to continue to effectively

Agenda Date: 11/18/2014

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Version: 1

communicate with the citizens and form partnerships within the community. We will provide updates on our progress in these matters periodically.

FISCAL & STAFF IMPACT: Fiscal and staff impacts, as yet undetermined in extent, can be anticipated from implementation of the goals and strategies.

RECOMMENDATION: Staff recommends the Board to accept this update



Fair and Impartial Policing

Introduction

Over the past decade, police personnel, researchers, community leaders and other stakeholders have engaged in a national discussion about policing and bias; biases based on race and ethnicity have received the most attention. Much of the national discussion, however, has been based on outdated notions of how bias manifests in our society.

Early researchers on the psychology of bias reported that prejudice was based on animus toward groups and that a person with prejudice was aware of it. Bias with these characteristics is now known as “explicit bias”; racism is an example. More recent research on this topic provides us with a fuller understanding of how prejudice is manifested. Social psychologists report that bias has changed in our society. As one scientist proclaimed, “Modern prejudice is not your grandparents’ prejudice” (Fiske, 2008: 14). What these scientists have determined—through voluminous research on this topic—is that bias today is less likely to manifest as explicit bias and more likely to manifest as “implicit” (or “unconscious”) bias. Social psychologists have shown that implicit bias can impact what people perceive and do. It works outside of conscious awareness and manifests even in people who consciously hold non-prejudiced attitudes.

Bias starts with our automatic tendency to categorize individuals. We categorize individuals and objects to make sense of the world, which includes categorizing people we don’t know according to group membership. We then attribute to these individuals the stereotypes associated with their group. This does not require animus; it requires only *knowledge* of the stereotype. Implicit bias, like explicit bias, can produce discriminatory actions.

Research has examined implicit biases linked to ethnicity and race, gender, social class, sexual orientation, religion, body shape, age, and so forth. It has examined the manifestations of bias among members of various professional groups, such as doctors, other health professionals, medical students, educators, prosecutors, and law enforcement.

In policing, implicit bias might lead the line officer to automatically perceive crime in the making when she observes two young Hispanic males driving in an all-Caucasian neighborhood. It may manifest among agency command staff who decide (without crime-relevant evidence) that the forthcoming gathering of African American college students bodes trouble, whereas the forthcoming gathering of white undergraduates does not. Moving beyond racial and ethnic biases, implicit bias might lead an officer to be consistently “over vigilant” with males and low income individuals and “under vigilant” with female subjects or people of means. Where there is a crash with two different versions of what happened, implicit bias might lead the officer to believe the Caucasian man in the white shirt and tie driving the BMW as opposed to the Hispanic man in jeans and a pick-up truck.

So the bad news is that prejudice remains widespread and manifests below conscious awareness, even in those of us who eschew, at a conscious level, prejudices and stereotypes. The good news comes from the large body of research that has identified how individuals can reduce their implicit biases or, at least, ensure that their implicit biases do not affect their behavior. Scientists have shown that implicit biases can be reduced through positive contact with stereotyped groups and through counter-stereotyping, whereby individuals are exposed to information that is the opposite of the cultural stereotypes about the group. Another set of remedies doesn’t require that we rid ourselves of the implicit biases that took a lifetime to develop. The social psychologists have shown that, with information and motivation, people can implement “controlled” (unbiased) behavioral responses that override automatic (discrimination-promoting) associations and biases.

Fair and Impartial Policing Training Programs

Around the country, traditional racial-profiling training programs have not been based on outdated understandings about prejudice. Many such training programs have conveyed the message, “stop being prejudiced,” with an emphasis on reducing animus toward stereotyped groups. From the science, we now know that this message is ill-suited for most individuals in modern society, including most individuals in policing, who may not have explicit prejudices. Further and more important, individuals receiving such messages can be offended—producing a backlash against these efforts.



The Fair and Impartial Policing (FIP) training program applies the modern science of bias to policing; it trains officers on the effect of implicit bias and gives them the information and skills they need to reduce and manage their biases. The curricula address, not just racial/ethnic bias, but biases based on other factors, such as gender, sexual orientation, religion, socio-economic status and so forth. These curricula are founded on the following fundamental principles:

- ✚ All people, even well-intentioned people, have biases
- ✚ Having biases is normal to human functioning
- ✚ Biases are often unconscious or “implicit,” thus influencing choices and actions without conscious thinking or decision-making

- ✚ Policing based on biases or stereotypes is unsafe, ineffective and unjust.
- ✚ Fair and impartial policing is a cornerstone of procedural justice and important for the achievement of agency legitimacy.
- ✚ Officers can learn skills to reduce and manage their own biases.
- ✚ Supervisors can learn skills to identify biased behavior in their direct reports and take corrective actions when they detect biased policing
- ✚ Law enforcement executives and their command-level staff can implement a comprehensive agency program to produce fair and impartial policing.

There are five Fair and Impartial Policing curricula (three of which were developed pursuant to cooperative agreements with the U.S. Department of Justice, Office of Community Oriented Policing Services). The curricula, all based on the science of bias, are customized for these audiences:

- ✚ Academy Recruits and/or In-Service Patrol Officers
- ✚ First-Line Supervisors
- ✚ Mid-Managers
- ✚ Command-level Personnel (or Command Personnel and Community Leaders)
- ✚ Law Enforcement Trainers

These five training programs fill a significant gap in resources for agencies that are attempting to address the national problem of biased policing (including, but not limited to, *racially* biased policing). The project to develop these curricula greatly benefited from the expertise of a distinguished national Curriculum Design Team (CDT) comprised of experts in the area of biased policing, police executives, first-line supervisors, officers, and community stakeholders. Additionally, and importantly, social psychologists from around the nation who conduct the research on human biases were members of this team.

All five training programs have been implemented with the target audiences (recruits/patrol officers, first line supervisors, mid-level managers, command staff and law enforcement trainers) in multiple and diverse training environments. The evaluations are consistently very positive.

Both the **recruit academy/patrol officers'** and the **first-line supervisors'** curricula consist of three modules:

- ✚ Module 1: Understanding Human Bias
- ✚ Module 2: The Impact of Biased Policing on Community Members and the Department
- ✚ Module 3: Skills for Fair, Impartial, and Effective Policing

The first two modules are very similar in the two curricula—merely customized in language and exercises for the target populations. The third module of each curriculum teaches the specific skills needed by that audience.

A 6-hour training program for **recruits in the academy or in-service patrol officers** helps these individuals to:

- Understand that even well-intentioned people have biases;
- Understand how implicit biases impact on what we *perceive/see* and can (unless prevented) impact on what we *do*;
- Understand that fair and impartial policing produces *just, safe and effective policing*; and,
- Use tools that help him/her (1) recognize his/her conscious and implicit biases, and (2) reduce and manage biases.

Overwhelmingly *recruit participants* report that the information opens their eyes and *will* absolutely help them in their day-to-day work. Feedback on the exercises and videos range from “great” to “awesome.” One academy participant was returning to the job after being off it for several years; he wrote, “I had [been impacted by stereotypes/biases] as an officer but did not know it until now. I could have used you guys back in 1995!” Other comments from recruit and patrol officer attendees include:

- *“I am going to work in a very diverse environment and feel this training has helped me learn how to attempt to be unbiased towards situations I may encounter.”*
- *“I will go into each situation with this training in the back of my head.”*
- *“Absolutely (I will be able to apply the information and skills to my job). I felt that all the information was related to our jobs and how society relates to these issues as well.”*
- *“We were told we were going to ‘racial profiling’ class all day and, to be honest, that already put me off—thinking it was going to be the same stuff we always get. I was very, very surprised and happy to receive this training today.”*
- *“I learned what ‘implicit bias’ means and understand its effects on me, decisions I make and community perceptions of officers.”*
- *“Well presented. Most relevant discussions on topic of race relations I have heard in 14 years.”*
- *“(Strengths included) addressing everyone’s biases and not making it seem like a white guilt issue.”*

The 5-hour training for **first-line supervisors** (e.g., sergeants) starts with the two modules described above and then:

- Addresses how to identify subordinates who may be acting in a biased manner—including those well-meaning officers whose biased behavior may not be consciously produced;
- Provides guidance to supervisors on how they should respond to officers who exhibit biased policing behaviors;
- Challenges supervisors to think about how bias might manifest in their own behavior; and
- Provides guidance on how to speak about bias to individuals (e.g., officers, individual community members) and community groups and the media, including routine and crisis communication messages.

Identifying the appropriate supervisory response to biased policing can be challenging. Not only is biased behavior very difficult to prove, but, for the officers whose biased behavior is not intentional or malicious, “disciplinary” action would be inappropriate. Since, in many instances, there will only be “indications” and not “proof,” it will be important to convey when and how supervisors can

intervene to stop what *appears* to be inappropriate conduct while keeping in mind the ambiguous nature of the evidence as well as the sensitive nature of the issue.

First-line supervisors who have participated in the training report that they now have a new perspective for thinking about how bias (not just racial bias) might manifest in policing. The comments indicate that they emerge believing (some expressing surprise) that biased behavior can be unintentional and can manifest even in well-intentioned subordinates. Overwhelmingly, the participants report that they will be able to apply the information and skills from the training into their daily job as a supervisor. They report acquiring new tools for identifying when bias might be manifesting in their supervisees and new tools for intervening when they have concerns about subordinate behavior.

Comments include:

- *“I will better recognize bias and be able to address it with officers.”*
- *“Examples presented made me reflect on my personal behavior as well as behavior of my subordinates.”*
- *“(I learned) how to deal with biases that we all have.”*
- *“I will use this training and teach my squad.”*
- *“Helped me realize my own biases and will help me to better train those officers working under my supervision.”*
- *“One of the best classes of this type I have attended.”*
- *“(Some of the most useful info included) the fact that bias can occur and the officer doesn’t even realize it.”*
- *“Good information that I didn’t know and great knowledge gained to take back to the people under me.”*

Due to popular demand, there is now a **mid-managers’** curriculum targeted toward individuals who are above the rank of first-line supervisor and below what might be considered “command staff” in an agency (e.g., Captains). The 6-hour training combines elements from the command-level and first-line supervisor curricula; it:

- introduces the trainees to the science of bias, including the science underlying mechanisms for reducing/managing biases;
- helps mid-managers identify and intervene with subordinates who may be acting in a biased manner;
- challenges mid-level managers to think about how bias might manifest in their own behavior;
- provides guidance on how to speak about bias to individuals (e.g., sergeants, officers, individual community members) and groups/media; and
- Introduces the attendees to the elements of a comprehensive agency program to produce fair and impartial policing.

Mid-managers who participated in the training provided very strong evaluations of the course. Comments include:

- *“The course provided a great deal of information on bias and was presented in a manner that made it easy to understand and apply.”*
- *“An outstanding class teaching about fair and impartial policing and biased policing. Included the science behind it.”*
- *“The strength of the course content and presentation were the examples of the results of studies that supported the concepts.”*
- *“Gave me some eye-opening information. I used to be able to say I wasn’t biased; I can no longer say that. However, this course has now given me the opportunity to have an open conversation about this topic.”*
- *“Presented in lay terms that was understandable.”*

There is a 1.5-day training program for the **agency executive and his/her command-level staff**. An alternative form is to hold this training with both command-level personnel *and community leaders*. This training covers the science of bias, its implications for policing and the elements of a comprehensive agency program to promote fair and impartial policing, which includes assessments and reform in the realms of policy, recruitment and hiring, training, supervision and accountability, leadership, measurement, and outreach to diverse communities. Agency (and community) leaders exit the training with an action plan to implement a comprehensive program to promote fair and impartial policing.

This training has received very strong reviews from both police and community leaders. Some comments include:

- *“It was very interactive and made me think. The resources and facts/examples were amazing.”*
- *“Provided all views of a complex problem that will bring all sides to the table for worthy, meaningful conversations.”*
- *“I am leaving the class with a new perspective on my own views and beliefs. I have a new awareness of bias-based policing within my own agency. The presentation of scientific data provided me with a more convincing argument that supported the existence of unintentional, but widespread racial bias, which I was typically quick to dismiss.”*
- *“I obtained new ideas from the other students as well as from the instructor.”*
- *“(Instructor) aggressively addressed difficult topics with facts and experience.”*

Additional comments reflecting the value of including community stakeholders include:

- *“Having law enforcement and community stakeholders in the room made for interactive and thought-provoking discussions.”*
- *“Discussions enabled community and law enforcement to appreciate each other’s views.”*

A 2.5-day **Train-the-Trainer** program is designed to enable law enforcement instructors to implement both the recruit academy/patrol officers’ and the first-line supervisors’ training programs. This training “walks” participants through both the content and the training methodologies used throughout the Fair and Impartial Policing curriculums and provides opportunities for participants to “practice” teaching the content. FIP instructors provide technical assistance in small group

workshops on key concepts and techniques and provide critical assessments of participants' training skills during their "teach backs." Upon completion of the TOT (with some follow-up self-study and practice), participants are able to implement the two FIP curriculums within their own agencies or academies. TOT participants will be able to:

- Understand the social-psychological research on implicit bias and its implications for both patrol officers' and first-line supervisors' actions
- Discuss the impact of policing on community members and the law enforcement organization
- Discuss the knowledge and skills that patrol officers and supervisors need to promote fair and impartial policing
- Demonstrate proficiency in using appropriate adult learning methods to support the training objectives and effectively presenting and debriefing problem-based case scenarios.

Comments from previous TOT participants:

- *"Excellent training—I cannot wait to present the material."*
- *"Critical area of training for police. Use of scientific approach is great."*
- *"Excellent blend of lecture, facilitation, team teaching, group exercises, and teach-back."*
- *"I enjoyed the class and look forward to instructing the classes."*
- *"Excellent training! The teach-backs were critically important."*

Conclusions

Although still relative new, the fair and impartial policing perspective is getting a lot of attention and acquiring "converts" from around the nation. It was highlighted in an article in the *Police Chief* in November 2011 (Gove 2011) and twice in the *Royal Canadian Mounted Police Gazette* (Fridell 2010, Laszlo 2012). Entire states are adopting the FIP perspective, including Kansas, Rhode Island, Wisconsin and South Carolina. (There is even reference to the FIP perspective in the Kansas statutes.) The Special Litigation Unit (SLU) of the USDOJ, which investigates agencies that are suspected of engaging in unconstitutional practices, including biased policing, is promoting training that addresses how unconscious or "implicit" biases impact on even well-meaning officers. The US DOJ COPS Office is providing FIP training to agencies *at risk* for SLU investigations with the hopes that those agencies can get on track to produce fair and impartial policing and avoid SLU intervention.

The science-based FIP perspective is wholly consistent with the law enforcement commitment to *evidence-based policing*. It rejects our traditional way of thinking about this national issue—a "thinking" that has overused the "racist" label, applying it to even the overwhelming number of well-meaning law enforcement professionals who, in fact, aspire to provide fair and just policing in the communities they serve. Both law enforcement professionals and concerned community stakeholders can come together around this common perspective and its associated plans of action for police at all levels of the department.

Trainings: Lengths and Costs

The lengths and costs for each are: (1) Command 1.5 days, \$4700 plus travel costs for one trainer; (2) mid-level managers 6 hours, \$2000 plus travel costs for one trainer; (3) first line supervisors 5 hours, \$3200 plus travel for two trainers; (4) patrol officers 6 hours; \$3200 plus travel for two trainers; (5) train-the-trainer 2.5 days, \$15,000 plus travel for 3 trainers (estimated at \$3000 to \$5000 depending on location). The TOT is capped at 25 students; all other programs accommodate up to 30 trainees.

For more information on Fair and Impartial Policing and the associated training programs, go to www.fairandimpartialpolicing.com or contact Lorie Fridell at lfridell@fairandimpartialpolicing.com

CEO Bio

Dr. Lorie, Fridell, the former Director of Research at the Police Executive Research Forum (PERF), is a national expert on biased policing. She has authored and co-authored a number of chapters and books on the topic. While at PERF she co-authored with colleagues *Racially Biased Policing: A Principled Response*, which guides law enforcement executives on how to respond to the issues of racially biased policing and the perceptions of its practice. Concerned about the very high expectations that some stakeholders have with regard to data collected on police stops, she wrote *By the Numbers: A Guide for Analyzing Race Data from Vehicle Stops* and the companion book, *Understanding Race Data from Vehicle Stops: A Stakeholders' Guide*. Dr. Fridell is a keynote speaker at conferences on this important topic and has been invited on a number of occasions to speak to various chiefs/sheriffs associations and police accountability groups around the country and in Canada. She has trained for and/or consulted with a number of agencies/entities including the Chicago PD, San Francisco PD, Los Angeles PD, Toronto Police Services, Austin PD, Seattle PD, Massachusetts Chiefs Association, Piedmont PD, Oakland PD, Berkeley PD, La Crosse PD, Madison PD, Prince William County PD, Kansas Racial Profiling Task Force, Wisconsin Bureau of Justice Assistance, Institute for Law and Justice, Rhode Island Chiefs' Association, Wisconsin Chiefs' Association, and RAND Inc., to name a few. Dr. Fridell is an Associate Professor of Criminology at the University of South Florida in Tampa. Her training abilities are indicated by her five university-level teaching awards.



Town of Carrboro

Town Hall
301 W. Main St.
Carrboro, NC 27510

Agenda Item Abstract

File Number: 14-0299

Agenda Date: 11/18/2014

File Type: Abstract

In Control: Board of Aldermen

Version: 1

TITLE:

PTA Thrift Shop CUP, Minor Modification

PURPOSE: PTA Thrift, Inc. is requesting a modification to their Conditional Use Permit for the property located at 103 Jones Ferry Road (OC PIN 9778757939). The CUP modification, if granted, will allow the project to be phased and will slightly modify the approved site plan.

DEPARTMENT: Planning

CONTACT INFORMATION: Jeff Kleaveland, 918-7332

INFORMATION: The subject property is zoned B-1 (g) and is located in the Downtown Neighborhood Protection Overlay District. The original CUP approved on May 22nd, 2012, authorized the construction of two commercial buildings with associated site work. Part of the site plan included a seat wall feature at the front of the property located within an existing OWASA easement. During the original CUP review, OWASA did not raise an issue with the proposed arrangement however during the construction process they informed the applicant that they would not allow a seat wall in this area. In order to formalize this arrangement the permit needs to be modified.

The original approved CUP plan was not phased and the applicant is requesting the permit be modified to include a phasing plan. The first of the two buildings has been constructed and they wish to phase the construction of the second building per the attached site plan. The phasing plan is in compliance with the applicable provisions of the LUO and does not create any non-conformities. It will, however, enable the applicant to forego the permit extension process (which arises every year since they've already completed part of the project). This plan can be approved pursuant to the Board authorizing the applicant's proposed schedule for the second half of the project. PTA Thrift, Inc. believes that the second half will be completed within a five year period.

FISCAL & STAFF IMPACT: No known fiscal impacts are associated with this application beyond staff time and the typical fees collected from the applicant for processing the application.

RECOMMENDATION: Town Staff recommends that the Board of Aldermen review, deliberate and make a decision regarding the applicant's request. A resolution approving the application has been included

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Version: 1

should the Board choose to approve the request.

ATTACHMENT A

The following resolution was introduced by Aldermen _____ and duly seconded by Aldermen _____.

A RESOLUTION APPROVING A MINOR MODIFICATION TO THE PTA THRIFT (103 JONES FERRY ROAD (OC PIN 9778757939)) CONDITIONAL USE PERMIT AUTHORIZING 1) THE REMOVAL OF THE SEAT WALL FROM THE PLANS AND 2) THE PHASING OF THE PROJECT SUCH THAT THE FINAL PHASE OF THE PROJECT WILL BE COMPLETED WITHIN FIVE YEARS FROM TODAY. THE FINAL PHASE (PHASE 2) WILL REQUIRE THE INSTALLATION OF A HANDICAP RAMP THAT HAS NOT YET BEEN INSTALLED, BUT IS PART OF THE APPROVED PLANS.

WHEREAS, the Carrboro Board of Aldermen approved a Conditional Use Permit for 103 Jones Ferry Road and

WHEREAS, Town Staff has determined that this request constitutes a Minor Modification to the Conditional Use Permit; and

WHEREAS, the applicant has met the criteria in the Town's Land Use Ordinance related to Minor Modifications.

NOW, THEREFORE BE IT RESOLVED that the Carrboro Board of Aldermen approve the Minor Modification request to allow for a reduction in size from five stories to three stories, along with the associated changes in the building's design.

This the 18TH day of November, 2014

TOWN OF CARRBORO

LAND USE PERMIT APPLICATION



DATE: _____

FEE: _____

APPLICANT: Barbara Jessie-Black	OWNER: PTA Thrift Shop, Inc.
ADDRESS: 125 West Main Street, ste. 100	ADDRESS: 125 West Main Street, ste. 100
CITY/STATE/ZIP: Carrboro, NC 27510	CITY/STATE/ZIP: Carrboro, NC 27510
TELEPHONE/EMAIL: PHONE: 919-360-4008 EMAIL: execdirector@ptathriftshop.org	TELEPHONE/EMAIL: PHONE: 919-942-6565 EMAIL: info@ptathriftshop.org

LEGAL RELATIONSHIP OF APPLICANT TO PROPERTY OWNER: Executive Director/Owner's representative	PIN: 9778757939, 9778758933, 9778757982
PROPERTY ADDRESS: 125 West Main Street	PROPOSED LAND USE & USE CLASSIFICATION: Sales and office; 2.220,3,120
PRESENT LAND USE & USE CLASSIFICATION: Sales and office; 2.220,3, 120	LOT AREA: 1.41 Acres 61,327.94 Square Feet
ZONING DISTRICT(S) AND AREA WITHIN EACH (including Overlay Districts): B1G, DNP	

# OF BUILDINGS TO REMAIN 0	# OF BUILDINGS PROPOSED 2	
EXISTING GROSS FLOOR AREA OF BUILDING(S) 8,867 square feet	GROSS FLOOR AREA (of proposed BUILDING / proposed ADDITION) 26,372 square feet	AMOUNT OF IMPERVIOUS SURFACE / proposed 50,728 square feet

NAME OF PROJECT/DEVELOPMENT: PTA Thrift Shop

TYPE OF REQUEST	**INFORMATION REQUESTED (Refer to Attached Key)
SUBDIV. FINAL PLAT / EXEMPT PLAT	1, 18, 19, 21, 23, 31, 33, 34, 38
CONDITIONAL USE PERMIT (CUP)	1, 2, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 32, 34, 35, 36, 37, 38
CUP MODIFICATION	SAME AS CONDITIONAL USE PERMIT (CUP)
SPECIAL USE PERMIT (SUP)	1, 3, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 32, 34, 35, 36, 37, 38
SUP MODIFICATION	SAME AS SPECIAL USE PERMIT (SUP)
ZONING PERMIT (Project)	1, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 22, 23, 24, 25, 26, 27, 29, 30, 32, 34, 35, 36, 37, 38
ZONING PERMIT (Building) Residential Infill & Additions	9, 10, 22, 24, 34, 37 (also see "Building Permit Review – Residences Only" checklist)
SIGN PERMIT	1, 10, 13, 14, 17, 20, 38
VARIANCE	4, 5, 10, 20, 29, 34, 38, Attachment A
APPEAL	4, 5, 38, Attachment B
SPECIAL EXCEPTION	1, 4, 5, 8, 10, 20, 35, Attachment C

APPLICANT: _____

DATE: _____

OWNER: _____

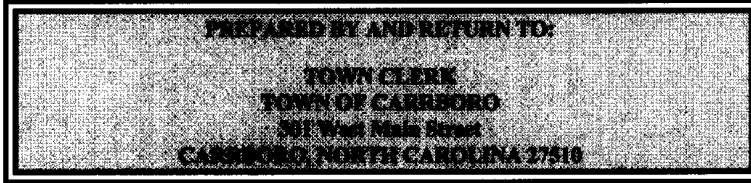
DATE: _____



BML

20121126000275300 S/INS
Bk: RB5492 Pg: 157
11/26/2012 03:05:05 PM 1/4

FILED Deborah B. Brooks
Register of Deeds, Orange Co., NC
Recording Fee: \$26.00
NC Real Estate TX: \$.00



**ORANGE COUNTY
NORTH CAROLINA**

**TOWN OF CARRBORO
CONDITIONAL USE PERMIT GRANTED
PTA Thrift Shop, Inc. – 115 W. Main Street**

On the date(s) listed below, the Board of Aldermen of the Town of Carrboro met and held a public hearing to consider the following application:

APPLICANT: Coulter, Jewell, and Thames, P.A.
OWNERS: PTA Thrift Shop, INC
PROPERTY LOCATION (Street Addresses): 115 West Main Street, Carrboro, NC 27510
TAX MAP, BLOCK, LOT(S): PIN #: 9778-75-7818, 9778-75-6819, 9778-75-8933, and 9778-75-7982 <i>JB</i>
PROPOSED USE OF PROPERTY: 27.000, 2.110, 2.111, 2.120, 2.130, 2.210, 2.220, 2.230, 3.110, 3.120, 3.130, 3.150, 3.250, 5.110, 5.120, 5.130, 5.200, 5.320, 5.400, 6.110, 6.140, 7.300, 8.100, 8.200, 8.300, 12.100, 13.000, 15.100, 15.510, 15.820, 16.000, 19.000, 22.200, 22.300, 22.400, 23.100.
CARRBORO LAND USE ORDINANCE USE CATEGORY: Section 15-54 – Special Use Permits and Conditional Use Permits
MEETING DATES: May 22, 2012

Having heard all the evidence and arguments presented at the hearing, the Board finds that the application is complete, that the application complies with all of the applicable requirements of the Carrboro Land Use Ordinance for the development proposed, and that therefore the application to make use of the above-described property for the purpose indicated is hereby approved, subject to all applicable provisions of the Land Use Ordinance and the following conditions:

1. The applicant shall complete the development strictly in accordance with the plans submitted to and approved by this Board, a copy of which is filed in the Carrboro Town Hall. Any deviations from or changes in these plans must be submitted to the Development Review Administrator in writing and specific written approval obtained as provided in Section 15-64 of the Land Use Ordinance.

2. If any of the conditions affixed hereto or any part thereof shall be held invalid or void, then this permit shall be void and of no effect.
3. That prior to construction plan approval the southern property line setbacks adjacent to the R-7.5 zoning districts are shown as 10 feet instead of 20 feet.
4. That the Board of Aldermen hereby finds that 71 parking spaces are sufficient to serve the proposed development based on the applicant's justification statement regarding joint use of the proposed parking spaces and, the site's proximity to public parking, residential and commercial areas, bus lines, bicycle lanes and existing sidewalks.
5. That, for the street right-of-way frontage, the 10 foot sidewalk width requirement of section 15-221(f) be waived based on the reasons stated in the applicant's sidewalk justification letter provided at the public hearing.
6. That the Board of Aldermen hereby finds acceptable the deviation from the glazing requirements of Section 15-178 (a-2) of the LUO per the elevations and information presented at the public hearing.
7. That the applicant shall provide to the Zoning Division, prior to the recordation of the final plat for the project or before the release of a bond if some features are not yet in place at the time of the recording of the final plat, Mylar and digital as-builts for the stormwater features of the project. Digital as-builts shall be in DXF format and shall include a base map of the whole project and all separate plan sheets. As-built DXF files shall include all layers or tables containing storm drainage features. Storm drainage features will be clearly delineated in a data table. The data will be tied to horizontal controls.

This permit shall automatically expire within two years of the date of issuance if the use has not commenced or less than 10 percent (10%) of total cost of construction has been completed or there has been non-compliance with any other requirements of Section 15-62 of the Carrboro Land Use Ordinance.

All street construction on those streets proposed for acceptance by the Town of Carrboro shall be certified by an engineer. Engineering certification is the inspection by the developer's engineer of the street's subgrade, base material, asphalt paving, sidewalks and curb and gutter, when used. The developer's engineer shall be responsible for reviewing all compaction tests that are required for streets to be dedicated to the town. The developer's engineer shall certify that all work has been constructed to the town's construction specifications.

If this permit authorizes development on a tract of land in excess of one acre, nothing authorized by the permit may be done until the property owner properly executes and returns to the Town of Carrboro the attached acknowledgment of the issuance of this permit so that the town may have it recorded in the Orange County Registry.



NORTH CAROLINA

ORANGE COUNTY

IN WITNESS WHEREOF, the Town of Carrboro has caused this permit to be issued in its name, and the undersigned being all of the property above described, do hereby accept this Conditional Use Permit, together with all its conditions, as binding upon them and their successors in interest.

THE TOWN OF CARRBORO

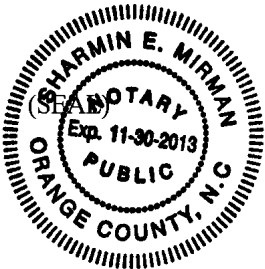
ATTEST:

Catherine Wilson (SEAL)
Town Clerk

BY *David Andrews*
Town Manager

I, Sharmin E. Mirman, a Notary Public in and for said County and State, do hereby certify that Catherine Wilson, Town Clerk for the Town of Carrboro, personally came before me this day and being by me duly sworn says each for himself that she knows the corporate seal of the Town of Carrboro and that the seal affixed to the foregoing instrument is the corporate seal of the Town of Carrboro, that David Andrews, Town Manager of said Town of Carrboro and Catherine Wilson, Town Clerk for the Town of Carrboro subscribed their names thereto; that the corporate seal of the Town of Carrboro was affixed thereto, all by virtue of a resolution of the Board of Aldermen, and that said instrument is the act and deed of the Town of Carrboro.

IN WITNESS THEREOF, I have hereunto set by hand and notarial seal this the 16th day of October, 2012.



Sharmin E. Mirman
Notary Public

My Commission Expires: 11-30-2013



IN TESTIMONY WHEREOF, the undersigned Corporation Grantor has caused this instrument to be executed in the appropriate partnership name by the duly authorized general partner, and has adopted as its seal the word "Seal" appearing beside its name and their signature(s), this sealed instrument being executed and delivered on the date first above written.

PTA Thrift Shop, Inc.

(SEAL)

By: Barbara J. Black
Title: Executive Director

North Carolina (STATE)

Orange (COUNTY)

I, Meredith T. Gaughran, a Notary Public of the County and State aforesaid, certify that Barbara J. Black personally appeared before me this day and acknowledged that he/she is executive director of PTA Thrift Shop Inc., and that by authority duly given and as the act of the corporation, the foregoing instrument was signed in its name by him/her as executive director on behalf of the corporation as PTA Thrift Shop Inc. thereof all by authority duly given.

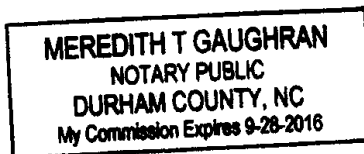
Witness my hand and official seal, this 3 day of August, 2012.

Meredith T. Gaughran
Notary Public

(SEAL)

My commission expires: 9-28-2016

(Not valid until fully executed and recorded)





Memorandum

To: Jeff Kleaveland – Town of Carrboro
From: Barbara Jessie-Black – PTA Thrift Shop
CC: Dan Jewell – CJT, Ken Friedlein – WFA, Kenneth Reiter – Belmont Sayre
Date: November 5, 2014
Re: PTA Thrift Shop - CUP Modification

Attached and below are the requirements for the modification of the PTA Thrift Shop Conditional Use Permit (CUP). The modification is requested since the economic conditions have not improved to complete the financing and development of the remaining portion of the project. PTA Thrift Shop has proceeded with due diligence and in good faith and requested that the CUP be modified as described below and that conditions have not changed so substantially as to warrant a new application.

The following information has been provided:

- Removal of the seat wall from the plans due to conflict of site furniture with OWASA easement. See attached plans.
- Separation of the project into a formal second phase. See attached plans (actual plans by CTJ). Project completion no later than 2019 (five years from extension of modified CUP) Reasons for possible five year completion:

-There are signs that funding opportunities and conditions are beginning to improve and PTA TS is currently in the process of cultivating those funding opportunities for the second phase of the project, a nonprofit collaborative with a youth focus. Cultivation of large nonprofit funders may take several months to a year before funding is secured.



-In tandem with cultivating and securing funding sources, PTA TS is working on securing youth focused nonprofit partners for the nonprofit collaborative, taking into account each organization's unique funding cycle, board input, etc. Letter of Intent (LOIs) may take several months to a year to finalize. (this work is already in progress)

-Once LOIs have been secured, interior design plans will be created with input from nonprofit partners and contractor will be mobilized.

-Additionally, PTA TS wants to allow time for any unforeseen issues that may arise during the completion of phase II.

- The handicap accessible curb cut as requested by NC DOT and Town of Carrboro will be installed as part of the second phase of the project.

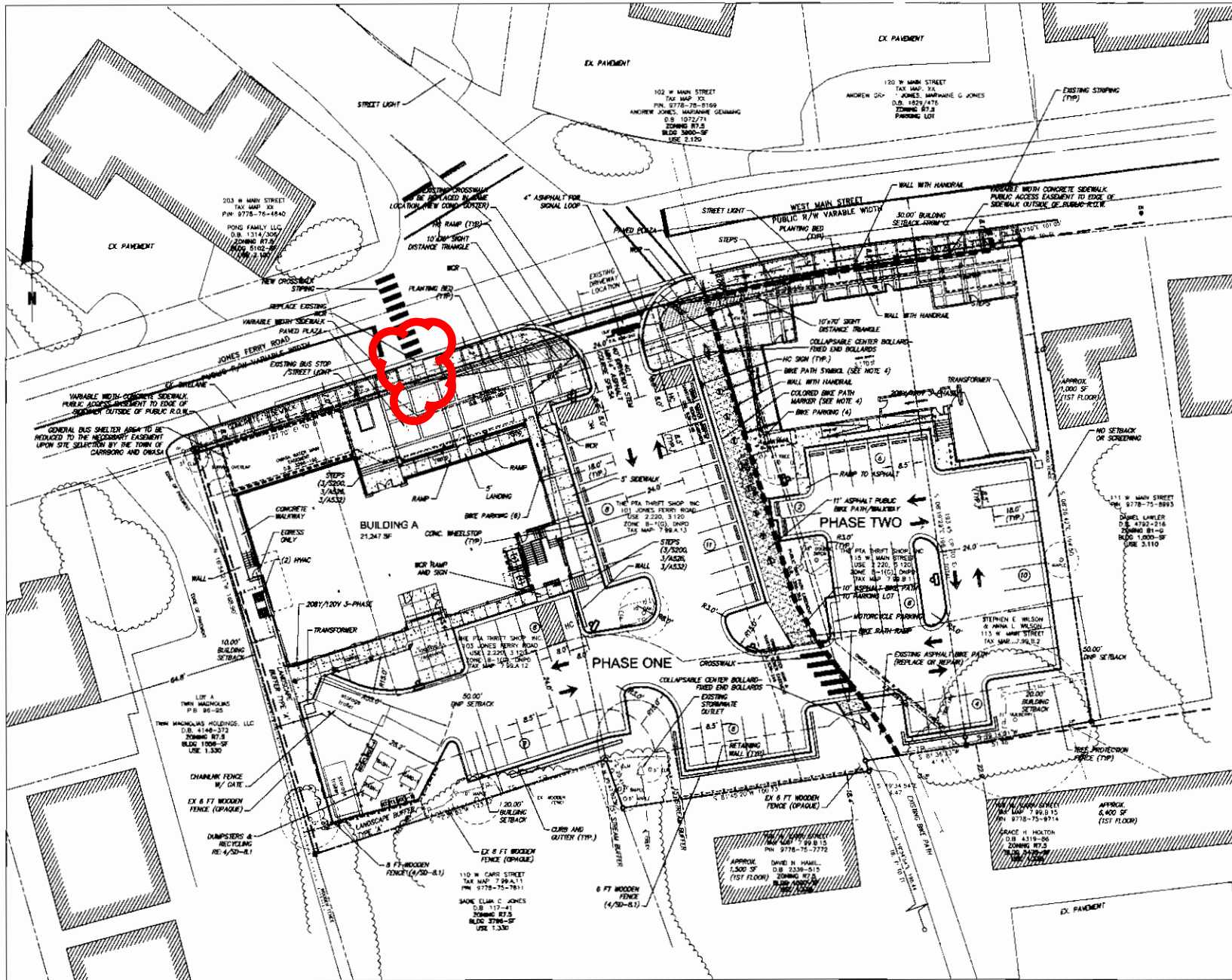
Respectfully submitted,

A handwritten signature in cursive script that reads 'Barbara Jessie-Black'.

Barbara Jessie-Black

Executive Director

PTA Thrift Shop, Inc.



- NOTES:
1. FIRE LANE STRIPING WILL BE CARRIED MARSHALL PRIOR TO THE ISSUANCE OF THE CARRBORO TOWN CODE.
 2. A HARD SURFACE IS REQUIRED (CONTACT FIRE DEPARTMENT FOR SPECIFICATIONS).
 3. ALL PAVEMENT MARKINGS, EXCEPT MINIMUM 80 MIL THERMOPLAST STANDARDS AND SPECIFICATIONS.
 4. BICYCLE PATH MARKINGS SHALL BE RETRO-REFLECTIVE PAINT AND SECTION 1205-NCDOT STANDARD SECTION TO BE DETERMINED AT LOCAL DISCRETION.
 5. PAVEMENT REPAIR DUE TO UTILITY TAP. USE 10' OF B25.0 (MAIN ST.).

PARKING DATA

EXISTING PARKING

REQUIRED PARKING

BUILDING A	LEVEL 1 (6,354 SF) PTA SA
	(2.22) LEVEL 2 (7,255 SF) PTA SA
	(3.12) LEVEL 3 (7,636 SF) OFFICE
BUILDING B	LEVEL 1 - 5,384 SF - AVAILABLE
	(8.20) RESTAURANT (2,500 SF)
	(5 TABLES X 4 SEATS) @ (3.12) OFFICE LOW VOLUME

TOTAL PARKING:

PARKING REDUCTION

- 15-297 (90 SPACES / 1.2)
- 1 SPACE FOR BICYCLE PARKING
- 1 SPACE PER MOTORCYCLE SP

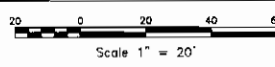
PARKING PROVIDED:

BIKE PARKING REQUIRED

BIKE PARKING PROVIDED

- BRICK PAVEMENT NOTES:**
1. MAIN PLAZA PANELS: "PINE HAZEL"
 2. ENTRY PANEL (AREA EXTENDING FROM MAIN PLAZA TO MATCH "PALMETTO BRICK" - SEAT-WALL TO BE "PALMETTO BRICK" (424X12)
 3. CONTRACTOR TO COORDINATE WITH BRICK ENGRAVING CONTRACTOR (CONSULTANT) FOR ENGRAVING OF

1/ND-2.0
SITE PLAN
SCALE 1" = 20'





Town of Carrboro

Town Hall
301 W. Main St.
Carrboro, NC 27510

Agenda Item Abstract

File Number: 14-0316

Agenda Date: 11/18/2014

File Type: Abstract

In Control: Board of Aldermen

Version: 1

TITLE:

Discussion of Options for the 2015 Board of Aldermen Retreat

PURPOSE: The purpose of this item is for the Board of Aldermen to discuss various options for a Board retreat.

DEPARTMENT: Town Clerk

CONTACT INFORMATION: Cathy Wilson, 918-7309

INFORMATION: Staff is requesting further Board discussion and direction on several items related to planning the retreat.

1. Does the Board want to have a January retreat? If so, please discuss possible dates.
2. Does the Board have any suggestions for locations? Past retreats have been held at the OWASA offices, Carrboro High School, and the Stone House. Other locations could be considered such as the Aqueduct, Carrboro Elementary Library, the ArtsCenter, or the Hampton Inn.
3. Does the Board wish to have the retreat facilitated?
4. Does the Board wish to appoint a retreat planning committee?

After this discussion, staff should be able to prepare a future agenda item that will schedule the retreat.

FISCAL & STAFF IMPACT: Cost of the 2015 retreat will depend on the Board's proposed location, length of the retreat, and the choice of a facilitator (if needed).

RECOMMENDATION: Town staff recommends that the Board discuss the various issues associated with planning a retreat. If a planning committee is selected, the Board should vote to appoint the members.