



# Town of Carrboro

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

## Meeting Agenda Town Council



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Tuesday, March 15, 2022

7:00 PM

Remote Meeting-View Livestream or Cable TV

18

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### 7:00-7:05

#### A. ROLL CALL

### 7:05-7:10

#### B. POETRY READING, RESOLUTIONS, PROCLAMATIONS, AND ACKNOWLEDGEMENTS

### 7:10-7:15

#### C. ANNOUNCEMENT OF UPCOMING MEETINGS

### 7:15-7:20

#### D. PUBLIC COMMENT

*Comments are limited to three minutes per speaker.*

### 7:20-7:25

#### E. CONSENT AGENDA

1. [22-89](#) Approval of January 4, 2022 and January 11, 2022 Meeting Minutes
2. [22-30](#) Fire Department Monthly Report  
**PURPOSE:** To provide the Town Council a monthly overview of calls for service.  
**Attachments:** [Attachment A - February 2022 FD Incident Data](#)
3. [22-51](#) Police Department Monthly Reports  
**PURPOSE:** The purpose of this item is to provide a brief overview of calls for service for the month of February.  
**Attachments:** [February 2022 Montly Report](#)
4. [22-87](#) Stormwater Utility Monthly Report

**PURPOSE:** The purpose of this item is to provide the monthly update regarding Stormwater Utility projects and initiatives.

**Attachments:** [March 2022 Stormwater Report](#)

5. [22-88](#) Economic Development Monthly Report

**PURPOSE:** The purpose of this item is to provide a regular monthly activities and status report.

**Attachments:** [Attachment A - February Monthly Report](#)

6. [22-76](#) A Request for a Minor Modification to the Winmore VMU Conditional Use Permit to allow conversion of Lot 179 to three single-family lots and assign the community pool to serve as civic use for the VMU

**PURPOSE:** Town Council is asked to consider approving a Minor Modification to the Conditional Use Permit for Winmore VMU to allow conversion of Lot 179 to three single-family lots and assign the community pool to serve as civic use for the VMU. A resolution approving the modification is attached should the Board choose to approve the request.

**Attachments:** [Attachment A - Resolution](#)

[Attachment B - CUP Document](#)

[Attachment C - Renderings for Overall Site Plan and Community Pool](#)

[Attachment D - Applicant Materials](#)

[Attachment E - Excerpt from May 28, 2019 Minutes](#)

[Attachment F - HOA Letter Regarding Request](#)

F. OTHER MATTERS

7:25-9:30

1. [22-85](#) The 203 Project Guaranteed Maximum Price

**PURPOSE:** The purpose of this item is to provide the Council with the cost to construct the 203 Building for consideration and approval.

**Attachments:** [Attachment 1 Final GMP](#)

[Attachment 2 Total Project Budget](#)

[Attachment 3 Amended Project Ordinance](#)

[Attachment 4 Resolution](#)

G. MATTERS BY COUNCIL MEMBERS



# Town of Carrboro

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## Agenda Item Abstract

**File Number:22-89**

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**Agenda Date:** 3/15/2022

**File Type:**Agendas

**In Control:** Board of Aldermen

**Version:** 1

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Approval of January 4, 2022 and January 11, 2022 Meeting Minutes



# Town of Carrboro

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## Agenda Item Abstract

**File Number:**22-30

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**Agenda Date:** 3/15/2022

**File Type:**Agendas

**In Control:** Board of Aldermen

**Version:** 1

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**TITLE:**

Fire Department Monthly Report

**PURPOSE:** To provide the Town Council a monthly overview of calls for service.

**DEPARTMENT:** Fire Department

**CONTACT INFORMATION:** Chief David Schmidt, (919) 918-7349

**INFORMATION:** This report will provide information on Fire Department calls for service that occurred in Carrboro, South Orange Fire District, and neighboring jurisdictions.

**FISCAL & STAFF IMPACT:** N/A

**RECOMMENDATION:** Staff recommends the report be received and accepted.





# Carrboro Fire Rescue Monthly Report

## FEBRUARY 2022

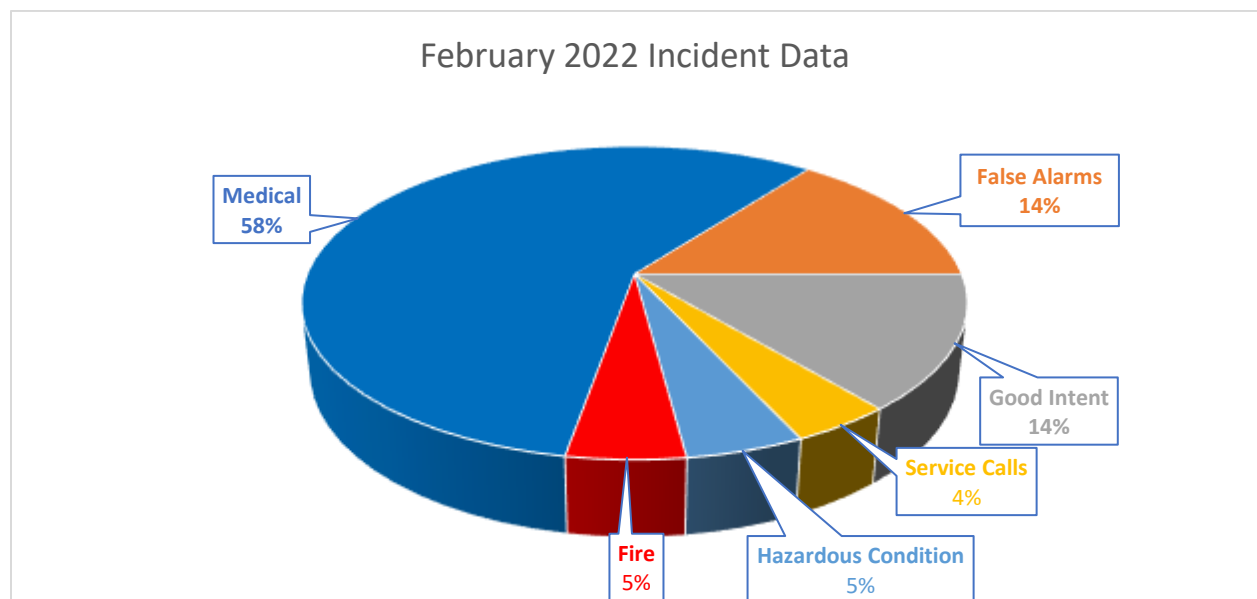


### Purpose:

The purpose of this monthly report is to keep the Town of Carrboro Council Members informed on the activities of the Fire Rescue Department. As this format has changed from previous tabular data reports, the format of this report will undergo changes as we seek to find the ideal format to communicate our information. It is also envisioned that sections in this report may change each month, based on the significance of events occurring within the Fire Rescue Department. The volume of the information will also likely change as the level of detail may be able to decrease as the Council becomes more aware of items and the need may switch to more of an update. Input will also be key into what information is deemed valuable. Information such as incident data will likely remain in each month as it demonstrates metrics about the Fire Rescue Department.

### Operations:

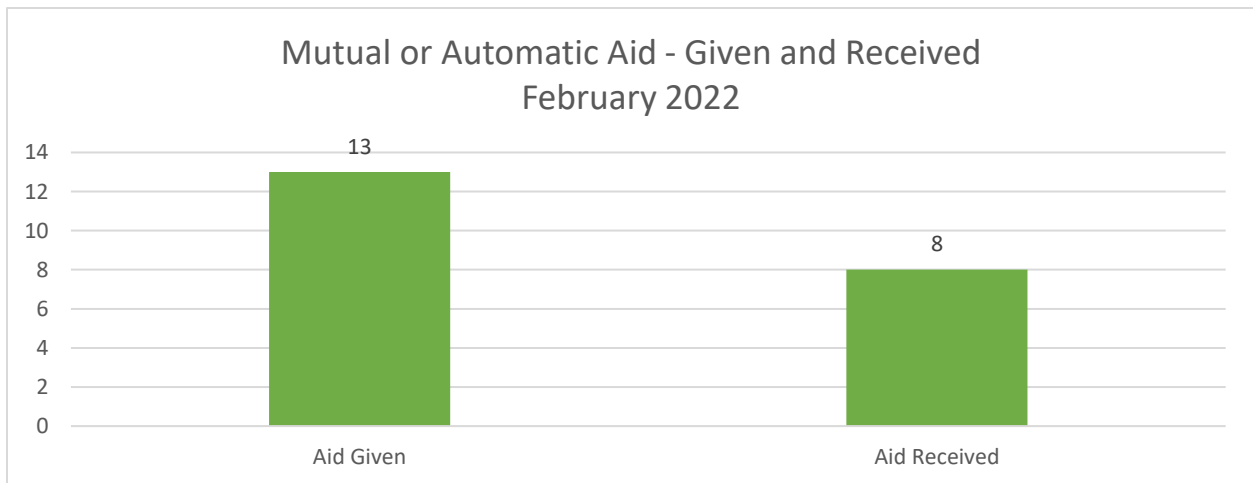
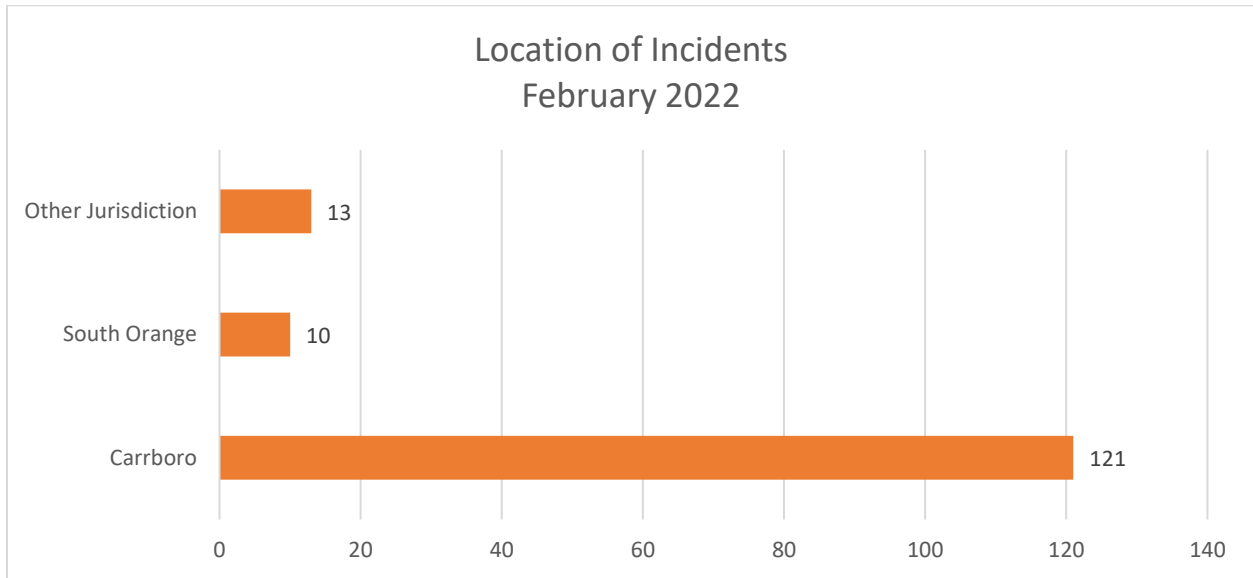
The Fire-Rescue Department responded to 144 calls for service in February, which was a 67.4% increase over February 2021. This amount of the increase continues to be due to the impact on COVID and calls for service during 2021. The following charts depict a breakdown in our types of calls as well as the amount of time we provided aid to a neighboring fire department and the amount of time we received the aid.





# Carrboro Fire Rescue Monthly Report

## FEBRUARY 2022



### Apparatus:

Committee members traveled to the E-One plant to complete the final inspection of the water tank truck. The truck was due to have been completed in July 2021, but COVID as well as a shortage of vehicle computer chips caused the delay. The truck carries 2,000 gallons of water and is designed to respond to areas where fire hydrants are not installed. This area makes up about 95% of the South Orange Fire District that Carrboro Fire Department covers.



# Carrboro Fire Rescue Monthly Report

## FEBRUARY 2022



It is anticipated that the tanker will be delivered to Carrboro on the first week of April. Fire Department personnel will undergo a significant amount of training due to some of the unique features of this fire apparatus, a very high center of gravity and double the water that is carried by the fire engines.



### Training:

Personnel once again completed more than 1000 hours of training during February with more than several hundred training instances. A large portion of the hours comes from the probationary firefighter task book that our seven probationary firefighters are working on.

A company officer task book and program was completed during the month of February. This task book is very similar to the probationary firefighter task book as it details the development of the knowledge, skills, and abilities required to be a company officer. The task book also utilizes the National Fire Protection Association tasks that allow the candidates to complete objective based criteria. Each candidate completes an exam to enter the program. The exam shows the candidates where additional



# Carrboro Fire Rescue Monthly Report

## FEBRUARY 2022



work may be required. Upon completion of the tasks in the task book, a final exam is held where the candidate will operate in real-life conditions that involve taking command of an incident as well as directing other arriving units. This provides the most realistic setting for the candidate.

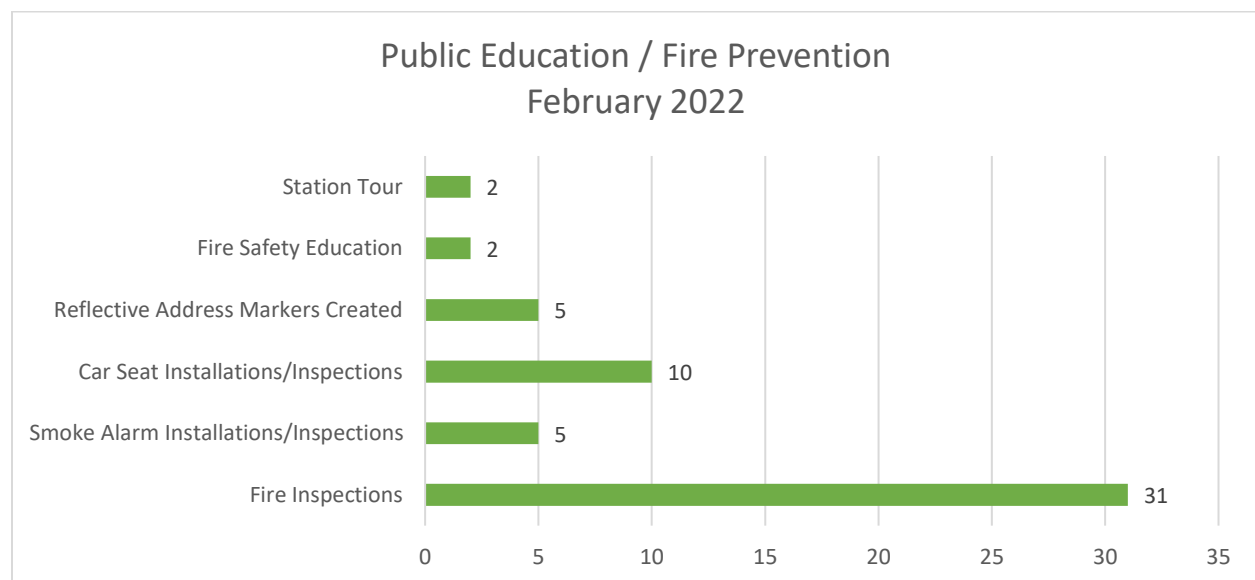
### Community Outreach

Fire Department Personnel, in conjunction with the Housing and Community Services Department, oversaw the delivery of more than 10,000 masks to the marginalized or at-risk community. Fire Department personnel stand ready to adjust our service delivery model to meet the challenges that face the community.

### Fire Prevention / Public Education:

COVID continues to limit our public education and fire prevention activities. However, we were able to host a couple station tours by staying outside the building. While this is not ideal, it still enables us to interact with community. As the curve in the COVID trend continues to flatten, we look forward for the opportunity to conduct in person public education as well as open up our Saturday morning car seat clinic again.

The Carrboro Fire Department, in conjunction with Chapel Hill/Carrboro City Schools, and Chapel Hill Fire Department are in the final stages of developing a summer camp for high school aged female students. The camp is called Camp Ignite and it will be a five-day camp (June 13 – June 17) that educates and inspires young women to pursue a career in the fire service. Each day will also feature a speaker from a different discipline that is related to the fire service. Topics will include Emergency Medical Services, 9-1-1 Telecommunications, Emergency Management, and Law Enforcement. The goal is to have all 5-days of the camp taught by female firefighters. We have been working closely with Charlotte and Greensboro Fire Departments, as they both host a similar camp.





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## Agenda Item Abstract

**File Number:**22-51

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**Agenda Date:** 3/15/2022

**File Type:**Agendas

**In Control:** Board of Aldermen

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### **TITLE:**

Police Department Monthly Reports

**PURPOSE:** The purpose of this item is to provide a brief overview of calls for service for the month of February.

**DEPARTMENT:** Police Department

**CONTACT INFORMATION:** Chief Chris Attack, 919-918-7407

**INFORMATION:** This report provides data on calls for service, traffic stops, citations, arrests, use of force, and traffic crashes.

**FISCAL & STAFF IMPACT:** N/A

**RECOMMENDATION:** Staff recommend that Council accept the report.



# CARRBORO POLICE DEPARTMENT

**Community • Accountability • Respect • Ethics**

## FEBRUARY 2022

### Calls for Service

Calls for service are generated either by citizen complaints or by officers self-initiating. These calls range from a request for a vehicle unlock, to a suspicious person, to a traffic stop, to more serious criminal matters with all requiring the presence or response of an officer to resolve, correct or assist in that situation.

In February 2022, The Carrboro Police Department recorded 1186 calls for service as compared to 1170 in the same month the previous year (2021).

### Top 5 Calls for Service by Frequency

Type:	Number:	% of Total:
Miscellaneous Officer Initiated	398	33.6%
Public Service	113	9.5%
Traffic Stop	85	7.2%
Disturbance/Nuisance	70	5.9%
Alarms	57	4.8%
<b>Total for Top 5</b>	<b>723</b>	<b>61%</b>

Traffic Stops: In February 2022, the Carrboro Police Department performed 83 traffic stops. As a result of those 83 stops, 37 citations were issued, 30 verbal warnings given, 10 written warnings issued, 4 on-view arrests occurred, and during 2 stops, no actions were taken.

Citations: In February 2022, the Carrboro Police Department issued 43 citations. 10 were for speeding 15 mph or more, 4 were for failing to stop at a red light, 3 for driving while license revoked, speeding, no liability insurance, & no operator license. And, 2 each issued for fail to stop for stopped bus, drug violations, traffic violations & regulatory violations. Lastly, others included carrying a concealed weapon, hit and run leaving property damage, failing to report accident, and shoplifting.

Arrests: In February 2022, the Carrboro Police Department made 22 on-view/custodial arrests. Twenty (20) charges were misdemeanor arrests: ranging from Assault with a Deadly Weapon, DWI, Drug Possession, and "Fail to Appear". Two (2) were felonies: Larceny of Automobile and Fraud- Obtaining Property False Pretense.

Incident Reports: There were 202 Incidents reported to the Carrboro Police Department for the month of February, as compared to 199 in the same month from last year (2021).

Crashes: There were 45 traffic crashes in the month of February. No fatalities.

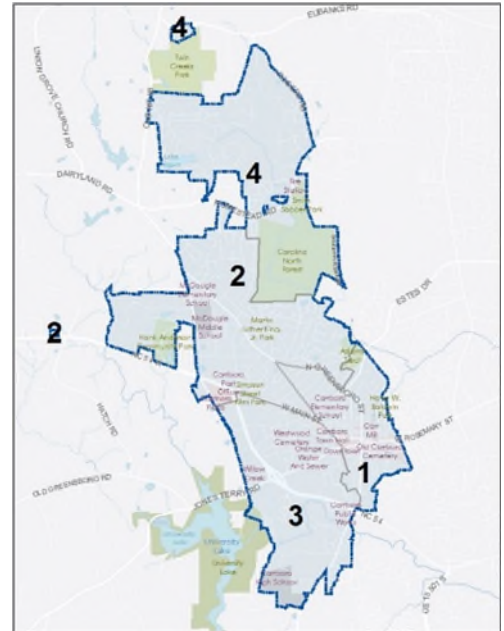


## Calls for Service by Area:

**\*\*includes cancelled events\*\***

### February 2022

<b>AREA: 1-4</b>	<b>NUMBER OF CALLS</b>	<b>PERCENT OF TOTAL:</b>
Area 1	446	32.8%
Area 2	246	18.0%
Area 3	579	42.5%
Area 4	91	6.7%
<b>Total</b>	<b>1362</b>	<b>100%</b>



### February Items of Significance:

- Carrboro Officers served 5 involuntary commitment orders and provided transport for 7 voluntary commitments. All individuals were taken to UNC Hospital for evaluation.
- Carrboro recorded its first homicide of the year in the first few days of February. The shooting occurred on the 31<sup>st</sup> of January, but the victim died several days later. This case is actively under investigation.



# Town of Carrboro

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**File Number:**22-87

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### **TITLE:**

Stormwater Utility Monthly Report

**PURPOSE:** The purpose of this item is to provide the monthly update regarding Stormwater Utility projects and initiatives.

**DEPARTMENT:** Public Works

**CONTACT INFORMATION:** Randy Dodd, Stormwater Utility Manager, 919 918-7341

**INFORMATION:** The report identifies 8 separate projects and initiatives that Stormwater staff are currently involved in. These are specific efforts, some time-limited and others part of ongoing stormwater program development, that are above and beyond the baseline workload that includes but is not limited to: complying with two EPA/State NPDES permits; program administration; responding to requests for support and community outreach; stormwater system inspection and maintenance; reviewing development plans; stream determinations/buffer reviews; and illicit discharge response and pollution prevention.

**FISCAL & STAFF IMPACT:** There is no fiscal impact associated with this update.

**RECOMMENDATION:** It is recommended that the Council receive the staff report.



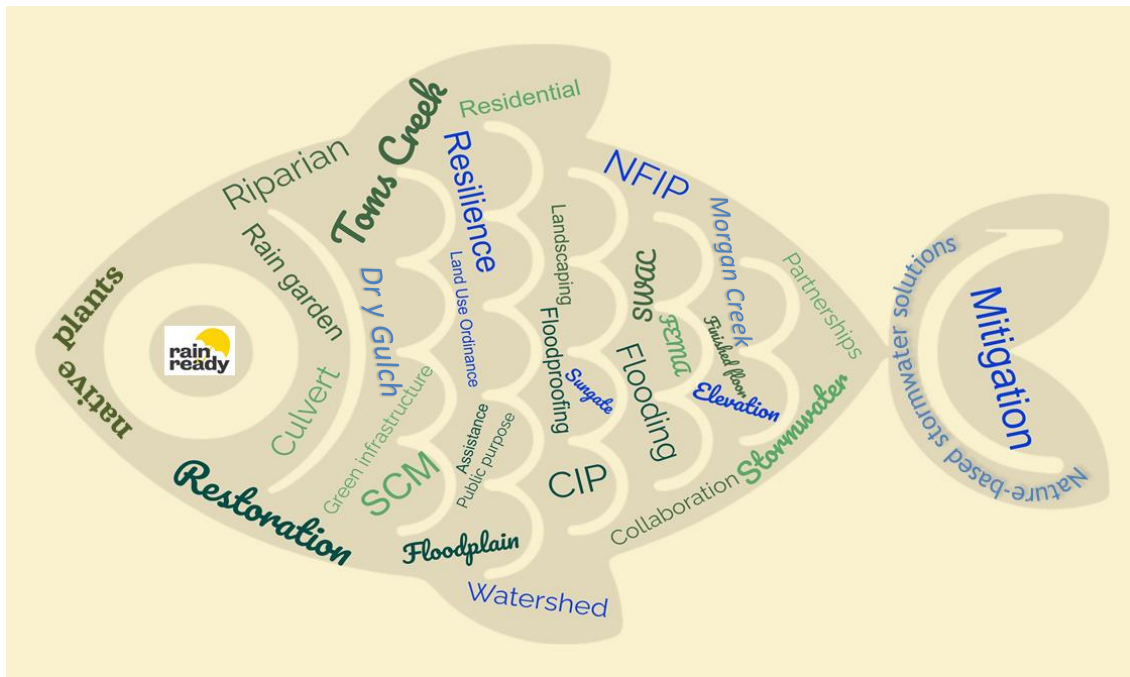
# STORMWATER UTILITY MONTHLY REPORT

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## PART 1: WATER QUANTITY DRIVEN WORK

### 1. Flood Resilience Framework



**Project Description:** The purpose of this project is to draft a new Flood Resilience Framework to help guide community scale risk reduction and mitigation efforts.

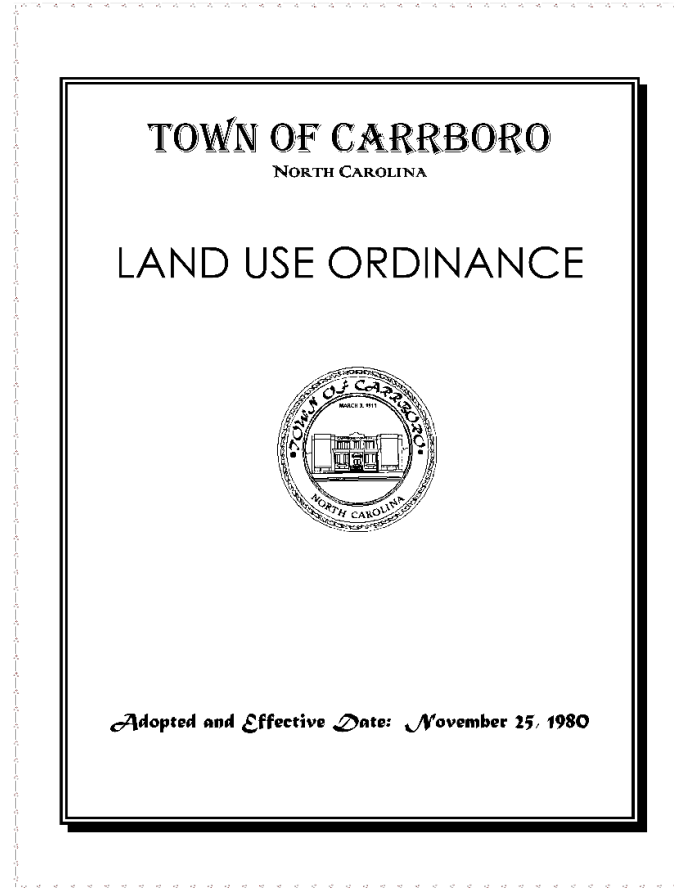
**Project Background:** Carrboro and many other communities face water related challenges that are significant and complex. We are trying to simultaneously manage: the flooding effects of more frequent and intense storms with more in store due to climate change; the challenges of historical and future land use and development; and the impacts to both residents and local aquatic ecosystems. There is a growing recognition that this multi-faceted problem requires a multi-faceted solution.

**Status: Active.** In 2019, the Council directed staff to move forward with a pilot study due to the ongoing need to address flooding issues. The Town contracted with the Center for Neighborhood Technology (CNT), resulting in a “RainReady” report in May 2020. The Stormwater Advisory Commission received information on RainReady follow up work and provided review comments. Staff continue to pursue related follow up actions, with active work including but not limited to: drafting a town wide flood resilience framework; exploring obtaining contractual support with single family residential scale technical assistance/assessments; and compiling and publishing a directory of contractors available to provide assistance to residents. The other items (2-8) in this monthly report are also relevant.

**Fiscal and Staffing Considerations:** Any fiscal impact resulting from financial assistance to be provided as part of a new program will be determined through future administrative and policy level review. There has been and will continue to be a staff impact associated with technical assistance. This impact will increase if staff will be administering a new program. Staff are reviewing the details as part of the of the FY23 budget preparation.

**Additional Information:** Additional information is available from multiple Council agenda items from 2013-2019. A [project website](#) has been created with relevant historical and project related information.

## 2. Land Use Ordinance Stormwater Provisions Review



**Project Description:** LUO stormwater provisions are under review.

**Project Background:** At the April 16, 2019 meeting, the Council referred further review of the stormwater provisions in the LUO to staff and the Stormwater Advisory Commission in consideration of the flooding and drainage impacts being experienced and elevated risk for increasing impacts due to climate change.

**Status: On Hold.** This has been referred to Stormwater and Planning staff, Sungate Design, and the Stormwater Advisory Commission. Staff will begin researching and considering the scope of potential changes in the first half of 2022 and anticipate working with the SWAC in late 2022 or early 2023.

**Fiscal and Staffing Considerations:** There is no fiscal impact with reviewing and amending the LUO. There will be a staff impact with performing the review.

**Additional Information:**

<https://carrboro.legistar.com/LegislationDetail.aspx?ID=3919560&GUID=59CDD594-2973-4C2B-813C-738A1CF5707B&Options=&Search>

<http://www.townofcarrboro.org/DocumentCenter/View/698/Article-XVI-Floodways-Floodplains-Drainage-and-Erosion-PDF>

### 3. FEMA Hazard Mitigation Grant Program Applications (Acquisition and Elevation)



**Project Description:** The information presented below is for an acquisition project for 116 Carol Street, and a new elevation project for 100 James Street

**Project Background:** Following on Hurricane Florence and Tropical Storm Michael, FEMA announced new rounds of HMGP funding. In addition to the Lorraine Street properties discussed above, two additional homeowners at 116 Carol Street and 100 James Street (properties included in previous HMGP applications for acquisitions that did not move forward) have responded and were included in Letters of Interest submitted by the Town to the NC Department of Public Safety (NCDPS). Staff submitted applications for an acquisition project for 116 Carol Street and for elevation of the home at 100 James Street in 2019.

**Status: Applications in Review.** Application materials for the 116 Carol acquisition were submitted to the State in October 2019 under Hurricane Florence. Application materials for the 100 James Street elevation were submitted to the State in November 2019 under Tropical Storm Michael. Staff regularly check on the status, which has remained “pending obligation” since the applications were submitted. If approved, staff will follow up with pursuit of entering into (a) grant agreement(s) for one or both projects. Note that in late January, NCDPS staff informed staff that FEMA and NCDPS may be ready to move forward with the 116 Carol acquisition soon.

**Fiscal and Staffing Considerations:** If the Town can successfully enter into grant agreements (one for acquisition and one for elevation), costs for work covered by the grants will first be borne by the Town and then reimbursed to the Town with a combination of both Federal and State funds covering eligible costs, provided that all grant requirements are met. If the Town chooses to incur costs prior to entering into the agreement, these costs will not be reimbursable with grant funds. While there would be a significant staff impact to administer the grant funds, the staff capacity is sufficient to do so should FEMA decide to move forward.

**Additional Information:**

[https://www.fema.gov/media-library-data/1493317448449-b83f27544e36b7bf67913f964a56b15a/HMA\\_Homeowners\\_Guide\\_040717\\_508.pdf](https://www.fema.gov/media-library-data/1493317448449-b83f27544e36b7bf67913f964a56b15a/HMA_Homeowners_Guide_040717_508.pdf)



## ***PART 2: WATER QUALITY & FEDERAL/STATE REGULATORY DRIVEN WORK***

### **4. Stormwater Control Measure Maintenance and Inspection Program**



**Background:** SCMs (“Stormwater Control Measures”) treat runoff to reduce both water quantity and quality impacts. The Town’s Land Use Ordinance (LUO) requires stormwater management with SCMs as part of development projects. A ‘Post Construction Stormwater Program’ ensuring SCMs are properly regulated and maintained is also a requirement of the Town’s NPDES permit with EPA, as administered by the NCDEQ. In early 2020, the Council approved a rate increase to support the necessary capacity to expand program efforts in general, and specifically including SCM compliance oversight. Moving forward with a compliant and comprehensive Town wide SCM maintenance oversight program is also seen as an immediate and effective action that the Town can take for flood/climate change resilience since there are existing regulated SCMs for which performance can be improved with proper maintenance, and risks of poorer future performance can also be avoided through preventative maintenance.

**Status: Active.** Staff have been actively moving forward with the SCM maintenance and inspection program activities in recent months with goals of:

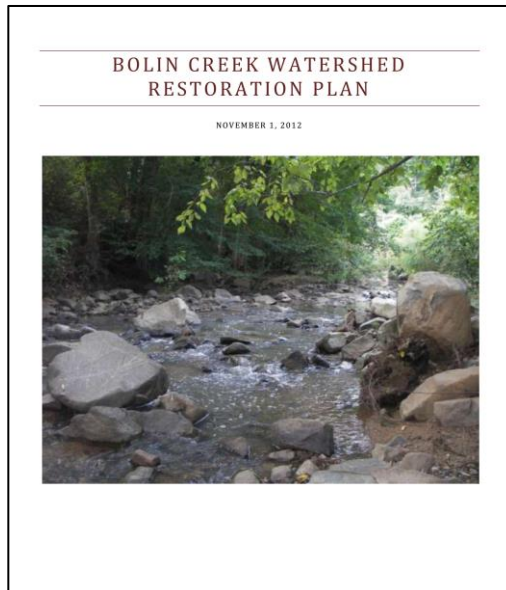
- 1) A letter being sent to all owners of Town permitted SCMs outlining their responsibilities and clear communications about the program and what will be happening going forward (initiated in November 2020).
- 2) All owners of Town permitted SCMs being required to initiate their own annual reporting of their maintenance and inspection efforts.
- 3) Stormwater staff committing to complete staff inspections of all Town permitted SCMs during the recently renewed 5-year NPDES permit cycle.

Staff have been reporting on activities to the Stormwater Advisory Commission. Stormwater staff have been and will continue to be working with property owners and their consultants to provide compliance assistance with maintenance and inspection activities. A total of 50 responsible entities have been contacted, representing 165 SCMs.

**Fiscal and Staffing Considerations:** This activity is requiring a significant amount of staff time.

**Additional Information:** <http://www.townofcarrboro.org/751/Maintenance-and-Inspection>

## 5. Bolin Creek Watershed Restoration Plan Implementation



**Regulatory Requirement:** The downstream extent of Bolin Creek in Carrboro, and into Chapel Hill, is on the state/federal list of impaired waters. Local actions are needed to improve water quality.

**Background:** Carrboro staff worked with Chapel Hill and other local, state, and federal agency staff in 2006 to create the Bolin Creek Watershed Restoration Team (BCWRT) because of the impaired waters listing. At the time, the Bolin Creek watershed was selected as one of only 7 watersheds in the state to receive focused state and federal assistance in preparing grant applications and leveraging other resources to remove Bolin Creek from the impaired waters list. The BCWRT's long term goal is to improve the health of Bolin Creek and its tributaries and remove it from the impaired waters list. This is an ambitious goal that will require a robust commitment for many years to come.

**Status: Active.** Between 2012 and 2020, watershed restoration plan implementation was inactive due to insufficient staff capacity and funding resources. In early spring, 2021, the Town Council approved and the Stormwater Advisory Commission reviewed the submittal of an EPA/NCDEQ 319 grant application with 3 HOAs in the Bolin Forest neighborhood and other partners to address an eroding gulley as a restoration and demonstration project. In January 2022, the Council approved accepting the grant agreement. Staff are moving forward with coordinating with project partners. In early March, survey work was completed to prepare for the engineering design work.

**Fiscal and Staffing Considerations:** The application is based on the Town offering an in kind but not cash match for the grant. There will be a staff impact with grant administration.

### **Additional Information:**

<https://townofcarrboro.org/280/Bolin-Creek-Watershed-Restoration>

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## PART 3: WATER QUANTITY AND WATER QUALITY DRIVEN WORK

### 6. Stormwater Infrastructure Condition Assessment

STORMWATER CONVEYANCE CONDITION ASSESSMENT	
Excellent	No visible defects, new or near new condition, may still be under warranty if applicable
Good	Good condition, but no longer new, may have some slight defective or deteriorated component(s), but is overall functional
Adequate	Moderately deteriorated or defective component(s), but has not exceeded useful life.
Critical	Defective or deteriorated component(s) in need of replacement; exceeded useful life.
Failed	Failed/damaged components(s) or in need of immediate repair; well past useful life.

**Project Description:** The purpose of this project is to assess the condition of Town-maintained stormwater infrastructure to inform: life cycle asset management and program revenue needs; capital, smaller project, and repair and maintenance planning and prioritization; and coordination of stormwater infrastructure work with other right of way and facilities maintenance and improvement projects.

**Project Background:** The Town has pursued work to inventory the Town's stormwater infrastructure over the past 15-20 years. This infrastructure includes features such as inlets, catch basins, pipes, culverts, junction boxes, outlets, ditches and swales, energy dissipation, and Stormwater Control Measures. There was an initial effort that captured much of the inventory and the inventory has been updated as new development has been constructed. Most recently, Stormwater and GIS staff have collaborated to employ new hardware and software tools to facilitate the ongoing maintenance and improvement of the infrastructure inventory. However, a comprehensive condition of stormwater infrastructure does not currently exist.

**Status: Active.** Stormwater staff have begun planning for a phased approach to completing a comprehensive stormwater infrastructure condition assessment. This will require a phasing/prioritization of types (e.g., age, material, size, closed/below ground or open/above ground system) and location and risks and impacts of disrepair/failure of infrastructure to assess over the next several years. The assessments will be more involved and expensive for closed (underground) systems. Staff will begin work as able in the remainder of FY 21/22 and include this new initiative as part of the FY 22-23 operating budget submittal.

**Fiscal and Staffing Considerations:** This will require a combination of contracted services and Town staff work. It is preliminary to estimate the cost and level of effort.

**Additional Information:** As this work progresses, additional information will be provided on the Town's website.

## 7. Community Outreach and Engagement



**Project Description:** Staff continue to expand community outreach and engagement efforts.

**Project Background:** Since the Stormwater Utility and Division were created in 2018, staff have developed and pursued a number of methods and means for community outreach and engagement. For example, staff created a Homeowners Manual and have shared it with residents via the website and with social media and virtual and in-person events. Staff have also collaborated with Chapel Hill for two annual Joint Stream Clean-ups. A variety of other specialized outreach materials and activities have been pursued such as “Tree Tags”, a virtual stream buffer restoration presentation, and an event at the dog park. Staff have provided one-on-one and neighborhood scale technical assistance to residents on topics such as roof disconnects, erosion control, riparian restoration, tree plantings, land records access, federal, state, and local permitting and assistance and more. Many online and print outreach materials have been created.

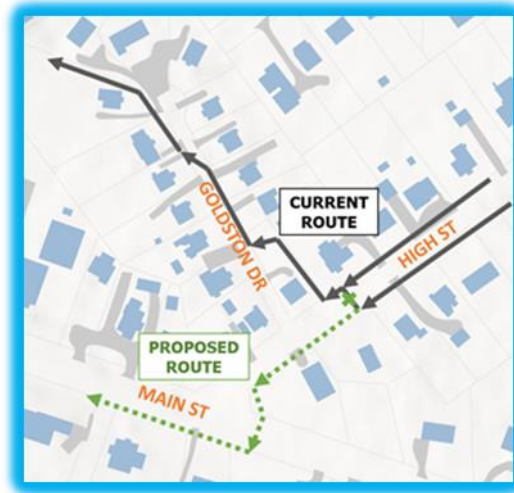
**Status: Ongoing.** A significant upcoming event is [the First Annual Orange County Creek Week](#), March 12th through the 19th. This is a partnership between Orange County, UNC-CH, Chapel Hill, Carrboro, Hillsborough, and OWASA, and also part of broader regional efforts. Orange County has agreed to host a [permanent website](#) for the event that will contain links to resources, educational content, and a calendar for all partner events. Stormwater staff are working with the Town’s Communications Director to create new content to feed into newsflashes and weekly newsletters. New stormwater content is being created as part of the town wide website revamp to make pages more streamlined, easier to navigate, accessible, and more informative. Staff have also been working on a trash cart sticker to provide information on whom to contact with different Public Works related questions. Staff plan to continue to ramp up work with neighborhoods and the school system.

**Fiscal and Staffing Considerations:** This work is integrated into the ongoing work of staff and the operating budget; no new impact is anticipated.

**Additional Information:** As mentioned, more information will be available soon for Orange County Creek week and with the website revamp.



## 8. Stormwater Capital Projects



**Project Description:** Staff continue to plan for and implement stormwater capital projects.

**Project Background:** Since the Stormwater Utility and Division were created in 2018, a Stormwater section of the annually updated Capital Improvement Program has been included, and stormwater capital projects have been pursued. Two capital projects have been completed, a stream restoration at Public Works and a culvert replacement on Broad Street.

**Status: Ongoing.** There is one currently active and approved capital project funded by the Stormwater Enterprise Fund. It is for infrastructure improvements in the West Main Street vicinity. A construction bid is planned for release in mid-March. This project will divert some of the runoff generated along High Street out to Main Street instead of the current conveyance route along Goldston Ave. and continuing through downstream private properties. Staff continue with future project planning and development work; recommendations have been passed on for the annual update to the Capital Improvement Program. The condition assessment work referenced in #6 is an important aspect of this work. Staff are also working to identify new green stormwater infrastructure opportunities for Town maintained rights of way and facilities.

**Fiscal and Staffing Considerations:** This work is integrated into the ongoing work of staff; no new impact is anticipated aside from the fiscal impact identified as part of future project approval.

**Additional Information:** Information on the Town's CIP is available at [this link](#). A [project webpage](#) has been created for the High Street project,



# Town of Carrboro

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301 W. Main St.  
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## Agenda Item Abstract

**File Number:**22-88

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**Agenda Date:** 3/15/2022

**File Type:**Agendas

**In Control:** Board of Aldermen

**Version:** 1

---

**TITLE:**

Economic Development Monthly Report

**PURPOSE:** The purpose of this item is to provide a regular monthly activities and status report.

**DEPARTMENT:** Economic Development

**CONTACT INFORMATION:** Jon Hartman-Brown - 919-391-7846 - JHartman-Brown@TownofCarrboro.org

**INFORMATION:** This is a monthly report of the economic development activities and status updates to the Town Council for informational purposes.

**FISCAL & STAFF IMPACT:** None.

**RECOMMENDATION:** Staff recommend accepting the monthly report.



## Economic Development Department

### Monthly Update Report – February 2022

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#### **ACTIVITY**

- **Attending CBA Marketing, Policy, and Leadership meetings**  
I am currently attending CBA Marketing Committee, Policy Committee, and Leadership Council meetings to network with these business owners and find new ways the Department and the Tourism Development Authority can be a part of their initiatives. The 203 Project and Downtown Parking study have been the center of on-going concerns and discussions with the CBA and their respective committees.
- **Draft Parking Study Submitted, Staff Comments Returned**  
Walker Parking Consultants submitted the draft copy of the Downtown Carrboro Parking Study mid-December. Staff have reviewed the parking study and sent a series of comments back to Walker to provide additional information and response. We anticipate a presentation and release to the Council in March 2022.
- **Business Alliance and ESC Mentor Program Under Development**  
We are working to develop a new program for new businesses in Carrboro to be matched with a local business mentor. While this will be similar to SCORE's services, it will be less structured than SCORE's program and will primarily function as a networking opportunity for new start-ups. Both the CBA and the ESC are encouraged by this program and members are willing to participate. Progress on this program has been delayed due to the COVID-19 Mitigation Grant Program.
- **Wayfinding Program under Development for Downtown**  
I have been working with Public Works and Communication staff regarding finalizing the development of a wayfinding program for downtown and particularly for public parking in downtown. We hope to have it included in the 2022-2023 CIP and Budget.
- **Inter-City Visit Meetings Underway for Fall 2022 Visit**  
I have been working with the Chamber and other jurisdictions to meet and discuss options for moving forward with an Inter-City visit again this year since postponing the 2020 trip. At this point a potential trip to Blacksburg or Asheville coupled with another location look most likely.
- **All Business Briefing Being Scheduled for April**  
In conjunction with the CBA, we will be hosting an All Business Briefing meeting inviting all businesses to join us for a 2 hour event providing an update on business activities in Carrboro. This event will also include networking opportunities and a "vendor hall" where businesses can make connections with our economic development partners at the Small Business Center @ Durham Tech. and Small Business and Technical Development Center @ UNC.
- **BIPOC Business Update**  
Partnering with the Small Business Center at Durham Tech, we are working on

developing some new entrepreneurship curriculum/training that will be targeted toward BIPOC entrepreneurs. The application period is open currently for this program and we'll be advertising the program via the Town Information Centers, email, social media and radio interviews. Scholarships provided by Wells Fargo are available for those who may need them.

## **PROJECTS**

- **Minority Business Roundtable – Implementation**

Current Status: BIPOC Business Roundtable being scheduled for Q2.

Next Steps: Continue to hold BIPOC Business Roundtable Meetings and develop a mentorship program.

Projected Completion: On-going. We anticipate these activities to continue and become a part of the economic development workflow process.

- **Economic Development Strategic Plan – Implementation of the Plan**

Current Status: The ESC has reviewed and accepted the draft goals and strategies that the Comprehensive Plan Taskforce and Teska have created.

Next Steps: ESC will begin the implementation and development of performance measures for their elements of the Comprehensive Plan.

Projected Completion: On-going

- **Downtown Parking Study – Staff Comments Returned to Walker**

Current Status: Staff have provided comments back to Walker for their response and incorporation into the Study.

Next Steps: Walker will make a presentation and release the final study.

Project Completion: February/March 2022

- **COVID-19 Mitigation Business Grants – Checks Starting to be Issued**

Current Status: Many agreements are in the process of being finalized with checks starting to go out the last week of January.

Next Steps: Finish sending out the checks.

Project Completion: January 2022-June 2022

- **203 Project Parking Replacement**

Area	Spaces	Availability	Status	Completion
203 S. Greensboro (203 Project)	-100	24/7	--	
Dispute Settlement Center	+6	24/7	Not started	Q1 2022
CommunityWorx	+12	24/7	Not started	Q1 2022
309 N. Greensboro (Fitch)	+55	Evening & 24 hrs. Weekends	Staff Reviewing Plans	Q1 2022
502B N. Greensboro (Fitch)	+20	24/7	Completed	
300 E. Main (behind ArtsCenter)	+62	Daytime	Completed	
<b>Net Change</b>	<b>+55</b>	<b>--</b>	<b>--</b>	



# Town of Carrboro

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

## Agenda Item Abstract

**File Number:**22-76

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**Agenda Date:** 3/15/2022

**File Type:**Agendas

**In Control:** Board of Aldermen

**Version:** 1

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### **TITLE:**

A Request for a Minor Modification to the Winmore VMU Conditional Use Permit to allow conversion of Lot 179 to three single-family lots and assign the community pool to serve as civic use for the VMU

**PURPOSE:** Town Council is asked to consider approving a Minor Modification to the Conditional Use Permit for Winmore VMU to allow conversion of Lot 179 to three single-family lots and assign the community pool to serve as civic use for the VMU. A resolution approving the modification is attached should the Board choose to approve the request.

**DEPARTMENT:** Planning Department

**CONTACT INFORMATION:** Marty Roupe, Development Review Administrator, 919-918-7333 or [mroupe@carrboronc.gov](mailto:mroupe@carrboronc.gov) <<mailto:mroupe@carrboronc.gov>>

**INFORMATION:** On June 10, 2003, the Board of Aldermen approved a Conditional Use Permit for construction of a Village Mixed Use project at 1400 Homestead Road. The original CUP document is included as *Attachment B*, for reference. Construction proceeded and multiple minor modifications were approved subsequent to the initial approval. One such modification allowed for construction of a community pool to be added, with more information related to the pool included below. Renderings are included for reference for both the original site plan for the overall development and for the community pool facility (*Attachment C*). The project has been nearly completely built out for a number of years at this point, with one remaining issue of significance, that being the use of an existing vacant lot, Lot 179. The lot is depicted in the applicant's materials (*Attachment D*) and its history is further described below.

Lot 179 was originally intended for a building housing a civic use within the Storefront & Townhouse Use Area portion of the development. The building could be used in a number of ways as described in CUP condition number 4. As described by the applicant, in bringing forward a LUO text amendment application in 2017, the market was not conducive to constructing such a building, and the lot simply remained vacant for a number of years.

The aforementioned text amendment was approved in 2017, as shown in an excerpt of the meeting minutes included as *Attachment E*. Subsequent to the text amendment being approved, the applicant began further exploring development plans and ideas for use of the lot as well as how to fulfill the civic use obligation within

the development, including discussions with the Homeowner's Association (HOA) regarding what ultimately would be brought forward as a Minor Modification request. While multiple ideas were considered, the HOA and developer ultimately agreed to bringing forward a request to create three single-family lots out of Lot 179 and to allow the community pool to serve as the civic use area for the development. The HOA has provided a letter supporting the request while also expressing some other issues of concern that are to be worked out by way of continuing discussions with the developer. The HOA's letter is included as *Attachment F*. The two matters in the HOA's letter involving the town, numbers 2 and 3, are addressed in the resolution provided. Town staff finds it acceptable for the subject parking space described to be removed, and town staff, including the town engineer, will work with the applicant when approving the plot plans for the three houses to minimize drainage issues associated with the alleyway, as requested, if the resolution approving the modification is approved.

In more detail, the decisions before Council related to the application are as follows:

- 1) Whether to allow Lot 179 to be converted to three single-family lots. A close look at the plat included with the application actually shows four lots and a newly created extension of the existing private alley. The alley will serve as a rear-loaded access point and driveway connection location consistent with other single-family areas in the development. The fourth lot shown will be dedicated to the HOA as additional / new common open space for the development. The development already contains 41% open space, exceeding the LUO requirement, so this lot would add to the overall percentage set aside as open space. If the Minor Modification request is approved, the subject lot automatically converts from Storefront & Townhouse Use area to Single-Family Use area with respect to the previously approved Master Plan for the VMU.
- 2) Whether to allow the community pool facility to serve as the civic use area / facility for the development. Various ideas have been discussed for how to fulfill the civic use, and the applicant ultimately chose to bring forward the application with the pool serving as the facility. The text amendment approved in 2017 does allow for this request to be approved as brought forward, should Council choose to agree with the request.

Note that Town Council is not required to but always may choose to call a public hearing before making a decision on a Minor Modification request.

**FISCAL & STAFF IMPACT:** No fiscal or staff impacts are noted beyond creating and presenting this agenda item, with the exception to some change to tax base impacts associated with converting the civic lot to single-family home use.

**RECOMMENDATION:** Town staff requests that Town Council consider, deliberate, and make a decision regarding the CUP Minor Modification request. A resolution allowing the conversion of Lot 179 to single-family use and allowing the community pool to serve as the civic use for the development is attached should Council choose to approve the request.

The following resolution was introduced by Council Member \_\_\_\_\_ and duly seconded by Council Member \_\_\_\_\_.

**A RESOLUTION APPROVING A MINOR MODIFICATION TO THE WINMORE VILLAGE MIXED USE CONDITIONAL USE PERMIT PROJECT AT 1400 HOMESTEAD ROAD FOR THE CONVERSION OF LOT 179 INTO THREE SINGLE-FAMILY HOME LOTS AND ALLOWING THE COMMUNITY POOL TO SERVE AS THE CIVIC USE AREA / FACILITY FOR THE DEVELOPMENT.**

**WHEREAS**, the Carrboro Board of Aldermen approved a Conditional Use Permit for the Winmore Village Mixed Use Project at 1400 Homestead Road on June 10, 2003; and

**WHEREAS**, the Town of Carrboro desires to see developments constructed in the Town's jurisdiction in a responsible and marketable manner; 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** by the Carrboro Town Council that the Minor Modification to the Winmore Village Mixed Use Conditional Use Permit is hereby approved. This approval authorizes:

-Removing existing condition 4 on the original CUP in favor of changing the subject lot to Single-Family Use area designation on the Master Plan, and

-Allowing for the creation of four lots and a private alley area to be created from Lot 179. Three of the lots will be for one single-family home each, and the applicant has agreed to dedicate the fourth lot to the HOA as additional common open space for the development, and

-Allowing the existing community pool to serve as civic use area / facility for the development, and

-Removing an on-street parking space at the corner of Atterbury Street and East Winmore Avenue, and

-Review and approval by the town engineer of plot plans for the three single-family lots, those being lots 179 A through C, in a manner that minimizes any additional surface runoff from the lots into private alley number 6.

This the 15<sup>th</sup> day of March 2022.





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FILED Joyce H. Pearson  
Register of Deeds Orange COUNTY, NC  
BY:

FILED Joyce H. Pearson  
Register of Deeds Orange COUNTY, NC  
BY: Deputy Wendy K. Dixon

*William B. Brown*  
ABS

*MS*

**PREPARED BY AND RETURN TO:**

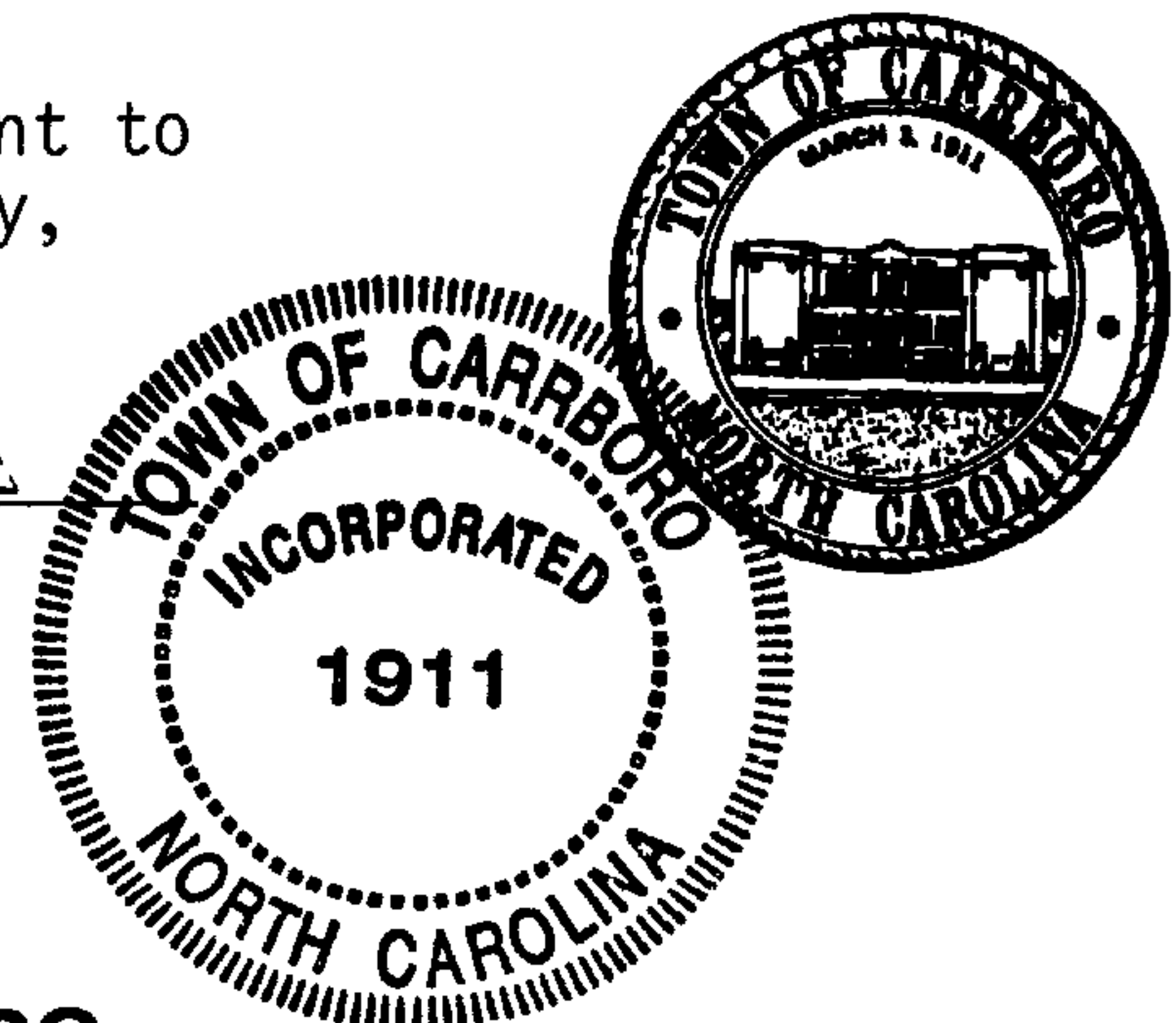
TOWN CLERK  
TOWN OF CARRBORO  
301 West Main Street  
CARRBORO, NORTH CAROLINA 27510

RE-RECORDING STATEMENT:

The Town of Carrboro is re-recording this document to remove an incorrect tax map number. Specifically, Tax Map #7.109..11 should read 7.109..11B.

*Sarah C. Williamson*  
Town Clerk

**ORANGE COUNTY  
NORTH CAROLINA**



**TOWN OF CARRBORO  
CONDITIONAL USE PERMIT GRANTED**

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:

<b>APPLICANT:</b> Winmore Land Management, Inc.
<b>OWNERS:</b> Annie H. Collier, Bryan and Helen Yates, Fay H. Daniel
<b>PROPERTY LOCATION (Street Address):</b> 1318 Homestead Road, 1400 Homestead Road, 1410 Homestead Road, and 700 Lake Hogan Farm Road
<b>TAX MAP, BLOCK, LOT(S):</b> 7.109..11, 7.109..11C, 7.109..11D and 7.109..15 <i>9779-59-5501 9779-49-2200 9779-29-7157 9779-48-0734</i>
<b>PROPOSED USE OF PROPERTY:</b> Village Mixed Use Development - Village Mixed Use Architecturally Integrated Subdivision of 98 Single-Family Lots, 66 Multi-Family Townhome Lots, 68 Multi-Family Apartments, and 20 Commercial Lots
<b>CARRBORO LAND USE ORDINANCE USE CATEGORY:</b> 32.000 (VMU). For the residential areas (1.111, 1.321, 1.331), all uses listed under 15-176.2(b)(2)(a and b) (as of 11-26-02) are allowed. For the commercial areas, all uses listed under B-3-T and O/A in the Table of Permissible Uses (as of 11-11-02) are allowed.
<b>MEETING DATES:</b> May 27, May 28, June 3, June 10, 2003

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 pointed out specifically to the 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 the development is approved as presented, per Section 15-176.2(a)(1) and 15-176.2(b) of the Carrboro Land Use Ordinance.

4. That a proposed civic use is hereby permissible on the 'proposed future civic use' lot as a part of this development, but any project proposed to be constructed on the 'proposed future civic use' lot shall be subject to a separate CUP review and approval process. Further, that the following use categories shall be permissible on the civic use lot: 5.200, 5.300, 6.110, 6.121, 6.140, 13.000, 15.100, 15.800, 22.200, 22.300, as well as meeting halls and schools.

5. That arrangements be made to assure the continued affordability of 48 units within the development. Specifically, the 24 units proposed in the affordable apartment complex and the 24 units that may be proposed at a later date on the 'co-op' lot (lot #99) shall be restricted in a manner that is consistent with the language found in Section 15-182.4 of the Carrboro Land Use Ordinance. The restrictions must be reviewed and approved by the Town Attorney, and must be in place prior to final plat approval.

6. That 24 apartment units (Use. 1.331) are permissible on the "co-op" lot (Lot #99) as part of this development, but that any project proposed to be constructed on the "co-op" lot will be subject to a separate CUP review and approval process.

7. That no additions or interior renovations designed to increase the heated square footage of the size-limited units can be approved/completed within the first year following the issuance of the Certificate of Occupancy per Section 15-188(e) of the Carrboro Land Use Ordinance. This statement must also be included on the recorded final plat and reference the applicable 'size-limited unit' lots.

8. That 'Homeowner's Association (HOA) Documents' (for both the residential and commercial portions of the project) be reviewed and approved by the Town Attorney prior to final plat approval, and that the HOA documents include the language found in a letter from Winmore Land Management dated February 18, 2003 regarding permissible uses in residential districts.

9. That all cross-sections shown on the construction plans shall show utility line locations for all proposed utilities, that all proposed roads and bridges shall comply with Town of Carrboro and/or NCDOT TND road and bridge standards, and that full compliance shall be demonstrated on the construction plans for the project, except where specific deviations to those standards are permitted by the granting of this CUP for Olmsted Drive, which represents a hybrid of Town standards and NCDOT standards.

10. That the applicant realign the proposed sidewalk on the construction plans so that it will fall completely within the existing NCDOT right-of-way, and that the 'end-point' for the sidewalk construction shall be where it ties in with the existing sidewalk on the south side of Camden Lane. Further, that the applicant agrees to construct intersection improvements at the Homestead Road/High School Road intersection shown in Exhibit A, subject to approval by NCDOT (and acquisition by NCDOT of any necessary additional right-of-way), or reasonable, alternative intersection improvements as required by NCDOT. The Homestead/High School



Road intersection improvements must be completed prior to the issuance of a Certificate of Occupancy for the 117<sup>th</sup> primary residential dwelling unit.

11. That the applicant must obtain a driveway permit from NCDOT prior to construction plan approval.

12. That the Board of Aldermen chooses the parkway design presented on Sheet 3a of the plans, and that the parkway design, including the 12-foot wide pedestrian/bicycle path be included on the construction plans.

13. That a 'speed-table' or other traffic calming feature from the Town's Residential Traffic Management Plan be added to the plans at the construction plan stage, on Winmore Avenue, immediately to the west of the Bolin Creek bridge crossing.

14. That the Board of Aldermen chooses the originally proposed alignment of Kiley Street and Atterbury Street, allowing an offset between the intersections where they intersect with Winmore Avenue.

15. That all sight triangle easements be free of street trees and other obstructions and be shown as such on the construction plans.

16. That the construction plans and final plat for the project include a 'private' label for the proposed 8-foot pedestrian way easements between Lots 4 and 5 and Lots 8 and 9.

17. That the construction plans for the project shall include design configurations for the two proposed bus stop locations and that the developer shall build the bus stops during road construction for the project. Further, the Board finds acceptable the use of the future bus stop locations as on-street parking areas until such time as Chapel Hill Transit provides service to the development.

18. That the applicant provide a diagonal parking plan for Lot H on the construction plans, consistent with the one-way traffic flow pattern presented for Burroughs Lane.

19. That the applicant must receive approval of a minor modification to the CUP before making use of the proposed 'overflow parking area' identified on the project plans, and that the applicant must obtain formal permission from Duke Power to make such use of the area before obtaining modification approval.

20. That the 'multi-use field' note be removed from the proposed 'overflow parking' area on the construction plans.

21. That the Homeowner's Association documents for the project shall include language specifically providing that on residential lots the required number of off-street parking spaces, including spaces in enclosed or partially enclosed garages, will be maintained for use as parking spaces.

22. That, if NCDOT deems it necessary, the proposed 17 willow oak trees alongside Homestead Road not be included on the construction plans.

23. That the applicant modify the lighting plan to the satisfaction of the Public Works Department with regard to the developer and homeowner's association being responsible for the additional costs associated with the placement of decorative lights around the main roundabout traffic circle prior to construction plan approval.

24. That the developer provide a written statement from the electrical utility stating that electric service can be provided to all locations shown on the construction plans prior to the approval of the construction plans.

25. That the applicant further explore the possibility of including a 'linear stormwater infiltrator system' in the project, and that the stormwater feature may be included on the

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construction plans if the Town Engineer and Town's Environmental Planner are satisfied with evidence presented by the applicant with regard to the workability and potential success of such a system on the site. If the feature is approved, then the applicant shall be allowed to modify the other stormwater features on the site at the construction plan level, so long as the Town Engineer confirms that the final stormwater-related aspects of the plan do comply with the requirements of the Carrboro Land Use Ordinance.

26. That if the 'linear stormwater infiltrator system' is approved, then the applicant shall include notations on the construction plans for the project establishing that the Winmore Homeowner's Association will be responsible for the maintenance of the feature, even though it is contained within a Town of Carrboro Public Access Easement.

27. That the applicant reconfigure the proposed locations of stormwater pipes wherever possible, so that pipes are contained within the public right-of-way, or that the applicant include stormwater easements on the construction plans and on the final plat on any lots that still contain any portion of the public stormwater piping system.

28. That the applicant 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 project. Digital as-builts should be in DXF format and shall include a base map of the whole project and all separate plan sheets. As-built DXF files should include all layers or tables containing storm drainage features. Storm drainage features should be clearly delineated in a data table. The data should be tied to horizontal controls.

29. That an application for a "No Impact Certification" or Conditional Letter of Map Revision (CLOMR) must be submitted to FEMA by the developer for the Bolin Creek crossing prior to the construction plans being approved. No construction governed by the issuance of a CLOMR or No Impact Certification may take place until certifications are issued.

30. That if a Letter of Map Revision (LOMR) must be obtained from FEMA, that such letter must be obtained prior to final plat approval.

31. That a 404 National Wetlands Permit from the US Army Corp of Engineers and a 401 Water Quality Certification from NCDENR's Division of Water Quality be obtained by the developer prior to the constructions plans being approved.

32. That the applicant must obtain all necessary temporary construction easements and permanent easements related to the project before construction plan approval, and that all easements shall be labeled appropriately on the construction plans and, for permanent easements, on the final plat.

33. That the 30-foot Town of Carrboro Public Access Easement be extended the entire length of the existing driveway so as to provide a possible public access point to the greenway from Homestead Road, and that this extension be shown on the final plat for the project.

34. That the applicant must receive approval of a detailed striping plan for the proposed pedestrian/bicycle trail prior to construction plan approval, and that the cross-section and striping plan must be shown on the construction plans. Additionally, the construction plans must show separation devices where roads and trails come together at bridge crossings to ensure pedestrian and bicycle safety.

35. That the Winmore Homeowner's Association documents shall stipulate that the playfields included in the development shall be cared for or otherwise maintained without the use of chemical fertilizers or pesticides.

36. That when building permit plans for each storefront and townhouse use building are submitted, the plans shall be forwarded to the Carrboro Appearance Commission for review prior to the issuance of the building permit.



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37. That prior to construction plan approval, the applicant shall submit to the Town staff copies of contractual agreements with third-party builders for the construction of the 24-unit affordable housing apartment building and the construction of the 24-unit cooperative housing area identified on the plans as Lot 99, as well as a complete conditional use permit application for the 24-unit cooperative housing area on Lot 99. The contractual agreements shall include language referencing an anticipated review and construction schedule, and shall state that upon receiving the land, the third-party builders agree to construct the affordable housing within a specified timeframe. The contractual agreements shall be reviewed and approved by the Town Attorney.

38. That the applicant shall offer 7 townhome units to Orange Community Housing and Land Trust at a price consistent with the language found in Section 15-182.4 of the Carrboro Land Use Ordinance.

39. That the final plat for the project include an offer of dedication to the Town of Carrboro for the land along and near Bolin Creek totaling approximately 27 acres as shown on Exhibit B. Also, prior to final plat approval, the applicant shall submit for review and approval by the Town Attorney an encroachment agreement or easement document that provides to the Winmore Homeowner's Association a right of access to and maintenance responsibilities for all recreation facilities and stormwater features located within the open space. The encroachment agreement or easement document must be recorded with the final plat for the project.

40. That the design of the stormwater wetland be modified to soften the edges and give it more of an appearance of a natural wetland.

41. That the developers consider changing some of the specific plants scheduled for the wetland unit.

42. That fully shielded lighting fixtures (as defined by International Dark Sky Association's Lighting Fixtures Guidelines) be installed along public streets, rather than cobra heads, to reduce light pollution and that the lights be similar in look and function to the lights being used along the private streets within the development. And, that the applicant modify the lighting plan to the satisfaction of the Public Works Department with regard to the developer and homeowner's association being responsible for the additional costs associated with the placement of such lights.

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

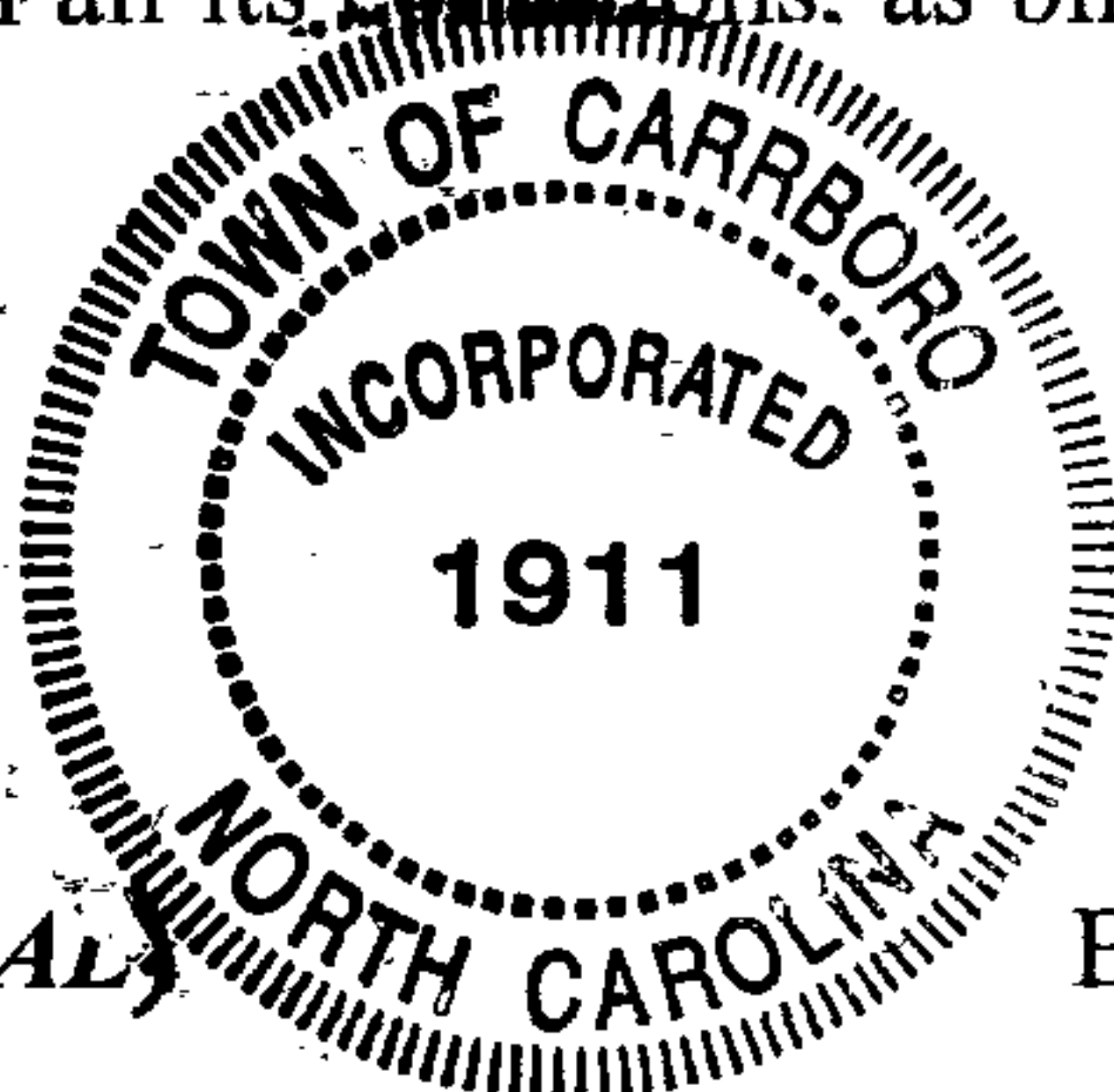
IN WITNESS WHEREOF, the Town of Carrboro has caused this permit to be issued in its name, and the undersigned being all of the property above described, do hereby accept this



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Conditional Use Permit, together with all its conditions, as binding upon them and their successors in interest.



THE TOWN OF CARRBORO

ATTEST:

Sarah C. Williamson (SEAL)  
Town Clerk

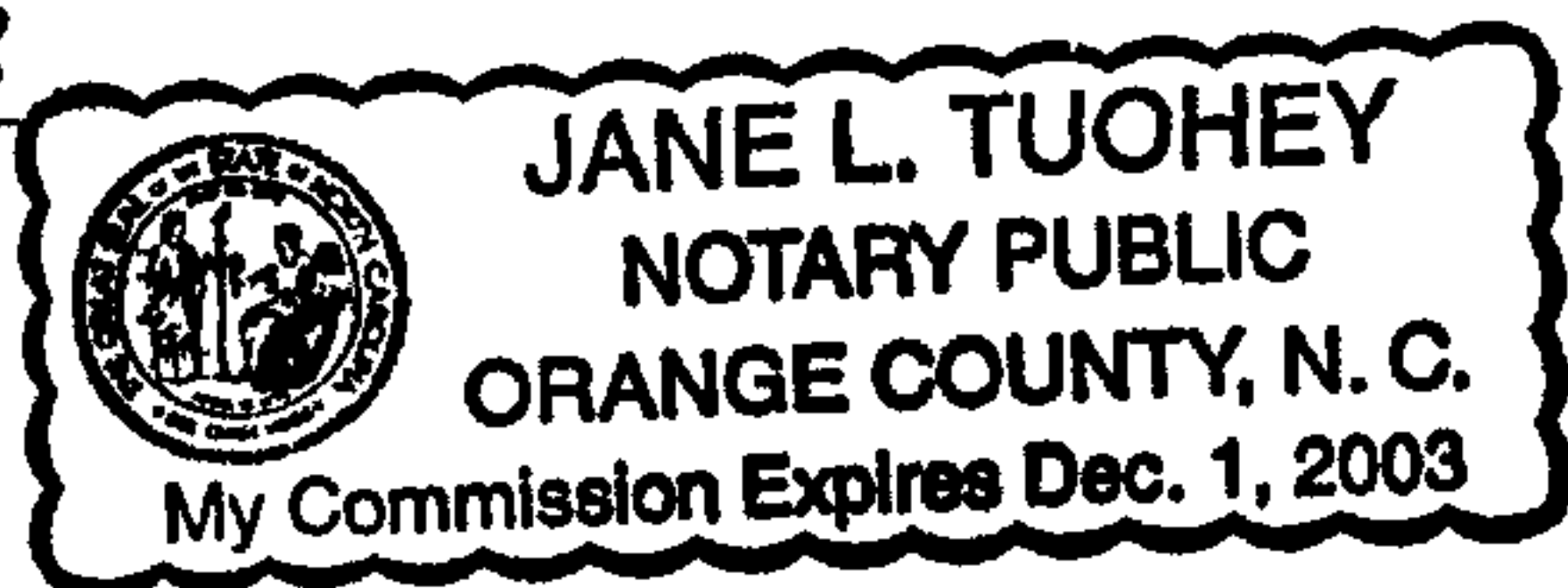
BY Michael B. Brough  
Interim Town Manager

STATE OF NORTH CAROLINA

COUNTY OF ORANGE

I, Jane L. Tuohey, 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 Michael B. Brough, Interim 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 19 day of August, 2003



Jane L. Tuohey (SEAL)  
Notary Public

My Commission Expires: 12-01-2003

I, Annie H. Collier, owner, do hereby acknowledge receipt of this Conditional Use Permit. The undersigned owner does further acknowledge that no work may be done pursuant to this permit except in accordance with all of its conditions and requirements and that this restriction shall be binding upon them and their successors in interest.

Fay H. Daniel  
Owner  
Attorney in fact  
for Annie H. Collier

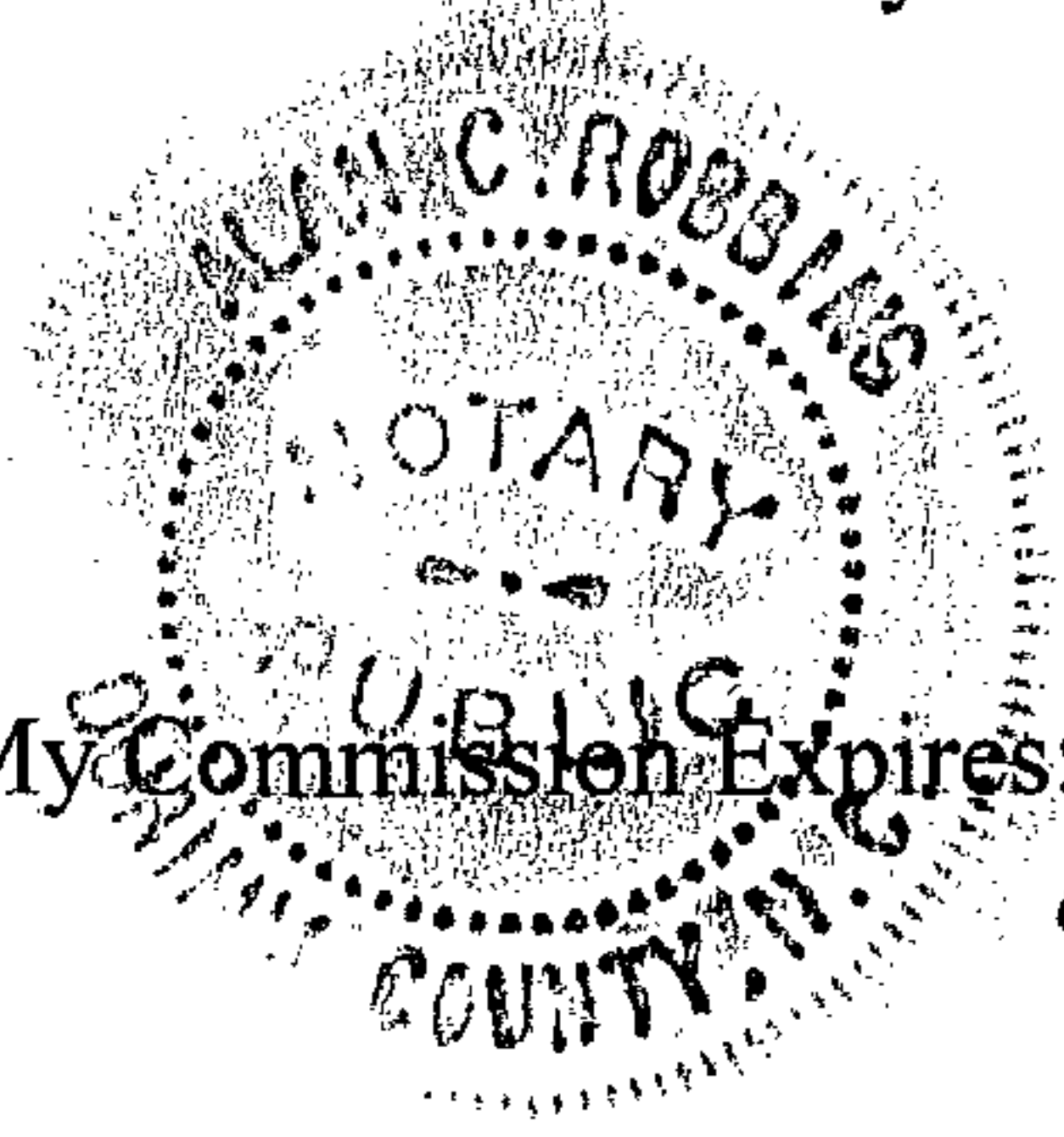
NORTH CAROLINA

~~ORANGE COUNTY~~

Durham

I, Alan C. Robbins, a Notary Public in and for said County and State, do hereby certify that Annie H. Collier appeared before me this day and acknowledged the due execution of the foregoing instrument.

WITNESS my hand and notarial seal this the 5<sup>th</sup> day of August, 2003



My Commission Expires: Jan. 29, 2006

Alan C. Robbins  
Notary Public



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We, Bryan and Helen Yates, owners, do hereby acknowledge receipt of this Conditional Use Permit. The undersigned owners do further acknowledges that no work may be done pursuant to this permit except in accordance with all of its conditions and requirements and that this restriction shall be binding upon them and their successors in interest.

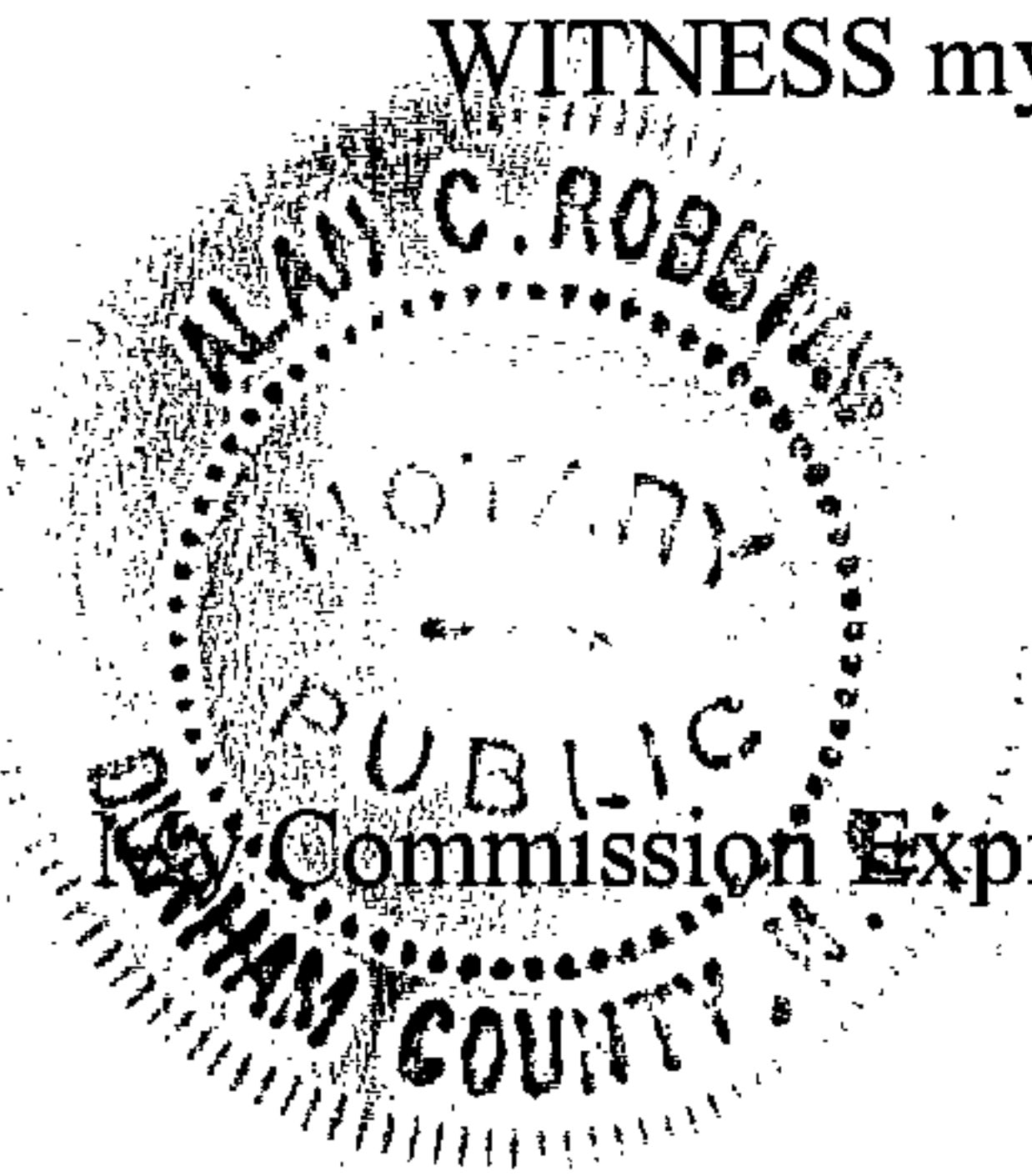
Bryan R Yates  
Owner

Helen H Yates  
Owner

NORTH CAROLINA  
ORANGE COUNTY  
DURHAM

I, Alan C. Robbins a Notary Public in and for said County and State, do hereby certify that Bryan and Helen Yates appeared before me this day and acknowledged the due execution of the foregoing instrument.

WITNESS my hand and notarial seal this the 5<sup>th</sup> day of August, 2003



My Commission Expires:

Jan. 29, 2006

Alan C. Robbins  
Notary Public

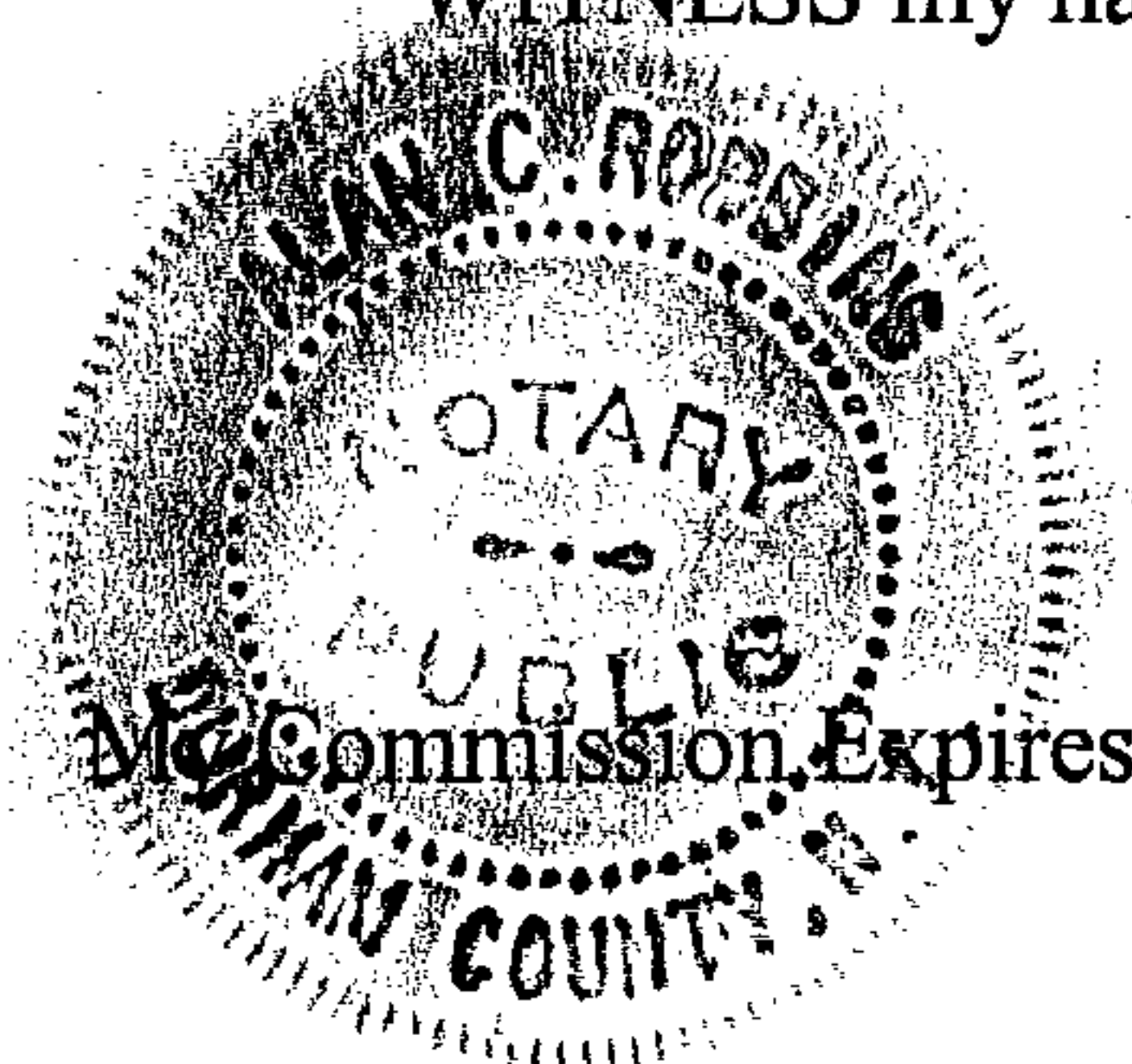
I, Fay H. Daniel, owner, do hereby acknowledge receipt of this Conditional Use Permit. The undersigned owner does further acknowledges that no work may be done pursuant to this permit except in accordance with all of its conditions and requirements and that this restriction shall be binding upon them and their successors in interest.

Fay H. Daniel  
Owner

NORTH CAROLINA  
ORANGE COUNTY  
Durham

I, Alan C. Robbins, a Notary Public in and for said County and State, do hereby certify that Fay H. Daniel appeared before me this day and acknowledged the due execution of the foregoing instrument.

WITNESS my hand and notarial seal this the 5<sup>th</sup> day of August, 2003



My Commission Expires:

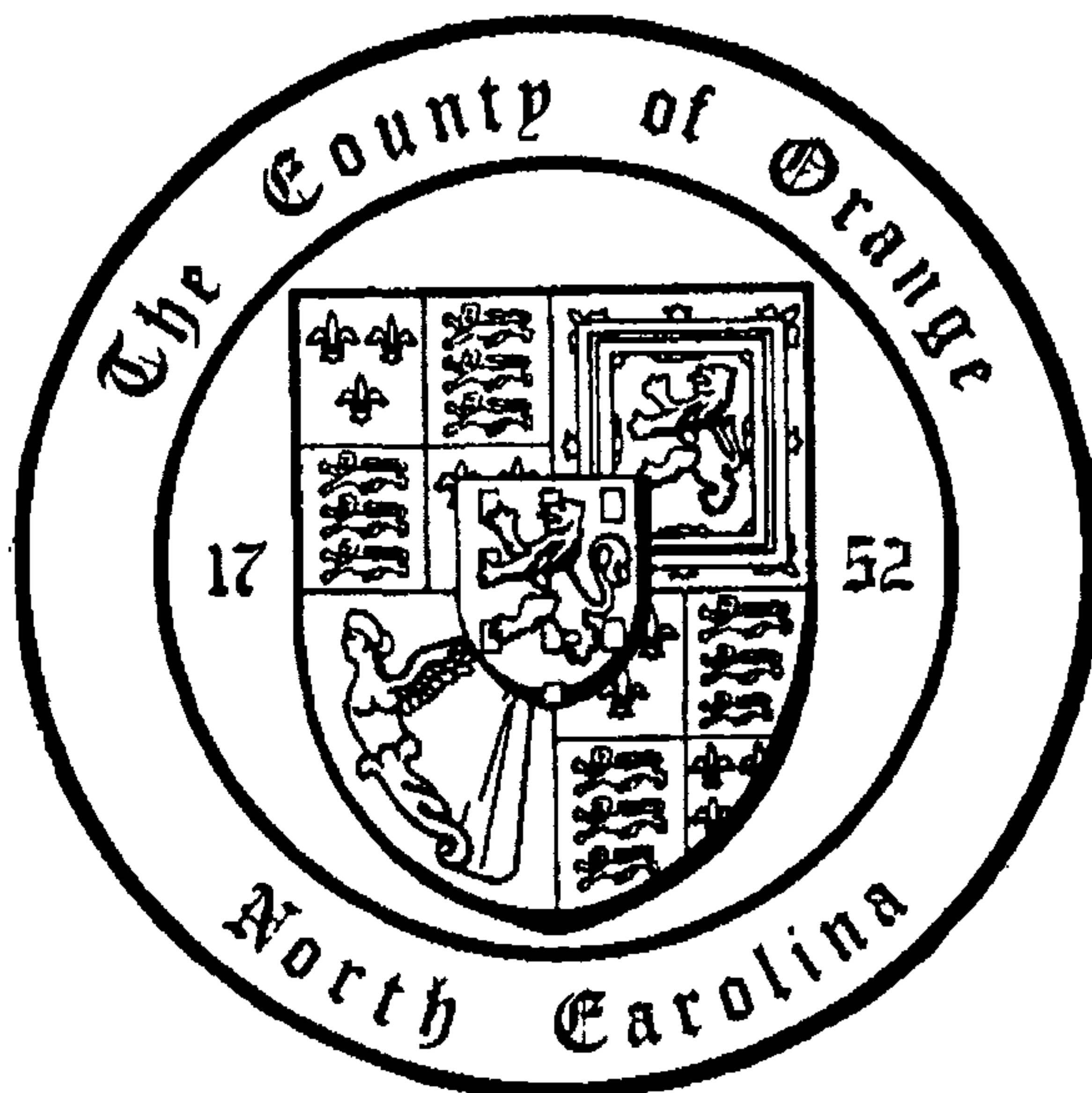
Jan. 29, 2006

Alan C. Robbins  
Notary Public

(Not valid until fully executed and recorded)

20041123000424210 PRMIT  
Bk:RB3617 Pg:102  
11/23/2004 04:38:07PM 8/11

20031104002553600 PRMIT  
Bk:RB3253 Pg:82  
11/04/2003 04:37:13PM 8/11



Joyce H. Pearson  
Register of Deeds  
Orange County  
North Carolina

---

**State of North Carolina, County of Orange**

The foregoing certificate(s) of ALAN C. ROBBINS -2nd ONE PG 7 ONLY, NOTARY PUBLIC, JANE L. TUOHEY, NOTARY PUBLIC for the Designated Governmental units is/are certified to be correct. See filing certificate herein.

This day November 4, 2003.

Joyce H. Pearson, Register of Deeds

BY:

*Wendy R. Dixon*  
Deputy / Assistant Register of Deeds

20041123000424210 PRMIT  
**Bk:RB3617 Pg:103**  
11/23/2004 04:38:07PM 9/11

20031104002553600 PRMIT  
**Bk:RB3253 Pg:83**  
11/04/2003 04:37:13PM 9/11

STATE OF NORTH CAROLINA  
COUNTY OF ORANGE

The foregoing certificate(s) of \_\_\_\_\_ Notary/Notaries  
Public of the designated governmental units (is) (are) certified to be correct.

This the \_\_\_\_ day of \_\_\_\_\_, A.D. 20\_\_\_\_.

\_\_\_\_\_  
**Register of Deeds**

By: \_\_\_\_\_  
**Assistant/Deputy Register of Deeds**

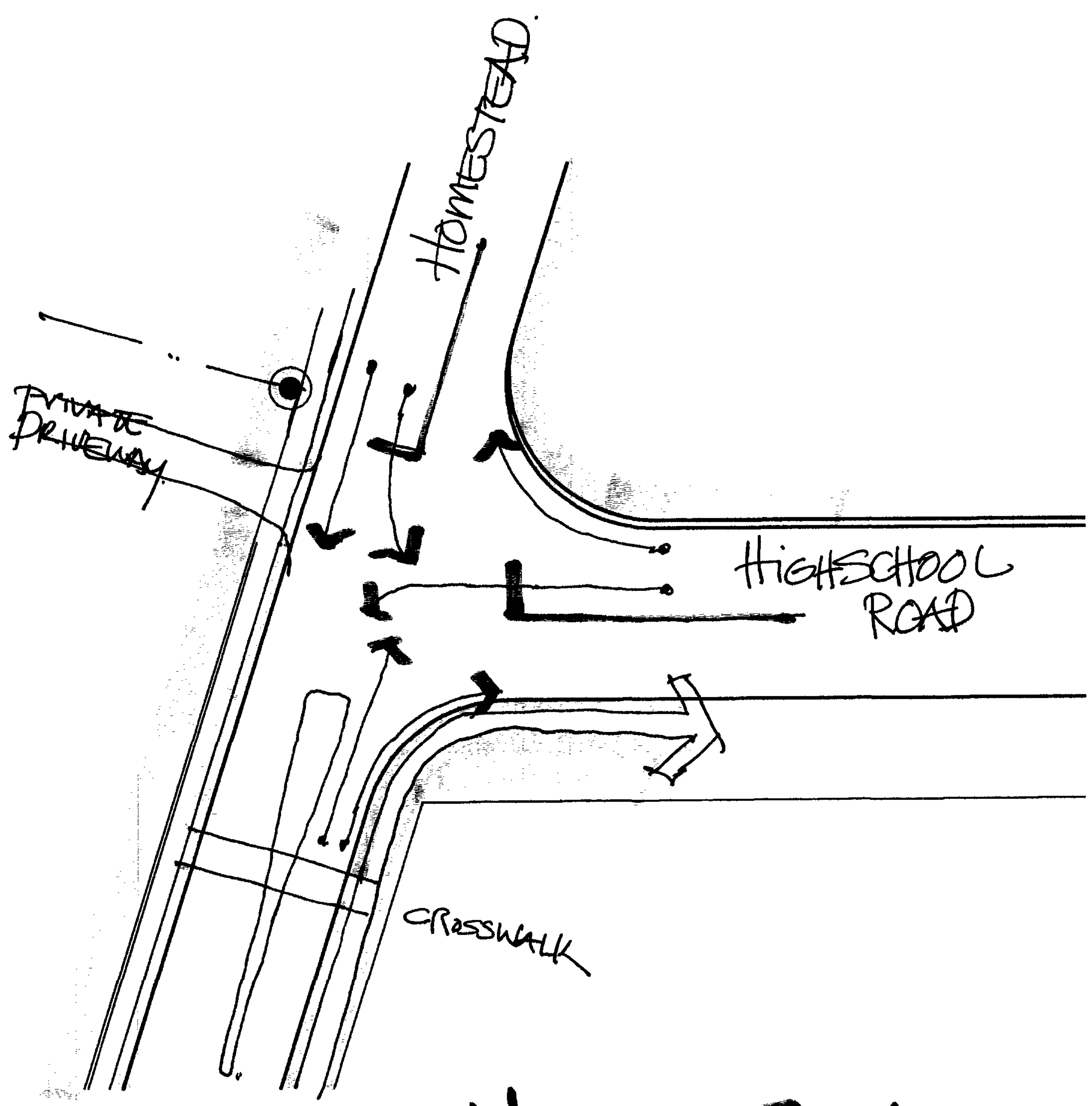
**PREPARED BY AND RETURN TO:**  
  
**TOWN CLERK  
TOWN OF CARRBORO  
301 West Main Street  
CARRBORO, NORTH CAROLINA 27510**



20041123000424210 PRMIT  
Bk:RB3617 Pg:104  
11/23/2004 04:38:07PM 10/11

20031104002553600 PRMIT  
Bk:RB3253 Pg:84  
11/04/2003 04:37:13PM 10/11

EXHIBIT "A"



HIGH SCHOOL  
RD INTERSECT.

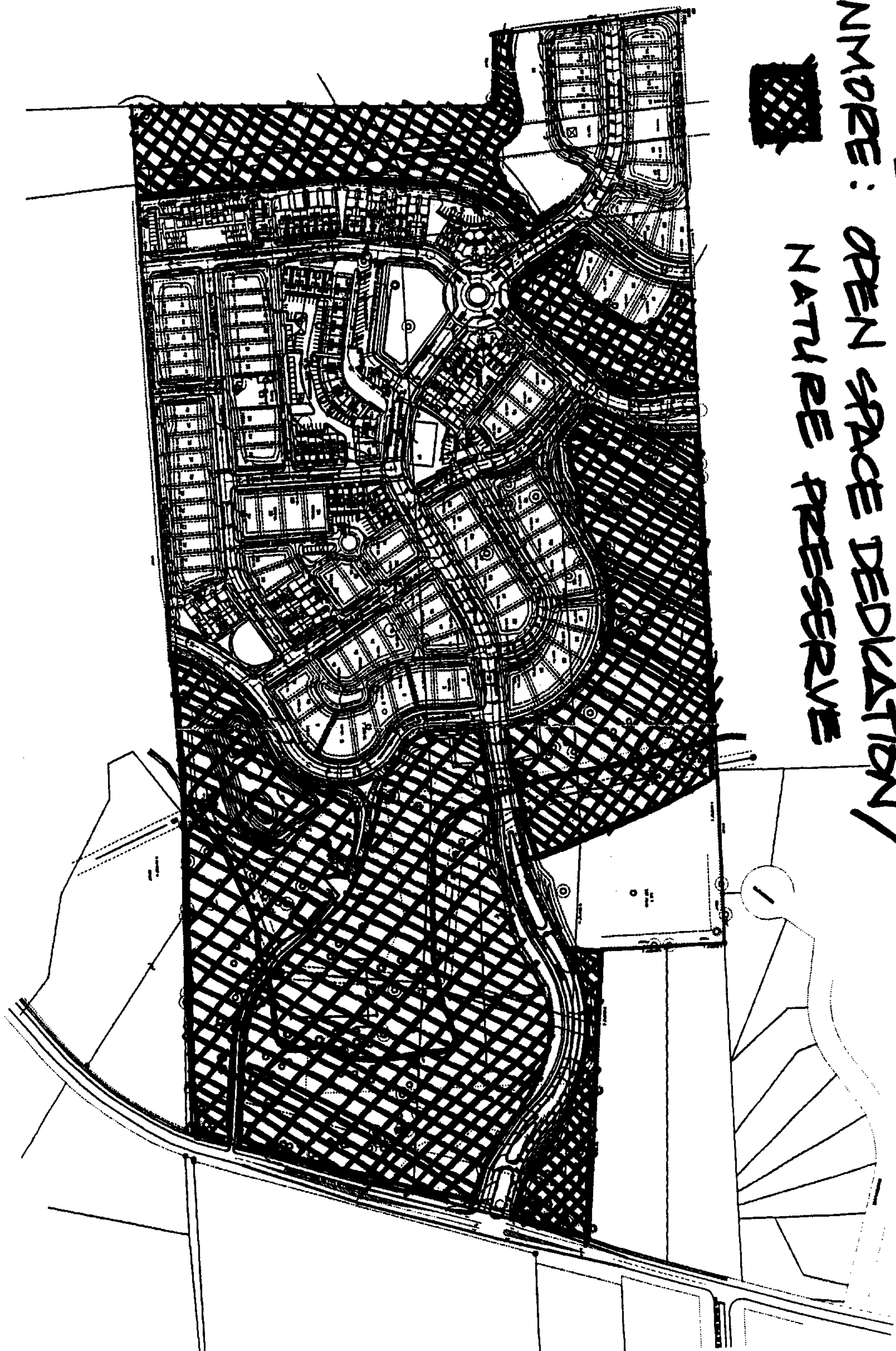
THIS MAP IS NOT A CERTIFIED SURVEY AND HAS NOT BEEN  
REVIEWED BY A LOCAL GOVERNMENT AGENCY FOR  
COMPLIANCE WITH ANY APPLICABLE LAND  
DEVELOPMENT REGULATIONS.

20041123000424210 PRMIT  
Bk:RB3617 Pg:105  
11/23/2004 04:38:07PM 11/11

20031104002553600 PRMIT  
Bk:RB3253 Pg:85  
11/04/2003 04:37:13PM 11/11

THIS MAP IS NOT A CERTIFIED SURVEY AND HAS NOT BEEN  
REVIEWED BY A LOCAL GOVERNMENT AGENCY FOR  
COMPLIANCE WITH ANY APPLICABLE LAND  
DEVELOPMENT REGULATIONS.

**EXHIBIT #B**  
**WINMORE: OPEN SPACE DEDICATION/  
NATURE PRESERVE**





02 PRELIMINARY PLANT SCHEDULE

TREES	BOTANICAL	COMMON
COR FLO	CORNUS FLORIDA	EASTERN DOGWOOD
LAG POT	LADENSTROEMIA INDICA 'POTOMAC'	POTOMAC GRAPE MYRTLE
MAG LIT	MAGNOLIA GRANDIFLORA 'LITTLE GEM'	DWARF SOUTHERN MAGNOLIA
QUE PHE	QUERCUS PHELLOS	WILLOW OAK
SHRUBS	BOTANICAL	COMMON
BER KOB	BERBERIS THUNBERGII 'KOBOLD' TM	KOBOLD BARBERRY
BUD PUR	BUDDLEIA DAVIDII 'NANHO PURPLE'	NANHO PURPLE BUTTERFLY BUSH
CLE MOS	CLEMATIS HYBRID 'NELLY MOSER'	NELLY MOSER CLEMATIS
ILE COM	ILEX CRENATA 'COMPACTA'	DWARF JAPANESE HOLLY
JUN DAV	JUNIPERUS DAURICA 'EXPANSA'	PARSON'S JUNIPER
LOR BUR	LOROPETALUM CHINENSE RUBRUM 'BURGUNDY'	BURGUNDY LOROPETALUM
MIS SAR	MISCANTHUS SINENSIS 'SARABANDE'	SARABANDE EULALIA GRASS
NAN POW	NANDINA DOMESTICA 'FIRE POWER'	FIREPOWER NANDINA
ROS RAD	ROSA 'RADIANT'	BLUSHING KNOCKOUT ROSE
SHRUB AREAS	BOTANICAL	COMMON
JUN BLP	JUNIPERUS CONFERTA 'BLUE PACIFIC'	COMMON BLUE PACIFIC JUNIPER
LIR BIG	LIRIOPE MUSCARI 'BIG BLUE'	BIG BLUE LIRIOPE
MUH CA2	MUEHLBERGIA CAPILLARIS	PINK MUHLY
PAN DAL	PANICUM VIRGATUM 'DALLAS BLUES' TM	DALLAS BLUES SWITCH GRASS
GROUND COVERS	BOTANICAL	COMMON
ANN	ANNUALS	ANNUALS
HEM ORO	HEMEROCALLIS HYBRID 'STELLA DE ORO'	STELLA DE ORO DAYLILY
SLOPE M	SLOPE MIX	DROUGHT TOLERANT SLOPE MIXED TM

**CLINE  
DESIGN**

125 N. Harrington St.  
Raleigh, NC 27603  
919/833-6413  
919/836-1280 FAX  
ClineDesignAssoc.com

THE JOHN R. McADAMS  
COMPANY, INC.  
2000 W. PLANTATION DRIVE  
BOCA RATON, FLORIDA 33433  
P.O. BOX 14005 ZIP 33499-0005  
(954) 991-6000

Capkov Ventures, Inc  
**Winmore Swim Club**  
Carboro, North Carolina

CUP MINOR  
MODIFICATION

PROJECT: 08230  
DATE: 01.18.2007  
REVISIONS: DATE

DRAWN BY: EWB  
CHECKED BY: MWL

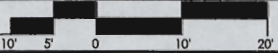
PRELIMINARY POOL  
LANDSCAPE PLAN

**LP1.10**



01 PRELIMINARY LANDSCAPE PLAN

Scale: 1" = 10'









# Capkov Ventures

Developing Homes And Communities Since 1954, In Chapel Hill Since 1972.



Patricia McGuire  
Planning/ Zoning Administrator  
Town of Carrboro  
301 West Main Street, Second Floor  
Carrboro, North Carolina 27510

Dear Carrboro Town Council,

Capkov Ventures has been the developer of the Winmore Community since approved by the Town of Carrboro eighteen years ago. The development work was completed in May of 2007 when we recorded the final plat for the community. We developed and built homes in Winmore through one of the worst recessions in the United States since the Great Depression. It was difficult and involved years of losses, but we survived and built the community as it was envisioned. Winmore has the most ambitious affordable housing contribution ever made in the Town of Carrboro with 58 affordable units available to those earning 60% or less of the median income, and 36 size restricted homes. In Winmore over 35% of the homes were built to be affordable. Winmore has enforced Architectural Guidelines and a Green Building Code which have significantly shaped the look and sustainability of the community.

We now have only one lot remaining in Winmore and are requesting a Minor Modification to the Winmore Conditional Use Permit to subdivide Winmore lot #179 into three (3) single family lots. The three new lots will be the same size and of the same configuration as the adjacent single-family lots along East Winmore Avenue and Atterbury Drive.

Lot #179 is the last lot in Winmore that has not been built upon. As originally conceived, the lot was designed to have a 10,000 square foot commercial building where a variety of commercial uses were identified in the Conditional Use Permit. The uses approved by the Carrboro Board of Aldermen were:

1. Movie Theater.
2. Church.
3. Bowling Alley.
4. Library.
5. Meeting Hall.
6. Community Center.
7. Gym.

### 8. Indoor Recreational Use.

We have tried to sell the lot under the approved uses as well as a wide array of alternative commercial uses and there has been absolutely no interest. We have maintained and paid property taxes on lot 179 for the last 18 years. The primary reason for the lack of interest is the complete lack of parking to facilitate any type of business, including the options specifically laid out in the Conditional Use Permit. Additional factors include the fact that the lot has no exposure from a major roadway to support a business, neighborhood concerns about additional traffic, and the inconsistency of a 10,000 square foot commercial building with the surrounding residential uses. Winmore was the first, and to date the only, Village Mixed Use community in Carrboro. It was an experiment that has not been replicated. The “Civic Use Lot” as lot 179 was labeled seemed like a good place holder for the design team when the Winmore community was in its conceptual phase, but the practical reality is that the potential uses don’t work for the reasons outlined above. The designated uses are incompatible with the surrounding homes and the available infrastructure is insufficient to support such uses.

We have spent the last several years trying to come up with a use that is viable and compatible with the existing neighborhood. The carrying cost of the lot is significant. We have spent \$94,600 in property taxes alone since the lot was created (See Exhibit H). Insurance and interest carry are formidable cost as well. Two years ago, we signed a purchase and sale contract to sell lot 179 to a builder who wanted to build a 12-unit condominium building. We thought it was a good fit within the mixed-use, primarily residential community. The building would have utilized the same footprint as the 10,000 square foot commercial building shown on the approved plans. After over a year of meetings and discussions with the Winmore Homeowners Association it was decided that the Winmore community could not support the construction of a 12-unit condominium building. The primary concerns were related to the increased traffic, parking, and inconsistency with the surrounding homes.

We went back to the drawing board and have come up with a plan that would address all of the communities’ concerns by creating only three single family lots. The three lots would be the same size as the other single family home lots on East Winmore Avenue and the new homes would fit seamlessly into the existing neighborhood. The proposed plan was not considered previously because of the complexity and cost of extending water and sewer services to the lot. Lot 179 is currently served by a single 2” water line and a single 4” sewer line set at the far eastern corner of the lot (See attached Exhibit A). There is no sanitary sewer main line in front of the lot along East Winmore Avenue. This was a significant obstacle because extending the sewer main would have required a 30’ OWASA easement. This could not be accommodated without tearing up the existing roadway and constructing a new main line. We met with OWASA and with their help came up with a plan that used the two existing manholes at either end of the lot for the sewer services (See attached Exhibit B). The two new service lines combined with the existing 4” sewer line provided the (3) services needed. Similarly with the water line we took the existing 2” line and split it into two 1” domestic service lines. We then used an abandon irrigation meter for the third water service. This made our current plan possible.



The Carrboro Land Use Ordinance Section 15-141.2(a) list ten (10) objectives that should be achieved in the design of a Village Mixed Use Community. Objective (7) requires that such developments provide “.... buildings or structures for civic assembly or for other common purposes that act as visual landmarks and symbols of identity with the community.”

Section 15-141.2(a)(7) has been met in letter and in spirit by the Winmore swimming pool complex. As shown on attached exhibit “C” (three sheets) the Winmore swimming pool complex provides a wonderful place for the community to meet and over the years has helped forge the identity of the community. It was intended to be a social gathering spot for the neighborhood and has been continually used for exactly that purpose. There is a shaded ramada, rest rooms, extensive patio areas with dozens of tables and chairs, a grill, and parking. The Winmore swimming pool complex is the place where the community gathers. The swimming pool complex was not part of the initial Conditional Use Permit and was designed and paid for by Capkov (the developer) because we thought the community needed an amenity that everyone could enjoy. Capkov did not receive any recreational credits for the cost of construction.

The neighborhood has embraced our proposal and the Winmore Homeowners Association has written a letter to the Carrboro Town Council and the Planning Staff attesting to their support (See attached Exhibit D). The three homes being proposed were specifically designed for Winmore under the Winmore Design Guidelines and will be built to meet the Green Building Standards set out for all homes in Winmore. I have attached a streetscape rendering of what the homes will look like from East Winmore Avenue (See Exhibit E). As part of the proposal, we will convey the existing alley, and the overflow parking spaces on the north side of the alley to the Winmore Homeowners Association. We will also leave the triangular shaped piece of property north of the alley as open space. Both are currently part of lot 179 and combined are over 5,600 square feet in size (See Exhibit F).

We believe that through the creative discussions with OWASA and the Winmore neighborhood we have come up with a plan that will make a wonderful addition to the community and will allow us to complete what we began nearly 20 years ago.

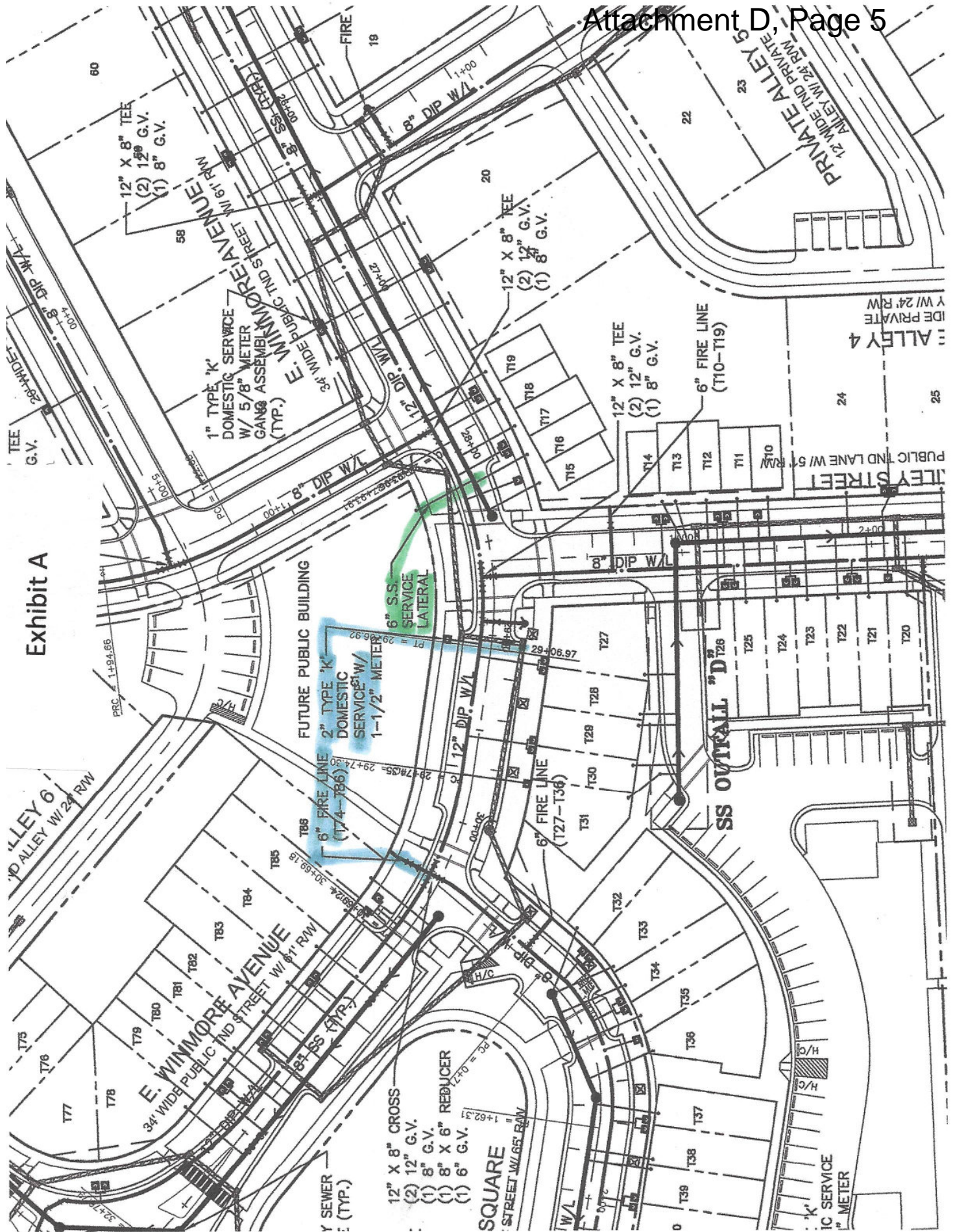
I have included the following additional exhibits:

- Exhibit (F) Recordable Final Plat
- Exhibit (G) OWASA Permit to Construct.
- Exhibit (H) Tax Bills Lot 179.
- Exhibit (I) Site Plan.

Best Regards, Eric Chupp

Director of Development  
Capkov Ventures Inc.

(919) 260-7262







# Exhibit C

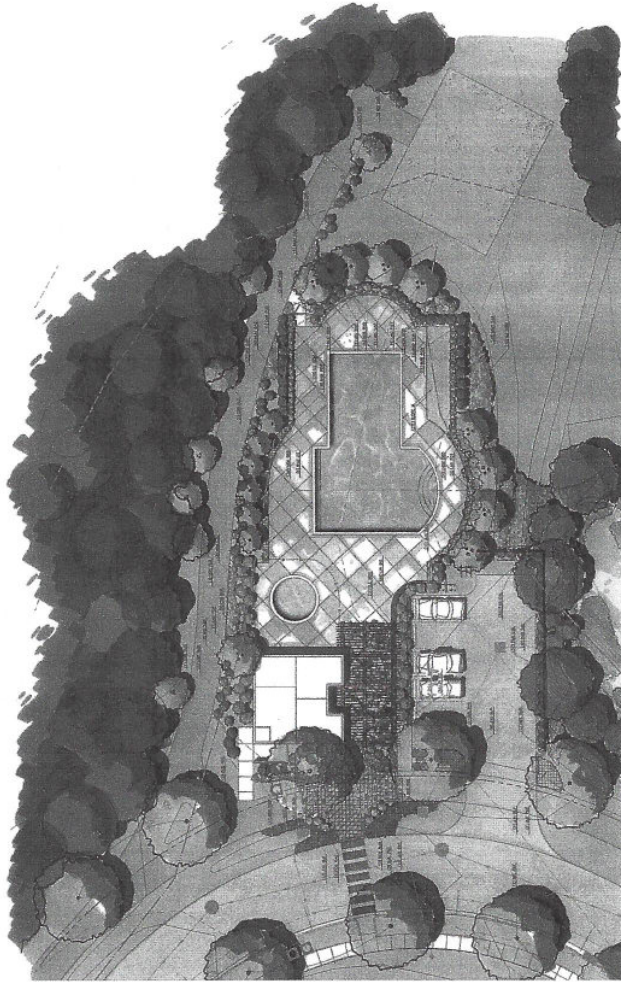
## Winmore Swim Club

CARRBORO, NORTH CAROLINA



THE JOHN R. McADAMS  
COMPANY, INC.  
ENGINEERS/PLANNERS/SURVEYORS  
RESEARCH TRIANGLE PARK, NC  
P.O. BOX 14005 ZIP 27709-4005  
(919) 381-5000

122 N. Harrison St.  
Chapel Hill, NC 27514  
919/953-4415  
919/956-1280 FAX  
ClineDesign.com



### CUP MINOR MODIFICATION

JANUARY 16, 2007

SETS ISSUED:

SHEET INDEX:

DEVELOPER: CAPKOV VENTURES, INC  
Chapel Hill, North Carolina

ARCHITECT: CLINE DESIGN ASSOCIATES, PA  
Raleigh, North Carolina

LANDSCAPE: CLINE DESIGN ASSOCIATES, PA  
Raleigh, North Carolina

CIVIL: JOHN R. McADAMS COMPANY  
Research Triangle Park, North Carolina

C1.0 - PRELIMINARY GRADING/DRAINAGE PLAN

C2.0 - PRELIMINARY UTILITY PLAN

LP1.10 - PRELIMINARY POOL LANDSCAPE PLAN

LP1.20 - PRELIMINARY WETLAND A LANDSCAPE PLAN

LP2.00 - PRELIMINARY DETAILS AND PLANT SCHEDULE



[illegible]

Existing  
Vegetation

01 PRELIMINARY LANDSCAPE PLAN





Exhibit D

Fwd: Winmore Lot 179 Update

From: Joe Kovens (joe.kovens@gmail.com)

To: ericbchupp@bellsouth.net; sjkovens@bellsouth.net; kconstruction24@aol.com; akovens86@gmail.com

Date: Wednesday, November 3, 2021, 09:33 PM EDT

Begin forwarded message:

**From:** Winmore HOA Board <noreply@winmorecommunitync.com>

**Date:** November 3, 2021 at 7:51:55 PM EDT

**To:** joe.kovens@gmail.com

**Subject:** Winmore Lot 179 Update

**Reply-To:** noreply@winmorecommunitync.com



## Lot 179 Update

After meeting with the developer and with the community, and addressing several concerns that our neighbors had with the plan, the board has decided unanimously to submit a letter of support for Capkov's plan for Lot 179.

Thanks to everyone who attended the meeting and brought up their concerns. We feel this is the most equitable and realistic solution for the lot, and look forward to our new neighbors on East Winmore Street.

The full letter is included below.

### To the Carrboro Town Council:

The Winmore Community Association Board of Directors is writing to you today to give our support for the modification of the plan for Lot 179 in Winmore. We have been in consultation with Capkov Ventures, Inc. and have arrived at a solution we feel comfortable with and feel is well suited to the neighborhood.

The plan that Capkov outlined to us consists of subdividing Lot 179 into three single-family home lots. They will work with OWASA to run new water and sewer lines to these three lots. They will sell the lots to a local custom builder with experience building in our neighborhood. The three new homes will use existing Winmore floor plans that are alley-loading and consistent with other homes in the neighborhood.

We approve of this plan with the following stipulations.

1. The neighborhood will be involved in the Architectural Review process of the plans for the new homes. Currently Capkov runs this process, but the neighborhood will have a stake in it as this plan moves forward, and the review process will be turned over to the neighborhood once the lots are sold to the builder.
2. Winmore Alley 6, the area behind the lot, has been plagued with drainage issues since its initial construction. Capkov will work with a civil engineer, the Town of Carrboro Planning staff, and the Town's Consulting Engineer to make sure the storm water from the three homes is treated appropriately.
3. The parking space that Capkov painted at the stop sign at the intersection of Atterbury with E. Winmore will be removed. This parking space is dangerous and not in compliance with town parking laws. As this space currently gets a lot of use, Capkov may need to request a no parking sign from the Town of Carrboro.
4. Capkov will provide information on the water/sewer work, estimating how long it will take and how traffic along E Winmore Ave will be accommodated during construction.
5. Capkov will share the name of the builder once they have an agreement signed, along with a list of homes in the neighborhood that they have previously built.

With these concerns addressed, the Winmore community supports the plan of building three single-family homes on Lot 179.

Thank you,

Winmore Community Association Board of Directors

**Please do not reply to this message. Replies to this message are routed to an unmonitored mailbox.**

**Winmore Community Association, Inc.**

P.O. Box 99149  
Raleigh, NC 27615

919-878-8787  
winmorehoaboard@gmail.com

If you no longer wish to receive emails about important neighborhood topics and events, [click here to email us and](#)



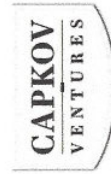
Exhibit E

# **WINMORE COMMUNITY HOMES**

EAST WINMORE AVENUE, CARBORO, NC

## **CONCEPT DESIGN**

9 SEPTEMBER 2021







CAPKOV  
VENTURES

**WINMORE COMMUNITY HOMES** | CONCEPT DESIGN  
EAST WINMORE AVE, CHAPEL HILL, NC  
8 SEPTEMBER 2021







CAPKOV  
VENTURES

**WINMORE COMMUNITY HOMES** | **CONCEPT DESIGN**  
EAST WINMORE AVE, CHAPEL HILL, NC | 8 SEPTEMBER 2021

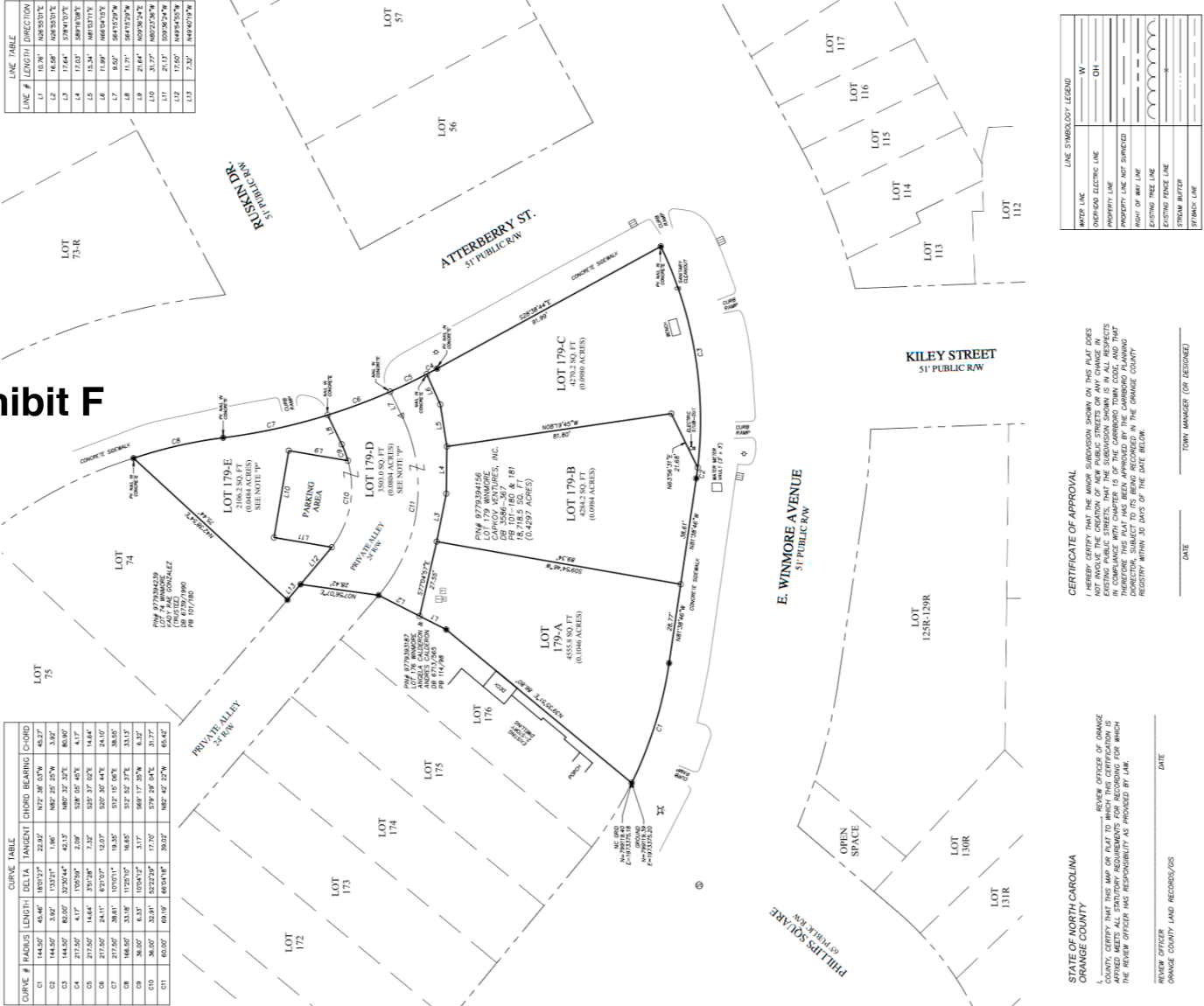




Exhibit F

CURVE TABLE					CHORD BEARING	CHORD
CURVE #	RADIUS	LENGTH	DELTA	TANGENT		
C1	144.50'	115.00'	22.82°	112.35'	S 87° 05' 58" W	5.32'
C2	144.50'	115.00'	22.82°	112.35'	S 87° 05' 58" W	5.32'
C3	144.50'	82.50'	32.94°	61.33'	N 80° 32' 35" E	80.90'
C4	271.50'	41.77'	105.99°	2.99'	S 59° 05' 45" E	4.17'
C5	271.50'	14.44'	97.97°	7.35'	S 59° 37' 02" E	14.44'
C6	271.50'	38.61'	107.01°	19.85'	S 59° 15' 09" E	38.65'
C7	166.50'	33.57'	105.92°	16.85'	S 59° 17' 30" E	33.57'
C8	36.00'	6.33'	105.92°	3.17'	S 59° 17' 30" E	6.33'
C9	36.00'	6.33'	105.92°	3.17'	S 59° 17' 30" E	6.33'
C10	80.00'	64.18'	105.91°	39.52'	N 88° 42' 28" E	80.42'

LINE TABLE			
LINE #	LENGTH	DIRECTION	
L1	10.78'	N 88° 30' 12"	
L2	16.58'	N 88° 30' 12"	
L3	17.64'	S 78° 10' 12"	
L4	17.03'	S 89° 13' 08"	
L5	15.34'	N 103° 11' 12"	
L6	11.99'	N 84° 15' 15"	
L7	9.52'	S 64° 12' 29"	
L8	11.71'	S 64° 12' 29"	
L9	21.64'	N 93° 26' 24"	
L10	31.77'	N 80° 23' 36"	
L11	21.13'	S 59° 26' 24"	
L12	17.50'	N 49° 54' 55"	
L13	7.32'	N 49° 40' 19"	





## Orange Water and Sewer Authority

OWASA is Carrboro-Chapel Hill's not-for-profit public service agency delivering high quality water, wastewater, and reclaimed water services.

# PERMIT TO CONSTRUCT

December 8, 2021

Project: Lot 179 Winmore Subdivision  
 Location: Corner of Atterbury St and E. Winmore Avenue, Chapel Hill NC  
 Developer: Capkov Ventures Inc.  
 Civil Engineer: Tim Smith, PE, of Summit Design and Engineering Services  
 Plans Set Dated: June 21, 2021  
 OWASA Plan Approval: June 21, 2021

### NCDEQ Division of Water Resources Approvals:

Public Water Supply Section	Not Applicable – services only
Water Quality Permitting	Not applicable – services only

OWASA hereby grants this **PERMIT TO CONSTRUCT** with the following conditions:

- Utility Contractor shall be licensed by the State of North Carolina to install public water and sewer utilities.
- All construction shall be in accordance with the current Orange Water and Sewer Authority *Manual of Specifications, Standards, and Design* with any deviations or exceptions as listed in the OWASA Project Plan Approval letter or Permit to Construct.
- Prior to beginning utility construction, all necessary approvals from the local governments with jurisdiction over the project shall be obtained.
- The OWASA Inspector shall be contacted for a Preconstruction Conference prior to beginning utility construction; beginning demolition, earth moving, or construction near an OWASA main; for inspection of all work as indicated on the Preconstruction Comments form; and to make final inspection of the utility installation.
- The Engineer of Record shall be responsible for providing Construction Observation and Engineer's Certification in accordance with OWASA close-out requirements, and they or a knowledgeable employee under their direct charge shall observe sufficient construction to provide independent verification of the adherence to the Manual during construction and the accuracy of the as-builts.



Orange Water and Sewer Authority  
Permit to Construct  
Project: Lot 179 Winmore Subdivision  
12/08/2021  
Page 2

- This letter shall become void if the facilities are not constructed in accordance with the conditions of this permit and the approved plans referenced above.
- Any changes, additions, or deletions from the approved plans or Project Plan Approval must be submitted in writing to OWASA's Engineering and Planning Department for approval prior to making the change in the field. Major revisions will require a re-submittal to the appropriate State regulatory agency.
- **A plan set with the OWASA approval stamp and a copy of this Permit must be on the job site at all times.**
- **Project-specific conditions:**
  - 4-inch sewer service from Lot 2 connects to manhole

By accepting this permit and beginning construction of the above-named project, the Property Owner, Developer, Engineer of Record, and Contractor accept responsibility for the following:

- Compliance with the Orange Water and Sewer Authority Cross-Connection Control Ordinance and Manual, the Federal Safe Drinking Water Act, the North Carolina State Administrative Code, and the North Carolina State Building Code as they pertain to cross-connections with the public water supply.
- The preparation and submittal for approval to OWASA of the documents listed in the Certificate of Compliance.

OWASA Permit to Construct issued by:

---

Nicholas. L. Parker  
Engineering Associate



Exhibit H

\$94,600 84

**Disclaimer:** Orange County Tax Office provides property tax information as a public service. This information is date sensitive. Any data obtained from this site should not be construed as an official receipt or as legal proof of property ownership. Solid Waste Programs Fees and Stormwater Fees do not constitute a lien on real property.

Vehicle Property Tax Statements are not available on this website. Contact NCDMV (North Carolina Division of Motor Vehicles) at 919-814-1779, email NCDMV or go to MyDMV (NCDMV Online Portal).

Property taxes are due on September 1st of the tax year and are current if paid by January 5th of the following year. When paying by mail, include a copy of the bill with payment, and mail to: **Orange County Tax Office, PO Box 8181, Hillsborough, NC 27278-8181.** Contact Orange County Tax to verify current payment status.

*Orange County began billing and collecting Mebane City Taxes for properties located in Orange County in 2016. Contact the City of Mebane at 919-563-5901 for prior year taxes. A 0.5% discount is given for Mebane City Taxes paid by August 31st, and those payments are applied proportionately between Mebane City and Orange County taxes. Only the portion applied to Mebane City taxes is eligible for the discount.*

*Orange County began billing and collecting Durham City Taxes for properties located within Orange County in 2021. For prior year taxes go to Durham Tax Bill Search or call 919-560-0300.*

Version: 5.2.2.0

**Bill Search Special Assessment Search Delinquent Bill Search Personal Property Search**

Research Property GIS

Go To Abstract New Search Return

### Property Tax Collections

#### Bill Detail

<b>DESCRIPTION:</b>	<b>CAPKOV VENTURES INC</b>	<b>Property Tax</b>	<b>Real Property</b>
<b>Location:</b>	<b>179 WINMORE P101/180-181</b>	<b>Bill Status:</b>	<b>UNPAID</b>
<b>Mailing Address:</b>	<b>UNASSIGNED UNINCORPORATED</b>	<b>Bill Flag:</b>	
<b>Parcel #:</b>	<b>P O BOX 16815 CHAPEL HILL NC 27516</b>	<b>Bill #:</b>	<b>0000297637-2021-2021-0000-00</b>
<b>Lender:</b>	<b>9779394156</b>	<b>Old Bill #:</b>	
		<b>Old Account #:</b>	
		<b>Due Date:</b>	<b>9/1/2021</b>
		<b>Interest Begins:</b>	<b>1/6/2022</b>

Value	Rate	Tax Districts	Description	Amount
Real \$224,800	.8187	ORANGE	Tax	\$1,840.44
Deferred \$0	.6044	CARRBORO	Tax	\$1,358.69
Use \$224,800		CARRBORO	Carboro Non-Residential Stormwater Fee	\$90.00
Personal \$0	.1830	CH-CARR SCHOOL	Tax	\$411.38
Exempt & Exclusion \$0				

**Total Assessed Value** \$224,800

Interest: \$0.00

**Total Billed: \$3,700.51**





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Orange County began billing and collecting Durham City Taxes for properties located within Orange County in 2021. For prior year taxes go to [Durham Tax Bill Search](#) or call 919-560-0300.

Version: 5.2.2.0

**Bill Search Special Assessment Search Delinquent Bill Search Personal Property Search**

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### Property Tax Collections

#### Bill Detail

<b>Description:</b>	<b>CAPKOV VENTURES INC</b>	<b>Property Tax</b>	<b>Real Property</b>
<b>Location:</b>	<b>179 WINMORE P101/180-181</b>	<b>Bill Status:</b>	<b>UNPAID</b>
<b>Mailing Address:</b>	<b>UNASSIGNED UNINCORPORATED</b>	<b>Bill Flag:</b>	
<b>Parcel #:</b>	<b>P O BOX 16815 CHAPEL HILL NC 27516</b>	<b>Bill #:</b>	<b>0000297637-2020-2020-0000-00</b>
<b>Lender:</b>	<b>9779394156</b>	<b>Old Bill #:</b>	
		<b>Old Account #:</b>	
		<b>Due Date:</b>	<b>9/1/2020</b>
		<b>Interest Begins:</b>	<b>1/6/2021</b>

	<b>Value</b>	<b>Rate</b>	<b>Tax Districts</b>	<b>Description</b>	<b>Amount</b>
Real	\$187,300	.8679	ORANGE	Tax	\$1,625.58
Deferred	\$0		ORANGE	Advertisement	\$5.75
Use	\$187,300				
Personal	\$0	.5994	CARRBORO	Tax	\$1,122.68
Exempt & Exclusion	\$0		CARRBORO	Carbboro Non-Residential Stormwater Fee	\$90.00
<b>Total Assessed Value</b>	<b>\$187,300</b>		.2018 CH-CARR SCHOOL	Tax	\$377.97

Interest: \$296.99

**Total Billed: \$3,518.97**



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Version: 5.2.2.0

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**Property Tax Collections**

**Bill Detail**

<b>CAPKOV VENTURES INC</b>		<b>Property Tax</b>	<b>Real Property</b>
Description:	179 WINMORE P101 /180-181	Bill Status:	UNPAID
Location:	UNASSIGNED UNINCORPORATED	Bill Flag:	
Mailing Address:	P O BOX 16815 CHAPEL HILL NC 27516	Bill #:	0000297637-2019-2019-0000-00
Parcel #:	9779394156	Old Bill #:	
Lender:		Old Account #:	
		Due Date:	9/1/2019
		Interest Begins:	1/7/2020

	Value	Rate Tax Districts	Description	Amount
Real	\$187,300	.8679 ORANGE	Tax	\$1,625.58
Deferred	\$0	ORANGE	Advertisement	\$5.75
Use	\$187,300	.5994 CARRBORO	Tax	\$1,122.68
Personal	\$0	CARRBORO	Carboro Non-Residential Stormwater Fee	\$75.00
Exempt & Exclusion	\$0	CH-CARR SCHOOL	Tax	\$377.97
<b>Total Assessed Value</b>	<b>\$187,300</b>			

Interest: \$578.35  
Total Billed: \$3,785.33





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Version: 5.2.2.0

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### Property Tax Collections

#### Bill Detail

<b>DESCRIPTION:</b>	<b>CAPKOV VENTURES INC</b>	<b>Property Tax</b>	<b>Real Property</b>
<b>Location:</b>	<b>179 WINMORE P101/180-181</b>	<b>Bill Status:</b>	<b>UNPAID</b>
<b>Mailing Address:</b>	<b>ORANGE COUNTY NC</b>	<b>Bill Flag:</b>	
<b>Parcel #:</b>	<b>P O BOX 16815 CHAPEL HILL NC 27516</b>	<b>Bill #:</b>	<b>0000297637-2018-2018-0000-00</b>
<b>Lender:</b>	<b>9779394156</b>	<b>Old Bill #:</b>	
		<b>Due Date:</b>	<b>9/1/2018</b>
		<b>Interest Begins:</b>	<b>1/8/2019</b>

Value	Rate	Tax Districts	Description	Amount
Real \$187,300	.8504	ORANGE	Tax	\$1,592.80
Deferred \$0		ORANGE	Advertisement	\$5.75
Use \$187,300	.5944	CARRBORO	Tax	\$1,113.31
Personal \$0		CARRBORO	Carboro Non-Residential Stormwater Fee	\$75.00
Exempt & Exclusion \$0		.2018 CH-CARR SCHOOL	Tax	\$377.97
<b>Total Assessed Value</b>				<b>\$187,300</b>

Interest: \$848.12  
Total Billed: \$4,012.95



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Version: 5.2.2.0

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### Property Tax Collections

#### Bill Detail

<b>Description:</b>	<b>CAPKOV VENTURES INC</b>	<b>Property Tax</b>	<b>Real Property</b>
<b>Location:</b>	<b>179 WINMORE P101/180-181</b>	<b>Bill Status:</b>	<b>UNPAID</b>
<b>Mailing Address:</b>	<b>ORANGE COUNTY NC</b>	<b>Bill Flag:</b>	
<b>Parcel #:</b>	<b>P O BOX 16815 CHAPEL HILL NC 27516</b>	<b>Bill #:</b>	<b>0000297637-2017-2017-0000-00</b>
<b>Lender:</b>	<b>9779394156</b>	<b>Old Bill #:</b>	
		<b>Old Account #:</b>	
		<b>Due Date:</b>	<b>9/1/2017</b>
		<b>Interest Begins:</b>	<b>1/6/2018</b>

	<b>Value</b>	<b>Rate</b>	<b>Tax Districts</b>	<b>Description</b>	<b>Amount</b>
Real	\$187,300	.8377	ORANGE	Tax	\$1,569.01
Deferred	\$0		ORANGE	Advertisement	\$5.75
Use	\$187,300				
Personal	\$0	.5894	CARRBORO	Tax	\$1,103.95
Exempt & Exclusion	\$0		CH-CARR SCHOOL	Tax	\$377.97

**Total Assessed Value** \$187,300

Interest: \$1,113.59  
**Total Billed: \$4,170.27**



**Version: 5.2.2.0**

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### Bill Detail

## Real Property

UNPAID

0000297637-2016-2016-0000-00

9/1/2016

1/6/2017

Interest: \$2,813.13  
Total Billed: \$9,001.57





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*Orange County began billing and collecting Durham City Taxes for properties located within Orange County in 2021. For prior year taxes go to [Durham Tax Bill Search](#) or call 919-560-0300.*

Version: 5.2.2.0

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### Property Tax Collections

#### Bill Detail

	CAPKOV VENTURES INC	Property Tax	Real Property
Description:	179 WINMORE P101/180-181	Bill Status:	UNPAID
Location:	ORANGE COUNTY NC	Bill Flag:	0000297637-2015-2015-0000-00
Mailing Address:	P O BOX 16815 CHAPEL HILL NC 27516	Bill #:	
Parcel #:	9779394156	Old Bill #:	
Lender:		Old Account #:	
		Due Date:	9/1/2015
		Interest Begins:	1/6/2016

	Value	Rate	Tax Districts	Description	Amount
Real	\$368,940	.8780	ORANGE	Tax	\$3,239.29
Deferred	\$0		ORANGE	Advertisement	\$3.75
Use	\$368,940				
Personal	\$0	.5894	CARRBORO	Tax	\$2,174.53
Exempt & Exclusion	\$0	.2084	CH-CARR SCHOOL	Tax	\$768.87

**Total Assessed Value**

\$368,940

Interest: \$3,369.56  
**Total Billed: \$9,556.00**



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Version: 5.2.2.0

**Bill Search Special Assessment Search Delinquent Bill Search Personal Property Search**

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**Property Tax Collections**

**Bill Detail**

CAPKOV VENTURES INC		Property Tax	Real Property
Description:	179 WINMORE P101/180-181	Bill Status:	UNPAID
Location:	ORANGE COUNTY NC	Bill Flag:	0000297637-2014-2014-0000-00
Mailing Address:	P O BOX 16815 CHAPEL HILL NC 27516	Bill #:	
Parcel #:	9779394156	Old Bill #:	
Lender:		Old Account #:	
		Due Date:	9/1/2014
		Interest Begins:	1/6/2015

	Value	Rate	Tax Districts	Description	Amount
Real	\$368,940	.8780	ORANGE	Tax	\$3,239.29
Deferred	\$0		ORANGE	Advertisement	\$3.75
Use	\$368,940				
Personal	\$0	.5894	CARBORO	Tax	\$2,174.53
Exempt & Exclusion	\$0	.2084	CH-CARR SCHOOL	Tax	\$768.87

**Total Assessed Value** \$368,940

Interest: \$3,926.01  
**Total Billed: \$10,112.45**





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Version: 5.2.2.0

**Bill Search Special Assessment Search Delinquent Bill Search Personal Property Search**

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**Property Tax Collections**

**Bill Detail**

**Property Tax**

**Real Property**

**CAPKOV VENTURES INC**  
Description: 179 WINMORE P101/180-181  
Location: ORANGE COUNTY NC  
Mailing Address: P O BOX 16815 CHAPEL HILL NC 27516  
Parcel #: 9779394156  
Lender:

Bill Status: UNPAID  
Bill Flag:  
Bill #: 0000297637-2013-2013-0000-00  
Old Bill #:  
Old Account #:  
Due Date: 9/1/2013  
Interest Begins: 1/7/2014

Value	Rate	Tax Districts	Description	Amount
Real \$368,940	.8580	ORANGE	Tax	\$3,165.51
Deferred \$0		ORANGE	Advertisement	\$3.75
Use \$368,940	.5894	CARBORO	Tax	\$2,174.53
Personal \$0		CH-CARR SCHOOL	Tax	\$768.87
Exempt & Exclusion \$0	.2084			

**Total Assessed Value** \$368,940

Interest: \$4,428.95  
**Total Billed: \$10,541.61**





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Version: 5.2.2.0

**Bill Search Special Assessment Search Delinquent Bill Search Personal Property Search**

Research Property GIS

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### Property Tax Collections

#### Bill Detail

Property Tax	Real Property
<b>Property Tax</b> <b>Property Tax</b> <b>Bill Status:</b> <b>Bill Flag:</b> <b>Bill #:</b> <b>Old Bill #:</b> <b>Old Account #:</b> <b>Due Date:</b> <b>Interest Begins:</b>	<b>Real Property</b> <b>UNPAID</b> <b>0000297637-2012-2012-0000-00</b> <b>9/1/2012</b> <b>1/8/2013</b>

Value	Rate	Tax Districts	Description	Amount
Real \$368,940	.8580	ORANGE	Tax	\$3,165.51
Deferred Use \$0		ORANGE	Advertisement	\$3.75
Personal \$368,940	.5894	CARRBORO	Tax	\$2,174.53
Exempt & Exclusion \$0	.1884	CH-CARR SCHOOL	Tax	\$695.08

**Total Assessed Value \$368,940**

Interest: \$4,918.62  
Total Billed: \$10,957.49

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**Version: 5.2.2.0**

### Bill Detail

Last Payment Date : 12/28/2011





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Version: 5.2.2.0

**Bill Search Special Assessment Search Delinquent Bill Search Personal Property Search**

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### Property Tax Collections Bill Detail

	Property Tax	Real Property
<b>Description:</b>	CAPKOV VENTURES INC	
<b>Location:</b>	179 WINMORE P101/180-181	
<b>Mailing Address:</b>	ORANGE COUNTY NC	
<b>Parcel #:</b>	P O BOX 16815 CHAPEL HILL NC 27516	
<b>Lender:</b>	9779394156	
	Bill Status:	PAID
	Bill Flag:	
	Bill #:	0000297637-2010-2010-0000-00
	Old Bill #:	00201064293
	Old Account #:	
	Due Date:	9/1/2010
	Interest Begins:	1/6/2011

	Value	Rate	Tax Districts	Description	Amount
Real	\$368,940	.8580	ORANGE	Tax	\$3,165.51
Deferred	\$0		ORANGE	Advertisement	\$3.75
Use	\$368,940		CARRBORO	Tax	\$2,174.53
Personal	\$0	.5894	CH-CARR SCHOOL	Tax	\$695.08
Exempt & Exclusion	\$0	.1884			

**Total Assessed Value** \$368,940

Interest: \$618.60  
**Total Billed: \$6,657.47**





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Version: 5.2.2.0

**Bill Search Special Assessment Search Delinquent Bill Search Personal Property Search**

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### Property Tax Collections Bill Detail

<b>Description:</b>	<b>CAPKOV VENTURES INC</b>	<b>Property Tax</b>	<b>Real Property</b>
<b>Location:</b>	<b>179 WINMORE P101/180-181</b>		
<b>Mailing Address:</b>	<b>ORANGE COUNTY NC</b>		
<b>Parcel #:</b>	<b>P O BOX 16815 CHAPEL HILL NC 27516</b>		
<b>Lender:</b>	<b>9779394156</b>		
		<b>PAID</b>	
		<b>Bill Status:</b>	
		<b>Bill Flag:</b>	
		<b>Bill #:</b>	0000297637-2009-2009-0000-00
		<b>Old Bill #:</b>	00200973611
		<b>Old Account #:</b>	
		<b>Due Date:</b>	9/1/2009
		<b>Interest Begins:</b>	1/6/2010

	Value	Rate	Tax Districts	Description	Amount
Real	\$368,940	.8580	ORANGE	Tax	\$3,165.51
Deferred	\$0		ORANGE	Advertisement	\$3.75
Use	\$368,940	.5894	CARRBORO	Tax	\$2,174.53
Personal	\$0		CH-CARR SCHOOL	Tax	\$695.08
Exempt & Exclusion	\$0	.1884			

**Total Assessed Value** \$368,940

Interest: \$1,161.76  
**Total Billed: \$7,200.63**



**Disclaimer:** Orange County Tax Office provides property tax information as a public service. This information is date sensitive. Any data obtained from this site should not be construed as an official receipt or as legal proof of property ownership. Solid Waste Programs Fees and Stormwater Fees do not constitute a lien on real property.

Vehicle Property Tax Statements are not available on this website. Contact NCDMV (North Carolina Division of Motor Vehicles) at 919-814-1779, email [NCDMV](mailto:NCDMV) or go to [MyDMV \(NCDMV Online Portal\)](http://MyDMV.NCDMV.gov).

Property taxes are due on September 1st of the tax year and are current if paid by January 5th of the following year. When paying by mail, include a copy of the bill with payment, and mail to: **Orange County Tax Office, PO Box 8181, Hillsborough, NC 27278-8181.** Contact Orange County Tax to verify current payment status.

*Orange County began billing and collecting Mebane City Taxes for properties located in Orange County in 2016. Contact the City of Mebane at 919-563-5901 for prior year taxes. A 0.5% discount is given for Mebane City Taxes paid by August 31st, and those payments are applied proportionately between Mebane City and Orange County taxes. Only the portion applied to Mebane City taxes is eligible for the discount.*

*Orange County began billing and collecting Durham City Taxes for properties located within Orange County in 2021. For prior year taxes go to Durham Tax Bill Search or call 919-560-0300.*

Version: 5.2.2.0

**Bill Search   Special Assessment Search   Delinquent Bill Search   Personal Property Search**

[Research Property](#)   [GIS](#)   [Go To Abstract](#)   [New Search](#)   [Return](#)

**Property Tax Collections  
Bill Detail**

<b>Description:</b>	<b>CAPKOV VENTURES INC</b>	<b>Property Tax</b>	<b>Real Property</b>
<b>Location:</b>	<b>179 WINMORE P101/180-181</b>	<b>PAID</b>	
<b>Mailing Address:</b>	<b>ORANGE COUNTY NC</b>	<b>Bill Status:</b>	
<b>Parcel #:</b>	<b>P O BOX 16815 CHAPEL HILL NC 27516</b>	<b>Bill Flag:</b>	
<b>Lender:</b>	<b>9779394156</b>	<b>Bill #:</b>	
		<b>Old Bill #:</b>	
		<b>Old Account #:</b>	
		<b>Due Date:</b>	
		<b>Interest Begins:</b>	

	Value	Rate	Tax Districts	Description	Amount
Real	\$279,500	1.0000	ORANGE	Tax	\$2,789.41
Deferred	\$0			Tax	\$1,918.21
Use	\$279,500	.6900	CARRBORO	Tax	\$642.85
Personal	\$0	.2300	CH-CARR SCHOOL	Tax	
Exempt & Exclusion	\$0				
<b>Total Assessed Value</b>	<b>\$279,500</b>				<b>Total Billed: \$5,350.47</b>

Last Payment Date : 01/05/2009





Mayor Lavelle clarified that, at this time, any potential funds that were planned for the now cancelled light rail project would go toward projects currently in the Orange County Transit Plan.

Alderman Seils clarified that the funds may only be used for transit-related costs. He noted that the funds are county transit plan funds and said there are some Town projects that are eligible for these funds, but a generalist planner position would likely not qualify.

Alderman Gist said she expected improved transportation options from the transit funds, not just light rail. She asked whether buses and other forms of transportation could benefit from these funds.

Alderman Seils discussed a variety of projects such as buses and sidewalks that are benefiting from the transit tax funds. He noted that there is a plan to add year-round weekend bus service in 2020 and thousands of bus hours have been added due to transit tax funds.

Alderman Slade felt that the Board should have an opportunity to weigh-in on transportation project options.

Alderman Seils said most of the money that was allocated to the light rail project came from Durham County rather than Orange County,

Alderman Foushee asked that the budget planning process start earlier next year.

Alderman Gist said the retreat had previously been a time when the budget was discussed.

**Mayor Lavelle closed the Public Hearing on this issue.**

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**PUBLIC HEARING ON A LAND USE ORDINANCE AMENDMENT REGARDING  
CIVIC ASSEMBLY IN VILLAGE MIXED-USE DEVELOPMENTS**

The purpose of this agenda item was for the Board of Aldermen to consider a text amendment to the Land Use Ordinance (LUO) regarding civic assembly in village mixed-use developments.

Tina Moon, Planning Administrator, provided the staff report on this agenda item. She stated that the primary purpose of this agenda item was to add the term “or structures” to Section 15-141.2(a)(7) of the Land Use Ordinance per the request of Caplov Ventures.

Mayor Lavelle clarified that there is currently only one Village Mixed-Use (VMU) development in Carrboro, this is the community of Winmore.

Tina Moon said the developers have not been able to find a tenant for the location



that had originally been planned for civic assembly.

Alderman Slade asked whether the pool at Winmore was built because another condition required it.

Tina Moon said the pool was added after the developers had already exceeded the open space requirements.

Tina Moon also pointed out another request by the developers to add wording to Section 15-176.2 that will allow open space owned by the homeowners association to include civic uses.

Alderman Gist stated that she believes the real reason for this request is that the land that had been set aside for civic use is not being used and the developer would prefer to build additional condos on that land. She stated that she doesn't have a problem with this. She expressed interest in having affordable units built there.

Trish McGuire, Planning Director, said the lot that is at issue was originally planned to have a civic use and would have a building as the public space.

Alderman Gist further clarified her point saying she believes the developer wants to have the community pool recognized as the civic space as required by the LUO, thereby freeing up the lot to build more condos.

Mayor Lavelle also asked whether the pool was intended to be the public space.

Joe Kovens, representing Capkov Ventures, said there were no firm plans to build more condos on the lot, but a builder had expressed interest. He said the request for the text amendments were not intended to take anything away from the community, it is an effort to help the community. He provided background on why commercial establishments were not successful in Winmore and spoke about why an old residence was removed from the property and replaced by an open space.

Alderman Haven-O'Donnell said she had heard that there was a plan to build an amphitheater in the open space and asked what the community thought about that.

Joe Kovens said that would be a factor with the CUP modification.

Alderman Haven-O'Donnell wanted to know what the community desires for the use of space. She felt that it was not yet being made clear.

Joe Kovens said they want what is best for the community. The only thing they have heard is a general desire to do something with the space that is not being used.

Mayor Lavelle stated that Board will want to know what the developers have done to engage with the community.

Alderman Seils said he had no issues with adding the requested language.

**Mayor Lavelle opened the Public Hearing.**

Mayor Lavelle clarified that the old space on the property that had been referenced earlier by Joe Kovens was rumored to have been the home of Andy Griffith for a short period of time.

There were no comments from the public.

**Mayor Lavelle closed the Public Hearing on this issue.**

Alderman Seils stated that there are lessons to be learned from this example that can be applied to future village mixed use developments.

Alderman Foushee referenced comments from the Planning Board and noted that they recommended that the wording make it clear that all residents should be able to use civic spaces. She also noted a comment by the Economic Sustainability Commission requesting that staff review the definitions of open space, civic space and common space to ensure that the intent of the ordinance is met. She felt that the current wording is not inclusive enough.

Mayor Lavelle wanted to ensure that the space is open to all Winmore residents even though it is owned by the Homeowners Association. She asked Tina Moon to clarify whether it would be open to all residents.

Tina Moon said she believes that all residents, including those in affordable units, are able to use the space, and she would be glad to add language to ensure it is so.

Joe Kovens stated that all residents are allowed to use the pool.

Mayor Lavelle and Alderman Foushee asked that the Planning Board's language be added to the text amendments.

Tina Moon displayed the recommendation and confirmed with the Board that the phrase "open to all residents of the VMU development" will be added.

**A motion was made by Alderman Seils, seconded by Alderman Slade, that the following consistency resolution be approved:**

A RESOLUTION ADOPTING A STATEMENT EXPLAINING THE  
BOARD OF ALDERMEN'S REASONS FOR ADOPTING AN  
AMENDMENT TO THE TEXT OF THE CARRBORO LAND USE  
ORDINANCE (N.C. Gen. Stat. 160A-383)



WHEREAS, an amendment to the text of the Carrboro Land Use Ordinance has been proposed, which amendment is described or identified as follows: A LAND USE ORDINANCE TEXT AMENDMENT RELATING TO CIVIC ASSEMBLY IN VILLAGE MIXED USE DEVELOPMENTS.

NOW, THEREFORE, the Board of Aldermen of the Town of Carrboro Resolves:

**Section 1. The Board has reviewed the draft amendment to the text of the Land Use Ordinance and concludes that the proposed amendment is:**

Consistent with the description of the components of mixed use village centers noted in Section 4 of Facilitated Small Area Plan for the Northern Study Area, and the list of possible uses for the civic assembly space as noted in the approved conditional use permit for the development.

**Section 2. The Board of Aldermen's action is reasonable and in the public interest for the following reason(s):**

The proposed text amendment which finds the proposed text amendment, is reasonable in the public interest because it clarifies and provides more flexibility in the standard.

**Section 3. Therefore, the Carrboro Board of Aldermen has: approved / denied the proposed amendment to the text of the Carrboro Land Use Ordinance.**

**Section 4. This resolution becomes effective upon adoption.**

Adopted by the Carrboro Board of Aldermen this 28nd day of May 2019.

**The motion carried by the following vote:**

**Aye: Mayor Lydia Lavelle, Alderman Barbara Foushee, Alderman Jacquelyn Gist, Alderman Randee Haven-O'Donnell, Alderman Damon Seils, Alderman Sammy Slade**

**Absent: Alderman Bethany Chaney**

**A motion was made by Alderman Slade, seconded by Alderman Foushee that the following amendment to the ordinance be approved.**

AN ORDINANCE TO AMEND THE TOWN OF CARRBORO'S LAND USE  
ORDINANCE RELATING TO CIVIC ASSEMBLY IN VILLAGE MIXED USE  
DEVELOPMENTS

Ordinance No. 22/2018-19

**BE IT HEREBY ORDAINED BY THE CARRBORO BOARD OF ALDERMEN  
THE FOLLOWING:**

**Section 1.** Subsection 15-141.2, of the Carrboro Land Use Ordinance, Village Mixed Use District Established, (a), paragraph 7, is rewritten to read as follows:

7. Provision of buildings or structures, open to all residents of the VMU development, for civic assembly or for other common purposes that act as visual landmarks and symbols of identity with the community.

**Section 2.** Subsection 15-176.2(e) is amended to include a new provision (5) to read as follows:

(5) Open Space owned by homeowners associations as Common Space may include Civic Uses for gathering or assembly as defined in Section 15-141.2(a)(7).

**Section 3.** All provisions of any Town ordinance or resolution in conflict with this ordinance are repealed.

**Section 4.** This ordinance is effective upon adoption.

**The motion carried by the following vote:**

**Aye: Mayor Lydia Lavelle, Alderman Barbara Foushee, Alderman Jacquelyn Gist, Alderman Randee Haven-O'Donnell, Alderman Damon Seils, Alderman Sammy Slade**

**Absent: Alderman Bethany Chaney**

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**PUBLIC HEARING ON A LAND USE ORDINANCE AMENDMENT TO ALIGN REFERENCES TO THE STATE ENVIRONMENTAL AGENCIES AND NUTRIENT LOAD ACCOUNTING TOOL IN THE TOWN'S STORMWATER VOLUME CONTROL PROVISIONS**

The purpose of this agenda item was for the Board of Aldermen to consider an amendment to the Land Use Ordinance.

Tina Moon, Planning Administrator, introduced this topic.

**Mayor Lavelle opened the Public Hearing.**

There were no comments from the public.

**Mayor Lavelle closed the Public Hearing on this issue.**

**A motion was made by Alderman Haven-O'Donnell, seconded by Alderman Gist that the following resolution be approved.**



## Martin Roupe

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**From:** Christina Berkowitz <christina.berkowitz@gmail.com>  
**Sent:** Tuesday, March 1, 2022 6:24 PM  
**To:** Martin Roupe  
**Subject:** Lot 179 in Winmore

To the Carrboro Town Council:

The Winmore HOA Board of Directors is writing to you today to give our support for the modification of the plan for Lot 179 in Winmore. We have been in consultation with Capkov Ventures, Inc. and have arrived at a solution we feel comfortable with and feel is well suited to the neighborhood.

The plan that Capkov outlined to us consists of subdividing Lot 179 into three single-family home lots. They will work with OWASA to run new water and sewer lines to these three lots. They will sell the lots to a local custom builder with experience building in our neighborhood. The three new homes will use existing Winmore floor plans that are alley-loading and consistent with other homes in the neighborhood.

We approve of this plan with the following stipulations.

1. The neighborhood will be involved in the Architectural Review process of the plans for the new homes. Currently Capkov runs this process, but the neighborhood will have a stake in it as this plan moves forward, and the review process will be turned over to the neighborhood once the lots are sold to the builder.
2. Winmore Alley 6, the area behind the lot, has been plagued with drainage issues since its initial construction. Capkov will work with a civil engineer, the Town of Carrboro Planning staff, and the Town's Consulting Engineer to make sure the storm water from the three homes is treated appropriately.
3. The parking space that Capkov painted at the stop sign at the intersection of Atterbury with E. Winmore will be removed. This parking space is dangerous and not in compliance with town parking laws. As this space currently gets a lot of use, Capkov may need to request a no parking sign from the Town of Carrboro.
4. Capkov will provide information on the water/sewer work, estimating how long it will take and how traffic along E Winmore Ave will be accommodated during construction.
5. Capkov will share the name of the builder once they have an agreement signed, along with a list of homes in the neighborhood that they have previously built.

With these concerns addressed, the Winmore community supports the plan of building three single-family homes on Lot 179. We continue to work with Capcov to resolve these stipulations.

Thank you,  
Winmore HOA Board of Directors



# Town of Carrboro

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

## Agenda Item Abstract

**File Number:22-85**

**Agenda Date:** 3/15/2022

**File Type:**Agendas

**In Control:** Board of Aldermen

**Version:** 1

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### TITLE:

The 203 Project Guaranteed Maximum Price

**PURPOSE:** The purpose of this item is to provide the Council with the cost to construct the 203 Building for consideration and approval.

**DEPARTMENT:** Public Works, Finance, Planning

**CONTACT INFORMATION:** Ben Schmadeke, Capital Projects Manager, [bschmadeke@carrboronc.gov](mailto:bschmadeke@carrboronc.gov), 919-918-7424, Arche McAdoo, Finance Director, [amcadoo@carrboronc.gov](mailto:amcadoo@carrboronc.gov), 919-918-7439, Trish McGuire, Planning Director, [pmcguire@carrboronc.gov](mailto:pmcguire@carrboronc.gov), 919-918-7327

**INFORMATION:** The 203 Project has been bid and Barnhill Contracting Company, the Town's Construction Manager at Risk, has developed a Guaranteed Maximum Price (GMP) for construction of the building. The final GMP, as detailed in Attachment 1, will be the contract value awarded to Barnhill Contracting Company and will be used to obtain project financing and Local Government Commission (LGC) approval. Other project costs outside of direct construction costs are detailed in Attachment 2, Total Project Budget and are reflected in Attachment 3, Amended Project Ordinance. This total project budget includes provisions for Furnishings, Fixtures and Equipment (FFE), and owner's contingency. Further explanation of these costs is detailed below.

*Furnishings, Fixtures and Equipment (FFE):* These are costs associated with furnishing the building and providing the IT, security, and other equipment necessary to operate the building and make use of the building programming. This budget also includes funds to install solar photovoltaic panels on the building.

*Owner's Contingency:* This is a Town controlled budget to account for unforeseen design changes and other challenges that arise during construction that fall outside of the Construction Manager's scope of work. If these funds are not used, they will return to the Town's General Fund.

Based on comments from the Orange County Board of Commissioners, staff have investigated options to reduce the County's project cost through a reduction in programming. These options are detailed below and will be considered by the County Board of Commissioners at their March 15, 2022 regular meeting in addition to the consideration of approval of the GMP as presented.

*Option 1:* Delete the Orange County Skills Development Center from the project with minimal redesign. This



option would entail the removal of one level from the building and one level of the parking deck. This option keeps the current design mostly intact. The estimated time for redesign is five months plus an additional two months for re-permitting and bidding (7 months total). Design and preconstruction costs for this option are estimated at \$605,000. Construction cost savings have been estimated to be \$3,765,000.

*Option 2:* Delete the Orange County Skills Development Center from the project with a more comprehensive redesign. This option would take the design back to a conceptual phase but could result in greater cost savings due to the opportunity to utilize a pre-cast parking deck. Additional public hearings and design approvals would be required. The estimated time for redesign with associated approvals is estimated to be fourteen months plus an additional three months for permitting and bidding (17 months total). Design and preconstruction costs for this option are estimated at \$1,539,000.

Based on an analysis of the construction market by Barnhill, construction costs are not expected to decline over the foreseeable future. Escalation of material and labor costs is expected to continue nationally due to supply and demand. Other large construction projects in central North Carolina are currently being developed and as a result the project may experience less contractor interest and less competitive pricing if the project is re-bid at a future date.

The current finance schedule for the project requires that the GMP be approved by the Town Council and County Board of Commissioners by March 25<sup>th</sup> to meet the application deadline for the May 3<sup>rd</sup> LGC meeting. If either governing board delays approval or takes alternative action, the matter will be brought back to the Council and Commissioners on March 22<sup>nd</sup> for resolution. Staff will request the County Commissioners hold a special meeting due to there currently not being a regular meeting scheduled.

**FISCAL & STAFF IMPACT:** The total project cost including design, construction, FFE and contingency is \$41,174,840. The Town's share of the total project cost is \$18,955,958. After reviewing different financing strategies with its Financial Advisor, First Tryon Advisors, staff have concluded that a combination of cash and debt-financing should be used to cover the Town's share of costs as detailed in Attachment 3, Amended Project Ordinance. Annual operating costs for the Town are estimated to be \$80,000.

**RECOMMENDATION:** Staff recommend that the Council consider approving the GMP by adopting the attached resolution and the amended project ordinance.

# GUARANTEED MAXIMUM PRICE

March 8, 2022

## The 203 Project

Carrboro, NC

Building Area = 109,338 SQFT

Amount	Total	Cost/SF
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### Cost of the Work

Subcontract Base Bid	\$28,796,592		\$0.00
<b>Subtotal Cost of Work</b>	<b>\$28,796,592</b>	<b>\$28,796,592</b>	<b>\$263.37</b>

### Contingencies

Construction Contingency	4.97%	\$1,505,178		\$13.77
<b>Subtotal Contingencies</b>		<b>\$1,505,178</b>	<b>\$30,301,770</b>	<b>\$277.14</b>

### General Conditions

Labor		\$0		\$0.00
<b>Subtotal General Conditions</b>	LSUM	<b>\$1,900,577</b>	<b>\$32,202,347</b>	<b>\$294.52</b>

### Bonds & Insurances

CMAR Insurances & Bonds	2.10%	\$726,297		\$6.64
Subcontractor Default Insurance	1.25%	\$359,957		\$3.29
<b>Subtotal Bonds &amp; Insurances</b>		<b>\$1,086,254</b>	<b>\$33,288,602</b>	<b>\$304.46</b>

### Fees & Allowances

Construction Management Fees	3.75%	\$1,296,959		\$11.86
<b>Subtotal Fees &amp; Allowances</b>		<b>\$1,296,959</b>	<b>\$34,585,560</b>	<b>\$316.32</b>

### Cost of the Work with Accepted Alternates

Accepted Alternates:				
E-1: EV-Ready Parking Spaces (Shared)		\$25,224		\$0.23
L-1: Soil Cells (Town of Carrboro)		\$41,600		\$0.38
QT-1: Theatrical Drapes (Town of Carrboro)		\$39,683		\$0.36
PBA/A-2: Corbin-Russwin Mortise Locksets		\$0		\$0.00
PBA/E-1: Communications Equipment		\$0		\$0.00
<b>Subtotal Cost of Work with Accepted Alternates</b>		<b>\$106,507</b>	<b>\$34,692,067</b>	<b>\$317.29</b>

<b>GMP Total with Alternates</b>	<b>\$34,692,067</b>	<b>\$317.29</b>
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# FINAL GMP SUMMARY

March 8, 2022

## The 203 Project

Town of Carrboro

Bid Packages		Contractor	Contract Amount (Base Bid No Alt)	
BP100 - GENERAL TRADES		CB&H	\$ 294,600	\$ 2.69
BP105 - FINAL CLEANING		Sparkle & Shine	\$ 30,955	\$ 0.28
BP201 - TURNKEY SITE & DEMOLITION		Sullivan Eastern	\$ 2,100,000	\$ 19.21
BP210 - FOUNDATION SYSTEMS		Wurster Betterground Holding	\$ 59,400	\$ 0.54
BP290 - LANDSCAPE & IRRIGATION		Landart Solutions	\$ 328,332	\$ 3.00
BP390 - TURNKEY CONCRETE		C&C Industrial	\$ 7,697,777	\$ 70.40
BP400 - TURNKEY MASONRY		Vega Construction	\$ 970,000	\$ 8.87
BP500 - TURNKEY STEEL		Smith	\$ 2,319,778	\$ 21.22
BP642 - MILLWORK & ARCHITECTURAL CASEWORK		Stephenson Millwork	\$ 269,900	\$ 2.47
BP740 - ROOFING		Gardner Roofing	\$ 369,262	\$ 3.38
BP750 - METAL WALL PANELS		Cynergy Systems	\$ 252,000	\$ 2.30
BP790 - WATERPROOFING, SEALANT, CAULKING		JT Murphy	\$ 89,395	\$ 0.82
BP800 - TURNKEY DOORS/FRAMES/HARDWARE		Martin Architectural	\$ 359,400	\$ 3.29
BP836 - OVERHEAD DOORS		Maxson & Associates	\$ 195,000	\$ 1.78
BP840 - CURTAINWALL / STOREFRONT / GLASS & GLAZING		Clayton Commercial Glazing	\$ 1,078,700	\$ 9.87
BP925 - METAL STUDS / DRYWALL / INSULATION		Sears	\$ 2,176,000	\$ 19.90
BP930 - CERAMIC TILE		Concordia	\$ 38,250	\$ 0.35
BP960 - RESILIENT FLOORING / CARPET / BASE		Brock Contract	\$ 236,325	\$ 2.16
BP964 - POLISHED CONCRETE		David Allen Co	\$ 64,968	\$ 0.59
BP965 - WOOD FLOORING		Brock Contract Services	\$ 51,530	\$ 0.47
BP980 - ACOUSTICAL CEILINGS & WALLS		Heartland Acoustics	\$ 1,172,967	\$ 10.73
BP990 - PAINTING AND WALLCOVERINGS		E. Caligari & Son	\$ 264,200	\$ 2.42
BP1005 - TOILET SPECIALTIES / ACCESSORIES / DIVISION 10		TCS	\$ 263,998	\$ 2.41
BP1010 - IDENTIFICATION DEVICES		Modulux Carolinas	\$ 78,500	\$ 0.72
BP1065 - OPERABLE PARTITIONS		Learning Environments	\$ 24,669	\$ 0.23
BP1110 - STAGE EQUIPMENT		Barbizon	\$ 153,000	\$ 1.40
BP1250 - WINDOW TREATMENTS		Contract Window Treatments	\$ 44,360	\$ 0.41
BP1400 - ELEVATORS		TK Elevator Corp	\$ 489,500	\$ 4.48
BP1530 - FIRE PROTECTION		J&D Sprinkler	\$ 492,450	\$ 4.50
BP1540 - PLUMBING		Comfort Systems	\$ 844,442	\$ 7.72
BP1550 - HVAC		Mechworks Mechanical	\$ 1,966,850	\$ 17.99
BP1600 - ELECTRICAL		LJ Electric	\$ 4,020,085	\$ 36.77
<b>Bid Day Total</b>			<b>\$ 28,796,592</b>	<b>\$ 263.37</b>
1.25%	Subcontractor Default Insurance		\$ 359,957	\$ 3.29
<b>COST OF WORK WITH SUBCONTRACTOR BONDS</b>			<b>\$ 29,156,550</b>	<b>\$ 266.66</b>
4.97%	Construction Contingency		\$ 1,505,178	\$ 13.77
<b>COST OF WORK SUBTOTAL</b>			<b>\$ 30,661,728</b>	<b>\$ 280.43</b>
LSUM	General Conditions		\$ 1,900,577	\$ 17.38
3.75%	Fee		\$ 1,296,959	\$ 11.86
2.10%	Insurances & Bonds		\$ 726,297	\$ 6.64
<b>Project Base Bid Grand Total (Less Accepted Alternates)</b>			<b>\$ 34,585,560</b>	<b>\$ 316.32</b>

sqft

109,338

## FINAL GMP ALTERNATES SUMMARY

March 8, 2022

### The 203 Project

Carrboro, NC

Alternate No.	Alternate Description	Packages Affected	Unburdened Alternate Cost
A-1	Electrochromic Glazing	BP840, BP1600	\$ 161,650.00
A-10	Shell Only: Performance Space, Level 1	BP642, BP925, BP930, BP960, BP965, BP980, BP990, BP1110, BP1530, BP1540, BP1550, BP1600	\$ (342,455.00)
A-11	Shell Only: Orange County Skills work areas, Level 2&3	BP642, BP925, BP930, BP960, BP965, BP980, BP990, BP1530, BP1540, BP1550, BP1600	\$ (264,539.32)
A-12	Shell Only: Orange County Library work area, Level 1	BP642, BP925, BP930, BP960, BP965, BP980, BP990, BP1530, BP1540, BP1550, BP1600	\$ (480,265.21)
A-13	Shell Only: East Side of Level 1	BP642, BP925, BP930, BP960, BP965, BP980, BP990	\$ (197,156.32)
A-14A	Acoustical Ceiling Baffles: Increase Spacing, 8" to 12" O.C.	BP980	\$ (59,254.00)
A-14B	Acoustical Ceiling Baffles: Decrease Depth, 11.5" to 7.5" O.C.	BP980	\$ (55,396.00)
C-1	Omit Fiber Optic Cabling: adjacent to Maple and Carr	BP2600	\$ (60,980.00)
E-1	35 Additional "EV-Ready" parking spaces	BP2600	\$ 23,455.00
E-2	Electrical Panels associated with Alternate E-1	BP2600	\$ 17,450.00
E-3	Photovoltaic Panels & Inverter Equipment - WEST ROOF	BP1370	\$ 178,000.00
E-4	Photovoltaic Panels & Inverter Equipment - EAST ROOF	BP1370	\$ 712,226.00
L-1	Soil Cells	BP201, BP225, BP290	\$ 38,683.00
QT-1	Theatrical Drapes & Associated Track	BP1110	\$ 36,900.00
QT-2	Telescoping Seating	BP1240	\$ 244,360.00
PBA/A-2	Corbin-Russwin Mortise Locksets	BP800	\$ -
PBA/A-3	Taylor Brick in Executive Gray	BP400	\$ 5,000.00
PBA/E-1	Communications Equipment	BP1600	\$ -

**FINAL GMP TOTAL Minority Contractor Participation Report**

March 8, 2022

**The 203 Project**

Carrboro, NC

BID PACKAGES	CONTRACTOR	CONTRACT AMOUNT	AFRICAN AMERICAN	WHITE FEMALE	HISPANIC	ASIAN AMERICAN	AMERICAN INDIAN	TOTAL \$ HUB	TOTAL % HUB
BP100 - GENERAL TRADES	CB&H	\$ 294,600.00	\$ 25,000.00	\$ -	\$ -	\$ -	\$ -	\$ 25,000.00	8.49%
BP105 - FINAL CLEANING	Sparkle & Shine	\$ 30,954.85	\$ -	\$ 30,955.00	\$ -	\$ -	\$ -	\$ 30,955.00	100.00%
BP201 - TURNKEY SITE & DEMOLITION	Sullivan Eastern	\$ 2,100,000.00	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	0.00%
BP290 - LANDSCAPE & IRRIGATION	Landart Solutions	\$ 328,332.00	\$ -	\$ 328,332.00	\$ -	\$ -	\$ -	\$ 328,332.00	100.00%
BP390 - TURNKEY CONCRETE	C&C Industrial	\$ 7,697,777.00	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	0.00%
BP400 - TURNKEY MASONRY	Vega Construction	\$ 970,000.00	\$ -	\$ -	\$ 970,000.00	\$ -	\$ -	\$ 970,000.00	100.00%
BP500 - TURNKEY STEEL	Smith	\$ 2,319,778.00	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	0.00%
BP642 - MILLWORK & ARCHITECTURAL CASEWORK	Stephenson Millwork	\$ 269,900.00	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	0.00%
BP740 - ROOFING	Gardner Roofing	\$ 369,262.00	\$ -	\$ -	\$ 33,600.00	\$ -	\$ -	\$ 33,600.00	9.10%
BP750 - METAL WALL PANELS	Cynergy Systems	\$ 252,000.00	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	0.00%
BP790 - WATERPROOFING, SEALANT, CAULKING	JT Murphy	\$ 89,395.00	\$ -	\$ 8,939.00	\$ -	\$ -	\$ -	\$ 8,939.00	10.00%
BP800 - TURNKEY DOORS/FRAMES/HARDWARE	Martin Architectural	\$ 359,400.00	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	0.00%
BP836 - OVERHEAD DOORS	Maxson & Associates	\$ 195,000.00	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	0.00%
BP840 - CURTAINWALL / STOREFRONT / GLASS & GLAZING	Clayton Commercial Glazing	\$ 1,078,700.00	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	0.00%
BP925 - METAL STUDS / DRYWALL / INSULATION	Sears	\$ 2,176,000.00	\$ -	\$ 2,176,000.00	\$ -	\$ -	\$ -	\$ 2,176,000.00	100.00%
BP930 - CERAMIC TILE	Concordia	\$ 38,250.00	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	0.00%
BP960 - RESILIENT FLOORING / CARPET / BASE	Brock Contract	\$ 236,325.00	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	0.00%
BP964 - POLISHED CONCRETE	David Allen Co	\$ 64,968.00	\$ -	\$ -	\$ 6,497.00	\$ -	\$ -	\$ 6,497.00	10.00%
BP965 - WOOD FLOORING	Brock Contract Services	\$ 51,530.00	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	0.00%
BP980 - ACOUSTICAL CEILINGS & WALLS	Heartland Acoustics	\$ 1,172,967.00	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	0.00%
BP990 - PAINTING AND WALLCOVERINGS	E. Caligari & Son	\$ 264,200.00	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	0.00%
BP1005 - TOILET SPECIALTIES / ACCESSORIES / DIVISION 10	TCS	\$ 263,997.64	\$ 263,998.00	\$ -	\$ -	\$ -	\$ -	\$ 263,998.00	100.00%
BP1010 - IDENTIFICATION DEVICES	Modulex Carolinas	\$ 78,500.00	\$ -	\$ 2,000.00	\$ -	\$ -	\$ -	\$ 2,000.00	2.55%
BP1065 - OPERABLE PARTITIONS	Learning Environments	\$ 24,669.00	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	0.00%
BP1110 - STAGE EQUIPMENT	Barbizon	\$ 153,000.00	\$ -	\$ 32,500.00	\$ -	\$ -	\$ -	\$ 32,500.00	21.24%
BP1250 - WINDOW TREATMENTS	Contract Window Treatments	\$ 44,360.00	\$ -	\$ 44,360.00	\$ -	\$ -	\$ -	\$ 44,360.00	100.00%
BP1400 - ELEVATORS	TK Elevator Corp	\$ 489,500.00	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	0.00%
BP1530 - FIRE PROTECTION	J&D Sprinkler	\$ 492,450.00	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	0.00%
BP1540 - PLUMBING	Comfort Systems	\$ 844,442.00	\$ 97,564.00	\$ 35,466.00	\$ -	\$ -	\$ -	\$ 133,030.00	15.75%
BP1550 - HVAC	Mechworks Mechanical	\$ 1,966,850.00	\$ -	\$ 125,020.00	\$ -	\$ -	\$ -	\$ -	0.00%
BP1600 - ELECTRICAL	LJ Electric	\$ 4,020,085.00	\$ -	\$ 21,000.00	\$ -	\$ -	\$ -	\$ 21,000.00	0.52%
	<b>Total Subcontract Work</b>	<b>\$ 28,796,592.49</b>	<b>\$ 386,562.00</b>	<b>\$ 2,807,162.00</b>	<b>\$ 1,010,097.00</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ 4,076,211.00</b>	<b>14.16%</b>



### Total Project Budget

03/01/22 Total Project Budget (Updated with GMP)			
	Town	Orange County	Total
<b>A. Construction</b>			
Total Construction & CMAR	\$15,490,004.00	\$19,202,063.00	\$34,692,067.00
<b>B. Design</b>			
Architectural Fees (Ratio of CBO/OC Sq. Ft. = 44.52/55.48)	\$752,074.13	\$937,220.87	\$1,689,295.00
Supp. Architectural Fees (Ratio of CBO/OC Sq. Ft. = 44.52/55.48)	\$252,784.56	\$315,015.44	\$567,800.00
	\$1,004,858.69	\$1,252,236.31	\$2,257,095.00
<b>C. FFE &amp; Contingency</b>			
Furniture , Fixtures and Equipment (FF&E)	\$1,688,850.00	\$802,225.00	\$2,491,075.00
Owner's Contingency (5%) @ Ratio of CBO/OC 44.52/55.48	\$772,245.00	\$962,358.00	\$1,734,603.00
Subtotal FFE&Contingency	\$2,461,095.00	\$1,764,583.00	\$4,225,678.00
<b>TOTAL Project Budget</b>	\$18,955,957.69	\$22,218,882.31	\$41,174,840.00

**AMENDMENT TO 203 SOUTH GREENSBORO STREET CAPITAL IMPROVEMENT  
PROJECT ORDINANCE**

WHEREAS the Town of Carrboro (Carrboro), and Orange County (County) entered into a Development Agreement on December 4, 2017 related to design, permitting, and construction of a building and associated parking at 203 S. Greensboro Street to provide for the Orange County Southern Branch Library, Orange County Skills Development Center, Town of Carrboro Recreation, Parks and Cultural Resources, WCOM Radio, and other uses; and,

WHEREAS the Town and County subsequently amended this Development Agreement on May 1, 2020; and,

WHEREAS Barnhill Construction, Construction Manager at Risk (CMAR) for the 203 S. Greensboro Street Project has provided to the Town and County a Guaranteed Maximum Price (GMP) of \$34,692,067 for construction; and,

WHEREAS the total cost of the project is estimated to be \$41,174,840 for the design, construction and provision of furniture, fixtures and equipment (FF & E); and,

WHEREAS the Town's estimated share of costs for the project total \$18,955,958; and,

WHEREAS, the County's estimated share of costs for the project total \$22,218,882; and,

WHEREAS, it is necessary to amend this Capital Project Ordinance to provide sufficient funding for the completion of the project.

NOW, THEREFORE PURSUANT TO N.C.G.S 159-13.2, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF CARRBORO THAT THE 203 SOUTH GREENSBORO STREET CAPITAL IMPROVEMENT PROJECT ORDINANCE is amended as follows:

1. The total revenues for the 203 S. Greensboro Street Project are increased to \$41,174,840 with each party responsible for the share of revenues as shown below.

	<b>Approved Budget</b>	<b>Increase (Decrease)</b>	<b>Total Revenue</b>
Town of Carrboro	\$ 12,000,000	\$ 6,955,958	\$ 18,955,958
Orange County	\$ 15,638,255	\$ 6,580,627	\$ 22,218,882
Total	<b>\$ 27,638,255</b>	<b>\$ 13,536,585</b>	<b>\$ 41,174,840</b>

2. The following expenses are authorized until completion of the project and each party shall be responsible for the proportionate share of expenses for the 203 S. Greensboro Street Project as shown below.

	<b>Orange County</b>	<b>Town of Carrboro</b>	<b>Total</b>
Design	\$ 1,252,236	\$ 1,004,859	\$ 2,257,095
Construction	\$ 19,202,063	\$ 15,490,004	\$ 34,692,067
FF & E	\$ 1,764,583	\$ 2,461,095	\$ 4,225,678
<b>Total</b>	<b>\$ 22,218,882</b>	<b>\$ 18,955,958</b>	<b>\$ 41,174,840</b>

3. The Town of Carrboro shall finance its share of the costs as follows:
- Debt Financing in the amount of \$12,595,000 for Design and Construction;
  - Cash contribution of \$6,319,358 for FF & E, contingency, and construction; and,
  - Cash contribution of \$41,600 from Stormwater Utility Enterprise Fund for soil cell.
4. The Town Manager and Finance Officer are hereby authorized to perform and undertake such acts and actions necessary for the financing of this project.
5. The Town Council authorizes the transfer of up to \$6,314,358 from General Fund balance (also known as cash reserves) to the 203 S. Greensboro Street Capital Project.
6. Within five (5) days after this amended project ordinance is adopted, the Town Clerk shall file a copy of this ordinance with the Finance Director and Planning Director.
7. All other provisions of the Capital Project Ordinance shall continue in effect.
8. This Amended Project Ordinance shall become effective upon adoption.

The foregoing amended capital project ordinance having been submitted to a vote received the following vote and was duly adopted this \_\_\_\_ th day of March 2022.

Ayes:                Noes:

Absent or Excused:



A RESOLUTION FOR ACCEPTING THE GUARANTEED MAXIMUM PRICE FOR THE  
203 PROJECT

WHEREAS, The Town has undertaken the development of a major civic facility, The 203 Project, in partnership with Orange County; and,

WHEREAS, on August 8, 2018 the Town selected Barnhill Contracting Company as the Construction Manager at Risk for the 203 Project; and,

WHEREAS, on June 15, 2021 the Town Council approved the project design; and,

WHEREAS, bidding and advertising was performed by Barnhill Contracting Company in accordance with Town policy and State requirements; and,

WHEREAS, Barnhill Contracting Company has developed a Guaranteed Maximum Price (GMP) to complete the construction of the project in the amount of \$34,692,067; and,

WHEREAS, The Town Council has received recommended finance strategies to pay for the Town's share of the construction costs for the 203 Project;

NOW, THEREFORE, BE IT RESOLVED that the Carrboro Town Council approve the Guaranteed Maximum Price for the 203 Project provided by Barnhill Contracting Company in the amount of \$34,692,067.

This the 15<sup>th</sup> day of March in 2022.