

THE BOARD OF COUNTY COMMISSIONERS

DURHAM, NORTH CAROLINA

Monday, January 26, 1998

5:00 P.M - 6:30 P.M. Joint Meeting

BOCC/Board of Education

7:00 P.M. Regular Session

AGENDA

1. **Opening of Regular Session**?Pledge of Allegiance

2. **Agenda Adjustments**

3. **Minutes**

January 5, 1998 Worksession

4. **Consent Agenda**

- a. Five (5) mid-size, 4-door sedans for the Durham County Sheriff?s Department (authorize the County Manager to enter into a contract with University Ford Inc. for the acquisition of five mid-size, 4-door sedans for the Durham County Sheriff?s Department);
- b. Property tax release and refund report (accept the property tax release and refund report as presented and authorize the Tax Administrator to adjust the tax records as outlined by the report);
- c. Coordinated Transportation?approval of funds for transportation services for elderly and disabled residents (EDTAP grant funds) (approve the appropriation of grant funds for Coordinated Transportation [Budget Ordinance Amendment No. 98BCC000022] and authorize the County Manager to increase the current purchase order of \$51,628 to \$85,974);
- d. Cooperative Extension?request for appropriation of fund balance (authorize the appropriation of the prior year grant funds [\$7,790] as requested by the Budget Officer [Budget Ordinance Amendment No. 98BCC000023]).

Note: The purpose of a consent agenda is to handle consensus items with one motion to save time on meeting agendas. Any item a Board member pulls for discussion should be placed at the end of the agenda so public hearings can be concluded as early as possible. This will provide for the least inconvenience to the general public attending the public hearings.

5. **Public Hearing--Rex Alan Blalock (Rezoning Case P97-78)**

Rex Alan Blalock will present to the Board of County Commissioners a request to rezone two lots (4.3± acres) at 120 and 208 Bill Poole Road, south of Robb Court and west of North Roxboro Road in the Rougemont area. (Tax Map 901, Block 2, Lot 1 [partial] and Lot 2[partial]). Request: (Residential-15 District R-15 to (Rural District) RD.

In the Durham 2020 Comprehensive Plan, the site is shown on the Community Growth Map as being "Rural Area." The Future Land Use Map (FLUM) of the Mangum Township Small Area Plan, adopted by the Board of County Commissioners on October 27, 1997, shows the site as rural residential. Currently, single family and mobile homes constitute over 99 percent of all housing units in Mangum Township. Staff recommends approval of the request

based primarily on conformance with these plans. The Zoning Committee of the Durham Planning Commission conducted a public hearing on December 9, 1997, and voted 7-0 to recommend approval.

Harold Smith, Senior Planner, Durham City-County Planning Department, will be present to answer any questions of staff regarding the request.

6. Public Hearing--Ticon Inc. (Rezoning Case P97-73)

Ticon Inc. will present to the Board of County Commissioners a request to rezone 27.04 acres at the southwest corner of Page and New Page Roads, adjacent to and north of Lumley Road (TM 649-1-1A, 1D, 1 partial, 1F partial). Request: Rural District (RD) to Light Industrial with Development Plan (I-2 [D]). The Southeast Durham Small Area Plan is under development. The current draft Future Land Use Map suggests medium density residential as appropriate for the site. The 2005 Plan supports residential development at greater than 6 units per acre. The 2020 Plan shows the area used for Suburban Neighborhood purposes. Page Road is a minor thoroughfare according to the adopted Thoroughfare Plan. Staff recommends denial. However, if the Board determines the request should be approved, staff recommends provision for the additional right of way be made. The Zoning Committee of the Durham Planning Commission conducted a public hearing on November 11, 1997, and voted 4-3 to recommend denial.

Sheila Stains-Ramp, Senior Planner, Durham City-County Planning Department, will be present to answer any questions of staff regarding the request.

7. A Public Hearing to Consider an Ordinance to Amend the Zoning Ordinance Provisions Regarding Standards for Campaign Signs

Questions were raised during the last City Council campaign season about regulations regarding the placement of political signs. Staff prepared an amendment to clarify the standards later revised as Version A. The standards resemble those of other Triangle jurisdictions. On a split vote in November, the Joint City-County Planning Committee recommended a modified version of the proposal (Version B). The Zoning Committee of the Planning Commission reviewed both proposals in December and unanimously supported Version A.

8. Public Hearing on Revisions to Ordinance Requirements Related to Storm Water Protection

The City Engineering Department proposed amendments to the development ordinances to address storm water protection. The Commissioners considered the proposals in June and asked for more information regarding the guidance information for storm water plans.

Ken Wright, Director of the Engineering Department, will present this information to the Board.

9. Public Hearings to Consider Amendments to the Zoning and Subdivision Ordinances Described as: TC 65-97 (Consideration of Revised Standards for Historic Plaques) and Companion Amendments TC 68-97 and TC 69-97 (Consideration of Revised Street Standards for Amendment Into the Zoning and Subdivision Ordinances)

The following amendments are proposed for adoption into the Durham Zoning and Subdivision Ordinances to improve the efficiency of the ordinances. These proposals were unanimously recommended for approval by the Joint City-County Planning Committee at its October meeting. The Zoning Committee of the Planning Commission held public hearings on these items at its November meeting and recommended approval. The amendment proposals to be considered at separate public hearings are:

1. TC 65-97: An amendment to modify the Zoning Ordinance to establish standards for historic plaques.
2. TC 68-97: An amendment to modify the Zoning Ordinance to permit greater variety in allowed residential street types. The amendment is accompanied by another amendment to propose similar changes to the ordinance.
3. TC 69-97: An amendment to modify the Subdivision Ordinance to permit greater variety in allowed residential street types. This is the second part of a two part amendment to modify the Zoning and

Subdivision Ordinances regarding streets. The amendments may be considered together during the public hearing, but decisions must be rendered separately.

The City Council adopted these same amendments at its December 15, 1997 meeting. Bonnie Estes will introduce these items and representatives from the City Engineering Department will present additional information on the street standard proposals.

County Manager's Recommendation: Approval of the amendments.

10. Holding the 1998-99 HUD Consolidated Plan Needs Public Hearing

The Planning Department requests that the Board of County Commissioners hold the 1998-99 Consolidated Plan Needs Public Hearing on January 26, 1998. The date for the public hearing was set by the Board of County Commissioners at its January 12, 1998 meeting. The adopted Citizen Participation Plan for use with the Consolidated Plan requires that two public hearings be held prior to the submission of the Consolidated Plan to HUD. The purpose of the first public hearing is to receive public comment and proposals pertaining to HOME program needs in Durham. The City Council is scheduled to hold its needs public hearing on February 2, 1998.

Paul Norby, City-County Planning Director, has reviewed the request and recommends that the County's 1998-99 Consolidated Plan Needs Public Hearing be held on January 26, 1998. Michael Pullum, Senior Planner, will attend the meeting to answer questions.

County Manager's Recommendation: To hold the 1998-99 Consolidated Plan Needs Public Hearing on January 26, 1998 to fulfill requirements of the adopted Citizen Participation Plan for use with the HUD Consolidated Plan.

11. The Durham Crime Cabinet Report

The Durham Crime Cabinet Report is the culmination of an eight-month effort initiated by the City and County of Durham and the Greater Durham Chamber of Commerce to bring all available resources to bear on reducing Durham's crime level. The effort involves improved coordination among agencies and incorporating new technologies and strategies which have proven effective in other jurisdictions. More attention will be given to juvenile justice matters and improved communication between law enforcement and the public schools through deployment of additional school resource officers, anti-truancy efforts, and focusing on young persons on probation. Finally, a key focus will be the enforcement of municipal ordinances, through an Ordinance Enforcement Court, and a renewed emphasis on cleaning Durham's roadways and neighborhoods of litter, graffiti, and other nuisances that detract from the quality of life.

Commissioner Ellen Reckhow will provide an overview of the efforts of the Durham Crime Cabinet and information about grant preapplication. Patrick Byker, Durham Chamber of Commerce, will provide an overview of the initiatives developed by the Cabinet's subcommittees.

County Manager's Recommendation: The County Manager recommends that the Board endorse the initiatives presented in the report and direct staff to include the initiatives in the County's FY 1998-99 Integrated Work Plan and upcoming budget process. The County Manager also recommends that the Cabinet be authorized to coordinate the pursuit of grants and other sources of revenue pertaining to crime reduction initiatives.

12. Eastman Development--Major Site Plan Reapproval

The Board of County Commissioners approved this site plan/preliminary plat in October, 1997, with notice requirements on the existence of the Eno Drive alternate corridor that crossed the site. The applicant, Eastman Development, has requested that the BOCC reconsider the requirement of alternate corridor notice. A letter from NCDOT, provided to the County Attorney's office, clarifies the official NCDOT status of the alternate corridor. The applicant's attorney has been in contact with the County Attorney and the County Attorney feels satisfied, based on his communication with NCDOT, that the alternate corridor affecting this

site is not something that needs protection or should have further protection. Reapproval of the preliminary plat is also requested; the October 1997 approval has lapsed.

Sheila Stains-Ramp, Senior Planner, and Chuck Kitchen, County Attorney, will be present to respond to questions.

13. Offer to Purchase County Property

The County has received an offer from Central Medical Park of 2609 North Duke Street to purchase a strip of land along the rear of 2422 & 2432 Broad Street where the Animal Control Department and Youth Home are located on an 8.3-acre tract. This County property borders the Central Medical Park property. The strip contains .88 acres and the amount offered for the property is \$40,000.

Central Medical Park desires this strip of land to develop it for parking to support an expansion of the medical park with construction of a new 10,000-square-foot building to be built in early 1998. This land development and new construction will add approximately \$1 million to Central Medical Park's property tax valuation. At the current tax rate, this development will generate approximately \$16,400 in new County and City property taxes. Another new building is planned for early 1999.

The County's property is zoned residential (R-8) and the offer to purchase is made subject to Central Medical Park obtaining an Office/Institutional (OI-1) zoning for the property.

Planning, General Services, Animal Control, and Youth Home Departments have evaluated the potential sale. The proposed sale will have no adverse effect on County operations or the Youth Home's future expansion capability.

County Manager's Recommendation: Receive the offer submitted by Central Medical Park and adopt the resolution whereby the property is advertised as an "Upset Bid" sale.