

THE BOARD OF COUNTY COMMISSIONERS
DURHAM, NORTH CAROLINA

Tuesday, May 26, 1998

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

County Manager's FY 1998-99 Recommended Budget

David F. Thompson, Durham County Manager, will present his recommended 1998-99 Budget to the Board of County Commissioners on Tuesday, May 26, 1998 for the Board's deliberations. After the budget is presented, a request will be made for scheduling of budget worksessions and the public hearing.

County Manager's Recommendation: I recommend that the Board of County Commissioners consider this item as required by G.S. 159-12(b), the Local Government Budget and Fiscal Control Act.

7:00 P.M. Regular Session

AGENDA

1. Opening of Regular Session-Pledge of Allegiance
2. Agenda Adjustments
3. Minutes
 - a. April 13, 1998 Regular Session
 - b. April 13, 1998 Closed Session
 - c. April 27, 1998 Regular Session
 - d. May 4, 1998 Worksession
4. Resolution Honoring Former Governor and Senator Terry Sanford

A resolution honoring the life of former Governor, Senator, and Duke University president Terry Sanford has been prepared by staff. Terry Sanford is remembered for numerous outstanding contributions to the Durham community.

5. Consent Agenda

- a. FY 1997-98 Budget Ordinance Amendment No. 98BCC000039-Other Human Services--Youth Coordinating Board (approve as submitted).

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.

6. Public Hearing: Revision of Durham County's Animal Control Ordinance

On July 1997, an Ordinance Review Committee (ORC) was appointed by the County Manager and charged with identifying all outstanding issues with the existing Durham County Animal Control Ordinance, the need for additions

and deletions, and with the drafting of a proposed revision to the ordinance for the BOCC's review and consideration. The ORC comprises representatives from Animal Control, the Animal Protection Society, the Animal Control Advisory Committee (ACAC), the County Attorney's Office, and the District Attorney's Office. Since its first meeting on August 12, 1997, the committee has worked very diligently incorporating all members' issues and concerns into the proposed revised ordinance. On March 11, 1998, at a special called meeting, the ACAC received and reviewed the ordinance, and on April 20, 1998, unanimously approved the proposed ordinance.

On Monday, May 4, 1998, during a regularly scheduled worksession of the BOCC, the ACAC and ORC presented the proposed ordinance to the BOCC and answered questions.

On Monday, May 11, 1998, the BOCC scheduled a public hearing date for Tuesday, May 26, 1998, for the general public to comment on the proposed ordinance. Copies of the ordinance were made available for review and comment by the public on May 11, 1998, at all Durham County Libraries, Clerk to the Board's Office, Animal Control Office on Broad Street, Animal Shelter on Club Boulevard, and the General Services Department at 310 South Dillard Street.

Resource persons for this item are Michael Turner, Director of General Services and Simone Alston, Assistant County Attorney. Members from ORC and ACAC will be available to receive public comment and answer questions for the BOCC.

County Manager's Recommendation: Receive public comment and approve the proposed revisions to the Durham County Animal Control Ordinance subject to the incorporation of specific changes as directed by the Board.

7. Public Hearing for Approval of Standard Reimbursable Utility Contract For Extension of County Sewer to Service the Page Park Apartment Complex

The Utility Division requests approval of the County's Standard Reimbursable Utility Contract for the oversizing of the Page Park outfall, lift station, and force main. Dominion Construction Services Inc. is building the system to serve the Page Park Apartment Complex at Page Road and the Southern Parkway. Oversizing of the system will allow sewer service to approximately 120 additional acres in the Little Briar Creek drainage basin. The total reimbursable amount is \$91,295.13. The Sewer Connection Application shows that the reimbursement will be taken out of the Line Frontage Fees due for the project.

Chuck Hill, Division Head, Environmental Engineering Office, will be present to discuss a recommendation to the Board.

County Manager's Recommendation: The County Manager recommends that the Board authorize execution of the above reimbursable utility contract for oversizing the sewer system at the Page Park Apartment complex.

8. Public Hearing to Consider an Amendment to the Zoning Ordinance Regarding Standards for the Display of Flags (TC72-98)

Adopt Zoning Ordinance Amendment TC72-98 regarding the display of flags.

9. Public Hearing to Consider an Amendment to the Zoning Ordinance Regarding Landmark Signs (TC74-98)

To adopt Zoning Ordinance Amendment TC74-98 regarding landmark signs.

10. Public Hearing --C&M of Durham Inc. (Rezoning Case P98-5)

C&M of Durham Inc. will present to the Board of County Commissioners a request to rezone a 2.14-acre site at the southeast corner of Camellia Street and Crystal Lake Road (Tax Map 715, Block 1, Lots 18 and 18E) Request: R-20 (Residential 20 District) to RM-12 (Residential Multifamily District). The Community Growth Map of the Durham 2020 Comprehensive Plan shows that the requested site is located within the Urban Corridor B: Fulton St./Hillandale Rd./Guess Rd., which connects Duke University and Medical Center with northwest Durham. The Future Land Use Map in Durham 2005 Comprehensive Plan shows the site as suitable for residential use at less than 6 units per acre, but adjacent to higher density uses. Staff recommends approval. The Zoning Committee of the Durham Planning Commission conducted a public hearing on April 14, 1998, and voted 7-0 to recommend approval.

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

11. Major Site Plan Approval for Aldersgate United Methodist Church

Aldersgate United Methodist Church is requesting the approval of a Major Site Plan for "Aldersgate United Methodist Church" to allow for the addition of a 28,300-square-foot family life center (multi-purpose facility) and related site improvements to the existing 9,758-square-foot sanctuary and existing site development. The site is located at 1714 Bivins Road, on the northeast corner of Bivins Road and Umstead Road (Tax Map 822-14-6)

Helen Youngblood, Senior Planner, will present this item and answer questions.

12. Major Site Plan Approval For Distribution Warehouses at Technology Park

J.F. McKinney and Associates LTD is requesting the approval of a Major Site Plan for "Distribution Warehouses at Technology Park" to allow for the construction of three, 200,000-square-foot warehouse buildings with amenity areas on 45.887 acres, zoned I-1. The site is located at the southwest corner of Alexander Drive/Southern Parkway and Page Road, west of the Durham County/Wake County line, and south of US Highway 70. (Tax Map 580-1-1C,10)

Alice Wilson, Associate Planner, will present the case and answer questions.

13. Major Site Plan Approval For Trinity School

John R. McAdams is requesting the approval of a Major Site Plan for "Trinity School" to allow for the construction of a 131,350-square-foot private school on 22 acres, zoned R-20. The site is located on the west side of Cambridge Road, (a.k.a. state road 1303) at the intersection of Cambridge and Pickett Road. (Tax Map 456 and 457, block 1, lot 10 [partial], and 7.16.26, a portion of which lies within Orange County)

Helen Youngblood, Senior Planner, will present the case and answer questions.

14. Response to Letter From E. Norris Tolson, Secretary of the

Department of Transportation

Chairman Black has requested the Board of Commissioners consider a response to the letter from E. Norris Tolson, Secretary of the Department of Transportation, concerning Eno Drive. The proposed Eno Drive project has been allocated the sum of \$135,780,000 by the State.