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### Regular Council Meeting Tuesday, April 4 - Afternoon and Evening Sessions

Reminder that Council will meet next **Tuesday** in regularly scheduled sessions at **1:00 P.M.** and **7:00 P.M.** The agenda for the meeting was published on Thursday:

<https://go.boarddocs.com/nc/raleigh/Board.nsf/Public>

Please note there will be a **Closed Session** immediately following the afternoon session of the Council meeting.

**Reminder:** If there is an item you would like to have pulled from the consent agenda for discussion, please send an e-mail [mayorstaff@raleighnc.gov](mailto:mayorstaff@raleighnc.gov) by 11 A.M. on the day of the meeting.

## INFORMATION:

### Sidewalk Petition Program - Equity Review and Engagement

*Staff Resource: Anne Conlon, Transportation, 996-2160, [anne.conlon@raleighnc.gov](mailto:anne.conlon@raleighnc.gov)*

City staff are currently engaging with residents around the city about sidewalks in order to develop a more equitable program to identify and prioritize sidewalks on local streets.

This engagement is being led by the Strategic Plan Initiative Team for Transportation and Transit 5.1, which is charged with evaluating transportation services and programs to enhance equitable outcomes for all. This

team has been evaluating the existing structure of the Sidewalk Petition Program by applying the Racial Equity Toolkit, which has culminated in the current engagement effort.

There are two primary goals of this engagement: 1) better understand the root causes of disparities that have been observed in historic program outcomes, and 2) guide the development of a new program structure. The Office of Community Engagement is actively supporting this effort.

More information is available on the initiative [project page](#), which includes a link to the [sidewalk survey](#). The survey is open to all residents, but outreach is being targeted to support the first goal listed above. Staff are specifically reaching out to residents in neighborhoods that have not historically participated in the program, as identified through the previous data analysis documented on the project page, to better understand why they haven't participated.

Outreach methods include in-person tabling at other City events, postcards at community centers in target areas, targeted postcard mailings, email to transportation listservs, coordination with the Community Engagement Board, and social media.

Staff will continue to monitor the feedback we are receiving and set up pop-up events in target areas to supplement these other methods over time as needed. Staff expects to bring a revised program recommendation to City Council in the summer of 2023.

*(No Attachment)*

### **New Bern Avenue Bus Rapid Transit - Utility Relocations and Tree Removal Construction Phase**

*Staff Resource: David Eatman, Transportation - Transit, 996-4040, [david.eatman@raleighnc.gov](mailto:david.eatman@raleighnc.gov)*

Both City and North Carolina Department of Transportation roadways have several utility easements located within the respective public rights-of-way. Easements carry utilities such as telecommunications and internet fiber; water and wastewater; electrical and other public and private services. As with any roadway or Bus Rapid Transit (BRT) project, these utilities require relocation as an initial step prior to the commencement of construction. This pre-construction preparation requires contractors to remove obstacles that may be in the way of the relocated utilities and conflict with the construction project.

The New Bern Avenue BRT project is scheduled to begin construction later this year; in preparation for that work the relocation of utilities has begun. This work will result in the removal of several shrubs, trees and other obstructions located in the path of the utilities requiring relocation. Some of these trees are large and removal will be noticeable to the public; Council may be contacted by constituents regarding this tree removal. The work is anticipated to continue up to and during construction phases of the New Bern Avenue BRT project.

*(No attachment)*

**Temporary GoRaleigh Shuttle Service - Oak City Cares Facility**

*Staff Resource: David Walker, Transportation - Transit, 996-3942, [david.walker@raleighnc.gov](mailto:david.walker@raleighnc.gov)*

The Rocky Branch Interceptor project being undertaken by Raleigh Water will close the intersection of Wilmington Street at Keeter Center Drive on Friday, March 31, beginning at 9:00 A.M. The closure will prevent access to the bus stop used by GoRaleigh located in front of Oak City Cares and the South Wilmington Street Men's facilities. The project will require the closure for approximately four to six weeks.

Transit staff have coordinated with staff from both facilities to provide a shuttle bus from the nearest stop to the respective facilities. The shuttle will circulate every 10-15 minutes during the facilities regular operating hours (7 A.M. to 6 P.M.) for the duration of the road closure. GoRaleigh will provide shuttle service for individuals from the existing bus stop and shelter to the bus stop and shelter located just west of the intersection of McLendon Street and Keeter Center Drive.

Wake County staff have agreed to allow the shuttle access to internal driveways throughout the closure period so that shuttle vehicles can operate in a loop. An informational flyer with shuttle information was created; copies were provided to both facilities for distribution to clients.

Construction has also started on a major bus stop improvement at this facility. The improved bus shelter site improvement should be completed during the same time as the road closure. The existing bus shelter will remain in place until the new one is built, and the shuttle will continue serving the existing shelter during construction.

*(No attachment)*

**Weekly Digest of Special Events**

*Staff Resource: Sarah Heinsohn, Office of Special Events, 996-2200, [sarah.heinsohn@raleighnc.gov](mailto:sarah.heinsohn@raleighnc.gov)*

Included with the *Update* materials is the special events digest for the upcoming week.

*(Attachment)*

## Council Member Follow Up Items

### Follow Up from the March 7 City Council Meeting

**Historic Overlay District Removal Process (Mayor Pro Tem Branch)**

*Staff Resource: Tania Tully, Planning and Development, 996-2674, [tania.tully@raleighnc.gov](mailto:tania.tully@raleighnc.gov)*

During the meeting, Mayor Pro Tem Branch reported that he had received inquiries from property owners in the Prince Hall Historic Overlay District (HOD) about initiating removal of parcels from the overlay district. Removing parcels from an HOD involves a rezoning process; included with the *Update* materials is a staff memorandum with information about the rezoning process. Additionally, and in light of recent rezoning

requests as well as comments from the State Historic Preservation Office, staff will conduct a mail survey of property owners in the Prince Hall HOD, requesting feedback about the overlay district.

(Attachment)

## Follow Up from the March 14 City Council Work Session

### **Pushcart Vendors - Impact from Reduction of Operating Hours (Council Member Melton)**

*Staff Resource: Whitney Schoenfeld, Emerg. Mgt. & Special Events, 996-2204, [whitney.schoenfeld@raleighnc.gov](mailto:whitney.schoenfeld@raleighnc.gov)*

During the work session staff was requested to provide an update on the impacts of reducing pushcart vending hours of operation.

In response to City Council direction to address a variety of complaints along Glenwood South during the work session September 14, 2021, staff reviewed the operating hours of pushcarts in City Code of Ordinances as well as guidance contained in the Private Use of Public Spaces (PUPS) manual. Upon review, staff recommended that the City Code be amended to reduce cart operating hours from between 6:00 A.M. and 3:00 A.M. to operating hours between 6:00 A.M. and 1:15 A.M. Additionally, staff recommended that the City Code be amended to change the cart cleanup and removal by 3:30 A.M. to 1:45 A.M. These updated pushcart hours are comparable to similar municipalities across the country.

Following discussion during the September 2021 work session, the recommendations were approved by Council on November 16, 2021.

Staff worked to educate vendors and attempted to gain voluntary compliance of the new ordinance. The education campaign lasted the entire 2022 calendar year. During this time, pushcart vendors routinely failed to comply with the new ordinance, remaining on city sidewalks until after bars closed at 2:00 A.M. The Raleigh Police Department also noticed a trend of patrons congregating on sidewalks for several hours after bars closed. Officers reported responding to assaults and disturbances generated by intoxicated individuals waiting in line to purchase food from pushcarts after 2:00 A.M.

In January 2023, RPD began enforcement of the ordinance by issuing citations. Officers noted that once they began interacting with a pushcart vendor operating in violation of the ordinance, all other carts would close to avoid citations. After three nights of issuing citations (4 citations to date), pushcart vendors began conforming to the ordinance. Officers have not observed any violations since January.

Many of the pushcarts are owned by the same small number of operators. Nine of the 35 permitted pushcarts are located on city sidewalks within the Glenwood South district. Permits for each of these nine locations are held by only two different operators; these same two operators own most of the pushcart locations throughout the City, with many permitted locations remaining inactive. Operators tend to purchase permits for multiple locations without intent to actively operate from all of them, but to prevent spaces from being available to competing vendors.

Other operators have moved to private property to avoid time regulations. Operators that do so are required to obtain written permission from the property owner. Wake County Environmental Services requires property owners take liability for pushcart vendors selling and serving food from private property. There have been at least three locations known to date. These pushcarts are notified to prevent lines of customers from obstructing the pedestrian path on City sidewalks.

Overall, the reduction of pushcart vending hours has alleviated sidewalk congestion, noise, and enticing crowds to gather and linger during egress after 2:00 A.M., when safety issues can often result.

*(No attachment)*

# Weekly Events Digest

Friday, March 31 – Thursday, April 6

City of Raleigh Office of Emergency Management and Special Events  
[specialevents@raleighnc.gov](mailto:specialevents@raleighnc.gov) | 919-996-2200 | [raleighnc.gov/special-events-office](http://raleighnc.gov/special-events-office)

**NOTE:** All schedules are subject to change due to potential impacts from weather. Please check individual event websites for the most current information.

## Permitted Special Events

### [Dreamville Day Party](#)

Raleigh Union Station Plaza  
Friday, March 31

Event Time: 1:00pm - 8:00pm

Associated Road Closures: No roads will be closed for the event. Union Station Plaza will be used from 8:00am until 9:00pm.

### [Inaugural Beta Lambda Sigma 5K Run/Walk](#)

Crabtree Creek Trail  
Saturday, April 1

Event Time: 7:00am - 10:00am

Associated Road Closures: No roads will be closed for the event. Crabtree Creek Trail will be used from 7:00am until 8:30am, and the grass area next to the greenway just south of the intersection of Crabtree Valley Avenue and Edwards Mill Road will be used from 5:30am until 10:00am.

### [Dreamville Festival 2023](#)

Dorothea Dix Park  
Saturday, April 1 & Sunday, April 2

Event Time: 12:00pm - 11:00pm on 4-1-23 & 4-2-23

Associated Road Closures: Increased traffic accompanied by large equipment throughout Dorothea Dix Park is to be expected before and after the event. Roads within and surrounding the park will be impacted from 8:00am on 3-25-23 until 11:59pm on 4-5-23. Please see [details and closure map](#) for more information on these impacts. For all festival-related information, including tickets, parking, accessibility, entry rules, and safety guidelines, visit the [Dreamville Festival website FAQs](#).

### [Raleigh Night Market](#)

City Market  
Wednesday, April 5

Event Time: 5:00pm - 9:00pm

Associated Road Closures: Parham Street between Martin Street and Wolfe Street, and Wolfe Street between Blount Street and Blake Street will be closed from 3:00pm until 10:00pm.

## Other Upcoming Events

### [Downtown Raleigh Sandwich Weeks](#)

Through April 7  
100+ lunch spots downtown

### [Carnival of the Animals – NC Symphony](#)

Saturday, April 1  
Meymandi Concert Hall

### [Carolina Youth Ballet's Cinderella](#)

Saturday, April 1  
Fletcher Opera Theater

**Joe Gatto's Night of Comedy**

Saturday, April 1  
Memorial Auditorium

**Breakout of Borden: A History Escape Room**

Sunday, April 2  
Borden Building

**Blank Canvas Dance Company Spring 2023 Showcase**

Sunday, April 2  
Fletcher Opera Theater

**New York Islanders vs. Carolina Hurricanes**

Sunday, April 2  
PNC Arena

**Ottawa Senators vs. Carolina Hurricanes**

Tuesday, April 4  
PNC Arena

**Public Resources**

**Pilot Text Alert Program**: Sometimes spontaneous events happen downtown and in other areas that could affect local businesses. If you'd like to receive notifications when those events happen, including unpermitted ones, sign up for text alerts.

**Event Feedback Form**: Tell us what you think about Raleigh events! We welcome citizen and participant feedback and encourage you to provide comments or concerns about any events regulated by the Office of Emergency Management and Special Events. We will use this helpful information in future planning.

**Road Closure and Road Race Map**: A resource providing current information on street closures in Raleigh.

**Online Events Calendar**: View all currently scheduled events that impact city streets, public plazas, and Dorothea Dix Park.

# Council Member Follow Up



To	Marchell Adams-David, City Manager
Thru	Patrick O. Young, AICP, Director
From	Tania Tully, Historic Preservation Supervisor
Department	Planning and Development
Date	March 31, 2023
Subject	Council Follow-up Item: March 7, 2023 Meeting Process for removal of a Historic Overlay District

A Historic Overlay District (HOD) is a zoning overlay. Its placement or removal requires a rezoning application that follows the same process as any other case, but with additional requirements prior to filing. Removal of the overlay from a property is considered a change to the boundaries of the HOD. The City has the authority to create and alter historic overlay districts pursuant to N.C. General Statutes § 160D-944. The requirements are part of the rezoning process outlined in UDO Sec. 10.2.4.

A request to remove an HOD may come from a single property owner, a group of property owners, or from the City. Prior to a HOD zoning overlay being applied or removed, an investigation and report describing the significance of the buildings, structures, features, sites, or surroundings included in the area proposed to be rezoned must be prepared. It also includes a description of the boundaries or change in boundaries of the district. The investigation and report is prepared and/or reviewed by the Raleigh Historic Development Commission (RHDC). City Council sends the report to the Department of Natural and Cultural Resources, State Historic Preservation Office (the State) for analysis and recommendations and then to the Planning Commission as part of the regular rezoning process.

#### Property owner application

An application for rezoning a property to an HOD or for changes to the boundaries must be signed by all of the property owners within the area proposed to be rezoned. Prior to filing the pre-application and pre-submittal neighborhood meetings are required. After the application is filed the investigation and report is prepared by historic preservation staff for review by the RHDC. The report is then placed on the next City Council consent agenda for referral to the State. Once comments are received from the State the regular rezoning process begins.

## City initiated application

City-initiated rezoning requires City Council authorization of staff action. There has never been a City initiated application to remove some or all of a Historic Overlay District. The process, however, would be similar to the initial designation. Property owners interested in removal should form a Neighborhood Committee to discuss neighborhood concerns and goals. This group would meet with staff to learn about the process and to schedule a neighborhood meeting. At the neighborhood meeting, preservation staff would provide information on the difference between being in an HOD and not. Subsequent to the meeting, the Neighborhood Committee would obtain property owner signatures to demonstrate majority support for removal of the HOD. The Neighborhood Committee would then request that City Council direct staff to initiate the zoning process and fund an investigation and report.

The new report would be based on the designation report and include the boundaries as changed from the initial designation. The inventory of properties would be updated with new contributing (historic), non-contributing (not historic or altered), and vacant status. Based on this data, proposed new boundaries may also be provided. The documentation of changes since designation would give RHDC and City Council a full picture of any concentration of remaining historic properties that may still warrant HOD protection. Upon receipt of the report a rezoning application would be filed.

## Prince Hall Historic Overlay District

Since designation in May 2012, there have been 4 applications to remove the HOD from private property. One was approved by City Council in August 2015 (3 parcels), one was approved in March 2022 (9 parcels) and two are in process (8 parcels), including the Shaw University assemblage. The response from the State to the most recent rezoning application expressed concerns about the number of boundary reductions related to concerns other than historic preservation best practices. Despite the State's apparent misunderstanding that the City is making these requests, staff is also concerned with piecemeal removals of parts of the Prince Hall District from the HOD. . To help ascertain support for the HOD, staff will conduct a mail survey of property owners, requesting their feedback on the Prince Hall HOD. The collected information will be shared with City Council by June.