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City Offices Closed in Observance of Thanksgiving

Please note City administrative offices will be **closed** on **Thursday, November 23 & Friday, November 24** in observance of the **Thanksgiving** holiday.

Please also note that next week there will not be a publication of the *Manager's Update* due to the holiday.

Regular Council Meeting Tuesday, November 21; Lunch Work Session at 11:30 - Lunch Will be Provided

Council will meet in regular work session at **11:30 A.M.** in the **Council Chamber**. Please note the agenda for the lunch work session is included with the regular meeting agenda and may be accessed via the BoardDocs electronic agenda system:

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

The **regular** Council meeting begins at **1:00 P.M.**

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 pull from the consent agenda for discussion, please e-mail mayorstaff@raleighnc.gov by 11 A.M. the day of the meeting.

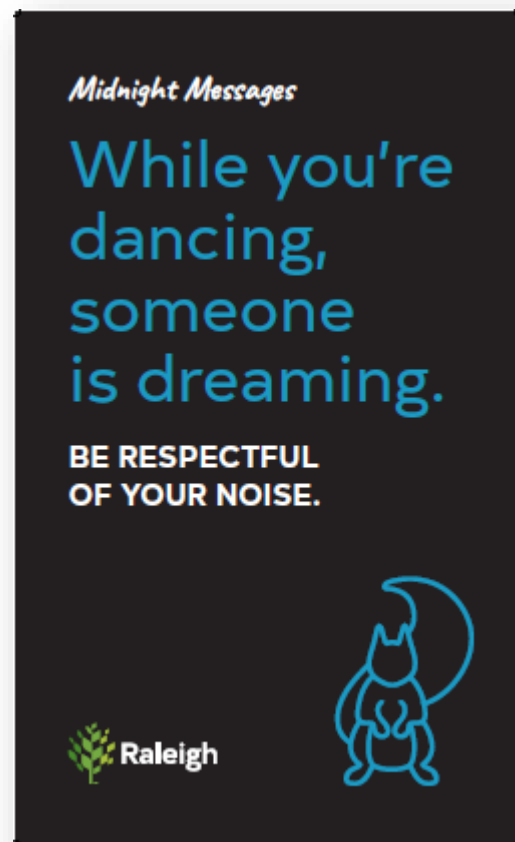
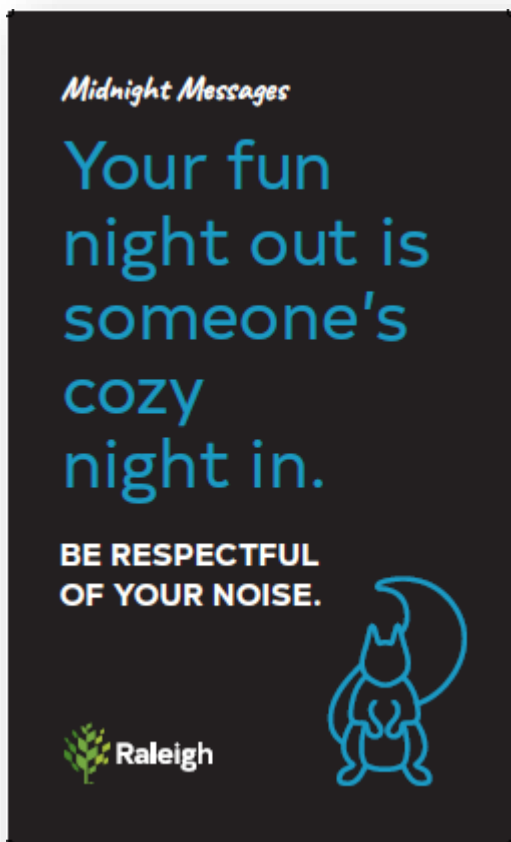
INFORMATION:

Glenwood South - Patron Etiquette Initiative

Staff Resource: Whitney Schoenfeld, Office of Special Events, 996-2204, whitney.schoenfeld@raleighnc.gov

In an effort to improve the quality of life for Glenwood South residents while maintaining a thriving nightlife community, staff have introduced an initiative called *Midnight Messages* to encourage nightlife patrons to be considerate and respectful of nearby residents. Modeled after a similar initiative undertaken by New York City's Office of Nightlife, posters have been created to display common-sense nightlife considerations such as keeping sound to a minimum and keeping sidewalks clean and clear. Business owners and the City of Raleigh often bear the responsibility for quality of life issues, so this initiative educates patrons on their role too.

The Office of Special Events worked with Communications to design nine posters, and Transportation staff have deployed these posters on the sides of the Bigbelly *Smart Max* waste and recycling receptacles that are located within the Glenwood South area. Staff is working to display messaging on the IKE kiosks. Signs will also be distributed to business owners, who can post them on their premises to address issues unique to life at night.





Historic Preservation Updates

Staff Resource: Collette Kinane, Planning and Development, 996-2649, collette.kinane@raleighnc.gov

As authorized during the November 5 City Council meeting, the Preservation Loan Fund application for the relocation of the Matsumoto-designed Bill and Betty Weber House from 606 Transylvania Avenue to 1514 Delmont Drive continues to move forward. More time is required to allow all involved parties to provide the

necessary paperwork and sufficiently review the request. Staff anticipates that all documents will be complete and ready for review at the first Council meeting in January.

(No Attachment)

Prince Hall Historic Overlay District Owner Survey

Staff Resource: Tania Tully, Planning and Development, 996-2674, tania.tully@raleighnc.gov

In response to the recent removals of parcels from the Prince Hall Historic Overlay District (HOD) and questions from property owners and City Council, a property owner survey was conducted. In August and September 2023, property owners in the Prince Hall HOD were asked to participate in a survey and share their experience with the HOD. A staff memorandum with data analysis is included with the *Update* materials.

(Attachment)

Weekly Digest of Special Events

Staff Resource: Sarah Heinsohn, Office of Special Events, 996-2200, sarah.heinsohn@raleighnc.gov

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

(Attachment)

Council Member Follow Up Items

General Follow Up

Zoning Conditions Regarding Open Space: Rezoning Cases Z-13-23 and Z-29-23 (Council Member Patton)

Staff Resource: Sarah Shaughnessy, Planning & Development, 996-2234, sarah.shaughnessy@raleighnc.gov

Council requested information clarifying the definitions of “Open Space”, “open area”, and Open Space Area”; how they are implemented in the zoning conditions associated with each rezoning case; and if the conditions are accomplishing the intended function in these instances. Included with the *Update* materials is a staff memorandum prepared in response.

(Attachment)

Follow Up from the August 15 Council Meeting

Basic Sanitation at Encampments on Government Property (Council Member Forte)

Staff Resource: John Niffenegger, Housing and Neighborhoods, 996-6961, john.niffenegger@raleighnc.gov

During the meeting, Council referenced a previous request for staff to assess the City providing basic sanitation at encampments on government property (Porta Johns and trash collection) and to also include portable showering facilities in the assessment, perhaps in conjunction with Wake County.

Recap

Staff previously provided an update on this topic, which was included in the [Update Issue 2023-20, May 22, 2023](#). To recap, most known large-scale encampments in Wake County exist on state-owned NC Department of Transportation (NCDOT) or private property. A map of identified encampments was included in the update, as well as a summary of NCDOT's position on the installation of basic sanitation equipment (Porta Johns, portable showering facilities, trash collection receptacles, etc.) on sites the agency maintains. Due to the significant threat to motorists, basic sanitation equipment is not generally permitted on NCDOT right-of-way.

Potential Legal Implications

The City Attorney's Office (CAO) was consulted to survey any potential legal implications should the City choose to provide any sanitary services to encampments that may become established on City property. Per the CAO, as a threshold matter, the provision of these services directed on or at encampments could be viewed by an observer as at least tacit permission for the use of the property as an encampment. The following are some potential legal implications to consider if exploring this option:

1. Health, safety, and welfare code enforcement issues – Camping, defined as “the erection or use of tents, shelters, huts and bedding, or the storage of personal belongings, or the building of fires for heating or cooking,” is prohibited in the City's parks and greenways, at the Transit Transfer Center, the RMB complex, and Fayetteville Street by Section 9-2025 of the Code. Many activities inherent to encampments are prohibited across the Code as well, such as littering in parks (Section 9-2015), making fires (Section 13-1004), urinating/defecating on City property (Section 13-3013). Acknowledging the existence of encampments on City property, and then going one step further by augmenting that existence, may create difficulty in enforcing these code provisions in the future against the encampment itself and other parties who may use City property in a similar manner under other circumstances. A party that the City moves to enforce against could cite the City's actions in relation to the encampment as an example where the City treated others differently.
2. Building and Minimum Housing Code – The encampments could be viewed as a residential use of the property. If the City were to be found to have endorsed this use of its property, it could then be responsible for ensuring any structures constructed on City property are compliant with the building codes adopted by reference in Chapter 11 of the UDO. Lean-tos or shacks constructed on City property would present a particular risk.
3. Zoning code issues – Camping is addressed as an outdoor recreation use in Section 6.4.5 of the UDO and is an allowable use in only certain mixed-use districts. Residential uses are addressed in Article 6.2 of the UDO. City property often adopts a neighboring zoning, as civic use is allowed in most zones. For instance, RMB is zoned DX-, while nearby Roberts Park is zoned R-4 like the surrounding neighborhood. The City

must comply with the UDO as any property owner would. If the City was to endorse a property use that is nonconforming under the UDO, this could lend credence to selective enforcement claims in the future should the City take action to abate encampments on private property while allowing the nonconforming use on its own property.

Addressing Immediate Sanitary Needs

One strategy aimed at addressing the basic sanitary needs of people living unsheltered is mobile engagement, in which amenities such as showers and other essential services are provided offsite at set dates, times, and locations, with a predictable rhythm to locations. While this strategy does not address the root causes of homelessness, it can help connect people living unsheltered with basic sanitary services.

Strategies for Ending Homelessness and Closing Encampments

Encampments and homelessness stem from a severe shortage of affordable housing. There is a sense of privacy, community, and safety in encampments, and often there is a lack of shelter options that serve the needs or expectations of people living in encampments. Examples of shortcomings in the shelter system that may contribute to people living in encampments include restrictions in shelters that would result in separating from partners, family members, and/or pets, sobriety requirements, shelter exit/entry times that are incompatible with people's daily routines and work schedules, and the lack of privacy and security of belongings are [reasons why people live in encampments](#).

Acknowledging that permanent affordable housing and voluntary support services are essential to ending homelessness, and that encampments present public health risks, the [US Interagency Council on Homelessness \(USICH\) established 7 principles for addressing encampments](#). These principles underscore the importance of interagency cooperation; involving residents in solutions; conducting thorough outreach; meeting basic needs, providing shelter access; creating pathways to permanent housing; and planning for encampment site closure.

USICH also published a [resource list for communities](#) in addressing encampments [and highlights Boston](#) as a successful example of employing the 7 principles listed above. Most notably, the City of Boston partnered with public health leaders and health care and homelessness providers to provide strategic outreach and [Harm Reduction](#) and Whole Person Treatment to people living in encampments. The City also offered "low barrier"/easily accessible shelter and quick paths to permanent housing in partnership with the local Public Housing Agencies and Continuum of Care.

The City of Houston has also seen significant [success in reducing overall homelessness](#) and closing encampments by providing access to permanent housing and support services for people living unsheltered. Over the past twelve years, Houston has reduced its homeless population by 64 percent, including a 17 percent reduction last year. This accomplishment is due to building a system that coordinates public policy among various government and nonprofits entities and prioritizes moving people into permanent housing.

(No Attachment)

Follow Up from the August 7 Council Meeting

Appearance Commission Name Change (Council Member Forte)

Staff Resource: Kasey Evans, Planning and Development, 996-2689, kasey.evans@raleighnc.gov

During the meeting, staff was asked to bring an ordinance to implement the Appearance Commission's requested name change to Design Review Commission. Staff has reviewed the City Code and the Unified Development Ordinance (UDO) and have identified references to the Appearance Commission in the UDO only. Staff is moving forward with drafting a UDO text change ordinance and are targeting January 2024 Planning Commission review of the draft text change.

(No Attachment)

Occupancy and Use - Rezoning Case Z-84-21 Millbrook Road (Council Member Black)

Staff Resource: Sarah Shaughnessy, Planning & Development, 996-2234, sarah.shaughnessy@raleighnc.gov

During the meeting, Council set a December 5 public hearing for rezoning case Z-84-21, two parcels totaling approximately 13.35 acres at 209 East Millbrook Road and 5422 Tralee Place. Council asked staff about the number of residents located on the parcel that is subject to the rezoning case. The first parcel, 209 E Millbrook Road is the site of the Colony Townhome Apartments, consisting of 59 residential units built in 1968. Fifty-seven of the units are currently occupied. The second parcel, 5422 Tralee Place is the site of the Midtown Park Townhomes. The 60, two-bedroom townhouse units at this locations were built in 1971 and are all currently occupied.

The property is zoned for residential use only and occupied by residential tenants, except for a leasing office on both properties, which is an allowed use under the current zoning classification of R-6.

(No Attachment)

To	Marchell Adams-David, City Manager
Thru	Patrick O. Young, AICP, Director
From	Tania Tully, Historic Preservation Supervisor
Department	Planning and Development
Date	November 17, 2023
Subject	Prince Hall Historic Overlay District Owner Survey

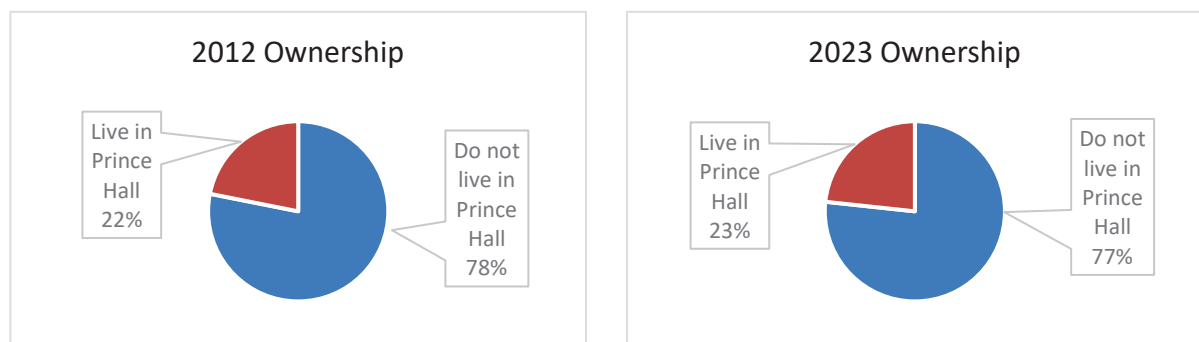
In response to the recent removals of parcels from the Prince Hall Historic Overlay District (HOD) and questions from property owners and City Council, a property owner survey was conducted. In August and September 2023, property owners in the Prince Hall HOD were asked to participate in a survey and share their experience with the HOD. The RHDC will bring a recommendation to City Council in early 2024.

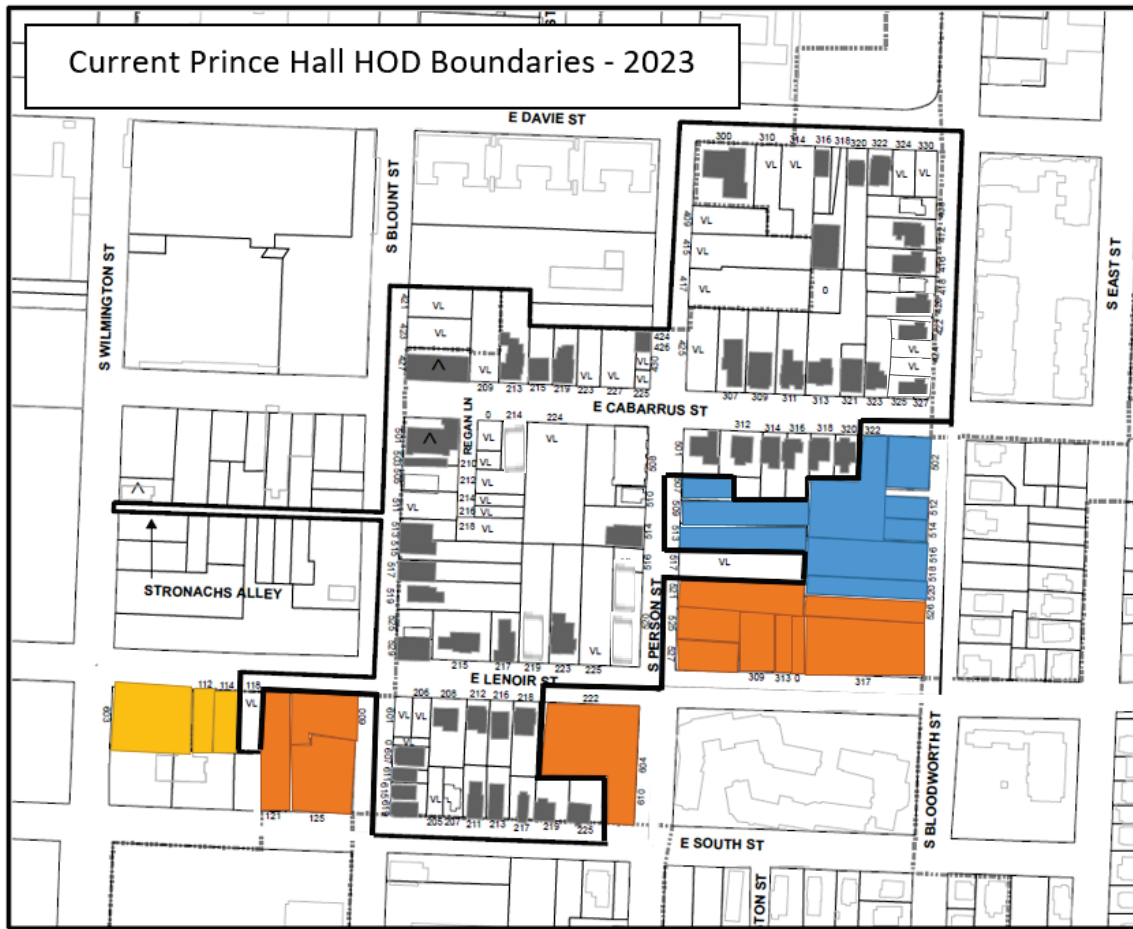
Data on ALL parcels

All data is based on the November 2023 boundary (including 2012 owner information). In 2023 there are 84 unique property owners representing 103 parcels and 114 owned units (there are 11 owners on the Person Pointe Condominiums parcel). In 2012 there were 96 parcels. The 7 parcel discrepancy is due to recombinations and subdivisions.

Property Turnover and Ownership

Half of the 96 parcels have changed owners since 2012. In 2012, 21 of the properties were likely owner occupied or the owner lived elsewhere in Prince Hall. In 2023 24 of the parcels are likely owner occupied or the owner lives elsewhere in Prince Hall. This includes 8 townhome owners. Because the data we have for 2012 does not include individual owners of Person Pointe Condominiums they are not included in the count. Ownership data is gleaned from Wake County Real estate Data.





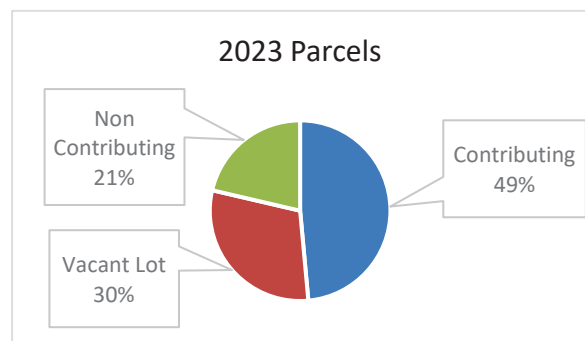
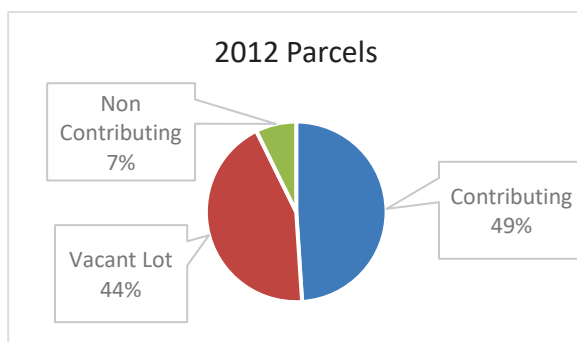
Parcels Removed

- 2015
- 2022
- 2023

- Contributing Building
- Non-Contributing Building
- HOD Boundary
- VL Vacant Lot
- ▲ Raleigh Historic Landmark

Historic and Vacant Parcels

Despite the boundary reductions the percentage of contributing (historic) buildings in the district remains the same in 2023. However, the percentage of vacant parcels has

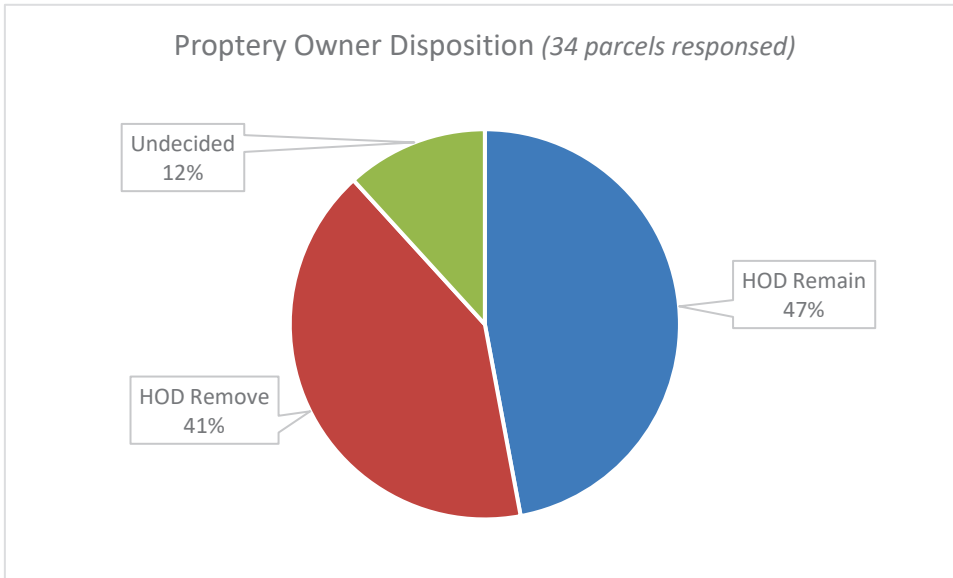


decreased since 2012 due to relocations of historic houses into the district and new construction.

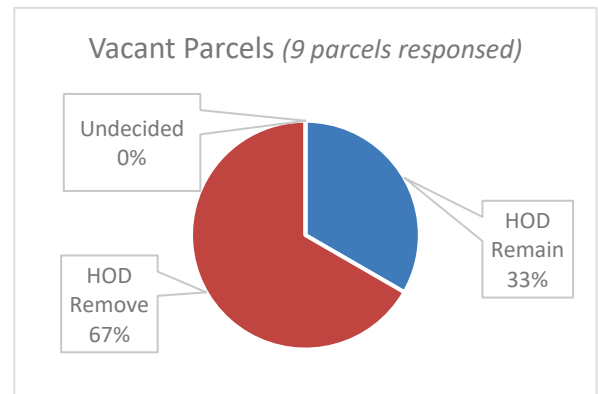
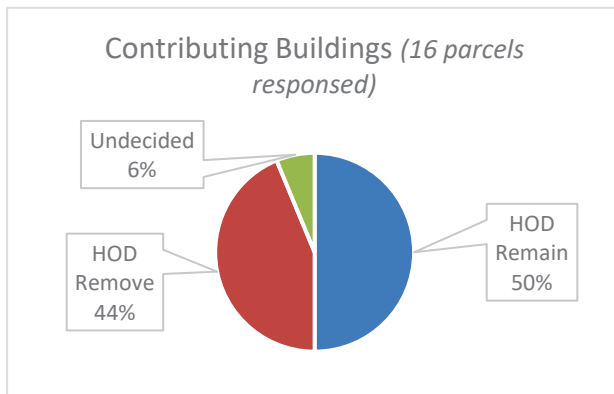
Data from owner survey responses

Property Owner Disposition

Of the 34 responses, approximately half want the HOD to remain on their property and the other half either want it removed or are undecided.



Property Owner Disposition by category



Engagement

In August and September 2023, property owners in the 2023 boundary of the Prince Hall Historic Overlay District were asked to participate in a survey and share their experiences of being in the HOD. Owners were contacted via mail, email, telephone,

and hand delivery and invited to attend the August 10, and November 15, 2023 meetings of the Raleigh Historic Development Commission's Prince Hall Historic Overlay District Ad Hoc Committee. Despite these efforts only 34 responses were received. Two parcels are owned by the City of Raleigh and not included in the survey data.

RHDC Prince Hall Ad Hoc Committee Meetings

Despite the lack of a quorum at the August 10 meeting, Commissioners Serxner and Kasefang held a listening session. Of the ten attendees, half were current owners of property in Prince Hall and two grew up there. Stories about the Black professionals that used to lived in the neighborhood were told and Ms. Rich-Ballentine shared her recollections of the late J.E. Williams and his role in starting the process of making Prince Hall a place of its own. Frustration was expressed by owners who participated in the designation process in 2011 and 2012 that are having to defend the district again. Speakers acknowledged supporters that remain and those who have passed. There were counter statements about whether or not the HOD prevents generational wealth.

At the November 15 Ad Hoc Committee meeting, staff shared the results of the survey. Again, half of the attendees owned property in the Prince Hall HOD. Comments at this meeting were primarily based around data questions and the validity of the area as a HOD. It was noted that very few owners of vacant properties responded. For the few owner-occupied houses, staff knocked on doors and left hard copy surveys. Some alternative analysis requested included information on property use and by owner rather than by parcel.

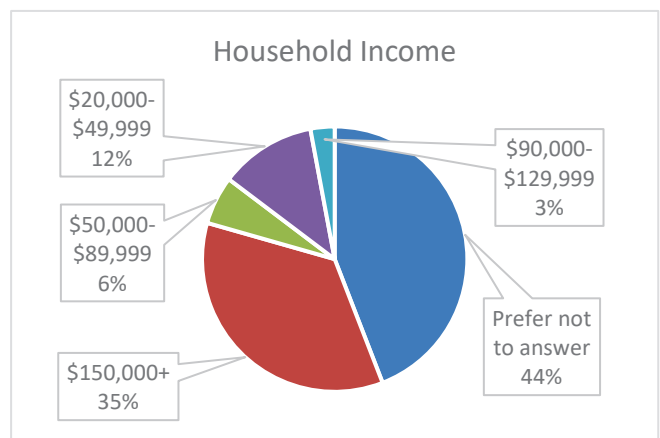
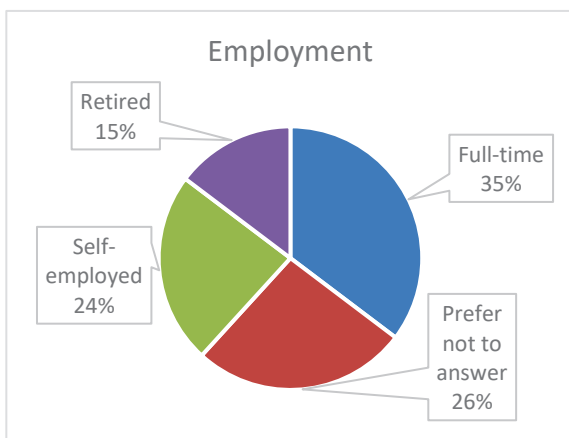
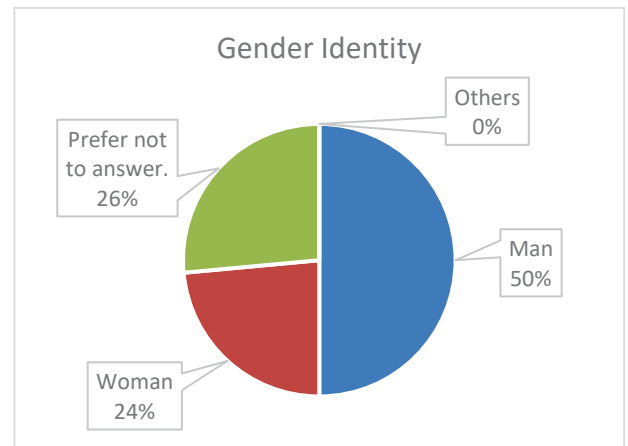
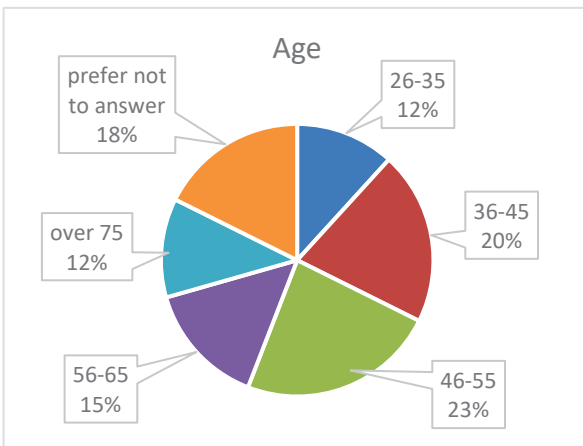
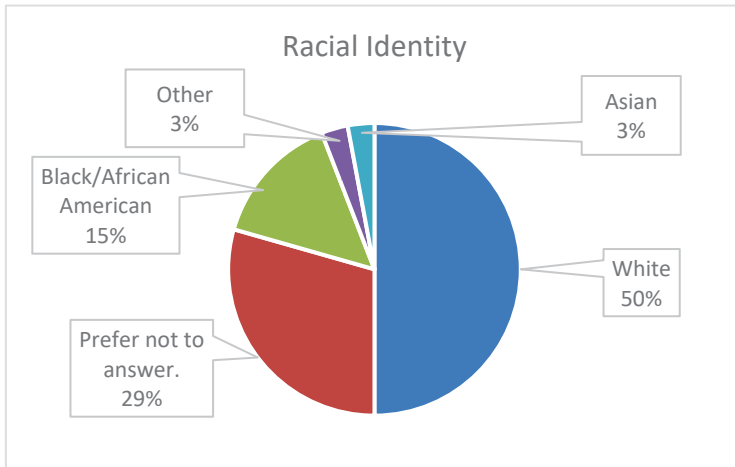
Next Steps

The next RHDC Prince Hall Ad Hoc Committee is scheduled for January 31. Before then, staff will make a final effort to obtain responses from the remaining property owners. At the meeting staff will share any changes in the data, additional data points requested, and some possible options/configurations for Prince Hall HOD.

(Demographics and survey comments are attached)

Response Demographics

Of the 34 responses (by parcel ownership)



Prince Hall HOD Owner Survey Questions

1. Please enter the Unique Survey Code included in your mailed flyer below.
2. Please enter your email address below. (We will use this information to deliver the gift card if you are one of the winners)
3. How long have you owned property in Prince Hall?
 - 0-3 years
 - 4-7 years
 - 8-11 years
 - 12-15 years
 - 16-19 years
 - 20+ years
4. Did you know your property was in an HOD when you purchased it?
 - Yes
 - No
 - I bought it before HOD designation.
5. Have you ever applied for a Certificate of Appropriateness (COA)?
6. Do you or your family have historic connections to the neighborhood?
7. What do you currently enjoy most about owning property in the Prince Hall HOD?
8. What do you currently enjoy least about owning property in the Prince Hall HOD?
9. Check one of the boxes below to indicate your preference for the future of the Prince Hall HOD.
 - I want the Prince Hall HOD to remain on my property or properties.
 - I want the Prince Hall HOD to be removed from my property or properties.
 - I am undecided or have no preference.
10. Is there anything else you would like Raleigh City Council to know about your experience living in the Prince Hall HOD?

Prince Hall Owner Survey Answers to Open Ended Questions

Do you or your family have historic connections to the neighborhood?

25 Nos, 4 Yesses

Comments:

- My home is the family home of three generations of Bryants.
- Irrelevant and none of your business.
- Have been in neighborhood over 70 years.

What do you currently enjoy most about owning property in the Prince Hall HOD?

- Proximity to downtown
- I appreciate the guidelines of the housing district that support the style of the historic period
- Equity
- Up and coming area
- Historic Piece of Property
- character, scale and proximity
- Character and historical significance of the neighborhood. Protections that it provides through zoning regulations.
- I like what remains of the historic character. I like the location. I like the friendly neighbors sitting on porches.
- proximity to downtown.
- The location
- Proximity to downtown Raleigh
- Nothing
- We enjoy living in downtown Raleigh.
- walking around downtown
- Nothing
- Living close to downtown. Oak City market
- I like the area, its historic nature, and seeing the mix of old and new, I have been on this property long enough to see enormous changes in Raleigh's downtown.
- The History of the former residence, and the memories the buildings and homes in the area hold,.
- The location
- Proximity to the heart (Fayetteville St) of downtown
- Historic buildings have some level of protection
- Its proximity to downtown.
- The diversity of housing types and neighbors.
- I love the proximity to work, church and social activities.

- Proximity to downtown
- "We are very proud to be stewards of the important, necessary, tangible history that is found throughout Prince Hall; its designation was nearly two decades overdue. Unlike the rest of the East Raleigh-South Park National Register Historic District, which is now nearly gone in its entirety (as it has no protection), not a single historic structure has been demolished since Prince Hall's 2012 designation. Instead, being in an HOD has done precisely what it was intended to do: until the chaos created by City Council last year, it's provided predictability and stability for property owners and residents - old and new; it has supported the preservation and rehabilitation of many historic structures; it has not hindered new development and has instead facilitated a myriad of infill opportunities through contemporary, multi-family development and single-family projects designed with a nod to the past; it has supported the rehabilitation, and preservation of historic structures relocated to previously vacant lots; and it has preserved a culturally and historically significant neighborhood, long-pommeled by destructive City of Raleigh policies and associated disinvestment.
- We enjoy the fact that Prince Hall is not frozen in amber, under glass, or time - but is instead a living, thriving, dynamic historic neighborhood that respects and appreciates its past while allowing for well-managed change and infill/new development. "
- I'm not ready to lose my second neighborhood because of no protection.

What do you currently enjoy least about owning property in the Prince Hall HOD?

- Shaw University's run down buildings.
- Cost to maintain property based on COA guidelines
- More yuppies everywhere
- Crime, drugs, homeless people trespass on my property
- The sidewalks are in terrible condition. The lighting could be improved. Crime has gone up. Litter is an issue by the homeless.
- N\|a I appreciate the districts role in celebrating the history of this part of the city. Especially as. Mixed use space.
- inflexibility
- Some of the properties which are currently in disrepair.
- The threat of being surrounded by 12 story buildings that have no reason to build in a manner that fits with the neighborhood.
- The HOD is not fairly applied. City-owned properties and others are excluded, and more-an-more owners apply to be excluded. This has led to a situation where many properties are just left to decay.
- Going through RHDC to do anything
- Don't have any

- It has become a joke as no one really cares to preserve the neighborhood. The COA committee is a joke - their rulings are inconsistent. And now that City Council has let properties leave Prince Hall, it no longer has any relevance or power.
- The Prince Hall HOD is being slowly destroyed. The City Council doesn't care about it. It is time for it to go away.
- trash on the sidewalk, broken sidewalks, no parking for residents, streets are not cleaned, scooters left on our property
- Having to apply and submit request to COA. This is costly to homeowners with limited and fixed incomes.
- I dislike having to get permission to cut down a tree. The historic district is supposed to dictate the feeling of predictability and stability, but it appears that this is not happening because the City Council continues to approve any request that seems to destroy the district.
- All the things that come with growth and popularity -- traffic, noise, etc. But most of all it is unsettling to see people and businesses that have been in the neighborhood for a long time being pushed out by development and high tax bills.
- Being in a restrictive HOD
- RHDC
- Increase in homelessness due to low supply of affordable housing
- This property has been a vacant lot since purchase. It makes no sense to limit the style and character of new development on vacant parking lots because there are historic buildings in the vicinity.
- Restrictions on vacant lots or other properties that are trying to develop and beautify the area.
- Removal of the Overlay District and elimination of regulations-I was one of the members who worked on making this district come to being
- Crime, drugs, homeless people trespass on my property.
- "What is enjoyed least about owning property in the Prince Hall HOD has nothing to do with the HOD itself, and everything to do with the precipice this neighborhood is constantly teetering over thanks to the prevailing whims of City Council. City Council, through now various iterations, has made clear that Black history only matters so long as it doesn't stand in the way of their political aspirations or the developers/land use attorneys who fund their campaigns. Historically white HOD's like Oakwood and Boylan Heights have long-enjoyed a steadfast commitment from the City towards the preservation of their history. In stark contrast, Prince Hall - the City's first Black HOD, the first mixed-use HOD, and the smallest of all the HOD's - has been picked apart now time and time again, with absolutely no meaningful justification provided by City Council as to why they consistently vote against their own Council-appointed boards, recommendations from the State Historic Preservation Office, and against the

wishes of the residents/property owners who are the most affected by these careless decisions.

- Whereas a historic overlay district is intended to discourage speculative development by providing that necessary predictability, Raleigh's City Council has instead welcomed and encouraged speculative development in Prince Hall by inviting a free-for-all through now-layered precedence that has aided to destabilize the district; to destroy an already miniscule repository of historically Black resources. Since 2012, numerous property owners have successfully navigated the COA process for projects both large and small within the confines of preserving the character and history of this HOD. Despite these plentiful, successful efforts, City Council has now repeatedly written blank-check rezonings - on an immense scale, without any justification - to entities who are simply trying to circumvent a well-established process for their own personal agenda/greed, with no concern as to long-term effects, destruction, and displacement. "
- The changes that have been made and the elimination of the historic nature of the community.
- That there is a HOD overlay that tries to regulate this district in the same manner that Oakwood is regulated.

Is there anything else you would like Raleigh City Council to know about your experience living in the Prince Hall HOD?

- NO
- Like many owners in Prince Hall, I have been putting in a lot of effort (and money) to save a piece of history and make/keep the church the way it is. Please do not remove the HOD designation of Prince Hall and let our collective effort over the past few years go down the drain in a few seconds.
- We have spent a lot of time and money on the rules so its confusing what this survey means for all that.
- Once Shaw was removed from the regulations-horse is out of the barn
- We would like to develop this property, but are limited by the HOD. The HOD status should be removed from properties that are already vacant.
- There is not a good reason for most of the properties in this HOD to be preserved, also, some of the properties no longer fit in given the development going on in the surrounding area.
- You all don't value this historic district as has been proven time and again by your votes. A lot of people didn't want it in the first place (e.g., the Mayor), and it shows.

Weekly Events Digest

Friday, November 17 – Thursday, November 23

City of Raleigh Office of Special Events
specialevents@raleighnc.gov | 919-996-2200 | raleighnc.gov/special-events-office

Permitted Special Events

[Downtown Raleigh Tree Lighting](#)

Lichtin Plaza & South Street

Friday, November 17

Event Time: 5:30pm - 8:00pm

Associated Road Closures: South Street between S. Salisbury Street and S. Wilmington Street will be closed from 3:00pm until 11:00pm.

[79th ABC11 Raleigh Christmas Parade](#)

Hillsborough Street & Fayetteville Street

Saturday, November 18

Event Time: 9:30am - 12:00pm

Associated Road Closures: Market Plaza and Exchange Plaza will be used from 6:00pm on 11-17-23 until 2:00pm on 11-18-23. The parade route will be closed from no earlier than 7:00am until no later than 2:00pm on 11-18-23. Note that all cross-streets one block in each direction will be detoured and additional closures and detours may be used to control traffic. [View the parade route map](#) and see below for turn-by-turn details:

- Start at Hillsborough Street and St. Mary's Street and head east
- Right onto Salisbury Street
- Left onto Morgan Street
- Right onto Fayetteville Street
- Right onto Lenoir Street to disassemble

[Raleigh Night Market: Winter Festival](#)

City Market

Sunday, November 19

Event Time: 1:00pm - 5:00pm

Associated Road Closures: Parham Street between Martin Street and Wolfe Street, and Wolfe Street between Blount Street and Blake Street will be closed from 10:00am until 6:00pm.

[Skinny Turkey Half Marathon, 10K, & 5K](#)

Wakefield High School & Route

Thursday, November 23

Event Time: 7:30am - 11:00am

Associated Road Closures: Roads will be used along the routes from 7:30am until 11:00am. [View the half marathon, 10K, and 5K routes](#) for more details.

[Raleigh Turkey Trot](#)

Ridgewood Shopping Center & Route

Thursday, November 23

Event Time: 8:30am - 10:00am

Associated Road Closures: Ridge Road between Wade Avenue and Leonard Street will be closed from 5:30am until 11:00am. Roads along the route will be closed from 8:15am until 10:00am. Note that all cross-streets one block in each direction will be detoured during the race. [View the 8K route](#) for more details.

Trophy Trot

Dorothea Dix Park

Thursday, November 23

Event Time: 9:00am - 11:00am

Associated Road Closures: Goode Street between Lake Wheeler Road and Biggs Drive will be closed from 6:00am until 12:00pm. Roads along the route will be closed from 8:50am until 11:00am. [View the 5K route](#) for more details.

Pickleball in the Plaza

City Plaza

Through Thursday, November 30

Event Times: 9:00am - 9:00pm daily

Associated Road Closures: No roads will be closed for the event. The off-street, westside portion of City Plaza behind Shish Kabob will be used until 5:00pm on 11-30-23.

Other Upcoming Events

Charleston Southern vs. NC State

Friday, November 17

PNC Arena

National Take a Hike Day

Friday, November 17

Durant Nature Preserve

An American in Paris – NC Symphony

Friday, November 17 & Saturday, November 18

Meymandi Concert Hall

Carolina Youth Ballet – Nutcracker

Friday, November 17 & Saturday, November 18

Fletcher Opera Theater

Vivaldi's Four Seasons – Carolina Ballet

Friday, November 17 – Sunday, November 19

Memorial Auditorium

The Dessertery

Friday, November 17 – Saturday, December 23

Kennedy Theatre

Dix Park History Hike

Saturday, November 18

Dorothea Dix Park, Chapel

28th Annual American Indian Heritage Celebration

Saturday, November 18

NC Museum of History

Pittsburgh Penguins vs. Carolina Hurricanes

Saturday, November 18

PNC Arena

Weekly Events Digest

Friday, November 17 – Thursday, November 23

City of Raleigh Office of Special Events

specialevents@raleighnc.gov | 919-996-2200 | raleighnc.gov/special-events-office

[THE RINK presented by UNC Health](#)

Saturday, November 18 – Monday, January 15
Red Hat Amphitheater

[Talkin' Turkeys](#)

Sunday, November 19
Thomas G. Crowder Woodland Center

[Drag Story Hour at the Museum](#)

Sunday, November 19
City of Raleigh Museum

[Triangle Youth Music's 2023 Fall Orchestra Concert](#)

Sunday, November 19
Meymandi Concert Hall

[The Governor's Cup](#)

Monday, November 20
PNC Arena

[Edmonton Oilers vs. Carolina Hurricanes](#)

Wednesday, November 22
PNC Arena

[A Magical Cirque Christmas](#)

Wednesday, November 22
Memorial Auditorium

[A Harry Potter Holiday – NC Symphony](#)

Wednesday, November 22 – Saturday, November 25
Meymandi Concert Hall

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 feedback and encourage you to provide comments or concerns about any events regulated by the Office of 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	Patrick Young, AICP, Director
Thru	Bynum Walter, Planning Supervisor
From	Bronwyn Redus, Senior Planner
Department	Planning & Development
Date	November 9, 2023
Subject	Zoning conditions regarding Open Space or open area: Rezoning Z-13-23 and Z-29-23

Z-29-23 Ligon Mill Rd

The applicant has proposed the following zoning condition relating to Open Space:

2. At least 20 acres shall remain as natural area and/or open space and will not be developed except for greenway, utility and stormwater management purposes. At least 15 acres of said open space/natural area shall be contiguous.

Zoning condition 2. uses the UDO term for Open Space and narrows specificity beyond [UDO Article 2.5 Common Open Space Requirements](#) by committing to a reduced list of allowed uses. However, it also allows for “natural area” instead of or in addition to Open Space. There is not a UDO definition for “natural area,” so those areas will be guided and limited by the language in zoning condition 2.

Condition 2. states that the 20 acres of open space will remain mostly undeveloped, and only greenway or utility-related items would be acceptable hardscape improvements. Condition 2. requires at least 15 acres of the Open Space be contiguous, which is more restrictive than the 60% required by UDO Article 2.5 (15 of 20 acres is 75%). This condition is more restrictive than the UDO.

The site will also be required to include a minimum 10% Tree Conservation Area, per [UDO Article 9.1](#). Tree Conservation Area is prioritized as tertiary Open Space.

Conservation Development Option

The conservation development option in the R-10 zoning district requires a minimum of 40% Open Space (60% of it contiguous) in exchange for smaller minimum lot dimensions. The intent is to cluster smaller lots together to allow the same amount of density but preserve a larger amount of contiguous open space which can improve conservation and habitat value.

The proposed zoning condition offers 20 acres of Open Space, which of 105.16 acres is approximately 19% of the site. This is less than ½ of the 40% required by the conservation development option.

	R-1	R-2	R-4	R-6	R-10
A. Lot Dimensions					
A1 Area (min)	20,000 sf	10,000 sf	6,000 sf	4,000 sf	3,000 sf
A2 Lot width (min)	80'	65'	50'	45'	30'
A3 Depth (min)	100'	100'	80'	60'	60'
B. Principal Building Setbacks					
B1 From primary street (min)	20'	20'	10'	10'	10'
B2 From side street (min)	20'	20'	10'	10'	10'
B3 From side lot line (min)	10'	10'	5'	5'	5'
B4 From rear lot line (min)	20'	20'	20'	20'	15'
C. Accessory Structure Setbacks: See Section 6.7.2.					

Compact Development Option

The compact development option in the R-10 zoning district requires a minimum of 20% Open Space in exchange for smaller minimum lot dimensions. The lots in the compact development option are larger than in the conservation development option and the open space requirement is less.

The proposed zoning condition offers 20 acres of Open Space, which of 105.16 acres is approximately 19% of the site. This is near to the 20% required by the compact development option.

	R-1	R-2	R-4	R-6	R-10
A. Lot Dimensions					
A1 Area (min)	30,000 sf	15,000 sf	7,500 sf	5,000 sf	4,000 sf
A2 Lot width (min)	100'	80'	65'	50'	45'
A2 Depth (min)	100'	100'	100'	80'	60'
A3 Density (max)	1 u/a	-	-	-	-
B. Principal Building Setbacks					
B1 From primary street (min)	20'	20'	10'	10'	10'
B2 From side street (min)	20'	20'	10'	10'	10'
B3 From side lot line (min)	10'	10'	10'	5'	5'
B4 From rear lot line (min)	20'	20'	20'	20'	20'
B5 Residential infill rules may apply (see Sec. 2.2.7.)	no	no	yes	yes	yes

Z-13-23 Watkins Road

The applicant has proposed the following zoning condition relating to open area:

3. The following conditions shall apply only to development qualifying as a subdivision or Tier 3 site plan:
 - a. A minimum of twenty percent (20%) of the net site area of the property shall be designated as Open Area. "Open Area" as used in this condition shall mean land area: (i) located outside of public right-of-way; (ii) located outside of a lot developed with a residential dwelling unit; and (iii) owned in accordance with UDO Section 2.5.7.A. No more than 12.5% of the Open Area shall be covered by impervious surface.

With condition 3.a., the applicant has intentionally created a new non-UDO term, "open area," and provides a unique definition. The UDO features the term **Open Space Area**, which is defined as: *Primarily vegetated areas where development is restricted, and no additional impervious surface may be placed without first obtaining a permit from the City. The following are open space areas: active or passive open space areas, greenways, public parks, natural protective yards set forth in conditional zoning districts and permanently protected undisturbed open space areas* ([UDO Article 12.2 Defined Terms](#)).

There are numerous requirements and specifications of the UDO that will not be required of the "open area" in zoning condition 3.a. Absent any other development that requires Open Space as defined in UDO Article 2.5, the proposed condition would only require the "open area" comply with i.-iii above, meaning that it will count for any area outside of the right-of-way and outside of a residential lot, and cannot exceed a 12.5% impervious surface limit.

UDO Requirements for Open Space:

The UDO further defines and regulates Open Space in [Article 2.5 Common Open Space Requirements](#). Open Space is required as part of the compact development option and conservation development option, but not the conventional development option. Further details on development options are provided below. UDO Article 2.5 provides detailed guidance on the allocation, configuration, permitted uses, prohibited uses, and ownership and management of Open Space. Allowed uses of Open Space include:

conservation areas; meadows, woodlands, wetlands or other conservation-oriented areas; pedestrian or multi-purpose trails; passive recreation areas; active recreation areas where impervious surface is limited to 25% of the total open space; golf courses but accounting for no more than 50% of the total open space; water bodies but accounting for no more than 50% of the total open space; restricted agriculture/community garden; floriculture/horticulture/etc.; stormwater control measures; and easements for drainage, access and underground utilities but accounting for no more than 25% of the total open space.

Prohibited uses of open space include individual wastewater disposal systems; overhead electric powerline easements; streets and impervious parking areas.

Open Space as defined in UDO Article 2.5 is required to be a minimum of 50-ft in width and at least 60% of it contiguous to itself. It must be directly accessible to the largest practicable number of dwelling units within the development and no lot can be more than ¼ mile radius from the open space.

The site will be required to include a minimum 10% Tree Conservation Area, per [UDO Article 9.1](#). Tree Conservation Area is prioritized as tertiary Open Space, meaning that other types should be prioritized over it to meet minimum requirements.

Conservation Development Option

The conservation development option in the R-6 zoning district requires a minimum of 40% Open Space (60% of it contiguous) in exchange for smaller minimum lot dimensions. The intent is to cluster smaller lots together to allow the same amount of density but preserve a larger amount of contiguous open space which can improve conservation value and habitat value.

The proposed zoning condition offers 20% Open Space, which is ½ of the 40% required by the conservation development option.

	R-1	R-2	R-4	R-6	R-10
A. Lot Dimensions					
A1 Area (min)	20,000 sf	10,000 sf	6,000 sf	4,000 sf	3,000 sf
A2 Lot width (min)	80'	65'	50'	45'	30'
A3 Depth (min)	100'	100'	80'	60'	60'
B. Principal Building Setbacks					
B1 From primary street (min)	20'	20'	10'	10'	10'
B2 From side street (min)	20'	20'	10'	10'	10'
B3 From side lot line (min)	10'	10'	5'	5'	5'
B4 From rear lot line (min)	20'	20'	20'	20'	15'
C. Accessory Structure Setbacks: See Section 6.7.2.					

Compact Development Option

The compact development option in the R-6 zoning district requires a minimum of 20% Open Space in exchange for smaller minimum lot dimensions. The lots in the compact development option are larger than in the conservation development option and the overall open space requirement is less.

The proposed zoning condition offers 20% Open Space, which is consistent with the 20% required by the compact development option.

	R-1	R-2	R-4	R-6	R-10
A. Lot Dimensions					
A1 Area (min)	30,000 sf	15,000 sf	7,500 sf	5,000 sf	4,000 sf
A2 Lot width (min)	100'	80'	65'	50'	45'
A2 Depth (min)	100'	100'	100'	80'	60'
A3 Density (max)	1 u/a	-	-	-	-
B. Principal Building Setbacks					
B1 From primary street (min)	20'	20'	10'	10'	10'
B2 From side street (min)	20'	20'	10'	10'	10'
B3 From side lot line (min)	10'	10'	10'	5'	5'
B4 From rear lot line (min)	20'	20'	20'	20'	20'
B5 Residential infill rules may apply (see Sec. 2.2.7.)	no	no	yes	yes	yes
C. Accessory Structure Setbacks: See Section 6.7.2.					

Options for voluntary modifications for Z-13-23 Condition 3.a.:

To improve the clarity and specificity of this zoning condition 3.a., the applicant could use the UDO term for Open Space, rather than defining the new term “open area.” More specificity could be provided by listing out the preferred Open Space types. The zoning condition provided above with Z-29-23 is a good example of a condition that is clear, enforceable and more restrictive than the UDO.

2. *At least 20 acres shall remain as natural area and/or open space and will not be developed except for greenway, utility and stormwater management purposes. At least 15 acres of said open space/natural area shall be contiguous.*

The condition should be altered to specifics of the Z-13-23 case by updating the offered acreages (or percentage of total acreage), such as:

3. a. *At least 20% of the net site area shall remain as natural area and/or open space and will not be developed except for greenway, utility and stormwater management purposes. At least X% (depending on what the applicant may offer) of said open space/natural area shall be contiguous.*