

CITY MANAGER'S WEEKLY REPORT

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CITY OF
Raleigh
MANAGER'S
OFFICE

Issue 2020-09

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INFORMATION:

Regular Council Meeting Tuesday, March 3 - Lunch Will be Provided - 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:

<http://boarddocs.com/nc/raleigh/board.nsf>

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 by 11 A.M. on the day of the meeting.

Coronavirus Preparations

Staff Resource: Derrick Remer, Emergency Management & Special Events, 996-4657,
derrick.remer@raleighnc.gov

In recent weeks, the Centers for Disease Control and Prevention (CDC) has been responding to an outbreak of respiratory disease caused by a novel (new) coronavirus disease (COVID-19) that was first detected in Wuhan City, Hubei Province, China and which has now been detected in 37 locations internationally, including the United States. This week, the CDC indicated that Americans should anticipate and prepare for the possibility of widespread COVID-19 in the United States.

At this time, it is important to listen to facts and not respond to fear. Currently, there are no confirmed cases of COVID-19 in North Carolina, but precautions are being taken now to plan for the possibility of the spread of infection.

For confirmed cases of the coronavirus disease, illnesses have ranged from mild, flu-like symptoms such as fever, cough, and shortness of breath, to severe illness and death. While the threat is growing and is not yet fully understood, it's worth noting that the flu annually sickens and kills far more people. Thus far, there have been approximately 3,000 deaths associated with COVID-19, versus 646,000 flu deaths worldwide this winter and 16,000 to 41,000 flu deaths in the United States per year. At this time, there is no vaccine to protect against COVID-19 and no medications approved to treat it.

Both the flu and COVID-19 spread from person-to-person through droplets in the air from an infected person coughing, sneezing, or talking. Everyone should continue taking the following common sense precautions to protect themselves and others from the spread of respiratory illnesses, which includes COVID-19:

- Wash hands frequently with soap and water, and for at least 20 seconds each time.
- Avoid touching your eyes, nose and mouth with unwashed hands.
- Avoid close contact with people who are ill.
- Cover your mouth and nose with a tissue when you cough or sneeze.
- Do not reuse tissue after coughing, sneezing, or blowing your nose.
- Clean and disinfect surfaces that are frequently touched.
- Stay home if you're feeling sick. Call your doctor and let them know your symptoms and travel history.

The public health response to the virus is multi-layered, with the goal of detecting and minimizing introductions of the virus in the United States. The State of North Carolina has been preparing for several weeks. A task force that includes public health and emergency management officials has been considering what policies and procedures to implement in a worst-case scenario and what supplies hospitals and other health care providers would need. North Carolina Department of Health and Human Services (NCDHHS) and North Carolina Emergency Management (NCEM) are working closely with local health departments, health care providers, and others to quickly identify and respond to any potential isolated cases that might occur in the state and to prepare North Carolinians to be ready in the event of a more widespread, national COVID-19 transmission.

The City of Raleigh, Wake County Public Health, and other local partner organizations are taking measures now to prepare for the potential spread of the virus. Emergency Communications Center staff in the Raleigh-Wake 911 center are asking callers about any recent travel to assess a possible coronavirus threat. If a threat is detected, first responders may wear a mask or have their patients wear one; first responders will also notify other first responders and local hospitals for follow-up. Hospital officials have been meeting to discuss contingency plans, with the containment strategy being similar to what would be used for other respiratory viruses.

To position the organization in a state of readiness and prepare staff to continue to provide services to the community during times of stress, the City recently undertook an initiative to develop a Continuity of Operations Plan (COOP). As part of that process, individual departments have been working to identify and document activities and tasks within a department that are essential to the organization as a whole. Management has begun to look at options such as teleworking, workplace social distancing measures, the

temporary closure of certain facilities, and modifying, postponing, or cancelling large gatherings, as well as reviewing policies and procedures, to ensure that essential tasks can continue during times when normal operations are not feasible. While we are exploring these kinds of extreme measures in our preparations for COVID-19, there is no indication that we will need to enact them.

The City of Raleigh will continue to clearly communicate with our state and local partners about our ongoing efforts regarding the coronavirus. For more information on COVID-19, please visit the CDC's website at www.cdc.gov/coronavirus. North Carolina resources can be found on the Division of Public Health website at www.ncdhhs.gov/coronavirus.

(No attachment)

Weekly Digest of Special Events

Staff Resource: Derrick Remer, Office of Emergency Management & Special Events, 996-2200, derrick.remer@raleighnc.gov

Included with the *Weekly Report* packet is the special events digest for the upcoming week.

(Attachment)

Council Member Follow Up Items

Follow Up from the January 7 Council Meeting

Street Light Options for Historic Districts (Council Member Martin)

Staff Resource: Jed Niffenegger, Transportation, 996-4039, jed.niffenegger@raleighnc.gov

At the meeting, Council Member Martin requested a report on the ability to replace and maintain older style street lights in historic districts, including potential processes that could permit the use of Light Emitting Diodes (LED) lamps with a more appropriate color in some or all historic districts. It was also mentioned during the meeting that the Raleigh Historic Development Commission (RHDC) has interpreted that they are the authority over the appropriateness of street lighting changes.

For background, the City leases over 30,000 street lights from our local energy provider, Duke Energy Progress (DEP). The costs of the street light fixture, power consumption, comprehensive maintenance fees, and repair or replacement costs are included into DEP's monthly lease rate. Most of these street lights are the City standard "LED Roadway" fixture mounted on either wood or fiberglass poles. In the fall of 2015, at the City of Raleigh's direction, DEP began to replace the City's 30,000 leased street light fixtures with new LED fixtures. The replacement project was complete in July 2016.

As the replacement project was underway, staff looked into how these changes would impact the City's Historic Overlay Districts. At that time, staff received advice that a Certificate of Appropriateness (COA) from the RHDC would be needed to install the new LED street lights in the historic districts. The RHDC held two hearings which were ultimately denied based upon concerns about the style of the streetlight and the brightness and color of the light. Based upon the denial, city staff directed DEP to defer the LED conversion of lighting within HOD's.

However, the City's Attorney's Office recently determined that the RHDC did not have the authority to weigh in on street lighting appropriateness. This decision coincided with an announcement from DEP that they are discontinuing options for HPS lighting. As the City's energy provider, DEP's catalog determines what options are available for use within the City. This means that LED lighting will necessarily be used to replace current HPS locations.

Staff remains actively engaged with DEP on this issue. If DEP decides to offer a fixture that is more appropriate for use in historic districts, staff could direct DEP to use them in historic districts as the existing lights are replaced and/or as funding is available.

(No attachment)

Follow Up from the January 21 Work Session

Text Changes for Parks and Recreation Development Projects (Council Member Buffkin)

Staff Resource: Alysia Bailey-Taylor, Planning & Development, 996-2631, alysia.bailey-taylor@raleighnc.gov

During the work session, Council Member Buffkin made an inquiry about the review and approval process associated with park development projects. Enclosed with this *Update* is a memo regarding ongoing research examining the regulations that impact the review and approval process for these types of projects. Ongoing research has included an examination of state statutes and existing regulations contained in the Unified Development Ordinance (UDO). The goal of this effort is to evaluate how well the existing regulations are working, to provide an update on any efforts already underway, and to offer recommendations for UDO adjustments.

(Attachment)

Follow Up from the February 11 Work Session

Scoring Criteria for Multipurpose Indoor Sports Facility (Council Member Melton)

Staff Resource: Mary Vigue, Budget & Management Services, 996-4273, mary.vigue@raleighnc.gov

During the work session, Council asked staff to provide the scoring tool used in the RFP process for the multipurpose indoor sports facility. As a reminder, funding for an indoor sports complex was established through the hospitality tax to assist in the development of a multi-purpose indoor sports complex that will support large indoor sport tournaments including e-gaming to attract out-of-market tournament business as well as support needs of the local community. In October 2019, the City and County jointly launched a competitive process to identify a project partner. Proposals were due on January 16, 2020. The Town of Cary was the only respondent to the RFP. An evaluation team consisting of representatives from the City, County, and hospitality community conducted an interview with Town of Cary representatives on January 23, 2020. Using a scoring tool developed by the team, team members assigned the project a score of 79 out of 100 points. A copy of the scoring tool is enclosed with this *Update*.

(Attachment)

Follow Up from the February 18 City Council Meeting

Public Comment - Ms. Margaret Seymore, 3125 Stanhope Avenue

Staff Resource: Daniel King, Transportation, 996-2408, daniel.king@raleighnc.gov

During the meeting, Council requested information from staff regarding Ms. Margaret Seymore's public comment request for recessed parking along a cell tower property located at 11 Rosemary Street. Enclosed with this *Update* is a memorandum that outlines the history for Ms. Seymore's request for recessed parking near The Standard, a student housing development. Staff from multiple departments continue to work with Ms. Seymore, American Tower, Landmark Development, the Hillsborough Street Community Service Corporation, and the engineer for the Standard Student Housing Development. Staff will continue to work with all involved parties to determine the best course of action for this request, but to date have not yet been able to arrive at an agreed upon solution for all parties. Staff will provide another update to Council when a satisfactory resolution has been reached.

(Attachment)

Special Events Weekly Digest

Friday, February 28 – Thursday, March 5

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

Permitted Special Events

There are no scheduled events during this time.

Other Events This Weekend

Hurricanes vs. Avalanche

Friday, February 28
PNC Arena

The HillBenders – PineCone Piedmont Council of Traditional Music

Friday, February 28
Fletcher Opera Theater

Rachmaninoff Piano Concerto No. 3 – North Carolina Symphony Classical Series

Friday, February 28 – Saturday, February 29
Meymandi Concert Hall

Mayor's Unity Day Celebrating African American History in Raleigh

Saturday, February 29
Raleigh Convention Center

Bus Rapid Transit (BRT): Equitable Development Around Transit

Saturday, February 29
Martin Street Baptist Church

NC State vs. Pittsburgh

Saturday, February 29
PNC Arena

Karina

Saturday, February 29
Fletcher Opera Theater

MAPL Raleigh Volleyball Tournament

Saturday, February 29 – Sunday, March 1
Raleigh Convention Center

Public Resources

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 Special Events Office. 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 are regulated by the City of Raleigh Special Events Office.

Council Member Follow Up



Raleigh

MEMO

TO: Ruffin Hall, City Manager

THROUGH: Ken Bowers, AICP, Planning & Development

FROM: Alysia Bailey Taylor, AICP

DEPARTMENT: Planning & Development

DATE: February 28, 2020

SUBJECT: Parks and Recreation Development Review

During the City Council's January 21, 2020 Work Session an inquiry was made regarding the review and approval process associated with Parks and Recreation Development Projects. This memorandum offers a briefing regarding ongoing research taking place to examine the regulations that impact the review and approval process for these types of projects. On-going research has included an examination of state statutes and existing regulations contained in the Unified Development Ordinance (UDO). The goal of this effort is to evaluate how well the existing regulations are working, to provide an update on any efforts already underway, and to offer recommendations for UDO adjustments.

Background

UDO Section 6.3.2.A. currently contains a "Parks, Open Space, and Greenway" use classification. The category is defined as: *"Uses focusing on natural areas consisting mostly of vegetation, passive or active outdoor recreation areas and having few structures. Parks, open space, and greenways includes the following: 1) Botanical garden, nature preserve, recreational trail, greenway; 2) Game preserve, wildlife management area, refuge, animal sanctuary; 3) Park, recreation field. A public park may contain civic uses such as a community center, museum or library; 4) Reservoir, control structure, water supply, water well."*

While this use classification provides a definition, it does not provide use standards to address the unique attributes that can be associated with Parks, Open Space, and Greenway development.

Parks and Recreation projects can be unique when compared to more typical residential and commercial development. In some instances, the land associated with the project can be vast, but the scope of the project itself only comprises a small portion of property. In other instances, projects may introduce a new use to a property, but there are no structures involved.

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222 West Hargett Street
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(Mailing Address)

There can also be Parks and Recreation projects that involve multiple properties with multiple property owners, and only comprise a portion of each property.

While the circumstances associated with a Parks and Recreation project can be unique in comparison to a more typical development project, there are few regulations within the UDO that contain the flexibility to process these types of projects administratively without the possibility of the requirements of UDO resulting in infrastructure improvements that appear to be out of alignment with the proposed project.

Specific Concerns

The characteristics associated with some Parks and Recreation projects has created instances when public streets or street improvements, and/or drainage or utility improvements have been required, but may not have been well aligned with the direct impacts of the proposed development. There have also been instances when UDO requirements create conflict with identified greenway improvement projects. These requirements have resulted in increased review time and increased project costs. In general, areas of the development review that are the source of concern are as follows:

- Plot Plan Review vs. Site Plan Review: Plot Plan Review and Site Plan review are two types of review paths specified in the UDO, and the review path of a project can impact whether minimum UDO requirements will be applicable or full UDO requirements will apply. As currently written the thresholds that determine which review type applies to a project, and the UDO requirements associated with each review type can have significant impacts on a project.
- Infrastructure Improvement Requirements: The scope of the infrastructure improvements, when applicable, is based on the size of the lot rather than correlating the project scope with the projected impacts.
- Parking Requirements: Parking requirements for Parks, Open Space, and Greenway projects is based on the parking ratio of the proposed use for each of the structures on site.
- Tree Conservation Area: The UDO allows greenway to be identified as a type of tree conservation area for development projects, which creates challenges for the Parks, Recreation, and Cultural Resources Department when it is time to implement identified greenway projects.

Initial Findings

There are a number of laws and regulations that have been amended or are in the process of being amended that address concerns associated with the review and approval of Parks and Recreation projects. The following are changes and the status of those changes:

- Senate Bill 355, Part II, which becomes effective January 1, 2021, contains the following language: "§ 160D-9-12. *Public buildings. All local government zoning regulations are applicable to the erection, construction, and use of buildings by the State of North Carolina and its political subdivisions. Notwithstanding the provisions of any general or local law or ordinance, except as provided in Part 4 of Article 9 of this Chapter, no land owned by the State of North Carolina may be included within an overlay district or a conditional zoning district without approval of the Council of State or its delegate.*" – This NC General Statute means that if a City Project does not propose a structure, the UDO regulations are not applicable. (Note: The above referenced statute is in effect today as § 160A-392.)
- UDO Sections 10.2.7. and 10.2.8. - Plot Plan Review and Site Plan Review: Staff have been authorized to draft a text change to replace plot plan terminology, identify different site plan categories, and develop more appropriate categorical triggers for certain types of site improvements. During the January 14, 2020 Work Session City Planning reported that staff is actively working on this amendment.
- TC-6-19 "Design Alternates" amended UDO Section 8.3. "Blocks, Lots, Access". This UDO text change became effective on December 8, 2019 and allows by-right exemptions to block perimeter standards, which addresses some obstacles related to infrastructure improvements that have impacted Parks and Recreation projects in the past. This text change will have the impact of reducing project costs and review time.

Next Steps

Staff members from the Planning and Development Department in collaboration with the Parks, Recreation and Cultural Resources Department and City Attorney's Office will continue to look for opportunities to address concerns associated with Parks and Recreation project review as authorized text changes are being processed, and will evaluate the UDO for other text changes that may be necessary to better address the unique attributes associated with Parks and Recreation projects.

Possible text changes, not currently authorized, could include:

- Modifying the Parks, Open Space, and Greenway Use Category; and
- Modifying the Parking Standards for Parks, Open Space, and Greenway

Project 1

Individual Scoring

Team Member: _____

Section	Points	Criteria	Additional description	Score
Sec 4.2 Project Overview (Up to 15 points)				
4.2	5	Provides a comprehensive approach to project minimums that addresses current unmet need; addresses comparability to existing facilities.	Higher scores given for proposals with detailed project elements and data and/or research demonstrating unmet need and ability for project to address the problem	0
4.2	2	Clearly demonstrates a need for county capital investment for project success.	Higher scores for clear demonstration on need of county funds to complete the project or included needed elements of project.	0
4.2	2	Demonstrates evidence of successful community partnerships and collaboration.	The greater the number of partners, the greater the score.	0
4.2	2	Consistency with Hospitality Taxes Operating Principles.	Higher scores given for demonstrated advancement of Operating Principles	0
4.2	4	Consistency with Destination Strategic Plan	Higher scores given for demonstrated consistency with DSP	0
Notes/Strengths/Weaknesses:				
			Total	0
Sec 4.3 Project Budget and Funding Sources (Up to 20 points)				
4.3	12	Demonstrates ability to meet capital funding requirements. Meets commitment requirements. Demonstrates sources. Demonstrates a mix of funding sources (whether public, public/private, or public/private/not-for-profit).	Higher scores will be given for fully funded projects, high levels of funds in hand, greater mix of funding sources, a major part of the funding already secured, lesser reliance on county funding.	0
4.3	4	Includes schedule of expenditures.	Higher scores will be given for detailed schedule of expenditures that appears realistic.	0
4.3	4	Describes impact on existing infrastructure and plans for how impacts will be addressed, if applicable.	Higher scores will be given for minimum impacts or funded impacts on existing public infrastructure.	0
Notes/Strengths/Weaknesses:				
Sec 4.4 Project Timeline (Up to 15 points)				
4.4	15	Provides a clear schedule for project implementation including site availability, funding commitments to include cash flow needs, schedule of complimentary private and community investments.	Higher scores go to projects that are shovel ready, designs complete or in progress; land acquired; specific project plan.	0
Notes/Strengths/Weaknesses:				

Sec 4.5 Project Operating Plan (Up to 20 points)				
4.5	10	Demonstrates a sustainable operating plan with articulating long-term viability of the project and community access plan.	Higher scores will be given to projects with well developed operating plan demonstrating revenues to support operations with defensible basis for projection.	0
4.5	5	Demonstrates a short-term and long-term marketing plan.	Higher scores will be given to projects with well developed marketing plans considering start-up and long term viability of project.	0
4.5	5	Demonstrates approach to facility maintenance.	Higher scores will be given to projects with well planned maintenance for a highly used facility with long-term capital debt.	0

Sec 4.6 Estimates on Visitors and Return on Investment (Up to 20 points)

4.6	6	Demonstrates ability to balance venue availability expectations.	Higher scores will be given to projects that demonstrate ability to balance and offer commitment to venue availability for GRSA needs	0
4.6	6	Demonstrates ability to provide a return on investment. Include mechanism to track and measure success.	The shorter period the return on investment, the higher the score.	0

			Total	0
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Sec 4.7 Organizational Information (Up to 10 points)

Notes/Strengths/Weaknesses:	
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Overall Proposal Notes:

SCORING GUIDELINES



Raleigh

MEMO

TO: Ruffin Hall, City Manager

FROM: Daniel King, Engineering and Infrastructure Manager

DEPARTMENT: Transportation

DATE: February 28, 2020

SUBJECT: Public Comment
Margaret Seymore

Ms. Margaret Seymore, 3125 Stanhope Avenue, Raleigh, presented a concern to the City Council at their regular meeting on February 18 to discuss retention of a 4' sidewalk and waiver of the cost of recording an easement on a cell tower property at 11 Rosemary Street.

In October 2017, a site plan called "The Standard", for a student housing development on Hillsborough Street between Concord Street and Rosemary Street was submitted by the developer, Landmark Properties, to the City of Raleigh for review (see attached map). During the review, it was determined that Rosemary Street was very narrow along the frontage of The Standard's site and that it would need to be widened to meet a minimum of a 27' wide street. Ms. Seymore expressed concerns at that time with the existing parking along the project frontage and the narrowness of the road (see attached map). City staff and the developer worked with Ms. Seymore to consider options and ultimately Landmark Properties agreed to recess the parking along their frontage to allow for wider travel lanes along Rosemary Street. Ms. Seymore was happy with this outcome and the developer was willing to incur the additional expense in order to be a good neighbor. The site plan was approved to include the recessed parking in January 2018 and is currently under construction with anticipated completion in April or May of this year.

During construction of The Standard project, Ms. Seymore reached out again to City staff to ask if it was possible for someone to extend the recessed parking that was a part of the site plan approval for The Standard across the frontage of the property to the south of the construction site. This property is occupied by a cell tower that is owned and operated by American Tower Corporation. City staff has had many conversations with Ms. Seymore and made multiple on-site visits with representatives from Landmark Properties and American Tower to discuss options. Ms. Seymore has asked the developer and the cell tower owner if they will do the improvements and they stated they do not have a problem with the improvements, but they did not have any interest in paying for them.

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City staff has informed Ms. Seymore that what she is requesting is beyond the responsibility of the developer and the City could not require them or the cell tower company to complete any improvements along the frontage of the cell tower property because it was not part of the development. City staff indicated to Ms. Seymore that she could petition the City to make these off-site improvements, but she indicated that she would like the developer to do it at the same time as their frontage improvements are being constructed with their development project.

One of the concerns that Ms. Seymore has expressed through this process is the narrow street and the impact the parking has on visibility. However, she does not want the current parking to be limited in order to improve visibility on the street.

City staff has several concerns, listed below, about the practicality and constructability of the improvements that Ms. Seymore is requesting either of the developer or the City.

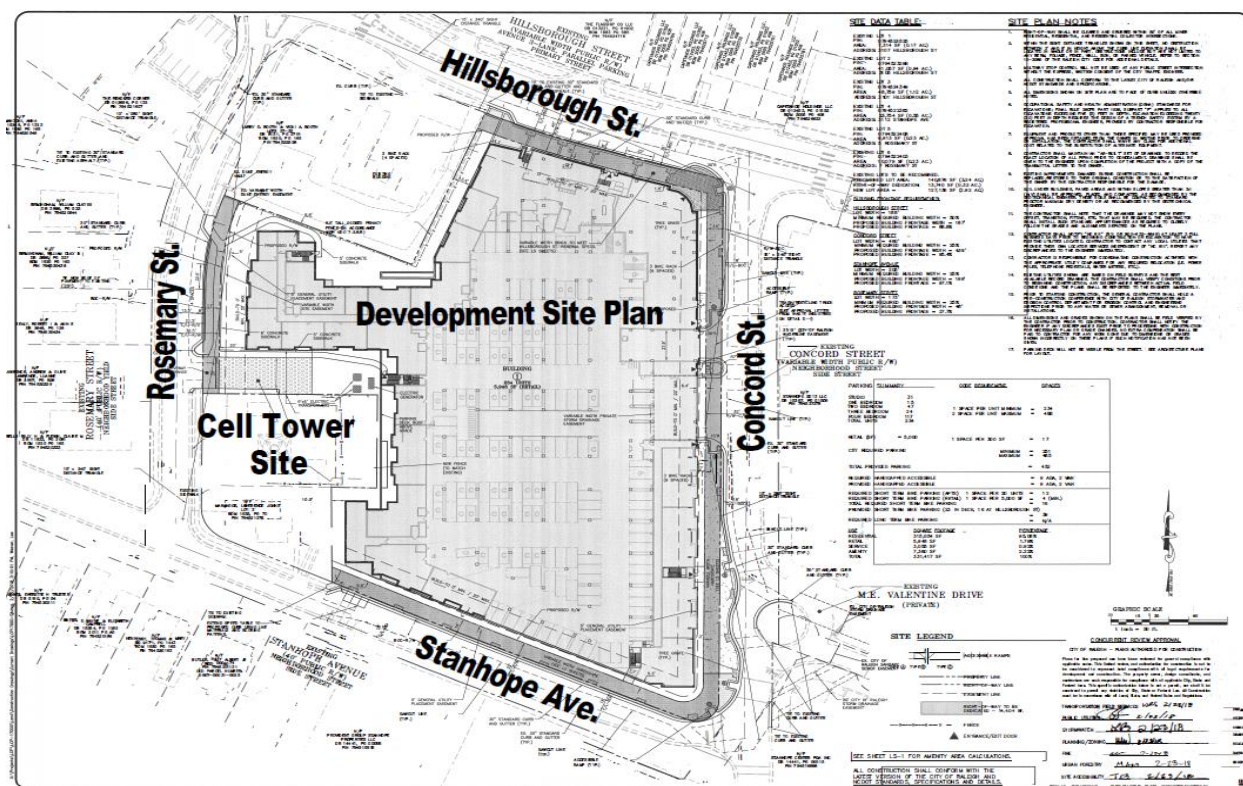
1. American Tower Corporation would need to explore this request through their legal counsel further and are doubtful it would be supported.
2. Recessing the parking along the cell tower property will very likely decrease the current number of available spaces along Rosemary Street in this specific location.
3. The increase of impervious area associated with these improvements as well as the potential need for additional drainage structures may create some stormwater concerns that could be difficult to address.
4. There could be utility conflicts with where these improvements would be located.
5. The removal of existing sidewalk and replacement to its new location to accommodate the recessed parking may encroach onto the private property owned by the cell tower company requiring recorded easements and potentially impact future expansion.
6. There would be the removal of existing landscaping and vegetation across the cell tower property.

Knowing the developer and cell tower company have no interest in paying for these improvements, city staff believes that Ms. Seymore will likely ask the City Council to find other options to pay for these additional improvements, and staff is not aware of a way for the City to do that outside of the public bid process.

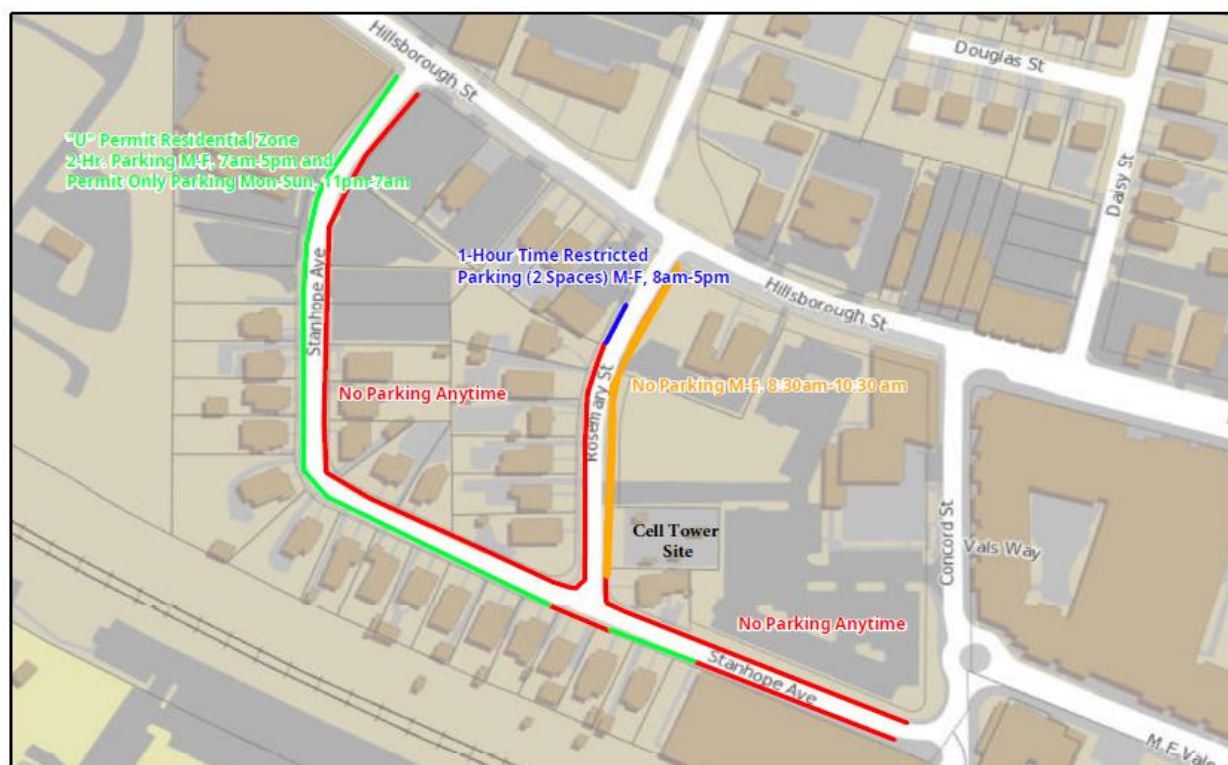
Due to the concerns listed above, city staff does not recommend pursuing these off-site improvements.

If you have any questions or concerns, please advise.

CC: Tansy Hayward, Assistant City Manager
Louis Buonpane – Chief of Staff
Michael Moore, Director, Raleigh Department of Transportation
Paul Kallam, Assistant Director, Raleigh Department of Transportation



Approved Development Site Plan



Stanhope Ave. Area Parking Map