

Outdoor Seating Enforcement

Appearance Commission Outdoor
Seating Design Review Committee

1/13/16



OUTDOOR SEATING

Originally presented as an update to
City Council on 11/3/15

Private Use of Public Space (PUPS)

- Newsracks
- Parklets
- Street Performers
- Pushcart Vending
- Mail Drop-Off Boxes
- Outdoor Merchandise
- Outdoor Dining/Seating
- Street Furniture and Accessories
- Awnings
- Exterior and Accent Lighting
- Overhead Signs
- A-frame Signs

Timeline

Date	Action
February – April	PUPs review and evaluation
June 2	Proposed changes to City Council
June 9	Heard by Law and Public Safety Committee
June 18 – July 23	Hospitality Committee weekly meetings
July 28	Report to Law and Public Safety Committee
August 4	Revised changes presented to City Council
August 14	Enforcement of the new ordinance begins
September 1	Staff presented preliminary update to Council

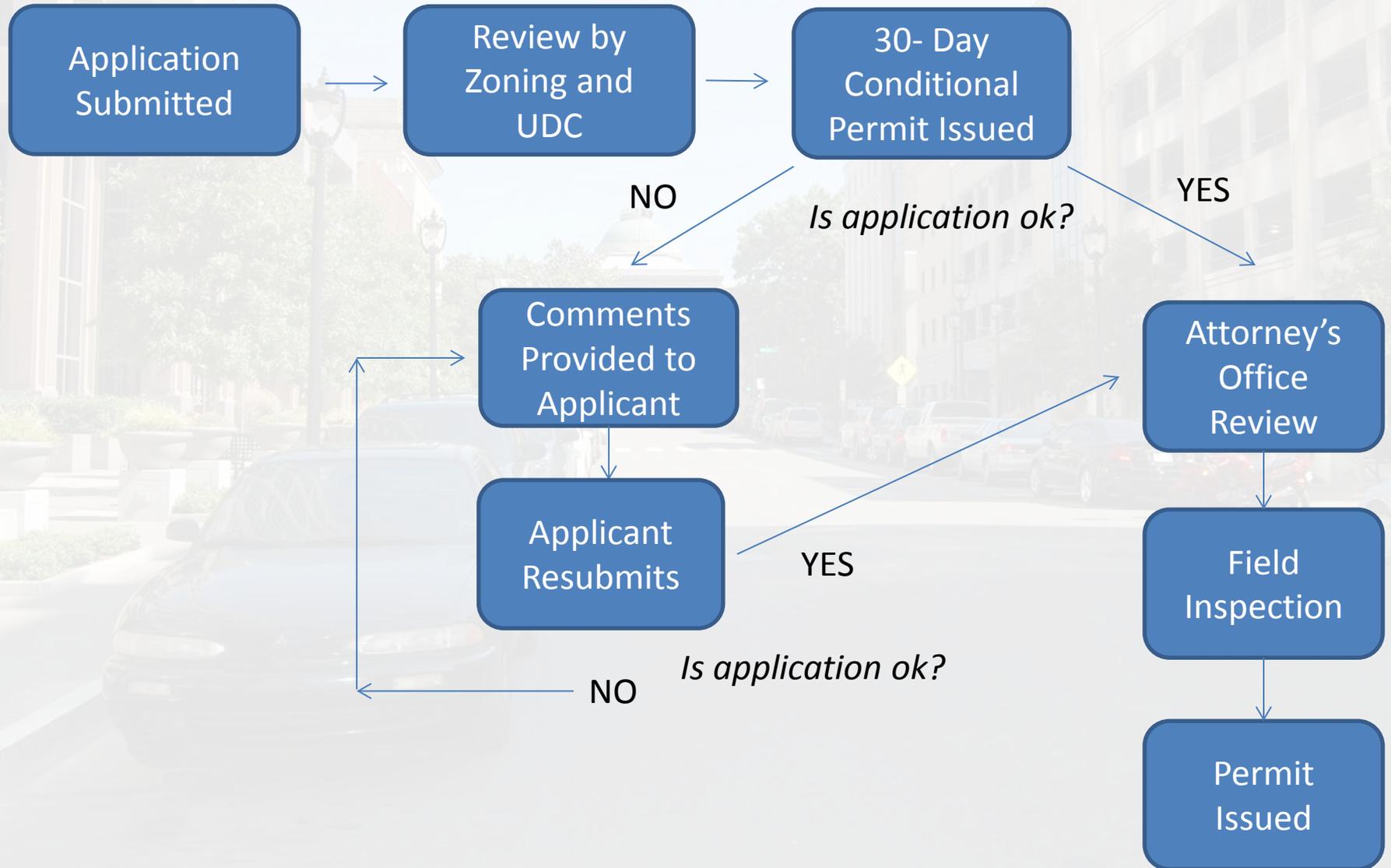
Goals

- Address public safety and ADA issues
- Proactively regulate the right-of-way (sidewalk) in a manner that maintains public access at all times
- Enhance the overall experience for visitors, residents, and establishments
- Develop a balanced approach to address issues associated with the Outdoor Seating Permit
- Protect City's investment in downtown revitalization

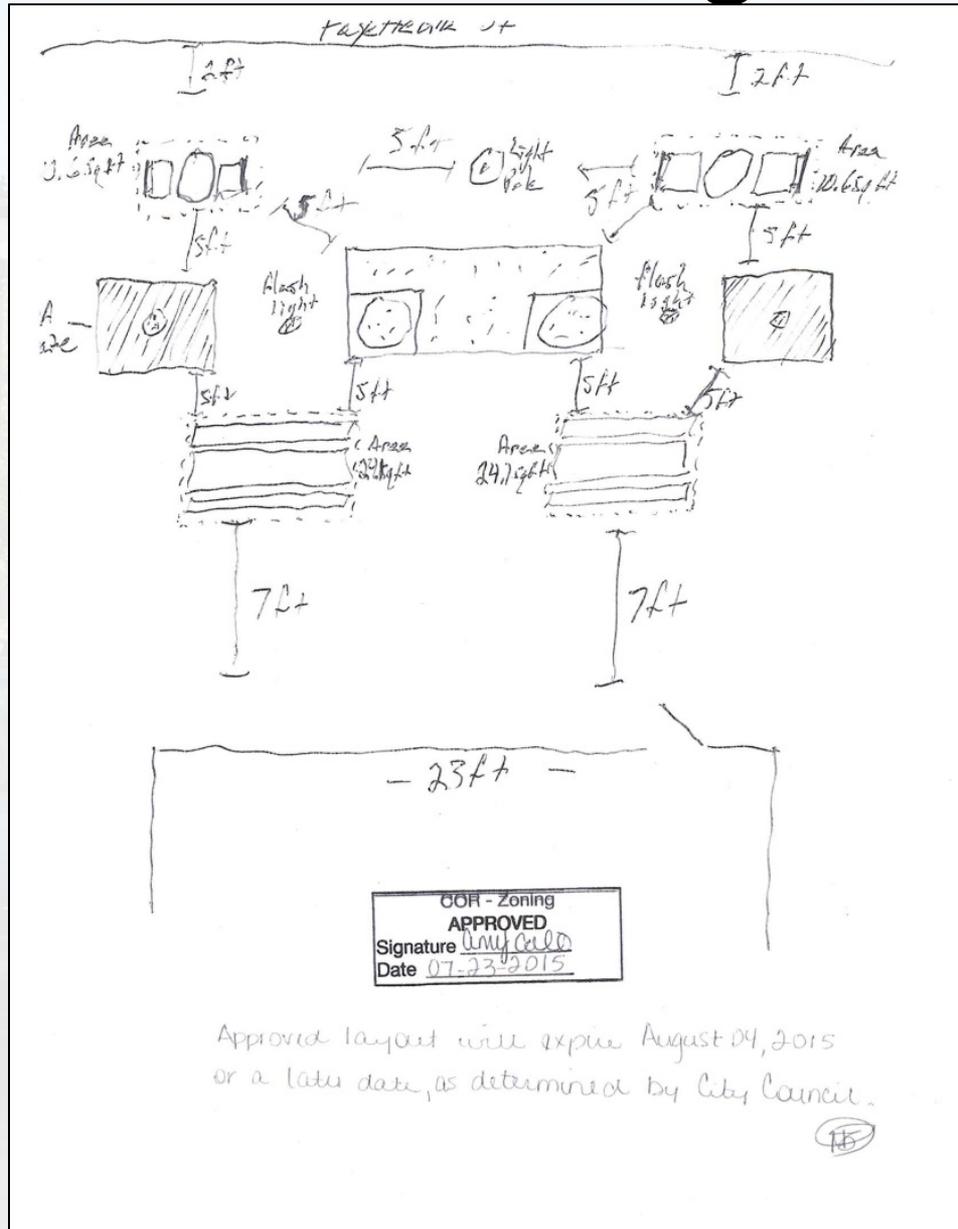
Measures of success

- ✓ Public safety issues addressed
 - ✓ Overcrowding
 - ✓ Safe pedestrian access
 - ✓ Responsibility on establishments
- ✓ Clear, formalized process
- ✓ ADA issues addressed
 - ✓ Sidewalk clearance
- ✓ Enforcement of rules
- ✓ Balanced needs of all stakeholders

Application Process



Is it working?



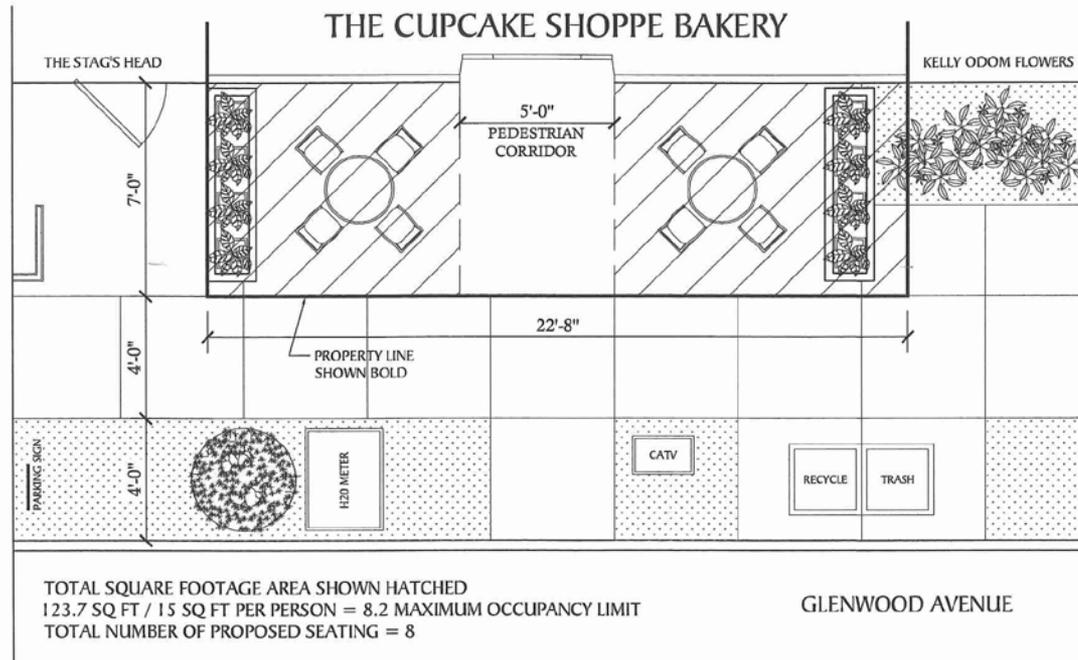
Approved layout will expire August 04, 2015
or a later date, as determined by City Council.

115

Yes!

OUTDOOR DINING PERMIT RENDERING 2015-2016
SCALE: 1/4" = 1'-0"

COR - Zoning
APPROVED
Signature *Martha Y. Lobo*
Date *10-16-2015*



Revised 10/13/15 for resubmittal

Where are we now?

Establishments as of 10/30/2015	
Applications Submitted	42
Resubmittals in Review	7
Completed 1st Review	37
Completed 2nd Review	17
Completed 3rd Review	1
Conditional Approvals	36
State Right-of-Way	5
Waiting to perform field inspection	8
Permits Issued	3

Violations Issued

- Nine “Notice of Violations” to eight different establishments
 - Seven of the nine were issued for operating without a permit
 - Two of the nine were issued for operating an area after hours
- Three of the seven who were issued violations for operating without a permit have since applied

Quality of Life Issues

August 1 – October 28

Violation	2014	2015	% Change
Alcohol Violation	255	166	-35
Assault/Affray	52	49	-6
Begging	42	42	0
Damage to Property	14	11	-21
Disorderly Conduct	30	17	-43
Indecent Exposure	7	4	-43
Intoxicated and Disruptive	79	43	-46
Littering	45	27	-40
Sleep in Public Place	32	33	3
Trespassing	208	143	-31
Urinating in Public	66	33	-50
Weapons Violation	8	6	-25
Total	846	579	-32

Other items discovered during the evaluation period

- Existing encroachment agreements
 - Method for outdoor seating prior to PUPS
 - Remain in effect until action taken by Council
- State right-of-way
 - Blount Street
 - Person Street
 - New Bern Avenue
 - Edenton Street
 - Hillsborough Street (west of Oberlin Road)
 - Morgan Street (east of Glenwood Avenue)
 - Glenwood Avenue (north of Wade Avenue)

Proposed Next Steps for Staff

- Continue to receive applications and issue permits
- Cooperatively work with establishments to ensure compliance
- Transition enforcement away from RPD and RFD
- Resume efforts to update PUPS handbook

Possible Next Steps for Council

- Consider the authorization for additional staff for PUPS enforcement
- Recommend Appearance Commission evaluate appearance standards
- Accept technical changes to the ordinance from Attorney's Office
- Consider possible adjustments to portions of the ordinance as identified by Council

The background image is a faded, wide-angle shot of a city street. On the left, there are modern multi-story buildings with large windows and balconies. On the right, there are older-style buildings with classical architectural elements like columns and a prominent arched window. In the center distance, a large white dome structure, possibly a government building or university hall, is visible under a clear sky. The street is lined with parked cars and street lamps. The overall scene is bright and clear, but the image is intentionally faded to serve as a background for the text.

Questions?

Council Feedback in November

As a reminder, Council referred several items for additional consideration during the November 3, 2015 discussion of the outdoor seating ordinance, as follows:

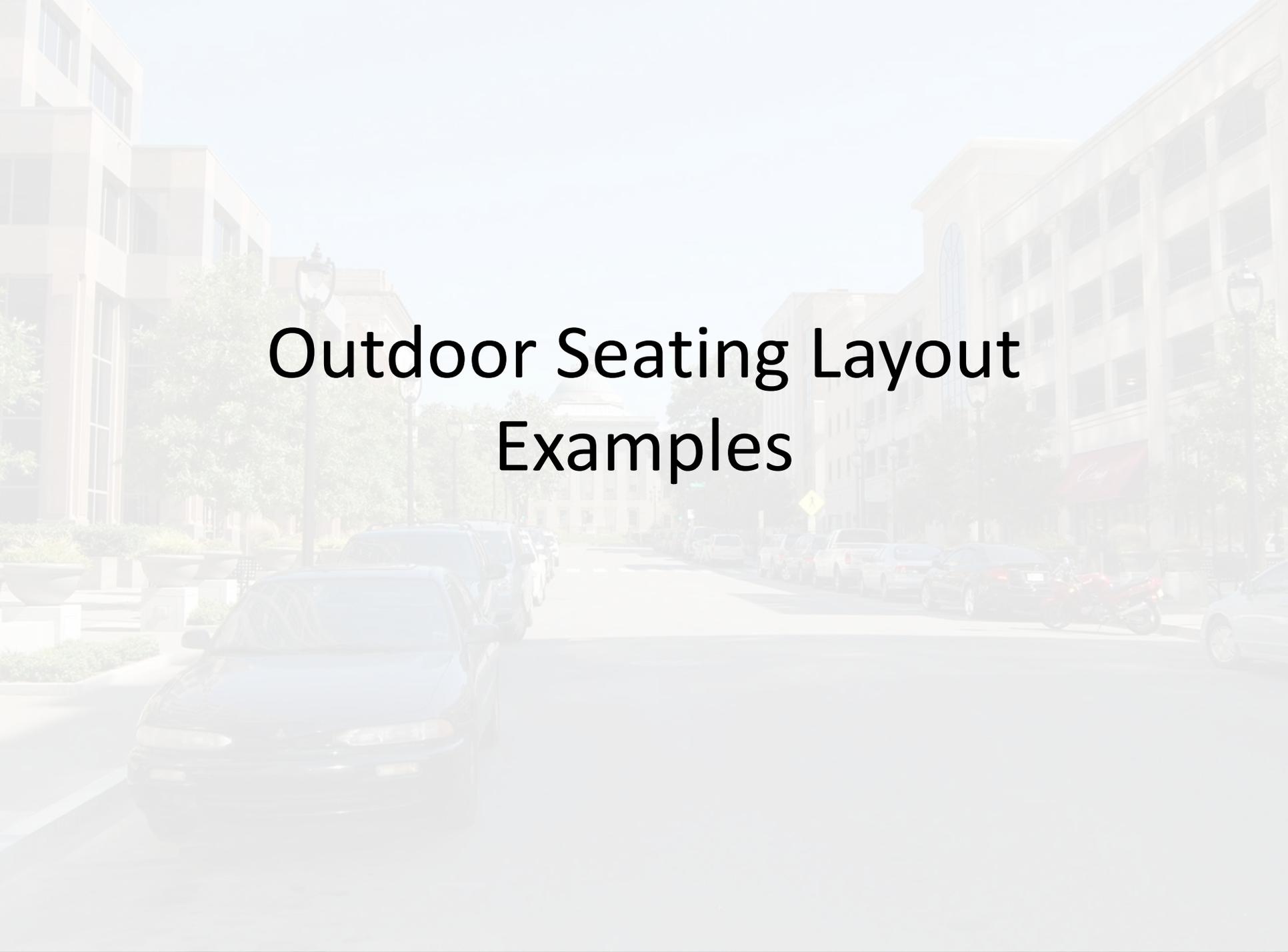
- a)** Referred the use and appearance of stanchions, outdoor furnishings, and signage in outdoor seating areas to the Appearance Commission; and
- b)** Referred the issue of downtown cleaning efforts to the Downtown Raleigh Alliance;
- c)** Requested staff to review and analyze the 15-square-foot capacity requirement; and
- d)** Requested staff to evaluate the effects of the ordinance on small businesses.

Appearance Commission Deliverables

1. The character and appearance of space delineation (e.g. physical barriers, including stanchions)
2. Design guidelines for the appearance of furniture
3. Design guidelines for the appearance of signage (e.g. Occupancy max and “No alcohol beyond here” signs)
4. The impact these items may have on occupancy limits (as currently defined as 15 sf/person)

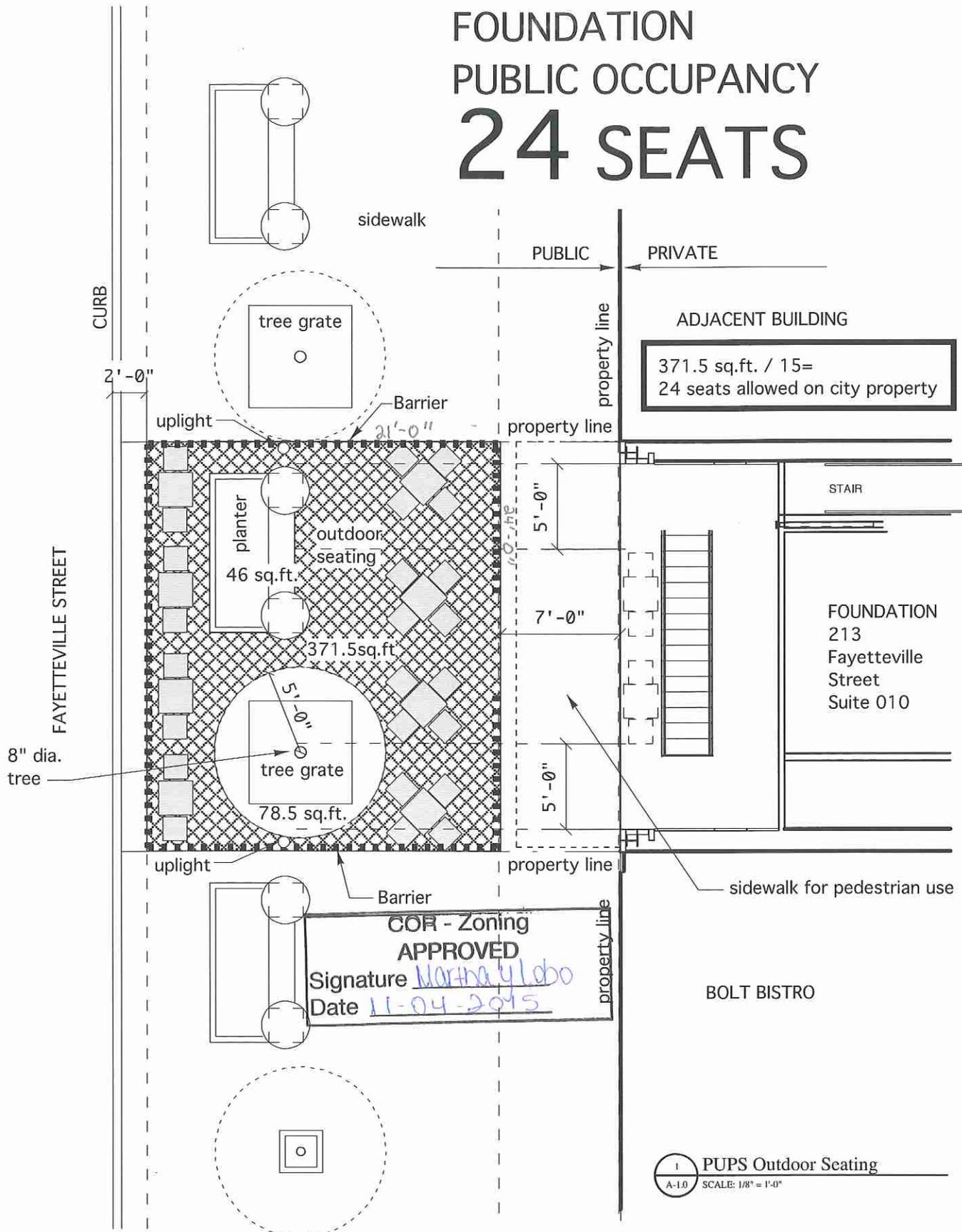
Questions for Zoning Enforcement

1. How does the City plan to enforce the rules when it seems like so much of the problem occurs during late-night hours?
2. What are the main violations?
3. Other questions?

The background image is a faded, wide-angle shot of a city street. On the left, there are modern multi-story buildings with large windows and balconies. A row of trees and a black street lamp are visible. In the center, a road with a white center line leads towards a building with a dome in the distance. On the right, there are more multi-story buildings, some with red awnings. A red motorcycle is parked on the sidewalk, and several cars are parked along the street. The overall scene is bright and clear, with a light blue sky.

Outdoor Seating Layout Examples

FOUNDATION PUBLIC OCCUPANCY 24 SEATS



ADJACENT BUILDING
371.5 sq.ft. / 15=
24 seats allowed on city property

FOUNDATION
213
Fayetteville
Street
Suite 010

COR - Zoning
APPROVED
Signature *Martha Y. Lobo*
Date *11-04-2015*

Adjacent Building

Elevated sidewalk

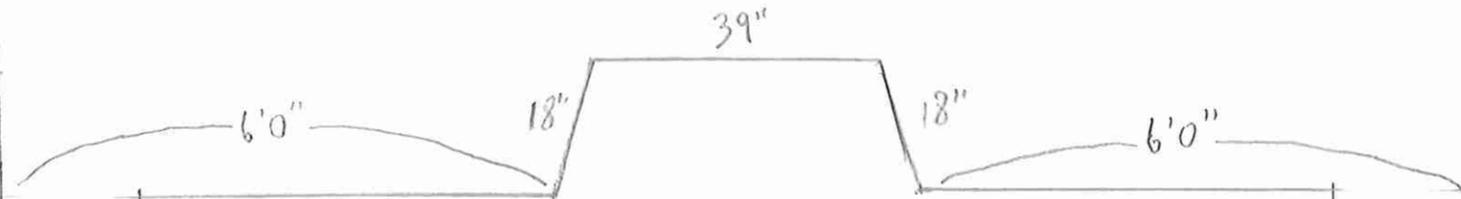
4 total seats

95.97 sq ft / 15 =
6 seats allowed on
city property

Adjacent Building

Property Line

Property Line

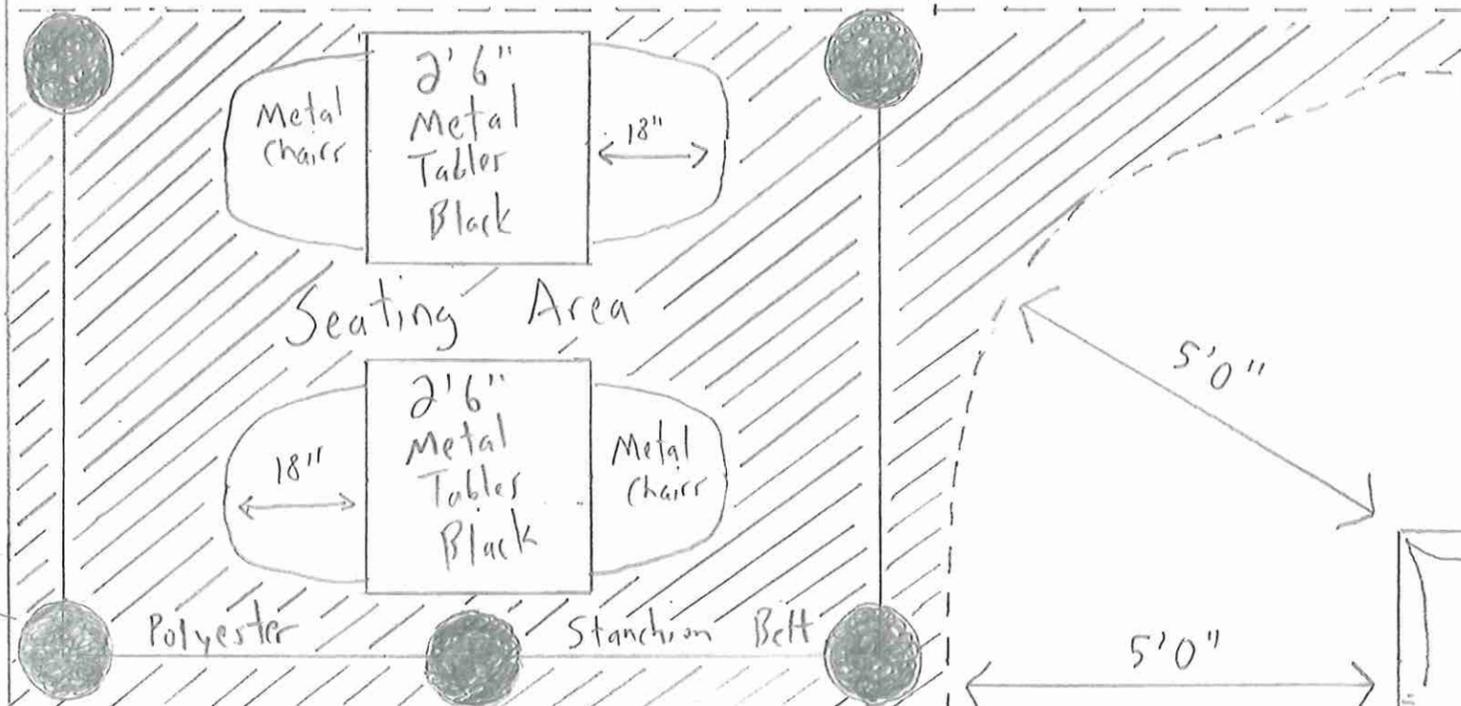


Pedestrian
Corridor

Approved for (4) seats
 COR - Zoning
 APPROVED
 Signature Martha Y. Lobo
 Date 11-16-2015

5'0"

5'0"



12" stanchion base



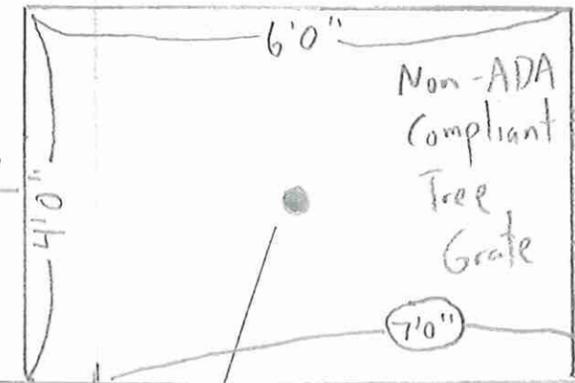
7'0" Curb

2'0" Curb Clearance

Curb

Martin Street

1/2" = 1 Foot



Non-ADA
Compliant
Tree
Grate

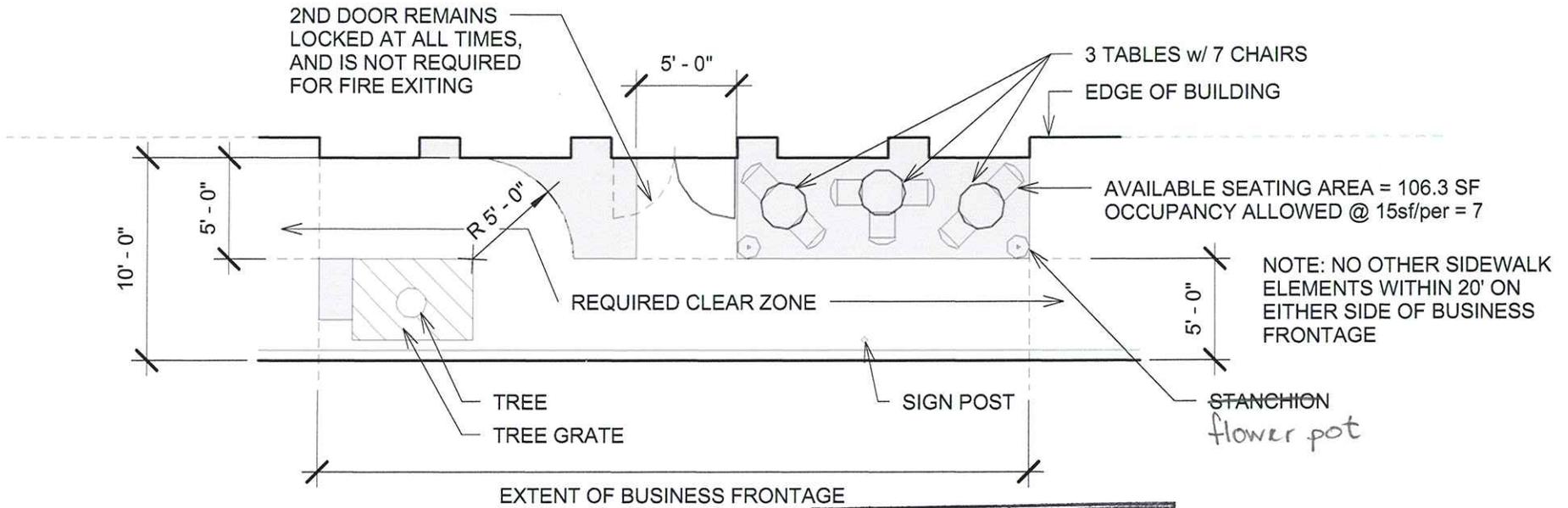
3.5" dia tree

7'0" Curb

5'0"

5'0"

5'0"



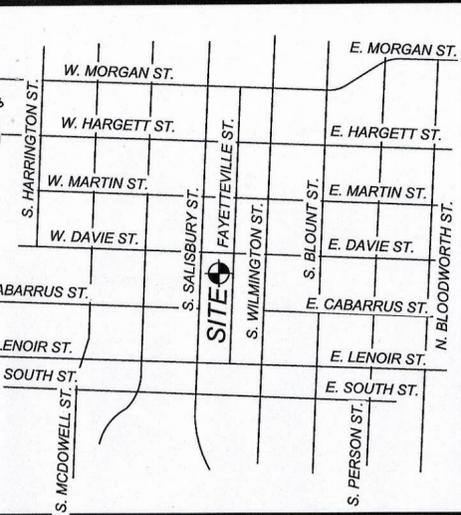
COR - Zoning
APPROVED
Signature *Martha y. Lobo*
Date *11-13-2015*

① OUTDOOR SEATING LAYOUT
1/8" = 1'-0"

NICK HAMMER ARCHITECT

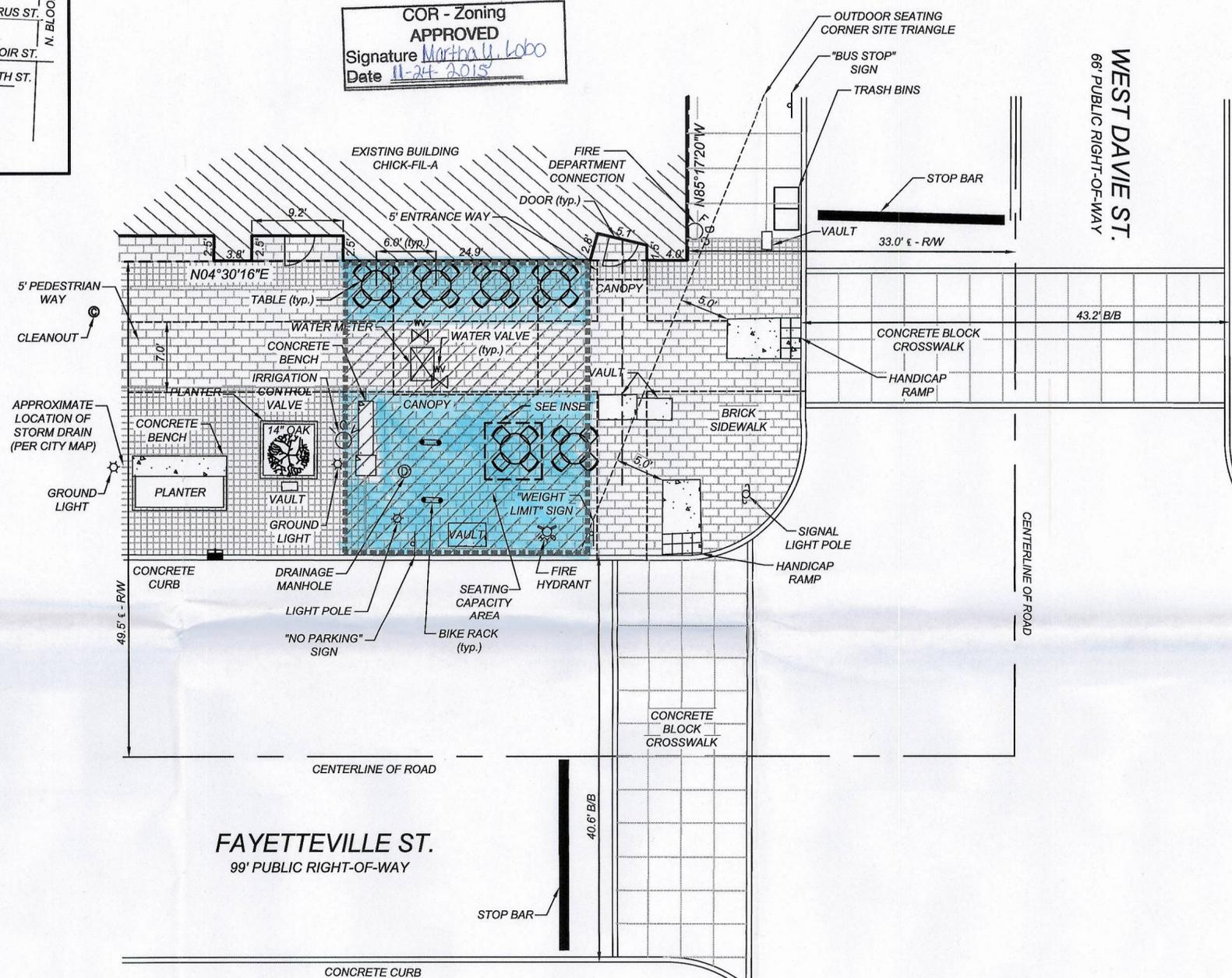
205 FENTON STREET | RALEIGH, NC 27604
P 808.315.3679 | jwnhammer@gmail.com





VICINITY MAP
NTS

COR - Zoning
APPROVED
Signature *Northy Lobo*
Date *11-24-2015*



OUTDOOR SEATING CAPACITY
RALEIGH CITY CODE SEC. 12-2121

24.9' x 29.5' = 734 SQ. FT.
- 11 SQ. FT. CONCRETE BENCH
- 175 SQ. FT. PEDESTRIAN WAY

548 SQ. FT. / 15 SQ. FT.
= 36 PERSON CAPACITY

24 TOTAL SEATS PROPOSED

**COMMERCIAL
SITE DESIGN**

8712 CREEDMOOR ROAD
RALEIGH, NORTH CAROLINA 27613
(919) 848-6121, FAX: (919) 848-3741
WWW.CSDESIGN.COM

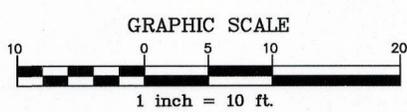
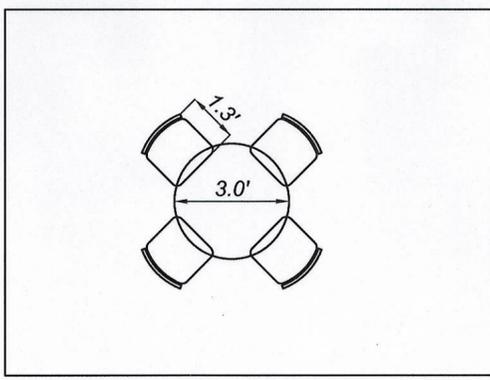
OWNER:	CHICK-FIL-A 5200 BUFFINTON ROAD ATLANTA, GEORGIA 30349	
	NO.	DATE
BY	REVISIONS	
	DESCRIPTION	DATE

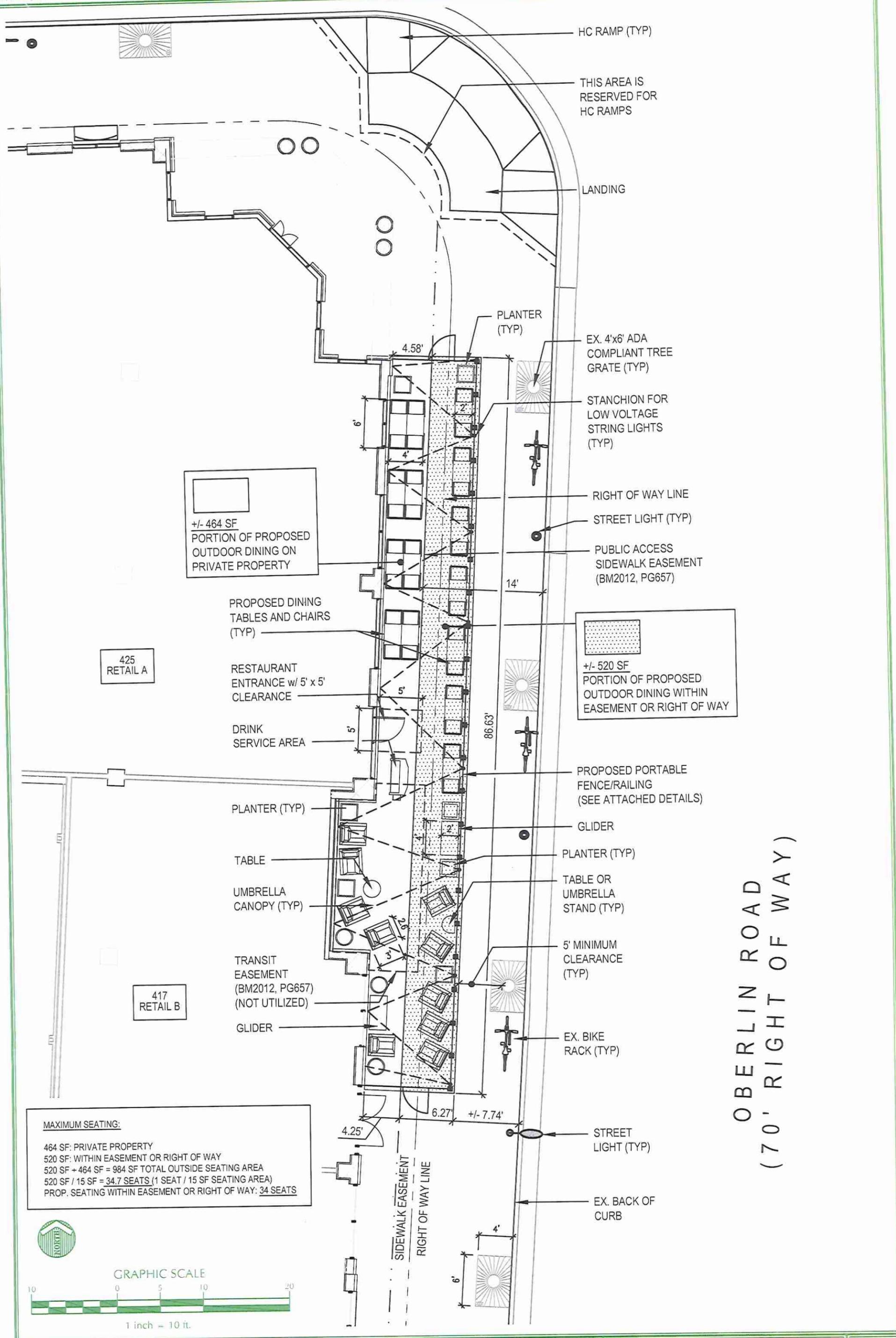
PROPERTY OF
CHICK-FIL-A
400 FAYETTEVILLE STREET
RALEIGH, WAKE COUNTY, NORTH CAROLINA

OUTDOOR SEATING EXHIBIT

PROJECT NO.	CFA-1502
FILENAME:	CFA1502-SE
DRAWN BY:	JJJ
SCALE:	1" = 10'
DATE:	9/3/15
SHEET NO.	C-2

- LEGEND**
- ▲ CALCULATED POINT
 - EXISTING IRON PIPE
 - IRON PIPE SET
 - BORE HOLE
 - SANITARY SEWER MANHOLE
 - SANITARY SEWER CLEANOUT
 - WATER VALVE
 - WATER METER
 - FIRE HYDRANT
 - TELEPHONE PEDESTAL
 - TELEPHONE MANHOLE
 - ELECTRIC BOX
 - LIGHT POLE
 - POWER POLE
 - CURB INLET
 - STORM DRAINAGE MANHOLE
 - YARD INLET
 - STORM DRAIN
 - OVERHEAD UTILITIES
 - UNDERGROUND ELECTRIC
 - UNDERGROUND TELEPHONE
 - WATER LINE
 - SANITARY SEWER LINE
 - GAS LINE
 - FENCE LINE
- AC = ACRES
 - ACSM = AMERICAN CONGRESS ON SURVEYING AND MAPPING
 - ALTA = AMERICAN LAND TITLE ASSOCIATION
 - B.M. = BOOK OF MAPS
 - CB = CATCH BASIN
 - CMP = CORRUGATED METAL PIPE
 - D.B. = DEED BOOK
 - EIP = EXISTING IRON PIPES
 - ELEV = ELEVATION
 - E.M. = ELECTRIC METER
 - FIRM = FLOOD INSURANCE RATE MAP
 - GPS = GLOBAL POSITIONING SYSTEM
 - HUD = HOUSING URBAN DEVELOPMENT
 - HYD = FIRE HYDRANT
 - INV = INVERT
 - IPS = IRON PIPE SET
 - LLC = LIMITED LIABILITY COMPANY
 - MPH = MILES PER HOUR
 - MSL = MEAN SEA LEVEL
 - NAD = NORTH AMERICAN DATUM
 - N/F = NOW OR FORMERLY
 - NCGS = NORTH CAROLINA GEODETIC SURVEY
 - NGVD = NATIONAL GEODETIC VERTICAL DATUM

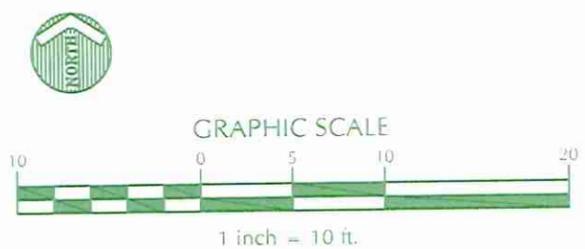




+/- 464 SF
PORTION OF PROPOSED
OUTDOOR DINING ON
PRIVATE PROPERTY

+/- 520 SF
PORTION OF PROPOSED
OUTDOOR DINING WITHIN
EASEMENT OR RIGHT OF WAY

MAXIMUM SEATING:
 464 SF: PRIVATE PROPERTY
 520 SF: WITHIN EASEMENT OR RIGHT OF WAY
 520 SF + 464 SF = 984 SF TOTAL OUTSIDE SEATING AREA
 520 SF / 15 SF = 34.7 SEATS (1 SEAT / 15 SF SEATING AREA)
 PROP. SEATING WITHIN EASEMENT OR RIGHT OF WAY: 34 SEATS



OBERLIN ROAD
 (70' RIGHT OF WAY)

No.	Description	Date	BY

425 OBERLIN
 425 Oberlin Road, Raleigh, NC 27605

Outdoor Seating Area

WithersRavenel
 Engineers, Planners,
 Architects & Scientists



NO.	Description	Date	By

NO.	Description	Date	By

425 OBERLIN
425 Oberlin Road, Raleigh, NC 27605

Outdoor Seating Area