



To: Urban Design Committee
From: Planning and Preservation Division
Date: July 6, 2017
RE: **Encroachment associated with Pies and Pints Restaurant and new outdoor dining structures, 2035 W. Broad St.; UDC File No. 2017-23**

I. APPLICANT

Scott Gordon, The Yellow Room, Inc.

II. LOCATION

2035 W. Broad St.

Property Owner:

2035 Broad Llc

III. PURPOSE

The application is for review of encroachments associated with new outdoor dining and façade improvement structures at 2035 W. Broad St.

IV. SUMMARY & RECOMMENDATION

Staff finds that the project does a commendable job of programming a formerly vacant building into one that positively addresses the street in a pedestrian-oriented fashion. Converting the first floor of the building into a restaurant with outdoor seating will add to the vibrancy of the corridor, especially when considering its proximity to the Bus Rapid Transit line and the Sauer Center, a new mixed-use development under construction across the street. Although not in keeping with the design guidelines, the metal canopies will generate visual interest and will provide the same benefits as festoon lighting. Furthermore, it should be noted that although the proposed lettering for the restaurant signage will be back lit and is slightly larger than what is recommended in the Guidelines, with minor adjustments, these details may further add to the visual interest of the building.

Further review by the Department of Public Works should address any concerns regarding clearance, and therefore, it is Staff's position that the Urban Design Committee should recommend that the Department of Public Works grant approval of the encroachment request with the following considerations:

- That the applicant consider decreasing the depth of the encroachment of the outdoor dining area from 9.5' to 8.75' (half of the width of the sidewalk width) or less. Although this meets the 5' minimum requirement, the City continues to see encroachments, especially on streets that are prime for more pedestrian activity (e.g., along the Pulse Corridor), that are in the 16-18' width range, leaving only the minimum amount of clearance. The proliferation of multiple establishments installing encroachments (not movable sidewalk cafes) has resulted in increased hardships for pedestrian navigation, especially pedestrians with disabilities, in corridors that are continuing to develop
- That the applicant consider reducing the encroachment of the door swings into the right-of-way

- That, in regards to the awning, the applicant consider reconfiguring the valence to prevent glare from the proposed lighting elements or to confirm the lighting elements will be 3000K warm light LED or similar.
- That the applicant work with the Urban Forestry division to determine an appropriate tree species to be planted in the nearby tree well

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V. FINDINGS OF FACT

a. Site Description and Surrounding Context

The subject property and right-of-way are located on the south side of W. Broad St. in between Hermitage Rd. and N. Allison St.

The property consists of a two story brick structure that was built in 1915. Its street level facade has been modified many times over the years, but it still features its original cornice above a series of double hung windows with transoms, serving the vacant 2nd floor space. The first floor will serve as a restaurant while a commercial tenant has yet to be determined for the second floor. The subject property will be located directly across the street from the proposed Whole Foods Market, part of the larger Sauer Center redevelopment project, which is proposing several ROW improvements on the north side of Broad St. It is currently zoned UB-PO4, Urban Business-Parking Overlay.

b. Scope of Review

The project encroachments include: a permanent outdoor dining railing, metal canopies, signage, and external door swings. The encroachment process is administered through the Department of Public Works, which has requested that the Urban Design Committee (UDC) provide design advice on certain types of encroachments. The UDC does not have the authority to approve encroachments, but rather provides advice to the Department of Public Works.

c. Project Description

The purpose of the buildout at 2035 West Broad Street is to create a new location for a Pies and Pints Restaurant. This is a restaurant concept started in West Virginia, currently operating locations from Ohio to North Carolina. This is their first Virginia location. They will occupy all of the first floor, with the exception of the entry and stairs serving the 2nd floor. They will be serving a selection of gourmet pizzas, salads, and a large assortment of beers on tap.

The 2-story structure is built to the property line on all sides. It is composed of brick exterior bearing walls, steel beams, and wood floor joists and roof. Its street level facade has been modified many times over the years, but it still features its original cornice above a series of double hung windows with transoms, serving the vacant 2nd floor space.

The restaurant design will feature (2) roll-up doors at the front storefront which will open the dining room up to outdoor sidewalk patio dining. The outdoor dining will be enclosed by a permanent painted metal fence and gate. Two metal canopies will be installed over the dining area, and a third smaller canopy will be installed over the building entry doors. The canopies will feature built-in lights integrated

into their ceilings, as well as spot lighting for each of (2) proposed blade signs and for the 'Pies and Pints' signage installed on the face of the building.

The 'Pies and Pints' signage will be self-illuminated. (See attached shop drawings). One of the two blade signs is being allocated for the future, as yet undetermined, 2nd floor tenant. The restaurant kitchen is located in the rear portion of the space, along with a separate 'beer garden' smaller dining room.

Permit drawings have already been developed for the restaurant fit-out, and a building permit has been secured. Mechanical, Electrical, and Plumbing trade permits have also been secured. Construction will start on approximately June 15, 2017 and is expected to last approximately 3-4 months.

d. UDC Review History

Staff was unable to identify any prior projects involving this property and rights-of-way. The UDC frequently reviews encroachments.

e. Master Plan

This project falls within the Near West District of the Master Plan. It mentions expected changes and trends will occur specifically on major transportation and commercial corridors, particularly Broad Street, where there will be more of a focus on retailing and commercial services (page 228).

Regarding W. Broad St. between Belvidere St. and Boulevard, the plan further states that “The south side of Broad consists mainly of smaller commercial and service uses in the context of traditional commercial storefronts with minimal street setbacks...Community commercial, institutional, governmental, and office uses are all appropriate and should continue. Vacant buildings on the corridor should be encouraged to develop first floor commercial uses with office and/or residential uses for upper floors. Ideally, Broad Street should be a dense urban development that is oriented to the pedestrian and compatible with adjacent residential development.” (page 239).

f. Urban Design Guidelines

Regarding placement and size of signage as it pertains to community character, the Guidelines note that “its architecture. Signs should not obstruct architectural elements and details that define a building’s design. Signs should be placed so that they are sensitive to the signs of adjacent businesses.” (page 23). Lettering “should be 4 to 14 inches high and should be in proportion to the area in which it will be displayed. One inch should be added to the lettering height for each additional 50 feet between the sign and the viewer. The lettering style should be easy to read and should reflect the image of the business it represents.” The Guidelines have this to say about illumination “Internally illuminated signs are not appropriate in or adjacent to residential areas. Internally illuminated signs should have light lettering and dark, opaque backgrounds for improved readability and minimal glare. For indirectly illuminated signs, the spotlights should be shielded to minimize glare. All lighting and electrical parts should be concealed from view.” (page 24).

Regarding door swings, the Guidelines state “The Urban Design Committee does not support the encroachment of door swings into the public right-of-way. Recessed entries are encouraged. When a recessed entry is not feasible, the

encroachment of the door swing into the public right-of-way should be minimized as much as possible.” (page 28).

The Guidelines have this to say about outdoor dining “Outdoor dining facilities that encroach into the public right-of-way should only be considered when there is adequate sidewalk width to accommodate both the dining facilities and the pedestrian” (page 29). Also, “the outdoor dining furnishings should reflect the character of the restaurant while respecting the spirit of the street design.” (29).

When considering the placement of awnings, the Guidelines state “Awnings and canopies should respect the shape of the storefront, door or window opening. Generally, fixed or retractable, sloped awnings are the traditional awning type and are appropriate for most older buildings.” It further notes that “Awnings and canopies should fit within the storefront, door or window opening. They should complement the scale of the building and should not overwhelm or dominate its facade. The size, type and placement of awnings and canopies should not interfere with signs or distinctive architectural features.” It is recommended that the material is canvas or vinyl-laminated polyester. In terms of awning signage, the Guidelines state that “Professionally applied lettering may be added to the valance area of an awning or canopy. Usually 4 to 8 inch high lettering is sufficient. The lettering should be silk-screened, heatcolor transfer or hand-painted. Spray painting is not recommended, as it tends to fade more rapidly, and self-adhesive vinyl is not durable, because the adhesive loses its bonding quality over time. Sign color should complement the awning or canopy color.” When it comes to illuminating the awning, the Guidelines state that “The illumination, up-lighting or backlighting, of awnings and canopies is not permitted. Backlit awnings and canopies are not appropriate, and the entire awning or canopy could be interpreted as a sign.” (page 30).

VII. ATTACHMENTS

- a. Vicinity Map**
- b. Application & Plans**