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To: Urban Design Committee  
From: Planning and Preservation Division  
Date: May 5, 2016  
RE: **Bistro Festoon Lighting Encroachment from 412-420 E. Grace Street; UDC No. 2016-13**

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**I. APPLICANT**

Krysta Barnard, Monument Construction

**II. LOCATION**

City right-of-way on the north side of E. Grace Street, adjacent to 412 through 420 E. Grace Street.

**Property Owner:**

Various.

**III. PURPOSE**

The application is for review of bistro festoon lighting as an overhead encroachment over the sidewalk area of in front of 412, 416, 420 E Grace St, three neighboring parcels, to attach to Department of Public Utilities-owned poles.

**IV. SUMMARY & RECOMMENDATION**

The bistro festoon lighting that would stretch overhead on the sidewalk and outdoor dining areas of 412, 416 and 420 E. Grace St. These three neighboring parcels will all have restaurant uses on their ground floors.

Currently, the Department of Public Utilities is negotiating regulations for when they will allow others to attach to their poles. The UDC review of this encroachment is the first step in the Department of Public Works approving the application, subject to DPU and Building Code requirements concerning overhead structures.

Staff finds the project to be well-considered, supportive of the redevelopment of Grace Street as an area for restaurant and outdoor dining, and a pedestrian amenity that will help celebrate what the Master Plan refers to as "the essential role of urban streets as public space" (page 4.21). 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 subject to other approvals for safety and regulatory permission.

**Staff Contact:**

Kathleen Onufer, (804) 646-5207

**V. FINDINGS OF FACT**

**a. Site Description and Surrounding Context**

These three properties on the 400 block of E. Grace St. consist of three neighboring restaurants, one with a current sidewalk café, as well as one currently under renovation and a 22' deep area of sidewalk and street furnishings in front of them.

**b. Scope of Review**

The project involves the provision of outdoor lighting above the subject rights-of-way. The City owns the rights-of-way, but the applicant will perform all of the work and will be responsible for all of the maintenance, which puts the improvements in the category of encroachments.

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 intent of the project is to draw more interest to the three neighboring restaurants and promote the continuing revitalization of E. Grace St. The upper floors of the three buildings contain apartments and offices.

Currently, decorative pedestrian lighting on single poles line the exterior of the sidewalk; these are DPU-owned poles that the applicant is seeking permission to attach the festoon lighting to. There are two elevated, brick-walled tree wells with plantings in front of 420 E Grace Street.

The proposed lighting will be use pipe clamps encircling the decorative poles, with a HASP and thimble that attaches to the catenary wire, which attaches to the building façade on the other side. These wires will then be attached with strings of lights with medium base sockets spaced every 24" on center. The plans show a black string. The proposed materials are appropriate for all-weather use.

The area of lighting will be 17' in depth along each storefront; with 25' of frontage at 412 E Grace St, 36' at 416 E Grace St, and 35' at 420 E Grace St for 96' total frontage. There are no new encroaching poles on the ground proposed as part of this application. The lights will be 13' high attached to the DPU poles, rising to a 16' attachment height on the building facades.

**d. UDC Review History**

Staff was unable to identify any prior projects involving the subject rights-of-way.

**e. Master Plan**

The 2008 Downtown Master Plan, which designates the area as being part of the Urban Center. The Plan identifies revitalizing Grace Street as a center of commerce and approach to the State Capitol as a key goal, particularly the restoration and revitalization of the street's historic storefronts (page 4.18). Additionally, the plan recommends improving facades in the City Center, particularly along retail corridors like Grace Street and the essential role of urban streets as public space (page 4.21).

**f. Urban Design Guidelines**

In the encroachment section, the Guidelines suggest that exterior and accent lighting is helpful to highlight architectural features, bring buildings to life in the

evening, and improve the pedestrian environment by helping to light the sidewalk (page 28).

However, the Guidelines do not support large encroachments into the public right-of-way for lighting, and also support the City Planning Commission's Resolution, dated February 6, 1995, which discourages new overhead wire and cable encroachments in the public right-of-way. Neither these lighting nor overhead encroachment guidance addresses catenary and festoon setup envisioned in this proposal.

## **VII. ATTACHMENTS**

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