From:	Dealaman, James D. - PDR
To:	City Clerk"s Office
Cc:	Oliver, Alyson E. - PDR
Subject:	FW: Conditional Use Permit 309 East Broad Street - Ember
Date:	Thursday, February 8, 2024 2:03:49 PM
Attachments:	image001.png image002.png

Please include the below email as public comment received regarding proposed Ordinance 2024-016 which is currently scheduled for a City Council public hearing date of February 12th. Thank you,

James Dealaman, AICP
Planner Associate
(o) 804-646-0455
(e) james.dealaman@rva.gov
(w) rva.gov/planning-development-review
(m) 900 E. Broad St., Room 511, Richmond, Va. 23219-1907

How am I doing? Please contact my supervisor matthew.ebinger@rva.gov

---

From: Polly White <polly@workatgather.com>
Sent: Thursday, February 8, 2024 10:12 AM
To: Robertson, Ellen F. - City Council <Ellen.Robertson@rva.gov>; Floyd, Tavares M. - City Council <Tavares.Floyd@rva.gov>; Duke Dodson <duke@dodsonprop.com>; Andreas Addison <andreas@purefitnessrva.com>; Dealaman, James D. - PDR <James.Dealaman@rva.gov>; James <James@workatgather.com>
Subject: Conditional Use Permit 309 East Broad Street - Ember

You don't often get email from polly@workatgather.com. Learn why this is important

CAUTION: This message is from an external sender - Do not open attachments or click links unless you recognize the sender's address and know the content is safe.

Ellen and Andreas –

I am writing to request that the above referenced issue not be voted on at your February 12thCity Council meeting, but that consideration be postponed until another City Council meeting. Gather would very much like to provide input regarding this decision, but we have not had the opportunity to do so. A sign was posted in front of the building indicating that a zoning issue was being considered. We saw it on January 19th. There was a number listed on the sign to call for information. Gather owners and employees called that number at least eight times during normal business hours. The phone was never answered. The recording we heard said to leave a message and the department would get back to us as quickly as they could. We did not receive a callback until Tuesday, February 6th at 3:47pm.

Jimmy Dealaman in the City of Richmond Department of Planning and Development Review returned our call. At that time, we learned that our neighbor, Ember had filed for a special use

permit to allow them to operate a nightclub between midnight and 2:00am. By the way, we had asked Ember if they new what the sign was. They told us that they had no idea. After explaining that Ember had requested a special use permit, Jimmy told us that the Department of Planning and Development was going to consider the request at a meeting at 6:00pm that evening. Less than three hours from the time we received the only callback to our repeated calls. Gather took every reasonable effort to find out what was going on.

Unfortunately, my husband and I were in an airline lounge at Dulles Airport preparing to get on a plane to fly to Europe at 5:50pm that same evening. Obviously, there was no way we could be at that meeting. Further, we will not be back from Europe until Wednesday, February 14th, so we will not be able to attend the meeting on Monday, February 12th either. Ember has caused Gather significant monetary losses. We have had members leave because of the noise they generate. We have had prospective members tell us that they would love to join Gather, but couldn't because of the noise from Ember. We have had property damage because the noise is so loud and the vibrations so severe. For example, we have repeatedly had items vibrate off of member's desks, pictures fall off of member's walls, a water cooler vibrated its way down a hall and broke lose from its waterline resulting in a flood. Candidly, the vibrations are so severe that we are concerned they may damage the 100+ year old buildings.

Since opening, Ember has been operating an extremely loud nightclub until well into the early hours of the morning (i.e., beyond 12:00 midnight) in spite of the fact that the code apparently says that they had to stop at midnight. Further, Gather installed a device inside of its location to record noise levels. At times when the maximum allowed noise level according to city code is 75 decibels, we routinely record 95+ decibels. The scale that measures decibel levels is logarithmic, not linear. This means that 95 decibels is not 27% louder than the 75 decibels allowed by the City of Richmond ordinance, it is actually approximately four times the maximum allowed level.

Given that Ember has been knowingly violating city ordinances since opening and that we have not had an opportunity to comment on the special use permit, we respectfully request that City Council not consider this issue until we can be there to comment. If this is not possible, we respectfully request that the special use permit contain wording that says the occupant of 309 East Main Street may not violate the noise ordinance of the City of Richmond at any time and if it does the special use permit will be rescinded and the occupant will be required to cease operating its nightclub at midnight.

Please let me know if you need additional information. While I will not be back in the USA until late on February 13, 2024, I have access by phone and computer. Please remember that we are six hours ahead of EST.

Best regards,

Polly White, COO
Gather
804-874-7929
polly@workatgather.com

From: Dealaman, James D. - PDR
To: City Clerk"s Office
Cc: Oliver, Alyson E. - PDR
Subject: FW: Conditional Use Permit 309 East Broad Street - Ember
Date: Friday, February 9, 2024 3:13:47 PM
Attachments: image001.png
image002.png

Please find another public comment email (see below) which has been submitted regarding proposed Ordinance 2024-016

This proposed ordinance is currently scheduled for a City Council public hearing date of February 12th. Thank you,

James Dealaman, AICP
Planner Associate
(o) 804-646-0455
(e) james.dealaman@rva.gov
(w) rva.gov/planning-development-review
(m) 900 E. Broad St., Room 511, Richmond, Va. 23219-1907

How am I doing? Please contact my supervisor matthew.ebinger@rva.gov

---

From: Duke Dodson <duke@dodsonprop.com>
Sent: Friday, February 9, 2024 1:22 PM
To: Duke Dodson <duke@dodsonprop.com>
Cc: Robertson, Ellen F. - City Council <Ellen.Robertson@rva.gov>; Floyd, Tavares M. - City Council <Tavares.Floyd@rva.gov>; Andreas Addison <andreas@purefitnessrva.com>; Dealaman, James D. - PDR <James.Dealaman@rva.gov>
Subject: Re: Conditional Use Permit 309 East Broad Street - Ember

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Ellen and Andreas,

I would like to respond to Polly's email. I'm also a part-owner of Gather, and I am the Managing Member for the entity that owns the property. I do not share Polly's views or concerns.

I think Ember is a great addition to the Arts District, and it brings people/life/vitality/entertainment to that neighborhood. There are no residential units above or beside Ember, so noise is not a concern. This is a stretch of Broad Street that was blighted for decades. Someone was shot and killed in this building a decade ago (jewelry store robbery). They sold drugs across the street for decades as well. I am in full support of Ember getting this license and I'm ok having them open

later. This, in fact, helps Gather, not hurts it. If Ember is open later, they can start shows later, so the noise doesn't bother office workers at Gather. No one is at Gather (or any office) from midnight to 2am.

Any questions can be directed to me at 804-426-4148.

Thx,
Duke Dodson

On Thu, Feb 8, 2024 at 10:12 AM Polly White <polly@workatgather.com> wrote:

> Ellen and Andreas –
>
> I am writing to request that the above referenced issue not be voted on at your February 12th City Council meeting, but that consideration be postponed until another City Council meeting. Gather would very much like to provide input regarding this decision, but we have not had the opportunity to do so. A sign was posted in front of the building indicating that a zoning issue was being considered. We saw it on January 19th. There was a number listed on the sign to call for information. Gather owners and employees called that number at least eight times during normal business hours. The phone was never answered. The recording we heard said to leave a message and the department would get back to us as quickly as they could. We did not receive a callback until Tuesday, February 6th at 3:47pm.
>
> Jimmy Dealaman in the City of Richmond Department of Planning and Development Review returned our call. At that time, we learned that our neighbor, Ember had filed for a special use permit to allow them to operate a nightclub between midnight and 2:00am. By the way, we had asked Ember if they new what the sign was. They told us that they had no idea. After explaining that Ember had requested a special use permit, Jimmy told us that the Department of Planning and Development was going to consider the request at a meeting at 6:00pm that evening. Less than three hours from the time we received the only callback to our repeated calls. Gather took every reasonable effort to find out what was going on.
>
> Unfortunately, my husband and I were in an airline lounge at Dulles Airport preparing to get on a plane to fly to Europe at 5:50pm that same evening. Obviously, there was no way we could be at that meeting. Further, we will not be back from Europe until Wednesday, February 14th, so we will not be able to attend the meeting on Monday, February 12th either. Ember has caused Gather significant monetary losses. We have had members leave because of the noise they generate. We have had prospective members tell us that they would love to join Gather, but couldn't because of the noise from Ember. We have had property damage because the noise is so loud and the vibrations so severe. For example, we have repeatedly had items vibrate off of member's desks, pictures fall off of member's walls, a water cooler vibrated its way down a hall and broke lose from its waterline resulting in a flood. Candidly, the vibrations are so severe that we are concerned they may damage the 100+ year old buildings.

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Given that Ember has been knowingly violating city ordinances since opening and that we have not had an opportunity to comment on the special use permit, we respectfully request that City Council not consider this issue until we can be there to comment. If this is not possible, we respectfully request that the special use permit contain wording that says the occupant of 309 East Main Street may not violate the noise ordinance of the City of Richmond at any time and if it does the special use permit will be rescinded and the occupant will be required to cease operating its nightclub at midnight.

Please let me know if you need additional information. While I will not be back in the USA until late on February 13, 2024, I have access by phone and computer. Please remember that we are six hours ahead of EST.

Best regards,

Polly White, COO
Gather
804-874-7929
polly@workatgather.com

From: William Dieter
To: City Clerk"s Office
Subject: Fwd: Ember Music Hall ORD 2024-016 309 E Broad St
Date: Friday, February 23, 2024 11:48:47 AM

Some people who received this message don't often get email from thewilliamdieter@gmail.com. Learn why this is important

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Please include this in the public comments for Monday's meeting.

Begin forwarded message:

From: William Dieter <thewilliamdieter@gmail.com>
Date: February 23, 2024 at 09:13:35 EST
To: Ellen.Robertson@rva.gov
Cc: alyson.oliver@rva.gov, James.Dealaman@rva.gov, Tavares.Floyd@rva.gov
Subject: Ember Music Hall ORD 2024-016 309 E Broad St

Honorable Ellen F. Robertson,

I hope this message finds you well. My name is William Wash, and I am writing to you as a patron of Ember Music Hall. First, I would like to express my gratitude for your ongoing commitment to our community's welfare and the vibrant culture of Richmond. Your efforts in fostering a safe, inclusive, and thriving environment for businesses and citizens alike do not go unnoticed.

Today, I reach out to discuss Ember Music Hall, a venue that is becoming a cornerstone of our local arts and music scene. Ember has not only provided a platform for artists across various genres to showcase their talents but has also contributed significantly to the cultural richness and diversity of Richmond. Its presence has stimulated economic activity in the area, supported local talent, and offered a unique space for community gatherings.

Given its importance to our community, I would like to advocate for Ember Music Hall's request to extend its operating hours until 2 am. I understand that the consideration of such a request involves a careful balance of community interests, including concerns regarding noise and public safety. However, I believe there are several compelling reasons why granting this extension would be beneficial for our community:

Economic Benefits: Allowing Ember Music Hall to operate until 2 am could increase revenue not only for the venue but also for surrounding businesses. This

extension would accommodate more guests and events, thereby boosting local tourism and hospitality sectors.

Cultural Enrichment: Extended hours would provide more opportunities for artists to perform and for residents to engage with the arts. This move would further cement Richmond's reputation as a city that supports and celebrates cultural diversity and artistic expression.

Safety and Regulation: Ember Music Hall has consistently demonstrated a commitment to maintaining a safe environment for its patrons. By permitting them to operate later, the city ensures that nightlife activities are conducted in a regulated, secure setting, potentially reducing the likelihood of unsanctioned gatherings that might pose greater risks to public safety.

Community Support: There is significant community support for Ember Music Hall and its contributions to our city's cultural landscape. Extending its hours would be a testament to Richmond's support for local businesses that are integral to our city's identity and vibrancy.

I understand that this is a decision that requires careful consideration of various factors and perspectives. However, I firmly believe that with appropriate regulatory measures and continued dialogue between the city council, Ember Music Hall, and the community, we can find a way to support the venue's request while addressing any concerns that may arise.

Thank you very much for considering this appeal. I, along with many fellow Richmonders, am hopeful for a positive outcome that benefits our community and supports our beloved Ember Music Hall. Please feel free to reach out if you require further information, discussion, or community feedback on this matter.

Warmest regards,

William Wash
804.241.7988

From:	ad@lxgrp.com
To:	City Clerk"s Office
Cc:	MarkBaker; charlie wilson; alessandro@bakerdevelopmentresources.com; "kunal Shah"; "Neal Patel"; Floyd, Tavares M. - City Council
Subject:	FW: Recommendation Letters for Ember"s CUP
Date:	Friday, February 23, 2024 2:43:32 PM
Attachments:	Nupa Agarwal Recommendation.pdf Neil Amin Recommendation Letter.pdf Juans Recommendation Letter.pdf Bhupendra Patel signed.pdf

Some people who received this message don't often get email from ad@lxgrp.com. Learn why this is important

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Hi, we were instructed to forward this email so it can be part of the public record in preparation for Monday's City Council meeting.

Thank you very much. Please let me know if you have any questions.

Aditya Mehta
804-399-2362

From: ad@lxgrp.com <ad@lxgrp.com>
Sent: Friday, February 23, 2024 2:40 PM
To: ellen.robertson@rva.gov
Cc: alyson.oliver@rva.gov; James.Dealaman@rva.gov; Tavares.Floyd@rva.gov; markbaker@bakerdevelopmentresources.com; 'Charlie Wilson' <charlie@bakerdevelopmentresources.com>; alessandro@bakerdevelopmentresources.com; 'kunal Shah' <kunal@lxgrp.com>; 'Neal Patel' <neal@lxgrp.com>
Subject: Recommendation Letters for Ember's CUP

Dear Councilwoman Robertson,

It was great to run into you yesterday! Please see attached recommendation letters from our Arts District neighbors who support our CUP to operate till 2AM. As evident from the letters, we are a great addition to the community and provide accretive value to our neighboring businesses.

Also, we ran into Lt Robinson outside Gather yesterday evening, who was there evaluating the sound levels in the adjacent Gather space. It was reassuring to hear we were well under the standards in the Sound Ordinance during an event. While the measurement was taken before 11PM, it fell below the 75 decibel threshold that is applicable after 11PM. Additionally, Duke Dodson, our landlord, has informed us he is working with Doug and Polly to come to a resolution on their concerns. We look forward to your support on Monday and a swift approval for our petition.

Thank you and we will see you on Monday!

Aditya Mehta

Managing Partner, LXGRP & Ember Music Hall

804.399.2362 | www.LXGRP.com | ad@lxgrp.com

300 East Franklin Street | Richmond, VA | 23219

IMPORTANT: The contents of this email and any attachments are confidential. They are intended for the named recipient(s) only. If you have received this email by mistake, please notify the sender immediately and do not disclose the contents to anyone or make copies thereof.

Nupa Agarwal, Esq

230 N. 6th Street

Apt. 213

Richmond, Virginia 23219

804-691-2655

February 22, 2024

Honorable Councilwoman Ellen Robertson

Richmond City Council

Dear Councilwoman Robertson,

I am writing in full support of Ember Music Hall's application for a Conditional Use Permit to extend their operating hours until 2AM. As a resident of the Art's District, and as Vice Chair of the Economic Development Authority for the City of Richmond.

I have experienced firsthand the positive impact Ember has had on our community. I live a block away and walk by the establishment every day with my dogs. The clientele is always kind and polite and well behaved. I had the opportunity to attend an event there last week and it was truly amazing. It has a very positive vibe and is a great place for the community and tourists to come together.

Ember Music Hall attracts a diverse and upscale crowd, contributing to increased foot traffic in the area. This not only enhances the vibrancy of our neighborhood but also fosters a safer environment through natural surveillance.

Granting this permit aligns with our shared goal of promoting cultural enrichment and community engagement in the Art's District. Ember Music Hall has demonstrated responsibility and consideration as a neighbor, and extending their operating hours will further contribute to the area's vitality.

I urge you to approve Ember Music Hall's application for extended hours, as it will undoubtedly benefit our neighborhood. Establishments like these will make sure that local

residents and tourists alike will enjoy the city and provide added benefits to other development projects undertaken by the City of Richmond, like the City Center Project.

Thank you for your attention to this matter.

Sincerely,

/s/Nupa Agarwal

Nupa Aggarwal

Neil Amin
Chief Executive Officer
Shamin Hotels
300 E Franklin St
Richmond, VA 23219
neil@shaminhotels.com
804.777.9000

February 20, 2024

Dear Councilwoman Robertson,

I am writing this letter in enthusiastic support of Ember Music Hall's application for a Conditional Use Permit to extend their operating hours until 2AM. As a member of the community and a keen observer of the vibrant arts scene in our district, I have witnessed firsthand the positive impact Ember Music Hall has had on our community.

Ember Music Hall has become a cornerstone of our Arts District, injecting a sense of energy and vibrancy that is essential to fostering a thriving cultural scene. Their commitment to showcasing talented artists from various genres and providing a platform for local musicians has greatly enriched the cultural tapestry of our city. Moreover, their dedication to organizing events that celebrate diversity and inclusivity has made Ember Music Hall a welcoming space for individuals from all walks of life.

Extending Ember Music Hall's operating hours will undoubtedly contribute to the continued growth and vitality of our Arts District. By offering late-night entertainment options, Ember Music Hall will attract visitors from near and far, thereby promoting tourism and increasing foot traffic in the area. This will not only benefit Ember Music Hall but also provide a boost to neighboring businesses, creating a ripple effect of economic prosperity throughout our community.

I am particularly excited about the prospect of the visitors that Ember Music Hall will attract to our district. The owners have shared data indicating an uptick in purchases made by individuals from outside the Richmond Metropolitan Statistical Area (MSA). This demonstrates Ember Music Hall's ability to draw in patrons from surrounding regions, further solidifying its status as a cultural hub with regional appeal.

In conclusion, I wholeheartedly endorse Ember Music Hall's application for a Conditional Use Permit to extend their operating hours. Their contributions to our Arts District are invaluable, and I am confident that granting this permit will only serve to enhance the cultural landscape of our community.

Thank you for considering this recommendation.

Sincerely,

Neil Amin

Juan D Carrillo
Juan's Rooftop & Cantina
11 W Broad Street
Richmond, VA 23220

February 22, 2024

The Honorable Ellen F. Robertson
Councilmember, Richmond City Council

RE: Support for Ember Music Hall's Conditional Use Permit

Dear Councilmember Robertson,

I am writing to express my full support for Ember Music Hall's application to obtain a Conditional Use Permit (CUP) allowing them to operate until 2 am. As a fellow restaurant owner located just blocks away from Ember, I have firsthand experience of the great energy they bring to our community.

Having established my first restaurant here in Richmond two years ago after operating several successful ventures in the Hampton/Newport News area, I've come to appreciate the importance of venues like Ember in fostering a dynamic arts and entertainment scene in our city, particularly within the Art's District.

Ember Music Hall serves as a crucial cultural hub, attracting visitors from both within and outside the city. Its extended hours would not only enhance Richmond's appeal as a destination but also positively impact neighboring businesses, including hotels and restaurants. In the wake of the COVID-19 pandemic, downtown establishments have faced unprecedented challenges, and Ember's continued operation is vital to revitalizing the Broad Street corridor.

I urge you to consider the broader significance of Ember Music Hall within our community and the role it plays in driving economic activity and cultural enrichment. As highlighted in the recent R-Mag article, businesses like Ember are instrumental in propelling Richmond's tourism recovery and fostering a sense of optimism for the future of our city.

Thank you for your time and attention.

Sincerely,

Juan D Carrillo
Owner, Juan's Rooftop & Cantina

FROM: Bhupendra Patel
Owner, Jalaram LLC DBA Subway Sandwiches
321 E Broad St
Richmond, VA 23219

TO: The Honorable Ellen F. Robertson
Councilmember, Richmond City Council
Richmond, VA

February 22, 2024

Dear Councilwoman Robertson,

I'm writing to voice my support for Ember Music Hall's application for a Conditional Use Permit to extend their operating hours until 2AM. As the owner the Subway Sandwiches, adjacently situated at 321 E Broad St, I've seen firsthand the positive impact Ember has had on our neighborhood.

Ember Music Hall has injected a fresh energy into our community. Their events have become a magnet, drawing in diverse crowds and creating a buzz that benefits all nearby businesses, including mine. The atmosphere they've cultivated fosters a sense of inclusivity.

Extending Ember's hours until 2AM ensures they will be around for a long time and will continue to benefit the community and nearby businesses. As a fellow business owner invested in our community's success, I fully endorse this initiative.

Should Ember Music Hall require any support or assistance from my end, I'm more than willing to help. Let's work together to ensure Ember's continued success and our community's prosperity.

Thank you for considering my perspective on this matter.

Sincerely,

Bhupendra Patel

Owner, Jalaram LLC DBA Subway Sandwiches

From: Joanna O
To: City Clerk"s Office
Cc: Robertson, Ellen F. - City Council
Subject: In support of Ember Music Hall (ORD. 2024-016)
Date: Friday, February 23, 2024 7:03:01 PM

Some people who received this message don't often get email from joanna@turnstyleonline.com. Learn why this is important

CAUTION: This message is from an external sender - Do not open attachments or click links unless you recognize the sender's address and know the content is safe.

To the Honorable Ellen F. Robertson,

I am writing to you to ask for your support to help pass this ordinance in support of Ember Music Hall (ORD. 2024-016). The state of Virginia is a vibrant place to live, but needs to evolve to current times. As a former Jackson Ward small business owner (Turnstyle 2003 - 2016), I personally contributed to the rise of downtown Richmond and the Broad Street corridor. As a founding business of the First Fridays Artwalk, and graduate of VCU, I understand how much art and culture permeates through our great city.

I implore you to not push progress back, but to guide it forward. Please allow Ember Music Hall to operate with live music past a curfew of midnight. Up until now, Richmond has ALWAYS been bypassed with large scale music acts, as the city didn't present adequate spaces to house A list talent. With Ember Hall, this changes the musical landscape of our city by being able to compete with larger cities like Washington, DC and Charlotte, NC.

As a longtime working musician, I was thrilled to learn of Ember Music Hall. For the past ten years I have been traveling outside of our city to work and enjoy nightclubs. Something our city doesn't allow. I would love to keep my money in RVA and help it grow. Just having restaurants that play music after dinner isn't what people want in Richmond. It's 2024. Let's continue to progress RVA forward with change.

Please do the right thing for Richmond and support ORD. 2024-016 in favor of Ember Music Hall. It's what Richmond needs!

Thanks for your time.

Kind Regards,
Joanna Oremland
(804) 274-0728

Turnstyle/ Richmond, VA USA
Turnstyleonline.com

Frequency / Saturdays 9-11 PM ET / 97.3FM WRIR / WRIR.ORG