



CITY OF RICHMOND

Department of Planning & Development Review ***Staff Report***

Ord. No. 2021-097: To authorize the special use of the property known as 1500 North Lombardy Street for the purpose of four wall signs, upon certain terms and conditions.

To: City Planning Commission
From: Land Use Administration
Date: January 17, 2023

PETITIONER

David E. Gordon, Assistant Vice President of Capital Projects

LOCATION

1500 North Lombardy Street

PURPOSE

To authorize the special use of the property known as 1500 North Lombardy Street for the purpose of four wall signs, upon certain terms and conditions.

SUMMARY

The applicant is requesting a special use permit to allow for the continued use of four illuminated wall signs that were unlawfully attached to the sides of the bell tower connected to the Belgian Building on the Virginia Union University campus. The existing signage exceeds the sign area permitted in the I-Institutional District. A special use permit is therefore required.

Building History:

The Belgian Building, originally a pavilion designed by Henry Van de Velde in the International style for Belgium's entry into the 1939 New York World's Fair, is an individual City and Old Historic District and is individually listed on the State (1969) and National Registers (1970). The pavilion was originally designed and built in Belgium, and then shipped to the New York World's Fair in four modular pieces. The building was intended to be returned to Belgium following the Fair, but when the Fair closed in 1940, Belgium was an occupied country. The Belgian government in exile decided to donate the pavilion and carillon to an American institution. After a competitive process, Virginia Union University was selected to receive the building. The approximately 165-foot tower originally held bells, which were later donated to President Herbert Hoover for his Stanford University library.

Application History:

The existing signage was erected without a sign permit, Special Use Permit, or approval from the Commission of Architectural Review (CAR).

In February 2020, as recommended by Planning & Development Review staff, CAR denied the associated Certificate of Appropriateness (COA) application, because the sign did not meet the CAR guidelines established for signage. In May 2022, the applicant filed a second application for a COA. At the May 2022 CAR meeting, the commission elected to strike the application from the

agenda, as there were no substantial changes to the content of the application. CAR determined that the previous decision was still applicable, and effectively, the application was once again denied. The COA denial decision was appealed by the applicant to the City Council. On September 26, 2022, despite Planning & Development Review staff's recommendation to deny the appeal, City Council voted to overturn the CAR decision and grant a COA for the existing signs.

This SUP application, which was originally filed in January 2021, has been continued several times to allow for the associated application to go through the CAR review process.

Most recently, the applicant submitted an engineering report, prepared by Talley Sign Company and dated January 6, 2023, stating the signage was properly installed and meets the building code requirements of the City of Richmond. The Richmond Commissioner of Buildings has reviewed and accepted the findings of the report.

RECOMMENDATION

Installation of the signage was done unlawfully, violating the City's historic preservation, zoning, and building code requirements. Planning & Development Review staff maintains significant concerns with the retention of the signage on an historic resource of local, state, and national significance. That said, the applicant has since taken steps to legitimize the signage.

In particular, City Council has granted a COA for the signage, and the Virginia Department of Historic Resources has entered into a Mitigation Agreement with the applicant. The Agreement contains the following stipulations:

- (1) VUU will add a preservation section to VUU's master plan
- (2) The VUU Signage will be monitored biannually
- (3) VUU will sponsor two highway markers
- (4) VUU will pay an annual fee for so long as the VUU Signage remains in place

Further, the approved engineering report indicates the signage does not pose a threat to public safety and adheres to pertinent building code requirements.

The final issue to resolve is the deviation of the signage from zoning requirements. The existing signage consists of 1,200 square feet of sign area, exceeding the 12 square feet permitted by the sign regulations in the I – Institutional District by 1,188 square feet. Though the signage significantly exceeds the square footage maximum permitted by the zoning ordinance, the signage does support VUU's function as a gateway at Brook Road and Lombardy Street as envisioned in the Richmond 300 Master Plan, within which the VUU/Chamberlayne Neighborhood Plan states as follows: "Virginia Union University is a historic African American university and one of Richmond's most important institutions...VUU has an opportunity to create a welcoming gateway to new development at the corner of Brook and Lombardy" (pp. 30, 3).

Moreover, the VUU campus is adjacent to both Interstate 95/64 and areas containing intense existing land uses, including industrial and multifamily residential. In particular, the Master Plan describes the campus as within a neighborhood node and adjacent to areas with higher-intensity land use designations, namely industrial mixed-use and corridor mixed use. This proximity of the VUU campus to the highway and areas of higher-intensity land use renders the size of the signage more appropriate than usual for a use in an Institutional District.

Further, the signage as currently installed on the tower, the design of which is described in the special use permit, serves the entire campus and provides a uniform aesthetic that complements the colors and materials of surrounding architecture. Authorizing this signage by special use permit would guard against significant modifications to such design and aesthetic in the future.

The above said, staff's recommendation in this case should not be viewed as a precedent for endorsement of additional campus signage, which would be subject to increased scrutiny due to concerns over visual clutter and signage proliferation not supported by the Master Plan.

Therefore, staff recommends approval of the special use permit request, but with an amendment to require adherence to the stipulations of the Mitigation Agreement dated August 4, 2022 between Virginia Union University and the Virginia Department of Historic Resources.

FINDINGS OF FACT

Site Description

The subject property is part of the Virginia Union University campus. The four signs are presently erected on the 165-foot tower that is part of the Belgian Building, which is located directly southwest of the intersection of North Lombardy Street and Brook Road.

Proposed Use of the Property

The proposed ordinance would authorize the four existing signs, which contain a total area of approximately 1,200 square feet.

Master Plan

Richmond 300 recommends a future land use of "Institutional" for the property, with primary uses recommended being institutional, cultural, government and open space. The property is also within the proximity of the VUU/Chamberlayne Neighborhood Node. The plan envisions the node becoming more pedestrian-oriented with streetscaping, pedestrian lighting and signage being added to North Lombardy Street and surrounding streets. The portion of N Lombardy Street that abuts the property is designated as a "major mixed-use street" on the Street Typologies Map in Richmond 300.

Objective 3.1 of Richmond 300 is to "preserve culturally, historically, and architecturally significant buildings, sites, structures, neighborhoods, cemeteries, and landscapes that contribute to Richmond's authenticity." Strategy k. under Objective 4.1 of Richmond 300 calls on the City to "promote an attractive environment by minimizing visual clutter and confusion caused by a proliferation of signage, ensuring that public and private signage is appropriately scaled to the pedestrian environment" in order to create and preserve high-quality, distinctive, and well-designed neighborhoods and nodes.

The VUU/Chamberlayne Neighborhood Plan states: "Virginia Union University (VUU) is a historic African American university and one of Richmond's most important institutions. The University is expanding with the construction of new facilities on campus and could benefit from better connecting to surrounding neighborhoods to take full advantage of its urban location. The "body language" of the University has become defensive and inward focused with the recent construction of a perimeter fence. As the surrounding area improves, the campus should open back up to the community to create a more welcoming gateway. VUU lacks a "college town," a place for students, faculty, and staff to shop for convenience items, dine, and interact with the

community. With the redevelopment along Lombardy into a Neighborhood Center, VUU will get the town environment they are missing. A gated entrance at the corner of Lombardy and Brook will connect the campus to the “college town” and new student housing under construction on Brook Road. (p 30)

Zoning and Ordinance Conditions

The property is currently located within the I Institutional Zoning District and is also located within the Belgian Building City Old & Historic District. The Zoning Ordinance permits a sign area of up to 32 square feet for signs visible from any street frontage, and where two or more main buildings are located on a lot (which is the case here), each building may be permitted to have a wall sign not exceeding 12 square feet in area.

CAR reviewed two separate applications for a Certificate of Appropriateness to allow these signs at their February 25, 2020 meeting and their May 24, 2022 meeting. The requests were effectively denied at both meetings because the signs do not meet the following CAR guidelines:

Guideline Reference	Reference Text	Analysis
Standards for Signage, pg. 73	<i>Designs for signs in City Old and Historic Districts should reflect the pedestrian scale of the District. Signs within a District should be modest in size and addressed to pedestrians and slower vehicular traffic. Large signs designed with heavy, high speed vehicular traffic in mind are not appropriate. Please note: sign size restrictions are imposed by the Zoning Ordinance, and cannot be modified by the Commission.</i>	The four wall signs do not meet the Commission’s standards for signage. The signs are not modest in size nor are they designed to address pedestrians, but rather drivers on the surrounding streets and highway. Staff also notes that the Zoning Division denied the sign application because it exceeds the permitted sign area in an institutional zoning district. In general, signs with this total area are not permitted by the city’s zoning ordinance.
Flat Wall Signs, pg. 74	<i>Flat wall signs are wooden or metal sign panels applied directly to a building façade when a storefront cornice is not present. Generally, these signs are intended to be viewed from a moderate distance. Flat wall signs should be designed to enhance the façade by blending with the architectural features of the building. They should not be merely applied to the surface of the building, nor should they cover or obscure important architectural elements.</i>	The signs do not meet the Guidelines for flat wall signs. Most notably, the installed signs obscure important architectural elements of the building, namely the louvered belfry. The signs are applied directly to a character-defining feature of the building and greatly detract from the overall architectural character of the building. Additional information provided with this submission indicates that the louvers have been cut to accommodate the installation of the signs, damaging this historic feature (see Figure 5).
General Signage	<i>Signs should not be internally illuminated</i>	The applicant seeks approval for internally illuminated signs. Internally illuminated

Guidelines, pg. 75, #7		signs are not permitted under the general signage Guidelines.
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The COA denial decision that was made on May 24, 2022 was appealed by the applicant to the City Council. On September 26, 2022, City Council voted to overturn the CAR decision and grant a COA for the existing signs.

Surrounding Area

Properties to the north are also located within the I-Institutional District. Properties to the east and south are also located within the I-Institutional District and the UB-2 Urban Business District. Properties to the south and west are located within the R-53 Multifamily Residential District. Additional institutional uses that are part of the Virginia Union University campus are located to the east and northwest of the subject property. A Richmond Police Department Training Facility exists to the north of the subject property. Single family and multi-family uses exist to the west and Interstate 95/64 exists to the south of the subject property.

Neighborhood Participation

Staff notified area residents, property owners, and the Edgehill Chamberlayne Court Civic Association of the application. A letter of support was received from the Edgehill Chamberlayne Court Civic Association.

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