

## **Memorandum**

**To:** Planning Commission Members  
**From:** The Development Department  
**CC:** Honorable Members of City Council, Clerk of Council, City Departments  
**Date:** January 14, 2011  
**Re:** Staff Report for 3985 Broadway – Certification of Appropriateness

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### **Item #2 – 3985 Broadway – Certificate of Appropriateness (Exterior Modifications) (PID# 201012170049)**

**Application:** Certificate of Appropriateness  
**Location:** 3985 Broadway  
**Applicant:** **Abdellah Bahij and Natalie Dennison**  
**Zoning:** CBD  
**Use:** Restaurant

#### **Relevant Code Section(s):**

- 1138.04 Historical Preservation Area and Sign Code – Design Requirements
- 1138.05 Historical Preservation Area and Sign Code – Procedure for Review

#### **Project Summary:**

The applicant is proposing to make modifications to the existing structure at 3985 Broadway. The purpose of the modifications is to bring the existing structure into character with the surrounding structures and to better match the intended character of the Historical Preservation Area and the Town Center. In addition to building modifications the applicant is proposing an outdoor seating area within the alleyway to the south of the structure, which is being reviewed under a separate special use permit application. The applicant has also submitted a preliminary sketch for potential signage. This is not part of the application and has been submitted only for informal review and discussion.

The city is currently in discussion with the applicant to acquire the ten foot area shown on plans as a pedestrian walkway between the proposed seating area and the structure to the south. The city will also install landscaping along the walkway to act as a separator between the seating area and the pedestrian area. Additionally, the City is proposing to acquire approximately fifteen (15) feet of the rear of the property in order to connect the two existing parking areas off of Park Street and Grant Avenue. As part of these discussions the applicant has requested the City remove the existing curb cut on Broadway, eliminating vehicular access to the existing alleyway.

### Site Plan:

The applicant is proposing to remove access to the site from Broadway, creating room for an outdoor seating area and a ten (10) foot pedestrian walkway. Vehicular access to the site will be from the rear of the site, from public parking areas behind the property.

### Parking:

The applicant is proposing to install five (5) new parking spaces in the rear of the structure, along the north property boundary between the proposed dumpster structure and the restaurant. One of the proposed spaces will be handicap accessible. Further parking will be available in the lots directly behind the property, accessed off Park Street or Grant Avenue.

### Building:

The proposed building modification will not expand the footprint of the building. The façade fronting Broadway is proposed to be finished in thin brick, manufactured by Robinson Old Brick Originals. The thin brick will continue around onto a portion of the southwest elevation facing the side alley and will also cover the rear portion of the building with the rear building entrance. The rest of the structure will be refinished with stucco with a sand fine finish and Slate color. The applicant will also be installing new doors and windows for the structure.

A new dumpster enclosure is proposed near the rear property line, as well as a wood fence around the service structures at the rear of the structure. Both the dumpster and the service structure screening will have the necessary landscaping, although landscape details have not been provided with the application.

### Lighting

New lighting fixtures are proposed to be installed around the perimeter of the structure, including within the proposed seating area, along the front façade, and next to the rear entry.

### **Code Analysis:**

1. Section 1138.04(a) states that any reconstruction or rehabilitation within the Historical Preservation Area shall conform to the distinguishing, original exterior qualities or character of the structure, its site and its environment.

**Criteria Met:** The proposed exterior modifications have been designed to bring the existing structure into character with the surrounding structures and the general character of the Historical Preservation Area and Town Center.

2. Section 1138.04(c) states that all reconstruction or remodeling of existing structures within the Historical Preservation Area shall utilize natural traditional exterior materials such as brick, stone, masonry and wood.

**Criteria Met:** The entire façade facing Broadway is proposed to have a brick finish, as well as a portion of the building fronting the side alley. The remainder of the building will be finished in stucco with a slate finish.

3. Section 1138.04(d) states that only approved colors shall be used for building exteriors for all new construction, reconstruction, remodeling and exterior maintenance of existing structures within the Historical Preservation Area unless otherwise approved by City Council. Approved colors shall be limited to black, white and those colors included in the Pratt and Lambert brochure.

**Criteria Met:** Colors proposed for the structure and trim as well as the lighting fixture finishes and awnings have been selected from the approved color palette.

4. Section 1138.05(a) states that a certificate of appropriateness is required from the Planning Commission prior to any new construction, reconstruction, or demolition unless otherwise provided in subsection c, stating that the Chief Building and Zoning Official shall determine whether the proposed changes are "significant" based upon the impact the changes will have on the property and its surrounding area. If the Chief Building and Zoning Official determined that the proposed changes are not "significant" he may issue a Certificate of Appropriateness.

**Criteria Met:** The proposed changes were determined to be "significant" by the Chief Building and Zoning Official; therefore the applicant filed for a Certificate of Appropriateness from the Planning Commission.

### **Recommendation(s):**

After review and consideration, the Development Department recommends Planning Commission make a recommendation of approval to City Council for the Development Plan with the following stipulation:

1. Curbing shall be utilized around the perimeter of the landscape bed adjacent to the dumpster.
2. The applicant shall work with the Urban Forester in the selection of landscaping for the site.