

Downtown Commission Review

TO: Downtown Commission Members and Applicant
DATE: September 9, 2015 (meeting date)
PREPARED BY: Sasha Vrtunski, AICP, Urban Planner II
APPLICANT: PHG LLC
SUBJECT: Design Review for 192 Haywood Street - 16-08151PZ

Summary:

A request for a Level III review for the construction of a seven story, 185 room, 178,412 square foot hotel with on-site parking located on 2.05 acres in the Central Business District (CBD). This project is considered a Level III (Conditional Use Permit) review pursuant to Section 7-5-9.1 of the UDO.

Review:

Site- The project site consists of one parcel totaling 2.05 acre. The primary frontage is on Haywood Street, which is not a Key Pedestrian Street in this area. The site is outside of the Traditional Downtown Core, and is in the Tallest Height Zone. The parcel also has frontage on and along Carter Street and North French Broad Avenue, with North French Broad being the only Key Pedestrian Street.

Overall Project Proposal - The project proposed to build a 9-story hotel building with 185 rooms and 200 parking spaces in an internal parking structure. The total commercial building square footage is 178,412 sf and approximately 1300 sf of patio space. Building height is 77 feet, to the floor of the top story. Overall height not including roof elements is approximately 87 feet. PATIO/ROOF deck.

Access, Sidewalks, Parking - Although not required, the applicant is providing 200 parking spaces in a structure, including 8 handicapped spaces and 10 bicycle parking spaces. There have been recent concerns about hotels providing enough parking, and it is not clear if 200 spaces is adequate parking for the use. The parking structure borders the southern property line and is visible only from N. French Broad where the access is located. The driveway on N. French Broad is shown at 20 feet wide. Access to a loading area is shown on Carter Street, and the driveway is proposed to be 28 feet wide, which is larger than allowed by the UDO (7-8-18(f) (11)).

The street frontage of this site along Haywood Street is 342 feet. There are three driveways shown along Haywood Street, with two of them very close together for a drop-off. Per 7-8-18 (f)(11) of the UDO, only one curb cut would be allowed.

The sidewalks along Haywood and Carter Streets and North French Broad Avenues are 10 feet wide. The drop-off on Haywood Street is shown with bollards in the sidewalk, which would significantly impact pedestrians or handicapped individuals.

Landscaping & Open Space- Plans show the required street trees along the frontages of Haywood (9 trees); Carter Street (7 trees) and N. French Broad Ave (4 trees). Plans also show the required landscaping for the parking structure (19 trees and 37 shrubs). Additional landscaping is not required, but is proposed on the site plan. Open Space is not required in the Central Business District.

Demolition: The Downtown Commission reviews all demolitions of buildings over 5000 square feet. The demolition of 202 Haywood Street, the former Buncombe County Sheriff's office, will be necessary for the construction of this hotel. The building is a 28,400 sf masonry building built in 1984. This building is built to a suburban form, and would not meet current UDO requirements today for setbacks, fenestration and other standards.

UDO Compliance: The proposed design meets with the UDO requirements except as listed below.

The following modifications are being requested per the UDO, but have not been granted at this time:

1. **Number of Driveways** - Per section 7-8-18(f) (11), new curb cuts are limited to a single standard driveway per 200 feet along a block face per development. The plans show three curb cuts along Haywood Street. One is a connection to a drop-off and the parking deck at the rear. The other two curb cuts are a part of a drop-off at the front of the building, and includes bollards across the sidewalk. Staff and the Design Committee are not supportive of the drop-off on Haywood Street. At this time, the Transportation Department has not granted this modification.
2. **Driveway width** – Per section 7-8-18 (f) (11), driveways are limited to a width of 24 feet. The proposed loading dock driveway on Carter Street is shown at 28 feet. A modification will have to be approved by the Transportation department for the greater width. Planning staff is not opposed to this modification.

The following variances are required and will be decided by the Planning & Zoning Commission with recommendation from the DTC:

1. **Building Setback greater than 0'** is not permitted in the Central Business District per 7-8-18(f)(5). Along North French Broad Avenue, the parking garage is set back from the sidewalk at an angle, the setback varies from 3 feet to approximately 41 feet. The angle of the street in relation to the parcel lines create an awkward shape, roughly triangular in shape. Parking structures are recommended to be lined with a habitable building. Only the stair tower is complying with this goal.

The applicant is proposing a wall at the street, ranging from approximately 31 to 21 feet tall which mimics a compliant structure. The wall has some vegetative screening and shows a potential bike share location. Because this is not a part of an actual building, but is really a wall, it does not comply with the zero setback for buildings. Moreover, behind the wall there are several trees and bushes shown on the plan. At the southern end of the wall, a glassed in stair tower, 39 feet tall, has been added which helps meet the intent of the ordinance of a two story building at the street.

2. **Maximum wall length over 145' for floors above 75 feet in elevation** is required per 7-8-18. The length of the Haywood Street façade is close to 220 feet long. The height of the top floor is measured from the Primary Pedestrian Entrance which is in the middle of the front façade. The floor height at this point is 77 feet high.

This provision in the CBD code came out of the Downtown Master Plan process. The length of 145 feet is based on the length of the Flat Iron Building. The intention is that above 75' from the ground plane, there will not be overly massive contiguous wall planes. In order to comply with this standard, the top floor along Haywood Street would have to be made smaller and with fewer rooms. Although the building is providing generous setbacks, and is meeting the reduced floor plate standard, these do not address the mass of the wall at the higher elevation.

3. **Streetwall Stepback** - A streetwall stepback is required along the primary frontage (Haywood Street) based on the width of the ROW. As proposed, the building is providing a stepback, but at a lower level, after the first floor. The step back is also greater than required – 20 feet deep. The project is meeting one of the intents of this requirement - to ensure light and air at the sidewalk and that the building face will not overwhelm the pedestrian realm – but it is still not complying with the full standard. The standard assumes that there is a 2-story building at the street, as 2-story buildings are a requirement in the CBD. While overall, this project is 8 stories tall, it does not have 2 stories at the street.

Section 7-8-18 (f) (13) states that "a variance may be sought as set forth in section 7-5-9.1 from the step-back requirements by meeting design guidelines that specify a clear visual demarcation provided between the base of the building and upper floors corresponding to the height of the street wall." The design includes a base, middle, cap layout with differentiation of materials to aid in staff's support in this variance request.

The Design Review Commission discussed this request and there was some concern that a one-story façade will be out of character with other buildings in the vicinity. It was suggested that making the eastern corner of the building into a true 2-story element would help in relation to the existing context (Carolina Apartments, Hyatt).

Materials: The materials are indicated on plans to be a combination of masonry, fiber cement panels, synthetic finish system (EFIS), glass and aluminum framing. The base masonry is proposed in slate gray and dove gray colors. There are fiber cement panels with wood finishes of "bark" and "cedar". The window units have finishes of dark bronze and anodized aluminum. The upper sections of the building have a synthetic finish system in a lighter, off-white color ("Gossamer veil"). The design and materials are proposed in a way to clearly differentiate the base from the upper stories and to create vertical articulation above to break up the massing of the structure. Equipment on the rooftop is screened with aluminum panels.

The applicant will bring materials to the Commission meeting. *Signage/ lighting are not considered under this review.*

External Vista Points

For buildings over 75 feet tall, the Central Business District standards require that the applicant show how the building will fit into the surrounding context. The UDO outlines 6 vista points, and the City provides photographs to the applicant. In this case, 3 vista points have been provided where the building is visible. It was not visible from the other 3 points.

In the vista point from across the Smoky Park Bridge, the building appears to be prominent because of the lack of neighborhood context of other larger buildings in this area. From other points around downtown as specified by the ordinance, there is not a concern about the height of views.

Design Guidelines:

The proposed buildings meet most aspects of the Design Guidelines. While pedestrian activity/interest is always a goal for any downtown project, a building that is exclusively a hotel use can face challenges in providing activity or interest at the ground level; this design seeks to do so by providing a great deal of glass along the Haywood and Carter Street facades.

Positive or compliant aspects of the design with the Guidelines include:

- Materials and design of screening of dumpsters or mechanical should reflect building and unified development proposal (7A/Pg 6)
- Recessed principle entrance in order to identify the entrance and provide shelter (11A/pg9)
- Incorporate canopies at the pedestrian entrance and doors with large areas of glass (11B/C, pg9)
- Three-dimensional articulations added to plane to provide variations and visual interest (13A)
- Provide a clear differentiation between ground floor and upper levels (1D)
- Rooftop terraces are encouraged (B)

Some challenges or weak points in compliance with the Guidelines include:

- Parking structures should be masked with a habitable use (5C, pg 5)
- Consider the existing context of the built environment and whether a street wall may be incorporated to reflect and enhance the character in the vicinity (5A, pg 15)
- Where possible, building mass is oriented to preserve view corridors and roof forms help to frame views (11A, pg18)

Downtown Design Review Committee:

The Design Review Committee met two times and discussed the hotel project. The first meeting included the design team for this project on July 19, 2016. At that meeting, the committee discussed several issues including the North French Broad edge of the project and how it could meet the required zero setback. The committee also discussed the drop-off on Haywood Street, and the Streetwall setback.

Staff brought the plans back to the committee on August 16 after the project had been to TRC, and a full plan set was available. During the TRC review, staff discovered that the building did not comply with the maximum wall length above 75 feet. The committee members present at the meeting (Moffit, Winkler) were very adamant that the variance should not be approved, and that the architect/developer should find a way to comply with the UDO requirement. Several suggestions were made about either shortening the building, or breaking the top floor into two sections with a separation in between them. The committee also made recommendations about the North French Broad edge of the project and recommended bringing a stair tower closer to the street, to help define a two story element at the street. Lastly, the committee also discussed the Street wall setback. The surrounding context was discussed and it was agreed that the surrounding buildings suggest that a 2 story or greater streetwall at the street is appropriate.

Staff Recommendation:

Staff comment on the requested variances:

- The greatest challenge for this project is the wall length over 145' for the top floor which is 75 feet above ground level. Staff does not support this variance. The Design Review Committee members who were present on August 16 felt strongly that this variance should not be supported either. Staff is not aware of any prior variances for this standard since it was adopted into the code in 2010.
- The variance for the streetwall setback and the greater setback along N. French Broad are supported through the design which attempts to meet the intent of the UDO, and mitigates the impacts of not meeting the code.

Overall, staff does not recommend approval of the design for the building and site as shown. If the length of the top floor is reduced, or broken into two separate towers, staff would be supportive of the project. Staff is supportive of the variance to the streetwall setback. Staff supports the variance for the setback on N. French Broad Avenue. Some changes to the wall along N. French Broad could make it a stronger design. Overall, the project complies with most UDO requirements and the intent of the standards for two of three variance requests. Also, many key design guidelines are met with this design.

Suggested Motion if denying:

I move to recommend denial of 192 Haywood Street, as presented based on site plans, elevations and materials submitted and discussion heard during this review. The requested variance from the maximum wall standard (and any other reasons) is a significant departure from the UDO standards and the building design should be revised to comply with the code.

Suggested Motion if approving:

I move to recommend approval of 192 Haywood Street, as presented based on site plans, elevations and materials submitted and discussion heard during this review (and any other conditions if any, can include items related to the other variances). Included in this approval is a recommendation to approve the following:

- The variance for the greater setback along N. French Broad Avenue
- The streetwall stepback along Haywood Street.
- The variance to the maximum wall length of 145 feet along the Haywood Street façade.
- The demolition of 192 Haywood Street, the former Sherriff's office.

Separate motion for only the demolition of 192 Haywood Street:

I move to recommend approval of the demolition of 192 Haywood Street as presented during this review and find that the request is reasonable.