

STAFF REPORT

To: Downtown Commission
Downtown Master Plan Advisory Committee

Date: February 2, 2009

From: Alan Glines, Urban Planner II

Subject: Height and Massing Implications of the Draft Downtown Master Plan

Review: Both the Downtown Commission and the Downtown Master Plan Advisory Committee requested that staff undertake an analysis of how the new requirements proposed in the draft Downtown Master Plan would play out on actual parcels in downtown.

This report is a study of individual parcels for design related issues concerning building height and massing. Each parcel or project has been compared to the eleven requirements that all projects must meet as proposed in the Downtown Master plan. As requested, staff looked at both city-owned parcels as well as two projects that recently went through the development approval process. In addition, Goody Clancy provided analysis of the BB&T building and the Renaissance Hotel.

At the end of the document are suggestions from Planning Development staff as to potential changes to the draft master plan.

South Charlotte Street

South Charlotte Street site: Public Works
Supply Yard

Owner: City of Asheville; 9648-0648-
8956

Area: 4.55 acres

The parcel has varying widths ranging
from 206 to 320' deep.

The Parcel is 800' along the frontage with
S. Charlotte St.

The ROW along Charlotte Street is about
85' wide



Requirement One: (Height Zone Compliance) The site is located in the 'Intermediate' height zone (allows a maximum building height of 145 feet).

Requirement Two: (Maximum Street Edge Height) The building does not lie within 200 feet of any listed historic buildings so the building height at the street edge is equal to the distance on the right of way of 84'. The height at street edge may equal twice the overall width of the ROW (2 X 84) or 168' for up to one-third of the façade length. This will be in conflict with the overall Intermediate height zone.

Requirement Three: (Minimum Street Edge Height) A building can be designed to meet this requirement.

Requirement Four: (Front Step backs) A building can be designed to meet this requirement.

Requirement Five: (Floor plate size) Option One applies so that the floor plate area higher than 75' from grade is limited to 30% of the site area which for this site is 1.365 acres or 59,500 square feet.

Requirement Six: (Side Step backs) Option One is possible here with 20' side step backs.

Requirement Seven: (Context Transition) Context Transition Edge further to the east of this site. It is not affected by the Context transition Edge

Requirement Eight: (Public View Corridors) This parcel is affected by the public view corridor from two directions so 5 photomontages will have to be provided for the building design here. Because the parcel has about 800' of frontage along S. Charlotte Street there may be a way to orient any tower element to preserve the views noted in the public view corridor.

Requirement Nine: (Tall Building Caps) A building can be designed to meet this requirement.

Requirement Ten: (Maximum Horizontal Dimension) A building can be designed to limit the horizontal dimension above the established street wall to not exceed 150 feet. More than one building tower may be appropriate and possible for this parcel.

Requirement Eleven: (Shadow Impacts) A shadow study may be required to ensure that the Triangle Park on S. Market Street is not impacted according to this requirement.

Comments: This is a larger site so there are more opportunities available to meet the requirements of the design guidelines. The context transition edge may be less important along parts of South Charlotte Street because a large section of the East End Neighborhood sits above this part of downtown or has no residential housing directly adjacent to Charlotte Street. The scale changes may not be as relevant because homes are not on the border area. The guidelines need to be clear which height requirements take precedence over other requirements when two or more are in conflict.

Review Responsibility: This review process will depend on the scale of the actual project but because of the potential for this site is high it would likely be a City Council approved project.

Handi Parking

76 Haywood Street Site: Handi Parking and two adjacent parcels
Owner: The City of Asheville; 9649-1830-0949 plus 2 more.
Area: .52 acre; the alley may have to be reconfigured to consolidate the parcels
ROW areas: Haywood Street varies from 76' to about 85'; Page Avenue 45'



Requirement One: (Height Zone Compliance) This area is split between the two height zones. Page Avenue is in the 'Tall' height zone area (allows a maximum building height of 265') and Haywood Street is in the 'Intermediate' height zone area (allows a maximum building height of 145').

Requirement Two: (Maximum Street Edge Height) Option Two applies for the Page Avenue portion of the site because the Grove Arcade is a local landmark. The average height of the

Grove Arcade façade will be needed. The Haywood Street site could vary according to the ROW there. The exception that allows one-third of the façade to equal twice the ROW width could be in conflict with the overall height zone map since areas of the Haywood Street ROW are about 85' wide (2 X 85 = 170').

Requirement Three: (Minimum Street Edge Height) A building can be designed to meet this requirement.

Requirement Four: (Front Step backs) A building can be designed to meet this requirement.

Requirement Five: (Floor plate size) Option One applies so that the floor plate area higher than 75' from grade is limited to 30% of the site area which for this site is 6,795 square feet.

Requirement Six: (Side Step backs) Option One should work out; the step backs would be at the rear of the site as viewed from Haywood Street. This step back would be at the side for neighboring structures. We may wish to be able to count alleys as a part of this step back by splitting the difference between neighboring parcels.

Requirement Seven: (Context Transition) The context transition edge does not apply to this site.

Requirement Eight: (Public View Corridors) The public view corridors do not apply to this site.

Requirement Nine: (Tall Building Caps) A building can be designed to meet this requirement.

Requirement Ten: (Maximum Horizontal Dimension) Due to the shorter dimensions of the lot this will not be an issue.

Requirement Eleven: (Shadow Impacts) Shadow study requirements are not clear: Is the hard scape space in front of the Civic Center public open space? If so then the shadow study would be required.

Comments: This is a constrained site that crosses two different height zone areas. Since the ROW varies in width depending on the street frontage section, the street wall height can vary accordingly. Requirement Two allows that for one-third of the façade length the street wall height may equal twice the ROW. This height along Haywood Street could be between 152 and 170 feet which is taller than the intermediate height zone so it is unclear which dimension takes precedence. In addition required side step backs above 75' should take into account existing alleys and other ROW areas (Requirement Six).

Review Responsibility: The review process will depend on the scale of the actual project.

N. Ann Street

Parcel N. Ann Street – Carter Street
Owner: Private; 9649-1710-8224, 7397, 8378
Area: 1.25 acres with two street frontages
Width: 218' deep; frontage length N. Ann: 200'; frontage Carter 225'
ROW both streets about 32'



Requirement One: (Height Zone Compliance) Option One, This parcel lies within the height zone designated as 'Tall' and is limited to 265'.

Requirement Two: (Maximum Street Edge Height) Option One, the building height at the street edge is limited to 32' along both streets in agreement with the street's ROW. There is an allowance that one-third of the façade can be twice this height.

Requirement Three: (Minimum Street Edge Height) A building can be designed to meet this requirement.

Requirement Four: (Front Step backs) A building can be designed to meet this requirement.

Requirement Five: (Floor plate size) Option One applies so that the floor plate area higher than 75' is limited to 30% of the site area which for this site is 16,335 square feet.

Requirement Six: (Side Step backs) A building can be designed to meet this requirement.

Requirement Seven: (Context Transition) The context transition edge is not applicable to this site.

Requirement Eight: (Public View Corridors) The public view corridor covers this entire parcel so there is little flexibility to place the tower such as to avoid the view corridor. Five photomontages will be required for this site.

Requirement Nine: (Tall Building Caps) A building can be designed to meet this requirement.

Requirement Ten: (Maximum Horizontal Dimension) A building can be designed to meet this requirement

Requirement Eleven: (Shadow Impacts) A shadow study is not required for this site.

Comments: This is a good parcel to develop because it is relatively flat and has sufficient size to develop a project. The two street frontages will require a unique project that may have an internal court or two tower features to address this unusual through-lot configuration.

Review Responsibility: This review process will depend on the scale of the actual project.

Ellington Site

Parcel 35 Biltmore Avenue site of the Ellington Hotel, approved 10/16/2007
Owner: 35 Biltmore, LLC
Area: .56 acre; 5 parcels
Width: 210 feet from Biltmore to S. Lexington; 151 feet Aston St. to north edge
ROW Biltmore Avenue 72 feet; S. Lexington Avenue about 29 feet; Aston Street 45 feet



Requirement One: (Height Zone Compliance) Option Two: The building lies within the “Intermediate” zone which limits the overall building height to 145 feet. The actual Ellington design is about 270’ to the floor of the highest penthouse unit. The building is about 23 stories at the Biltmore Avenue side and taller along S. Lexington. There is a 23 foot grade change from Biltmore Avenue to S. Lexington Avenue. Since height is continuously referenced across the site, the height would have to be considered with this grade change in mind.

Requirement Two: (Maximum Street Edge Height) Option One: The building does not lie within 200 feet of listed historic buildings so the height at the street edge is limited to 72’ along Biltmore Avenue, 45’ along Aston Street and 29’ along S. Lexington. The design for the Ellington exceeds this height requirement along Aston Street and S. Lexington Avenue.

Requirement Three: (Minimum Street Edge Height) The height at street edge is at least 25 feet. Along Biltmore Avenue, the building actually provides outside dining and concierge parking areas at the hotel lobby and these areas are setback from the street edge. So it is not clear if these setbacks replace this requirement. The building design meets the requirement

along the other two streets. Any changes to the UDO will need to incorporate options for when setbacks are permitted.

Requirement Four: (Front Step backs) A building step back above the established street wall is not provided with the current Ellington design along Aston Street. The S. Lexington façade provides a step back but it is at a point higher than the width of the street right of way (about 60 feet).

Requirement Five: (Floor plate size) Option One applies so that the floor plate area higher than 75' from grade is limited to 30% of the lot area which for this site is about 7300 square feet. The current design of the Ellington exceeds this floor plate amount. The proposed floor plate size exceeds 50% of the lot area for almost every floor. **Requirement Six:** (Side Step backs) Option One: For building volumes above 75 feet, side step backs of at least 20 feet are required along adjacent buildable parcels. The proposed Ellington design does not meet this requirement for step backs and air rights are not likely to be provided either.

Requirement Seven: (Context Transition) The Context Transition Edge does not apply to this parcel

Requirement Eight: (Public View Corridors) The parcel is not affected by any public view corridors

Requirement Nine: (Tall Building Caps) Building caps that have impact on the skyline demonstrate special architectural attention due to visual prominence. The Ellington design has a special cap feature that was noted as a distinguishing feature during the review.

Requirement Ten: (Maximum Horizontal Dimension) For floors above the established street wall the maximum horizontal dimension in any direction is limited to 150 feet and is diminished by 2 feet for each subsequent floor to a dimension of 100'. The existing design should meet this requirement.

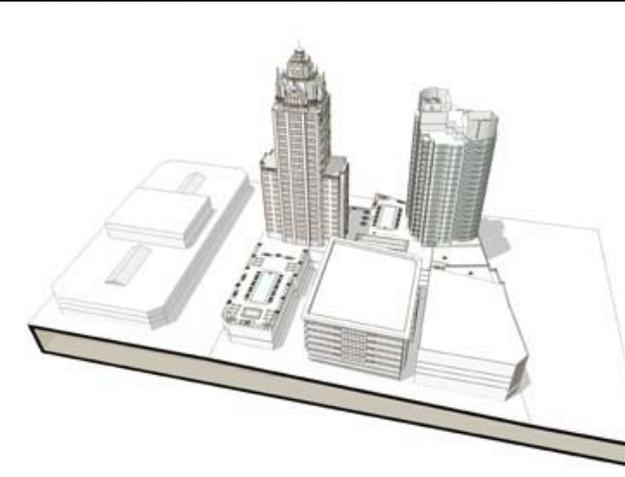
Requirement Eleven: (Shadow Impacts) Although no shadow study was required during the review of the Ellington there are no expected impacts on public open spaces. The north edge of the building is about 370' from the lower ends of Pack Square.

Comments: The Ellington building design would not meet the proposed requirements found in the downtown master plan. The height is taller than the height zone map would allow. The parcels have frontage on three streets which would require three separate street edge heights (Requirement Two). Also, since height as proposed in the downtown master plan is measured continuously across the site this also affects the allowed building height and the points for measuring the street wall edge. Above 75 feet several additional requirements must be met that aren't found in the Ellington proposal: the floor plate of upper floors is limited to 30% of the site area or about 7300 square feet but the Ellington floor plates are greater than 50% of the site area on most of the upper floors. The building does not provide a setback from neighboring properties that equal 20' or provide some combination of air rights from neighboring parcels. In contrast the Ellington provides setbacks to satisfy the building code.

Review Responsibility: This project would follow the process and be reviewed by City Council because the size is greater than 175,000 square feet and height greater than 145 feet.

Haywood Park

Parcel: Five parcels that were assembled for the proposal along three streets.
 Owner: FIRC Development
 Area: 1.92 acres; 5 parcels
 Width: Page Avenue to Haywood- about 346';
 Battery Park – north 347'
 ROW: Haywood Street 58', Page Avenue 75',
 Battery Park Avenue 75'



Requirement One: (Height Zone Compliance) Option One and Option Two both apply across these five parcels. Along Haywood Street and down to the corner of Battery Park Avenue the area falls within the ‘Intermediate’ zone (building height will be limited to 145’). The west side of the property from Page and down to a portion of Battery Park Avenue is located in the ‘Tall’ zone (building height limited to 265’). The proposed condominium tower along Haywood Street is about 210 feet tall and the proposed hotel tower is about 275 feet.

Requirement Two: (Maximum Street Edge Height) Option Two applies to the Page Avenue side because the Grove Arcade is a local landmark and because along Haywood Street the Loughran Building (JC Penny Building) is a landmark building. The Haywood Park proposal was designed to match the height of the Grove Arcade at street edge and is well below the Loughran Building along Haywood Street.

Requirement Three: (Minimum Street Edge Height) The Haywood Park proposal is at least 25 feet at the street edge.

Requirement Four: (Front Step backs) The Haywood proposal appears to comply with this requirement along Haywood Street but along Page Avenue the hotel tower rises above the sidewalk edge without a stepback.

Requirement Five: (Floor plate size) Option One applies so that the floor plate area higher than 75’ from grade is limited to 30% of the site area which for this site is about 25,000 square feet. The Haywood Park proposal is well under this number (estimated to be about 15,000 s.f.) with both towers.

Requirement Six: (Side Step backs) Option One applies and it appears that the hotel tower does not provide the required 20' step back at 75' against adjacent parcels.

Requirement Seven: (Context Transition) The Context Transition Edge does not apply to this parcel

Requirement Eight: (Public View Corridors) The Public View Corridor does not affect this parcel.

Requirement Nine: (Tall Building Caps) The building caps for both towers were discussed in detail during the Downtown Commission review. The condominium tower cap was modified upon recommendation from the Downtown Commission.

Requirement Ten: (Maximum Horizontal Dimension) The Haywood Park proposal does not approach 150 of horizontal length in any direction above the street wall height. Along Haywood Street the street wall is permitted to match the height of the Loughran Building across the street

Requirement Eleven: (Shadow Impacts) The Haywood Park proposal does not appear to impact public open space with shadows.

Comments:

The project as presented by the developer could not be built, but with some changes it could be made to comply with the requirements. The condominium tower (modern style tower along Haywood Street) is too tall for the 'Intermediate' zone (proposed at 210') but if it were shifted away from Haywood Street towards the center of the site it may be within the taller height zone area because it crosses the middle area of the property. Shifting the condo tower west-ward would adversely affect the north views of the condominiums located at the 21 Battery Park Avenue building and may end up making both towers seem crowded. The views out from 21 Battery Park were considered when the project was developed. The hotel tower (along Page Avenue) would comply with the height zone map. Requirement Two is almost met on both the primary facades of the project but the Page Avenue tower would have to be modified to meet the allowance that a portion of the façade may be up to 2 times the height of the ROW (perhaps reduced by as little as one floor). The hotel tower does not provide a 20' set back from the north-side neighboring parcel but this shift would also throw off the alignment with the Grove Arcade main entrance which was considered as a part of the design. An air rights purchase along this edge would preserve the design.

Review Responsibility: This project would follow the process and be reviewed by City Council because the size is greater than 175,000 square feet and height greater than 145 feet.

BB&T

Parcel: BB&T Building
Ownership: Private
Area: .61 acre



Before



After: Revised to meet guidelines for street edge step backs.



After: With add'l height to make up for lost floor area b/c 30% of lot coverage req.



Attached are a series of three images that demonstrate the effects of the proposed guidelines on the BB&T building. See notes below provided by the Goody Clancy team.

“BBT Before.jpg”: existing conditions

“BBT After.jpg”: The existing site area for the BB&T building is approximately 26,600 square feet. The existing floorplate size is approximately 8,825 square feet. As proposed in the guidelines, floorplates above the streetwall are limited to 30% of the site area. This limits the

floorplate size above the established streetwall to 7,980 square feet (shown here). *It is interesting to note that as it exists, the BB&T floorplate size of 8,825 is approximately 33% (one-third) of the site area... not far off from the proposed 30% limitation. G-C staff are in agreement that it might be just fine to increase the proposed 30% limitation to 33%. As shown in this image, the 30% floorplate size limitation results in a total loss of 14,000 square feet. Also shown here is the effect of the 10-foot stepback above the established streetwall. The allowable height of the streetwall at the intersection of Patton and Broadway/Biltmore has been doubled based on the proposed guideline that “For up to one-third of the façade length, the height at the street edge may equal twice the overall width of that street’s right-of-way,” and the recommended guideline that “Taller portions of buildings, and the increased streetwall exception (as described in the requirements above), are located near prominent street intersections and/or provide visual accent or frame views”.*

“BBT After Taller.jpg”: To make up for the 14,000 square foot loss, two additional floors have been added.

Requirement One: (Height Zone Compliance) The building lies in the zone designated ‘Intermediate’ in the Height Zone Map. The actual height for the BB&T has been determined to be 223’ but is estimated to be around 190’ to the highest floor level. Adding additional floors would not be a possibility.

Requirement Two: (Maximum Street Edge Height) The building is located within 200 feet of the Kress Building (at S. Lexington) and Old Pack Library (S. Pack Square). The north and south sides of the buildings will have different street edge heights based on the ROW widths of College Street and Patton.

Requirement Three: (Minimum Street Edge Height) The Broadway side of the structure does not provide a street edge height because an open plaza is provided. Specific setback options (such as allowable setbacks for plazas) should be noted in the guidelines and requirements.

Requirement Five: (Floor plate Size) The floor plate analysis has been provided in the materials submitted by Goody Clancy and measures about 33% of the lot area.

Requirement Eight: (Public View Corridors) A public view corridor does affect a portion of this parcel (northeast side). Five photomontages will be required for analysis as specified in the master plan.

Requirement Nine: (Tall Building Caps) The building cap would likely see some revisions to comply with this requirement.

Requirement Ten: (Maximum Horizontal Dimension) The maximum horizontal dimension is measured at 150’ for floors above the established street wall. For the BB&T Building, this requirement will be measured along the east and west facades and would be measured at points based on the ROW width that establishes the street edge heights. It may simplify compliance if the measurements are taken at the 75’ point on the building façade consistently. The width of the BB&T Building appears to be about 130 feet wide for the tower area.

Requirement Eleven: The project does not cast shadows onto Pack Square during the 10-2 period during the Equinox.

Comments: The site is unique in that it has four street frontages and rights of way widths that affect the design and height of the building. Although the requirements for the street wall height are designed to reflect the relative width of the right of ways, designing a building to meet all of the requirements could be difficult. Requirement Two may benefit from some options or simplification for situations like this one. The BB&T Building is too tall for the zone and could

not be made taller to ‘make up’ for the street wall step backs, etc. It is also interesting to note that for all of the complaints about the BB&T Building the length of the east and west sides of the building tower are about 130 feet wide and would not be affected by the 150’ maximum dimension requirement (Requirement Ten).

Review Responsibility: This project would follow the process and be reviewed by City Council because the size is greater than 175,000 square feet and height greater than 145 feet.

Renaissance Hotel

Parcel: Renaissance Hotel Building

Owner: Private

Area: 5.5 acres

Two street frontages- College and Woodfin



Before



After: revised to meet guidelines for building length limitation of 150’ above 75’ results in loss of 20,000 s.f.



After: With additional height to make up for lost floor area because of building length limitations



Attached are a series of three images that demonstrate the effects of the proposed guidelines on the Renaissance Hotel building. See notes below provided by the Goody Clancy team.

‘Before’ existing conditions

‘After’ The existing building length is approximately 206-feet with floorplates of 12,360 square feet. The massing shown here limits building length above the streetwall to 150-feet, with a 9,000 square foot floorplate for these floors. This causes a total loss of approximately 20,160 square feet in the building. Also shown here is the effect of the 10-foot setback above the established streetwall.

‘After with additional height’ To (just about) make up for the 20,160 square foot loss, two additional floors have been added.

Comments: The project needs few additional comments except that the design should be approvable under the proposed master plan requirements. The biggest problem with this structure is the enormous setbacks from the street which eliminates the possibility of pedestrian energy and activity at street level.

Review Responsibility: The actual size of this building is unclear but it would probably follow the process and be reviewed by Planning and Zoning Commission because the size is less than 175,000 square feet and height is expected to be less than 145 feet.

Staff suggested additions and clarifications to the design requirements after completing several parcel analyses:

Requirement One: (Height Zone Compliance) 1. Clarify the depth of split height zones to have a minimum depth since the exact location will be important (currently proposed at 40 or 50 feet from the street edge in the case of ‘intermediate’ to ‘high’ zone along Haywood Street for example).
2. Since the height is continuously referenced across a site then the tops of buildings will have to be adjusted upward or downward to reflect the height change as well. It may be helpful to create a width module (an increment of buildable area) for situations when the height must transition such as 30’ to provide a useful floor width.

Requirement Two: (Maximum Street Edge Height)

1. A service street or minor street (neighborhood street) should not need to provide a street wall step back and /or should allow the continuation of the primary (active) street edge height to carry around to the secondary street. For example the Buncombe County Court House provides a street wall along the park and College Street that carries around the building and there is not a direct adjustment for Davidson Street which serves as a service street. A similar scenario is seen with City Hall. See images below:



2. A building may set the whole building back for certain uses (courtyard example) and then go up without a step back for specific situations described in the ordinance. This provision is currently in the UDO and this is mentioned here so that this point is not lost.
3. For corner lots the street wall of the higher side should be allowed to wrap around the corner of the building to provide a transition to the other side of the building for a distance of so many feet (transition from higher to lower). Street walls can always be established at lower points on the façade and don't have to match the actual height of historic structures or ROW width so long as they are at least 2 stories.
4. A building should be able to provide an alternative to the street wall requirement as found in historic structures with strong design articulation for example, the Jackson Building, the Kress Building or the Public Service Building, etc. For these scenarios the design guidelines which are normally to be treated as recommendations under 'Façade Proportions' would be required with a demonstrated hierarchy of: building bay, primary bay, secondary bay, window bay, etc.



Requirement Three: Maintain the existing UDO requirement for a two-story minimum as opposed to the 25' height minimum.

Requirement Five: (Floor Plate Size) Regarding parcels exceeding 20,000 s.f. a floor plate size exceeding 30 % may be approved up to 50% of lot area by City Council following the process for larger projects and provide five photomontage studies to be used for evaluation comparing the relative impacts from 30% to 50%.

Requirement Six: (Side Set Backs) For smaller narrower lots, the side step back may not be required to be 20 feet each side but instead can match the building code requirements. This special provision should apply to lots 60' wide or less which actually make up greater than 45% of the lots downtown.

Requirement Seven: (Context Transition) To clarify the Context Transition Edge there should be a change to allow a two story minimum structure on the site. In addition a 15 foot setback required along the shared parcel side directly adjacent to residentially zoned properties would be consistent with the residential districts surrounding downtown. Height formula for this exercise is $h = x/1.5$; where x = the width of the ROW or distance from the context transition line and h = the height at the street edge. Along the east side of the CBD, special consideration should be taken into account for locating the Context Transition line where it will be needed such as in areas adjacent to residential uses.

Requirement Eight: (Public View Corridor)

1. Recommend that the Public View Corridors be studied for structures exceeding 75 feet consistent with other sections of the ordinance with projects being required to submit five photomontages studies. Also note that for small lots there may be no practical way to adjust the location of taller building elements to avoid placement in the view corridor.
2. Adjust Public View Corridors: Add west-view locations such as Patton at Otis or Haywood St at Montford Avenue, College Street at the Tunnel edge for a key view of downtown. Views to the north-west at ground level are limited at MLK Park, Stephens Lee and at McCormack Field.

Requirement Nine: Tall building caps: There should be some criteria to determine the characteristics of a successful building cap and provide images of possible sample images from Asheville buildings.

Requirement Ten: (Maximum Horizontal Dimension)

1. Recommend initiating the requirement measuring horizontal dimensions at heights above 75' to coordinate with other requirements in the master plan.
2. Asheville has few horizontal dimensions at higher points in existing buildings approaching 150' (exception is the Renaissance Hotel) so this dimension may be difficult to imagine. The BB&T has received a lot of citizen comments but the width is about 130 feet for the tower. With additional articulation to the façade and cap it would improve the design.
3. Add notation in the guidelines stating that it is more realistic to expect for example, a 10' setback increment for every 5 floors instead of 2' per floor to reflect standard building methods.

Additionally:

Use street hierarchy maps to encourage building frontages along 'Active Streets' and service entrances along neighborhood streets (secondary). In the event that a development fronts on more than one street, the service entrance will be situated along the secondary street and should be screened to the extent possible.

Height Allowance: Height will be a cumulative analysis with the context transition edge as a primary limiter. Height will then be adjusted for a project during the site review in the following order: Context Transition Edge, Height Zone Map, Maximum street edge height. Keep the street edge height allowance that permits up to one-third of the structure width, established at the street edge to be two times the height at the street edge (regardless of the how the height was established either set by context transition edge, based on the width of ROW or less likely, historic structure height) but not to exceed the maximum height based on the Height Zone Map.