



Agenda

Downtown Commission

February 8, 2008 8:30am meeting

at the Office of Economic Development, 29 Haywood Street in downtown Asheville

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| <u>Welcome/Opening of Meeting/Agenda Review</u> | Pat Whalen | 8:30 |
| <u>Action Items</u> | | 8:35 |
| Approval of January 2008 minutes | Members | |
| <u>Updates- Staff</u> | | |
| Commission Vacancies | Monson | 8:40 |
| Downtown Master Plan | Vrtunski | 8:45 |
| 2008 Annual Retreat planning | Monson | 8:50 |
| <u>Updates- Members</u> | | 8:55 |
| <u>Design Review</u> | | 9:00 |
| <i>Parkside- Formal Review</i> | | |
| • Staff report | | 9:05 |
| • Development team | | 9:15 |
| • Commission discussion/questions | | 9:25 |
| • Public Input | | 9:35 |
| • Commission Vote | | 9:40 |
| <i>Ravenscroft – Formal Review</i> | | |
| • Staff report | | 9:45 |
| • Development team | | 9:55 |
| (due to this project having multiple buildings to review, extra time is allotted for this portion) | | |
| • Commission discussion/questions | | 10:15 |
| • Public Input | | 10:25 |
| • Commission Vote | | 10:30 |

Next regular meeting is on March 14 , 2008 and will be held at the Office of Economic Development, 29 Haywood Street in downtown Asheville

Downtown Design Review Subcommittee meets every other Wednesday at noon, next meeting is February 27th(the 13th has been cancelled). Subcommittee meetings are in the same location as regular meetings)

Draft minutes

Excerpt from the minutes of the regular meeting of The Downtown Commission on February 8th, 2008

Members Present: Jan Davis, Pat Whalen, John Rogers, Joe Eckert, Brad Galbraith, Peter Alberice, Jesse Plaster, Pam Myers, Guadalupe Chavarria

Members Absent: Kitty Love

Staff Attending: Bob Oast, Stephanie Monson, Sasha Vrtunski, Alan Glines, Jessica Bernstein

Design Review

Parkside Formal Review (note: Councilman Jan Davis did not attend this portion of the meeting as it is a Level III project)

Staff Report

Development team introduced: Stuart Coleman, Mark Fishero Chris Allred
Alan Glines discussed items of importance that were noted on the staff report. This project is sited on a Key Pedestrian Street as defined in the UDO (Spruce elevation)
Project totals about 173k sf and fronts to Pack Square Park. Access to garage is on Marjorie Street.

Included in the developers packet to the Commission (submittal) was the team's response to any commentary from the Downtown Commission and staff thus far, in letter form. Glines noted that in addition to the staff report, the Design Review Guidelines Checklist, noting areas of compliance and or concern, had been sent to Commission members via email. There were also comments from the Pack Square Conservancy Design Review Board that the Commission could consider. One item of concern when using the Pack Square Design Guidelines, for example, is the actual height of the proposed building as compared with City Hall. There is an elevation that illustrates that comparison in the submittal packet. In general, this is the biggest staff concern.

This project was reviewed informally by the Commission's design review subcommittee in August, reviewed by the Pack Square Board in October, tabled by the Downtown Commission at their October formal meeting, and seen by the design review subcommittee again in December.

Development Team Presentation

Fishero presented a PowerPoint of the project details. Proposed are 48 residential units, 75 underground parking spaces, about 10k sf of retail (The project is a level 3 project due to its overall size, not the number of residential units). Fishero noted that he believed that he was tabled at the downtown commission's October meeting due to the project encroachment on a small bit of property that wasn't owned by the development team, and that the project had its northeast corner completely redesigned in order to address this. This redesign for the corner created some on the ground space that could allow for café tables or the like. Regarding the pedestrian activation of Spruce Street that the

Commission had asked the team to address: challenge was topography, and needing to access garage on Marjorie Street which intersects relatively close to Spruce Street. The team has inserted a set of stairs, which could serve as a cut through to City Hall, and that connects the retail to the street. An elevation showing this in the 3D model was shown.

Regarding the site landscaping plan, originally the team wanted to defer the signage and landscaping portion; they attempted to hire Fred Bonci (Pack Square Park designer) and feel they were blocked from doing so by the Pack Square Conservancy Board, having interpreted that they don't want to have their landscape architect associated with the project until City Council actually approves the proposal. Therefore, the team took what they believed the essence of the landscaping plans were from the adjacent section of the park, and extended the design. The team wants the Commission to review the landscaping plan today. The team considered tree species, drainage, symmetry and the like in this concept of extending the landscape plan of the park into their site. In regards to traffic, the street in front of the project would be one way west bound based on discussion with city traffic engineer, however it is being widened enough to have potential to become a two way street. There will be no curb on north side (visual brick "curbing" cue instead) of street but on the project's side there will need to be some curb. There will be a valet parking area that converts at times to non valet use, in essence being a wide sidewalk. This area is like a driveway apron, a temporary curb line, with removable bollards. The same zone could be used for early morning delivery trucks. The team didn't square the bldg with Marjorie Street, as the emphasis is on the Court Plaza side. There is a tight (narrow) sidewalk on Marjorie street. The team believes that compared to present conditions next to the Hayes Hopson it is an improvement, however due to this constraint in space there will not be street trees on that edge.

Regarding the viewshed, the team believes there will be some obfuscation of City Hall view by the base of the bldg, but will be less than current with the Hayes Hopson.

The team briefly went over the building floor plans, in respect that the Design Review process does not directly address these plans. Regarding mechanical screening, there will not be a big chiller on the roof (split system) so that is not a huge concern, additionally there will be a four foot high parapet wall that will address any roof concerns from a pedestrian perspective.

Regarding the relative height issue with the City Hall building (issue raised by Pack Square Design Guidelines), the design team thinks that the guidelines were set to prevent an infill building from overwhelming the City Hall, and although the Parkside proposal does go higher than the UDA (Urban Design Associates, who assisted in the creation of the Pack Square Design Guidelines) drawing/proposal, it doesn't compromise the city hall, thus meets the intent in their eyes.

Regarding materials, the team showed colors in the presentation and felt they were fairly representative of what they would actually look like as built. Bronze, buff cast stone veneer, sandstone, and precast concrete were some examples; the materials were chosen to echo surrounding buildings such as City Hall and the Jackson Building. Windows were also discussed; a 4 ft wide by 7ft tall Pella example was shown to illustrate that the scale of the windows will be proportional to the scale of the building.

Questions from the Commission/Commission Discussion

Whalen asked about shadow studies for the area, how park and City Hall would be affected at different times of the year; the development team had minimal representation provided in the elevations shown.

The Commission started a discussion of what areas surrounding the park are considered Pack Square Design Review Areas. Amongst Commission members, design team and staff there was not an agreement about this question.

Staff clarified that the guidelines operated under a mandatory review, mandatory compliance regulation style only for publicly owned buildings, publicly owned land. The Commission asked if this mandatory review and compliance with the guidelines disappears as soon as publicly owned property the property is sold. A comment was made that the intent of that property was to be forever used as public land, and that if your interpretation was that the sale of the land was invalid or possibly illegal, than that portion of the property should be viewed as public land and thus the intent is for the guidelines to become mandatory on that parcel at least. City Legal clarified that the Pack Square agreement left open (did not resolve) the possibility of a future sale of the public property; and so when Buncombe County sold the parcel in question, the parcel is now out of the agreement (guidelines) area.

Eckert asked for clarification on the removable bollard idea (temporary valet area).

Trash collection will be via a chute; compactor and dumpster located in basement/garage area.

Chavarria asked for a clarification of night-time lighting on all sides of the building; the development team replied that the building will not be lit up except those lights that are expected for normal street/ park lighting and some pedestrian level lighting. The team needs to work with the City (TRC- Technical Review Committee) on some of these issues, using down lights on bldg or a similarly unobtrusive method (no floodlights). There will be some restaurant signage, and a natural glow from the building being occupied.

Alberice asked that the height and mass of this project be compared to the project that was proposed for Site B; Mark Fishero from the development team commented that Parkside is much smaller in volume than Site B proposal but did not have an exact figure for comparison.

The development team noted that the maximum recommended set back from city hall was 100 ft; this setback is larger, approximately 130 feet.

Plaster made a general comment: he rather likes it; prefers the smaller footprint as proposed; in the site plan the building is pushed back away from the park edge and this supports the need to go taller, arguably 1 to 2 stories as a trade off.

There was a clarification made that four variances would be required for this plan.

On key pedestrian streets, project must be built covering 80 percent of the street frontage, in this case on Spruce St; and that doing so would interfere with a viewshed that needs to be protected.

Regarding the Spruce St. entrance comments/request made at informal design review: issue has been taken care with current design

Marjorie Street has a narrow sidewalk, but this is a product of the park setback.

Whalen noted that all of the variances somewhat relate to the project being pushed back 15 feet.

Commission members made some general comments: that they appreciate the process and can see improvements made as a result of the design review process; that it is a difficult site to deal with; that the developer has compromised to accommodate "some of our concerns". In general, they would like to suggest to City Council that the building be moved even further back.

Public comment

Citizen Steve Rasmussen passed out visual aids that demonstrate why he thinks the development team's visual rendering is deceptive: he took photos that he believes are from a similar perspective as the developers renderings, which he believes provide an accurate representation of what the scale of the proposed building would really be like (as compared to the developers renderings) from a pedestrian viewpoint. He has other issues with the project as well, and/but some of those things have changed with this newer design shown today and so he chose to refrain from commenting further on them. In sum he is against approval of the building as proposed, as it is in the wrong place. It will definitely create undesirable shadows in the new park, and urges City Council to deny the permit.

Marilyn Geiselman, Executive Director of Pack Square Conservancy (PSC) Noted that their Board has conducted design review on the proposed Park Side Project but that it was not exactly this building as shown today; specifically that the PSC Board did not see the architectural changes to the entire northeast corner of building until today; also that they have not reviewed the landscape plan. Speaking on behalf of the PSC, she asked the Downtown Commission that they do not approve the do appreciate the effort landscape plan as part of their design review today, to review it at a later date when the PSC have then had a chance to review it.

She passed along these comments from the PSC design review: There is a concern about the height of the building, and that shadows that would be cast on the Roger McGuire Green, a major gathering spot, especially in winter. She asked the Downtown Commission to examine the letter from Paul Oostergard, who originally created the PSC guidelines, regarding this project. In general, there is a need to be sensitive to this space as it is arguably the most important public space in western North Carolina. PSC thinks this building overwhelms Asheville's City Hall.

PSC has always wanted an active edge on this park (development) but this building is the wrong size and its in the wrong place; PSC suggests this building gets pulled back from the park and sit in a more appropriate space.

At this point, the development team engaged in discussion with both individuals who provided public comment.

To Steve Rasmussen, the developer responded that their renderings are from the perspective of the roof of the IM PEI building, and that the citizens photos were taken from the ground, thus skewing perspective.

To Ms. Geiselman, the developer responded that they tried to hire the same landscape architect as them, and that they were told he was prohibited from working with them. Ms. Geiselman responded to the developer that it was inappropriate for the Park's landscape architect to become involved in the ParkSide project at that time, specifically because the

PSC had made resolutions objecting to the design and location of the project, and this presented everyone with a conflict.

Commission Discussion and Vote

Alberice asked Bob Oast to summarize the property boundary. Oast reminded them that there is nothing mentioned (in the PSC guidelines) that addresses the (future) sale of (public) property; what is mentioned is that the agreement isn't mandatory on private property. However a conditional use permit would be required and would have to consider and make findings regarding the project being in harmony with the area, and any officially adopted plans for the area; the conditional use permit process is when this issue will come back into play.

Alan Glines was asked to confirm that what the Commission is seeing today, including any flexible standards they would approve if they approve it, and the precise location of the building, would be exactly what would be going to City Council; Glines confirmed this statement.

The development team noted that they were asking to defer approval Client asking to defer approval of signage until later in the process.

Glines noted that the landscape plan as proposed meets the guidelines. The Commission, the developer, and Glines discussed the pros and cons of leaving the landscape plan for later review thus later approval; the development team made it clear they would not wish to return to the Commission for any further review.

John Rogers made a motion that the project be approved, including the variances/flexible standards required, and that the approval include the landscaping plan.

Brad Galbraith seconded the motion.

The motion passed, with 5 members voting in the affirmative, Pat Whalen voting no based on his understanding of the use and applicability of the Pack Square Design Guidelines/they are officially adopted policy). Joe Eckert and Pam Myers abstained from voting.

(Minutes prepared by Stephanie Monson)