

**Borough of West Chester
Historical and Architectural Review Board**

RECOMMENDATIONS TO BOROUGH COUNCIL

Regarding

PROPOSED CHANGES TO THE HEIGHT OPTION OVERLAY DISTRICTS

December 7, 2006

Introduction

The West Chester Historical and Architectural Review Board (hereinafter, HARB) was asked by Borough Council for comment regarding proposed changes to the height overlay ordinance pursuant to Paragraph 112-56.C.(3) of the Historic District Zoning Ordinance. HARB, in its initial consideration, provided in May 2006, recommended that the 180 foot maximum allowable height be reduced to 90 feet, which coincides with the approximate height of the F&M Building located at Market and High Streets. The vote on this recommendation was 5 to 2, with 2 members opposed to setting a height without adequate study of the impact of such height in other cities and boroughs. Since that time, one formal height workshop and at least three informal workshops have been conducted in the Borough, a public presentation of hotel developments proposed for downtown West Chester has been held, heights of other taller buildings in the Borough have been determined, and out-of-town examples have been shown as analogues to our situation. Accordingly, HARB now makes a more comprehensive recommendation to Borough Council.

Recommendations for the Height Option Overlay District HO-180

HARB recommends that the maximum allowable height in the HO-180 Height Option Overlay District be limited to 60 feet. Within this district, the allowable building height by right should remain 45 feet, with 60 feet allowable only by conditional use, and only where specific site conditions including the location of the property, the context of the immediate setting and streetscape, and the proposed design allow a greater height without a loss of the historic character of the immediate neighborhood. To protect historic resources from demolition, HARB recommends that the height option be precluded from any site that requires the demolition of a contributing resource. This recommendation is based on the goal of preserving the historic resources that have created the setting for the current vibrant environment of the downtown. This setting has been recognized on the federal level by the National Register listing of the historic district and most recently by the Borough's 2006 designation by the National Trust for Historic Preservation as one of America's "Dozen Distinctive Places. To quote the Historic District Design Guidelines,

“Densely grouped three-story buildings laid out along a rectangular pattern of streets form the district. The architectural character of buildings in the district is remarkably consistent – built in row form with the façade on the sidewalk line, predominantly constructed of brick, with a first-floor storefront and storefront cornice, topped by two floors of residential or office space, and capped by a building cornice. This consistent building formula and urban form repeats block after block within the historic district, creating a cohesive and unified streetscape in which individual building design is secondary to the overall quality of the district.”

Coinciding factors make the F&M Building successful as a 90-foot high building: 1) the set back of the south elevation of the historic courthouse provides a plaza in front of the F&M Building that is as defined as the plaza in front of the courthouse itself, 2) the dropping grades from the front of the courthouse to the alley next to the F&M Building diminish the apparent height of the building, 3) the articulated façade of the building diminishes its mass, and finally 4) the building is a fixture in everyone’s mind: there may be no one who remembers the Borough without the F&M building.

The new HO-60 district should be very selectively applied to the downtown, at locations where, because of falling slopes (such as the west end of Gay Street) or other factors, the impact of the greater height will not be negative. The remaining areas of the downtown should revert to the underlying zoning, with a maximum height of 45 feet. The corridor between East Gay and East Market Streets should also be designated HO-60 as a way of extending the urban quality to the east.

To protect the historic character and property values of contiguous NC-2 residential neighborhoods, the HO-60 district should not be applied to properties that adjoin NC-2 residential properties, even when an alley separates the two.

Recommendations for the Height Option Overlay District HO-90

HARB recommends that the HO-90 district be eliminated, replaced by maximum height allowable height of 60 feet, under the same conditions as noted above, except for areas east of Franklin Street.

Comments

1. The Borough has already seen one new building – the under-construction Justice Center – that exceeds 60 feet, and it is universally agreed that the height and mass of the building are both grossly inappropriate for downtown West Chester. (It is also acknowledged that if, indeed, such a large building was required by the County, its placement on West Market Street has caused less harm to the Borough than it would have nearer to the historic courthouse.)

2. It has been repeated so many times in the past several months that it has almost become regarded as a truth that “unless we allow high-rise building in the downtown, the downtown will die.” No evidence has been provided to support this statement or show that the economic development of downtown West Chester has peaked and can only decline. Nor has evidence been provided to show that continued infill construction such as the four new office buildings in the historic district in the last four years will not continue to accomplish the goal of sustainable growth. Allowing greater heights for the benefit of individual property owners poses a threat to the present successful formula of new moderate-height buildings in a context of historic streetscapes.
3. Numerous historic downtowns in Europe and the United States have continued to thrive, decade after decade, without allowing tall buildings. In addition to preserving the character of the historic downtown, new economically viable districts of taller buildings have grown up around and beyond the preserved historic cores. For West Chester, such development could be encouraged to occur in the corridor bounded by East Market and East Gay Streets, where former industrial sites have been replaced by automobile-oriented strip development.
4. It is not necessary to raise height limits in order to attract a national hotel chain. In strong locations, such as Philadelphia’s Old City, national hotel chains have built new hotels within the height limitations of historic neighborhoods. Other American cities with much higher real estate values than West Chester have remained firm in their resolve to preserve historic character and views by restricting building heights. These include San Francisco’s Fisherman’s Wharf district, where major national hotel chains such as Marriott, Hilton, Hyatt, and Holiday Inn have been forced to limit the height of their buildings to 5 stories.
5. In our small-town setting, it is naïve to believe that a building setback at 35 to 50 feet mitigates the impact of the height of the building. From a block away, the new Justice Center looms over the Borough. Setbacks perhaps would have lessened the overwhelming presence of the building on the 200 block of West Market Street, but its impact would be the same from all other vantage points in the Borough, with or without setbacks.
6. The greater the allowable density on the property, the greater the risk of a developer purchasing historic buildings as tear-downs. This is a national phenomenon, now being addressed by the National Trust for Historic Preservation, and occurring most frequently at seaside communities and expensive suburbs. And it has also occurred in West Chester, where the purchaser of 104-120 East Market Street has purchased an under-utilized property with the intent of demolishing three contributing resources provided the Borough will change the zoning to increase the allowable building height. In essence, the developer has said, “If we tear down a few small buildings we can build a really large building and benefit from the vitality of the place.” This may be

- economically true for one developer, but it is not a sustainable policy. The small scale of West Chester's historic streetscapes will simply be lost.
7. The under-construction Justice Center and its parking garage have distorted the scale – the measuring stick – of the development community's perception in West Chester. The Historic District Design Guidelines encourage a new building to relate to its setting: "Where a large building in the Historic District is unavoidable, the mass of the proposed structure can be broken down into traditional building blocks that relate to the scale of the streetscape, thereby blending into its context. (Design Guidelines, page 44). New proposals are now being compared to the Justice Center, not to the traditional "building blocks" of the town: "our building will only be 70% as tall and 75% as long as the Justice Center." What is really being said is, "our building will be twice as tall and eight times as long as other buildings in its immediate neighborhood."
 8. HARB continues to recommend to the Planning Commission and Borough Council that no action be taken to change the zoning to increase the allowable height on any property in the historic district until a comprehensive height policy has been adopted. This was unanimously passed and forwarded to the PZBID at HARB's meeting of November 9, 2006.