

## Staples summary up to Feb. 6, 2006

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Community meets with Staples to discuss controversial Merrimon building:  
 A report from Heather Rayburn, Five Points  
<http://groups.yahoo.com/group/fivepointsneighborhood/>

Asheville, N.C. -- On Jan. 12, executives from Staples met with members of the Asheville community to discuss ways to soften their controversial building and billboards at 65 Merrimon Avenue, a gateway site to Asheville's historic downtown.

"We gave them an overview of Asheville's strong sense of history, character, and beauty and told them that we deserved better than the cookie-cutter box and flashy Staples' billboards that now mar our downtown viewshed," said Heather Rayburn, community volunteer.

The newly built Staples has infuriated Asheville's citizens — from neighbors and city officials to local developers — by creating an unintegrated box store development on the gateway to downtown Asheville. Critics say the building lacks human scale, significant pedestrian amenities, and respectful signage. Immense parapets used as part of four Staples' billboards block views in an area where billboards are banned. A huge wall facing Merrimon Avenue has earned the local nickname "the great wall of Staples."

"We told the visiting executives that we're not anti-Staples," said Rayburn. They made a good choice to locate here. Unfortunately, they decided to build as though they were going into a strip-mall rather than someone's special neighborhood and downtown.

"The good news is that the Staples' executive really seemed to listen to us, and we really appreciate their time and effort to meet with us," said Rayburn. "I feel confident that they will see this as an opportunity to make changes that will create a lot of good-will in Asheville. I'm also enough of an optimist to think that this unfortunate incident may help Staples take a closer look at their own planning process and how they build in communities. On a national level, they could be a corporate leader in New Urbanist design the way Carrabba's Restaurant is in the field of rooftop gardening."

The community has asked Staples for three things in order of priority:

- To replace the current signage with a more tasteful Arts & Crafts style more in keeping with the character of Asheville and the city's creative economy (with parapets taken down to the roofline to restore views);
- To work with Quality Forward to install a landscape plan designed pro bono by landscape architect Seth Hendler-Voss, which includes a greenscreen that would cover the building's bleak wall with vines and install trees closer to the street to create more of a pedestrian amenity;
- A public art project facilitated by the Asheville Area Arts Council as an open-call to community artists. For example, the greenscreen on the wall could be a beautiful sculpture that would bring interest to the building in the winter months as the vines thin out. If Staples decides not to make a good-faith effort to soften the building, then we will launch an active boycott.

In the wake of the controversy, Downtown Commission, a commission appointed by City Council to review downtown building projects, has asked that their design review suggestions be made mandatory rather than voluntary. Staples chose to ignore the Downtown Commission's most crucial suggestion: retail on the bottom of the building. They also did not have an opportunity to review Staples' final plan.

The Staples building has also helped spark a movement to take a closer look at development patterns on Merrimon. Also, Coalition of Asheville Neighborhoods has filed an appeal to Asheville's Board of Adjustment concerning the planning department's approval of various elements of the building.

For instance, Staples submitted the white Staples lettering (the font) as their signage. If you consider this the only part of their sign, then it squeaks just under the 125-square-foot maximum allowed for signs in Commercial-Business II districts. However, the red backing is part of Staples' trademarked logo, and any reasonable person would recognize its purpose as part of the sign. However, Staples and the planning department contend that the red background and the parapet backing is part of the "architectural detail."

Another example: Staples final plan included the preservation of an antique wall on the Merrimon side to be incorporated into the building. That wall has been completely removed. One can only hope that the beautiful old stones from that wall were not carted off to the landfill.

Question and Answer:

Q: Who attended the Jan. 12 Asheville meeting?

In attendance from Staples: Paul Capelli, vice-president Staples public relations; Ted Frumkin, vice-president Staples real estate; Todd Miller, district manager N.C. and S.C. Staples; Ed Meade, general manager of Asheville Staples; Mylissa Tsai, program manager of Staples public relations; Owen Davis, manager Staples public relations; Joy Errico, program manager of community relations for Staples; Kathi Petersen, local public relations liaison for Staples.

City Council members Robin Cape and Brownie Newman also attended. Scott Shuford, director of planning for the city, joined the group for lunch.

Community presenter's included:

Susan Roderick, executive director of Quality Forward, who showed Staples representatives a rendering of a landscape plan donated by landscape architect Seth Hendler-Voss. The plan includes street-side trees and a green screen on the Merrimon side. A green screen is a metal sculpture that attaches to a wall for vines to grow upon. The proposed street trees have been approved by the city and the Department of Transportation, and Susan told the executives her group could plant at any time. Roderick also spoke about the community project that Staples is sponsoring on Lexington Avenue under I-40.

Heather Rayburn and Kim Hodges of Five Points presented a slide show that described the community's problems with the building and focused mostly on signage. We showed good examples of corporate signage along with artistic renderings of redesign possibilities for the Staples building (Kim put together gorgeous Arts & Crafts examples that would really make the Staples's signs something special if they decided to go that way).

Adrienne Crowther, executive director of the Asheville Area Arts Council, spoke on the history and impact of the creative community in Asheville and asked Staples to consider sponsoring a public art project. Professional sculptors Robert Winkler and Dan Millsbaugh gave some examples of sculptural projects that could be used on the Staples building.

Trip Huxley, local design consultant, eloquently wrapped up the meeting, and Quality Forward's Scott Riviere, board chair, also made some great points in the discussion following the presentations.

Neal Reed, manager of the Fine Arts Theatre, donated space for the meeting. Dwight Butner, owner of Vincenzo's and a member of the board of the Downtown Association hosted a post-meeting luncheon. (Thanks Neal and Dwight!)

The Staples representatives were very nice and said they would take what they'd heard back to their corporate headquarters in Boston and start working on a plan to address the public's concerns. "It will be a journey together," said Mylissa Tsai, program manager for Staples.

Q: The community originally talked about asking Staples to sponsor a mural project on their wall. What happened with that?

After researching and discussing murals and listening to feedback from the community, a group of us met at the Arts Alliance office to discuss the public art element. We came to the consensus that a mural may be too risky for the Staples building. Depending on how it turned out, it might make the building look worse than it already was. Plus, murals have to be touched up about every five years due to weathering and Staples would have to commit to maintaining the mural, something we couldn't count on. We decided that a metal sculpture would make more sense, as the weathering and maintenance issues are lessened.

During the Staples meeting, the two sculptors presented some really neat design ideas. However, I commented that I thought those would be way too risky for Staples to try on their building. Kim and I suggested they use the greenscreen as the sculptural element on the Staples wall and consider a sculpture or other public art with their Quality Forward I-240 underpass project. (There could really be a great tile or paint mural down there on those concrete columns!)

I really appreciate local muralists Ian Brownlee and Coleman Smith for talking with me about murals. I didn't know much about murals before, but they can really be something special, and we need more of them in Asheville.

Q: Who represented Staples locally in the development process?

Local commercial Realtor John Spake (<http://www.thinkspake.com/company/1.htm>) handled the property transaction and, according to Staples, walked them through the development process. (Spake also handles all of Ingles's real estate.) Instead of hiring a local planner sensitive to Asheville and familiar with the city's Unified Development Ordinance, a development company out of Orlando called Interplan, LLC, ([www.interplanorlando.com/](http://www.interplanorlando.com/)) came up with awful thing we now see.

Q: Why didn't Staples follow the Downtown Commission's design guidelines?

Tragically, the design guidelines are voluntary, not mandatory. Hopefully, City Council will soon change this. Other North Carolina cities such as Durham, Chapel Hill, and Carrboro have great design guidelines, so there's no reason Asheville couldn't follow suit if city staff and council wanted to make it a priority.

Q: Why was the Commission's suggestion for retail on the bottom of the building so important?

Multi-story buildings placed in urban environments makes good use of space and allows growth to take place vertically rather than sprawling out into the suburbs. Retail on the bottom of a building contributes to a sense of place; it gives people something interesting to look at; and it promotes pedestrian activity. Even window boxes on street level (such as Mobilia's on the corner of Walnut and Haywood Street) can accomplish these goals.

Staples said they are not in the business of leasing property. They have a box business model that doesn't allow for such flexibility. However, I'm told that as an incentive to get Staples to embrace excellence in design, Asheville's Public Interest Projects offered to freely manage the retail space that should have gone under Staples. Regardless, had the Commission's design standards been mandatory, Staples executives said they would have still moved downtown. They had been searching for a good site downtown for several years.

"If Asheville had mandatory design standards, we would have followed them," said Ted Frumkin, vice-president of real estate for Staples. "We've done it for other cities."

Asheville representatives asked why a city has to force a developer to do the right thing; Why can't companies embrace excellence in design as a matter of course, especially in a city's downtown viewshed.

Neither the Downtown Commission nor the public had an opportunity to see the final design.

Q: Why would you do this when Staples has already said they are looking into making voluntary changes?

Growth is inevitable in Asheville. It can either happen in a smart way or a bad way. We're for the smart, responsible way

that preserves green, puts the cost of infrastructure where it belongs, and promotes community values through good design and planning.

The only reason that Staples is willing to make design changes is because private citizens have had to fight to get Staples executives down here to look at the building for themselves and decide in their own hearts to do the right thing. It is impossible for us to watchdog every single project like this and Walgreens -- we're not elected or getting paid to do this, strictly volunteer as a matter of civic duty. So we need planning and the city to look out for us and take the hardline when a building doesn't conform to the UDO. On the flip-side, flexible is warranted IF it is clear that a developer is going beyond what is required to do something nice. If Staples had actually built to the standards recommended by our Downtown Commission, then the waiver of the 15-foot setback requirement described in the appeal would have been valid. In a perfect world, we wouldn't need all these rules. But we live in a world where some people want to scrap by with the least they can do with no sense of their surrounding community (i.e. the Golden Rule).

Interestingly, in talking to developers, planners, and neighborhood advocates, it's clear that everyone is frustrated by the current system. There are other options out there. I keep harping on the Durham UDO because it is a great model for everyone ... clear and easy to read, lots of nice illustrations, flexibility in a way that benefits both developer and city. The good news is that Frank Duke, Durham planner, has agreed to come to Asheville to talk about how they did it. I'll keep you posted on that. BTW, the non-profit organization "Keep America Beautiful" will be holding their national conference in the Renaissance Hotel, which provides a prime view of the Staples' billboards. The theme? Sense of place.

As we said to the Staples' executives, we've asked the city to look into the permitting of the Staples building simply because we don't want to see something like this (or Greenlife or Campus Crest) happen again. It's a quality of life issue, a lack of due process issue, and a question of fairness to all the other developers who do comply with the UDO. We have a disagreement with city staff's interpretation of the UDO in these cases and this is the way these disagreements are officially addressed. I do appreciate Staples executives coming to Asheville. I am still optimistic, after meeting with the Staples' executives, that they will make voluntary changes to the building based on the input they've received from the community. However, I also feel that it is very important to bring this issue through the official process of a Board of Adjustment appeal so that our objections can be on the record.

Q&A from the city's appeal form that Heather Rayburn submitted (\$500 fee sponsored by Coalition of Asheville Neighborhoods):

See the following link to the appeal submitted (pretty entertaining)

[Staples BOA appeal.pdf \(20.13 KB\)](#)