

**MINUTES**  
**KNOXVILLE HISTORIC ZONING COMMISSION**  
**KNOX COUNTY HISTORIC ZONING COMMISSION**  
**MEETING OF MARCH 16, 2006**

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**Members Present:**

Nic Arning  
Scott Busby  
Steve Cotham  
Herb Donaldson  
Charles Faulkner  
Kenneth Gresham  
Duane Grieve  
William Hoehl  
Carol Montgomery  
Finbarr Saunders  
Melynda Whetsel  
Lila Wilson  
Duane Grieve

**Others Present:**

Sharon Boyce  
Tom Reynolds  
Jason DeBord  
Buzz Goss  
Bill Lyons  
Kelley Sternberg  
Kenna Stevens  
Dwight Guinn  
Kim Trent  
Jamie Rowe  
Mark Donaldson  
Ann Bennett  
Charlotte West

**Members Absent (excused):**

Art Clancy  
Linda Claussen

Arning called the meeting to order and asked if there were any conflicts.

**MOTION BY WILSON AND SECOND SAUNDERS BY TO APPROVE THE  
FEBRUARY 16, 2006 MINUTES. THE MOTION CARRIED UNANIMOUSLY.**

- Reports to Commission: Tom Reynolds, Sharon Boyce, Chairman Nic Arning

Tom Reynolds, Chief Building Inspector. He checked on 238 E. Oklahoma and Plante is working on the house. The Better Building Board found he was in violation.

- Staff Report (Level I Certificates): Ann Bennett

**1624 Jefferson Avenue** - Edgewood-Park City - Ken Block, KHP, 21406EDG – Remove metal awnings, reroof; install gutters, replace rear door, repair front door, repair windows, repoint, install ridge vents, repair porch floor, rear deck, HVAC.

**10901 Second (1009 Olive)** – Village of Concord – Carol Montgomery, 21606CON – Install metal roof to replace substandard existing metal roof.

**1105 Lake Ridge** – Village of Concord – Gary Tucker, 21606CONB – Replace exterior wall in rear, including windows and doors, to correct termite damage, reusing existing artificial siding.

- Certificates of Appropriateness

## **KNOXVILLE HISTORIC ZONING COMMISSION**

### **Fourth & Gill H-1**

**831 Deery**, Marian Sing (Owner/Applicant)

**Description of Work:** Construct wood shell for storage shed in rear yard, with wood shingle wall cladding and a 12/12 pitch gable roof phasing to shed roofs on each side to disguise the mansard-shaped storage shed roof; wood door on front of shed. (NOTE: wood cladding will be installed so that no metal covering remains visible.)

**Staff Recommendation:** APPROVE Certificate No. 217064&G. Final appearance of storage shed will be consistent with adopted Fourth & Gill guidelines (pg. 19, Outbuildings, #1). Applicant intends to construct an enclosure for the storage building, using it as a shell around which a building that resembles a carriage house will be constructed.

Bennett stated that this application came before the Commission several months ago. The intent of the owner is to resurface the storage shed and change the roof pitch so that it will look like a carriage house.

Shawn Martin, 1121 Eleanor representing the 4<sup>th</sup> and Gill neighborhood, stated that it sounds like it meets the guidelines. He was concerned that the drawing does not look like the description of the building, and Bennett stated it will not look exactly like this.

**MOTION BY GRIEVE AND SECOND BY SAUNDERS TO DENY WITHOUT PREJUDICE UNTIL FURTHER DOCUMENTATION IS PRESENTED TO SEE WHAT THE PLANS WILL LOOK LIKE. THE MOTION CARRIED UNANIMOUSLY.**

### **General H-1**

**Candy Factory, 1060 World's Fair Park Drive**, Cardinal Properties/Jason DeBord (Owner/Applicant).

**Description of Work:** West elevation: Replace windows with new single pane Chicago style windows with transoms, sized to fit existing openings, with four alternating rows of full light doors with transoms and sidelights opening onto balconies with horizontal railing system; install new canvas canopies above existing plaza level storefronts; clean and paint existing storefronts, replacing smoked glazing with clear glazing. East elevation: Replacing existing gutters and downspouts; clean masonry; remove and replace windows with new single pane Chicago style windows with transoms, sized to fit existing openings, with four alternating rows of full light doors with transoms and sidelights opening onto balconies with horizontal railing system. North and South elevations: Replace existing gutters and downspouts; clean and repoint mortar; replace windows with new single pane Chicago style windows with transoms, sized to fit existing openings. Balcony floors will be metal. NOTE: All bricks removed in the process of installing the openings to the balconies will be stored in the basement of the Candy Factory, with requirements in the owner's association documents that they will be replaced if the balconies are ever removed. Requirements in the owner's association documents will also provide that no grills or umbrella tables can be used on the balconies, that clothes and towels cannot be hung from the railings, and that the balconies must be kept clear of dead vegetation.

**Staff Recommendation:** APPROVE Certificate 22806GEN. The proposed alterations meet the Secretary of Interior's *Standards*, provided the mitigation measures described below are followed.

The building's current windows were installed when the Candy Factory was being rehabilitated in preparation for the 1982 World's Fair. Original windows were multi-paned steel windows; either currently proposed windows or multi-paned steel windows would be appropriate.

The installation of balconies on the east and west elevations, and the insertion of access doors to those balconies, will alter the appearance of the building through the installation of the balconies and the material (brick) by removing brick below the window sills to accommodate the doors. Applicant has agreed to stockpile the removed brick in the basement of the building, and to insert a covenant in the rules governing the condominium that require those brick to be reinstalled if future owners ever decide to remove the balconies.

The current owners obtained Tax Increment Financing based on sales prices for the Candy Factory units that included an elevated price for the provision of balconies. The Knoxville Historic Zoning Commission has, in the past, allowed alterations to be made in the exterior of designated buildings when economic constraints might prevent the reuse

of the building without those alterations. Given the space constraints of the Candy Factory, the proposed allocation of interior space is the most financially feasible, and the timber framed Candy Factory structure does not lend itself to interior balconies.

There are three obvious facades on this building, on the south, east and west. The primary elevation is the south façade where a two story gabled portico formed the original primary entrance. Other distinguishing features of the building include a vertically patterned inset brick broken-line detail that separates each bay, and a corbelled top cornice with a grid pattern created by contrasting brick on the top story. The developer is proposing balconies on the east and west elevations, which are not primary elevations, although they are visible. The proposed balconies will not interfere with the other design details mentioned in this paragraph.

The design guidelines adopted for the Candy Factory at the time of designation are the Secretary of Interior's *Standards*. Four of the *Standards* are applicable to this project.

2. The historic character of a property will be retained and preserved. The removal of distinctive materials or alterations of features, space and spatial relationships that characterize a property will be avoided.

The historic character of the Candy Factory is a manufacturing warehouse space. That character was altered when the building was altered for the 1982 World's Fair, making it ineligible for the National Register of Historic Places; however, the exterior of the building still possesses exterior details that fix it in the early 20th century, and its primary (south) elevation remains fairly original, except for the inappropriate replacement windows that will be corrected with this proposed rehabilitation.

3. Each property will be recognized as a physical record of its time, place and use. Changes that create a false sense of historical development, such as adding conjectural features or elements from other historic properties, will not be undertaken.

Primary elements that place the exterior of the property in its original construction period and use will not be altered by this rehabilitation.

9. New additions, exterior alterations or related new construction will not destroy historic materials, features, and spatial relationships that characterize the property.

The balconies do constitute new additional and exterior alterations that remove historic materials; the developer's willingness to stockpile the removed brick for reuse on the building mitigates Standard No. 9.

10. New additions and adjacent or related new construction will be undertaken in such a manner that, if removed in the future, the essential form and integrity of the historic property and its environment would be unimpaired.

The contemplated new additions, including the balconies and the previously approved glass tower on the east elevation can, due to the willingness of the developer to stockpile the brick, be reversed in the future, leaving the integrity of the building unimpaired.

The Candy Factory is not listed on the National Register of Historic Places. A recent opinion of the Tennessee Historical Commission staff charged with processing National Register nominations revealed that the building is not eligible for the National Register due to changes that occurred in connection with the 1982 World's Fair, and prior to that time. If the building is to be rehabilitated and remain a fixture in Knoxville, that rehabilitation must be financially feasible. Only National Register-listed buildings can take advantage of the preservation tax incentives; therefore, the rehabilitation of the building must succeed under the current financing arrangement. The rehabilitation of the building only became feasible when tax increment financing was available and in order to fulfill the financial projections prepared at the time of receiving tax increment financing, balconies must be included with the condominium units.

Bennett noted that the major design elements that have not been altered are the applied grid pattern on the top floor, the vertical lines of recessed bricks that outline each side of building's projecting columns and the façade (south elevation) which is original except for the window replacement that occurred when the building was rehabilitated for the 1982 World's Fair. She referred Commissioners to the staff report and explained that the Candy Factory had been designated under an individual H-1, using the Secretary of Interior's *Standards* as the design guidelines. She also referred Commissioners to their Administrative Rules and the notation that each application was to be reviewed as an individual situation and that no application set a precedent for any other.

Scott Busby recused himself.

Arning asked for proponents of the Certificate application.

Bill Lyons, 8507 Courtland Drive, Director of Policy Development for the City of Knoxville: The City of Knoxville put out Requests for Proposals (RFP). Everyone who applied had to show plans. The Mayor's Report (*Status of Preservation*) includes the Candy Factory, showing that it had a very low score in architectural significance and drew its primary significance from history. The building now faces a street that was put in during the World's Fair (World's Fair Park Drive).

The request is to put balconies on the east and west sides. The applicant and the administration understand the Secretary's *Standards* have to be used. Alterations can be made according to these *Standards*. The building is not on the National Register. The concern that has been expressed is that approving these balconies will create a slippery slope. Many people have said that if this is allowed, someone may want to put balconies on the buildings on Gay Street. The whole cause of preservation could be harmed if the ideas had validity, but they do not. Ms. Bennett has explained that actions of the Historic Zoning Commission with regard to one project do not set precedents for other projects.

Saunders asked if this building was included with the Victorian Homes, the Sunsphere and the Amphitheater. Lyons stated the RFP could have included all of these or just one project and was not a package deal.

Jason DeBord, 3828 Dellwood Drive, introduced Buzz Goss, 133 S. Gay Street, architect for the project. Goss noted that the east and west side configurations are best for balconies. The balconies and railings will be steel. They initially considered installing an opaque glass panel to let in light but mask the contents of the balconies. Instead, they will adopt provisions that will not allow owners to store items on the balconies. He showed a drawing of the west and east sides. The north and south sides will stay the same except for replacement windows. There will be 37 balconies.

Saunders noted that the Commission does not need to consider financial concerns since the applicant did not request a financial hardship application..

Wilson stated that she is strongly opposed to this. Our guidelines do not allow this. She noted that she cannot put a balcony on her own historic house. This will be altering the look of the building and where is the justification for doing this? The Commission is here to see that the guidelines are upheld.

Faulkner asked about storing the brick. Bennett added that the brick is not manufactured anymore, and it could be used if balconies are removed later. Faulkner does not feel this mitigates Standard No. 9. Goss stated that the problem for future repairs could be finding brick that would match. This will help to have it stored to reuse. As an architect, Goss sanctions altering structures that do not have much significance as a way of improving the facades and encouraging people to live in downtown.

Hoehl stated that he is concerned about the structural failure of the balconies. How much load will they hold? Goss answered that each ties into the brick and the floor structure, with diagonal braces tie in at the lower portion. Each is independently supported. A structural engineer designed the balconies. Hoehl asked how they would be restored. Goss noted that having the brick makes it possible to put the balconies back to the original look.

Grieve asked why this building is an H-1. If it was not, they could have done anything to the building they wanted to do. Bennett said that Mayor Ashe had concerns about potential demolition of the building and wanted to save it. Grieve stated that the H-1 designation could be taken off. When you put a residential use in a warehouse, you would like to have balconies, although he is concerned about the design of the balconies and the windows. DeBord stated that he came before the Commission with the multi-pane windows, but the current application uses a more open look. Cardinal would be happy to use multi-pane windows. Bennett pointed out that the one light windows and transoms are more consistent with the balcony doors.

Montgomery stated that the original picture was less attractive, in her opinion, than either of the proposed designs the Commission had considered.

Arning noted he was pleased that Cardinal Properties had been chosen as the developer, because they were aware of its H-1 status. He invited audience members to comment on the proposal. He noted that some people have emailed the Commission their opposition, but they could not be here today. He noted that the building is not eligible for the National Register because of changes made in preparation for the 1982 World's Fair and the Clinch Avenue Viaduct but still retains its warehouse appearance. He noted that he agreed there would be no precedent set by the decision, that he agreed with staff recommendation, and that the building would still look like a warehouse.

Saunders stated that Knox Heritage did consider the proposed changes to the Candy Factory and did not adopt a formal policy, but does want to see the building rehabilitated.

John Craig, 12226 Brighton Court, stated that Knox Heritage issued a written statement for rehabilitation without commenting on the specific plans, feeling that would allow an impartial review by the Knoxville Historic Zoning Commission. Arning stated that Historic Fort Sanders wrote in favor of the plan.

Whetsel stated that the Commission is in a difficult position. We are to be the community's voice to protect the building and must consider the proposed rehabilitation in those circumstances.

**MOTION BY GRIEVE AND SECOND BY WHETSELL TO APPROVE STAFF RECOMMENDATION TO ALLOW BALCONIES ON THE EAST AND WEST ELEVATIONS; DENY WITHOUT PREJUDICE THE WINDOW DESIGNS TO ALLOW FURTHER DISCUSSION. MOTION CARRIED BY VOTE OF 6-1-1, WITH WILSON VOTING AGAINST AND BUSBY ABSTAINING.**

Wilson asked again about the guidelines. She asked if a façade can be changed on a designated home. Bennett responded that it could be, but only with an approval by the Commission.

**Old North Knoxville H-1**

Three new homes are proposed for 1620, 1700 and 1706 Fremont. These lots were created by subdivision of the rear portion of the parcel at 1411 Armstrong. The designs, setbacks and lot placement of all three infill buildings vary to recognize the varying set backs and designs of houses on the west side of Fremont Place, facing the three new lots. An e-mail from Chet Kilgore, neighborhood representative of Old North Knoxville, indicated support from the neighborhood. The Commission asked if they could consider all of the homes simultaneously and agreed to do that.

***1706 Fremont***, Melissa Sorrentino (Owner/Applicant)

**Description of Work:** Construction of new single story residence on conventional stuccoed block foundation with minimum height of 18"; wood weatherboard; 9/12 roof pitch; front elevation and front side elevation windows ratio of 1:2, rear windows 3'0"x5'0', and all double hung windows 1/1 sash; 7-8' deep front porch with square wood columns 6"x6", 2"x2" square cut wood spindles on 3-4" centers set in top and bottom rails per site plan and drawings submitted 3/6/2006. Proposed house is Neoclassical in detail with front gable roof with telescoping gables at each side, off-center front entry. Front setback will be 25'.

**Staff Recommendation:** APPROVE Certificate 30206ONKA. Proposed construction is consistent with adopted design guidelines. (See pg. 27, New Construction Sections G-K.

***1700 Fremont***, Melissa Sorrentino (Owner/Applicant)



**Description of Work:** Construction of new single story residence on conventional stuccoed block foundation with minimum height of 18"; wood weatherboard; 9/12 roof pitch; front elevation and front side elevation windows ratio of 1:2, rear windows 3'0"x5'0', and all double hung windows 1/1 sash; 7-8' deep front porch with square wood columns 6"x6", 2"x2" square cut wood spindles on 3-4" centers set in top and bottom rails per site plan and drawings submitted 3/6/2006. Proposed building is Craftsman design with a jerkin-head gable roof and a projecting gabled front porch.

**Staff Recommendation:** APPROVE Certificate No. 30206ONKB. Proposed construction is consistent with adopted design guidelines. (See pg. 27, New Construction Sections G-K.

*1620 Fremont*, Melissa Sorrentino (Owner/Applicant)

**Description of Work:** Construction of new single story residence on conventional stuccoed block foundation with minimum height of 18"; wood weatherboard; 9/12 roof pitch; front elevation and front side elevation windows ratio of 1:2, rear windows 3'0"x5'0', and all double hung windows 1/1 sash; 7-8' deep front porch with square wood columns 6"x6", 2"x2" square cut wood spindles on 3-4" centers set in top and bottom rails per site plan and drawings submitted 3/6/2006. Proposed building is Neoclassical with front gable roof and applied cornice at edge of front porch.

**Staff Recommendation:** APPROVE Certificate No. 30206ONKC. Proposed construction is consistent with adopted design guidelines. (See pg. 27, New Construction Sections G-K.

**MOTION BY GRIEVE AND SECOND BY DONALDSON TO APPROVE CERTIFICATES 30206ONKA, 30206ONKB AND 30206ONKC. MOTION CARRIED UNANIMOUSLY.**

**KNOX COUNTY HISTORIC ZONING COMMISSION**

- Designation Request – Alvin Boyd Bell House, 528 W. Emory Road

The Alvin Boyd Bell House was built by Bell and his wife Sallie Ellen Ailor, who bought the property on West Emory Road in 1928. In 1933, Barber McMurray designed the brick and frame home still located on the property, which remained in the Bell family until it was sold for redevelopment as The Village at Bell Meadows. The house has been converted to offices which will serve as a centerpiece for the development.

The Boyd House is a two story frame and brick, five-bay Colonial Revival style house. The Secretary of Interior's *Standards* are recommended as design guidelines.

**Staff Recommendation:** APPROVE the designation of the Alvin Boyd Bell House, 528 W. Emory Road, with an HZ Historic Overlay to be placed on the front 200' of CLT Parcel 56 12201. APPROVE The Secretary of Interior's *Standards* as design guidelines.

Bennett has recommended only designating the front 200'. It will retain its original look. A driveway will have to be rebuilt on the east side of the house.

Kelley Sternburg, property owner, 528 W. Emory Road, and Kenna Stevens, 2044 Farmstead Lane, building developer, spoke in support of the designation., noting that this will be the first historically designated house in Powell. A town center will be built beside it.

**MOTION BY COTHAM AND SECOND BY MONTGOMERY TO APPROVE THE STAFF RECOMMENDATION. THE MOTION CARRIED UNANIMOUSLY.**

There being no further business, the meeting was adjourned.

The next meeting of the Knoxville and Knox County Historic Zoning Commissions will be held on April 20, 2006 at 8:30 a.m. in the Small Assembly Room of the City-County Building, 400 Main Street, Knoxville, TN.