

MINUTES
KNOXVILLE DOWNTOWN DESIGN REVIEW BOARD
MEETING OF JANUARY 20, 2010
SMALL ASSEMBLY ROOM

Present:

Kim Henry
David Dewhirst
Anne Wallace
John Sanders
Joe Petre
Jeffrey Nash
Carol Montgomery
David McGinley
Bob Becker
Morgan Hardy
Bob Whetsel
Mike Reynolds
Mark Donaldson
Charlotte West

Organization:

APA Representative
Dewhirst Properties
City of Knoxville
AIA Representative
Business Representative
CBID Representative
Historic Zoning Commission
City of Knoxville
City of Knoxville
Organized Play
City of Knoxville/Policy/Com.
MPC
MPC
MPC

Kim Henry, Chair, called the meeting to order. There was a quorum present, and they introduced themselves. Board members present are shown in italics.

Approval of Minutes of December 16 Meeting

A motion was made by Anne Wallace and seconded by Joe Petre to approve the December 16, 2009, minutes. The motion carried unanimously.

Certificates of Appropriateness:

Certificate No. 1-A-10-DT

221 Cumberland Ave - Organized Play (Morgan Hardy - Organized Play)
Pre-development meeting: N/A

Description of Work

This proposal is for an existing hanging sign and existing awning with a sign. The hanging sign has a diameter of 3 feet and is 7 square feet in area. The sign is made of metal. A pre-existing bracket located at the corner of the building has been used for the sign. The previous sign in this location was approved by the Board.

The awning has a clearance with the sidewalk of 8 feet 4 inches at its left edge and 9 feet 7 inches at its right edge. The awning is 6 feet wide and approximately 3 feet 6 inches deep. The awning has a sign along that front and side valences. The signs are approximately 5.5

inches tall and 26.5 inches wide, or 1 square foot each for a total of approximately 3 square feet.

Staff Comments

The hanging sign and awning sign are in conformance with Section 2.B of the guidelines. The awning is not in conformance with Article 5.Section 6.B.1.a of the City of Knoxville Zoning Ordinance which requires awnings to have a minimum clearance above the sidewalk of 9 feet.

Staff Recommendation

APPROVE Certificate 1-A-10-DT with the following condition: The awning shall meet all minimum zoning requirements.

Mike Reynolds reviewed the request. Mike stated that the only issue is the awning clearance with the sidewalk. It has a clearance of 8 feet 4 inches on the left side and 9 feet 7 inches on the right side from the sidewalk. The sidewalk slopes severely in front of the store which causes the difference in height.

John Sanders asked if the height was to the bottom of the valence or to the frame. Morgan Hardy, Organized Play, stated the height was to the frame. Mike Reynolds stated that according to Tom Reynolds, Chief Building Inspector, the height needs to be measured to the bottom of the valence, not the framing. Mr. Hardy stated that the valence is about 3 inches tall so the awning would have a clearance of 8 feet 1 inch on the left side and 9 feet 4 inches on the right side.

David McGinley, City Engineering, said that if the board approves the awning at the current height, Mr. Hardy would need to get a variance from BZA and receive a Permissible Use Agreement from City Council since the awning would not meet the zoning ordinance requirements. Mr. Hardy stated they could see where the previous awning had been from the outline and thought the height of his awning would be acceptable since the old awning was the same height. Mr. Hardy stated his awning and sign company installed the sign and awning before he knew they were ready to install it.

Kim Henry stated that Mr. Hardy might have to get a permissive use agreement if the board approves the awning as it is installed. Kim asked if the Board of Zoning Appeals is going to have an issue with approving a variance. They must find a hardship. Mr. Hardy stated there is a historic lantern below the awning and if the awning was any higher it would interfere with the lantern.

A motion was made by David Dewhirst and seconded by Jeffrey Nash to approve the application as submitted. The motion carried unanimously.

Staff Report:

Other Business:

- Appeal of Decision of the Knoxville Convention Center EMCs

Kim Henry stated that MPC upheld the Design Review Board's decision at their last meeting. The MPC decision could be appealed to City Council.

Additionally, MPC recommended approval to rezone all of World's Fair Park to D-1. Anne Wallace stated that once City Council approves the D-1 overlay extension, the Downtown Design Review Board will need to make a recommendation on which district to place over the extension, or recommend the creation of a new district. This recommendation to update the map in the guidelines will need to be approved by MPC and City Council.

Anne Wallace stated that the approval for the Convention Center EMC on the corner of Cumberland and 11th St is contingent on the new D-1 zoning being extended over the rest of World's Fair Park.

Mike Reynolds stated that currently there is not a written procedure for expanding the D-1 district. The board might want consider putting something in writing so the public will know the procedure and time frame if they want to expand the district. Mike stated he would like to have the board make a recommendation for a guideline district before City Council approves a rezoning so the two processes can be approved simultaneously.

Anne Wallace stated she does not feel the board could consider the guideline district before City Council approves an extension of D-1 district.

Joe Petre felt the boundaries of the D-1 need to be squared up, particularly to the north. Kim Henry asked that at next months meeting the board should see the boundaries of Magnolia Corridor, Downtown North and D-1. Joe stated that the CBID could be extended into any area the D-1 district is extended.

- Minimum sign height

Mike Reynolds stated the meeting with the city was cancelled do to weather. He hopes to be able to discuss the sign height at the board meeting next month.

- 411 Building sign

Bob Alcorn told Kim Henry the vertical "411 Building" being installed was not what was approved. Mike Reynolds talked to Scott Brenneman, City Sign Inspector, if it was permitted as it was installed and Scott said it was. The sign was installed on a maroon background that was not approved by the board, only the letters were approved. Kim stated that the board may have approved the background if they presented it but they didn't apply for it to like that. This should not happen again in the future.

Mike Reynolds stated he has talked to Scott Brenneman about the permitting procedures and we are working on procedures to make sure this does not happen again.

- Crimson Building

Mike Reynolds stated that the building was never approved by the board, rather approved by City Council before the board was created. The building has gone through an ownership change and the new owners are making changes to the design. Anne Wallace stated that Tom Reynolds, Chief Building Inspector, feels the changes substantially adhere to the building design approved by City Council, therefore there is not a need for the board to review the design for a Certificate of Appropriateness.

John Sanders stated that they have made changes to the window sizes and external material on the rooftop addition. He asked since there is a new owner if they have to reapply because this is not being built as approved by City Council. Joe Petre agrees that the project should follow what was approved.

John Sanders stated that there was never a building permit approved for this structure so the new plans can not be an amendment to an existing building permit. Jeffrey Nash confirmed that when he was involved in the project, before the new owners, that they only received a demolition permit.

Mark Donaldson stated that Tom Reynolds will make the final decision, and he would hope Tom would consult us for our input. Mike Reynolds stated that Tom has asked him his opinion of the changes.

Anne Wallace will talk to Bill Lyons and get a copy of the plans and look at the proposed changes.

There being no further business, the meeting was adjourned.