

MINUTES
KNOXVILLE DOWNTOWN DESIGN REVIEW BOARD
MEETING OF OCTOBER 19, 2011
SMALL ASSEMBLY ROOM, 4 P.M.

Present:

Kim Henry
David Dewhurst
Bob Alcorn
Mike Reynolds
Anne Wallace
Matt Synowiez
Carol Montgomery
Joe Petre
John Sanders
Steve King
Mark Donaldson
Tim Hill
Scott Schimmel
Rick Emmett
Bob Whetsel
Melvin Wright
Susanna Sutherland
Brian Doherton
Martin Coker
Ester Schwartz
Sam McCamy
Mark Schimmenti
Arthur Seymour
Hank Butelkamp
John Ross
Patty Dunlap
Michelle Hummel
John Craig
Bill Lyons
Tom Reynolds
Charlotte West

Organization:

APA Representative
Business Representative
Resident Representative/Architect
MPC
City of Knoxville
CBID Representative
Historic Zoning Commission Rep.
Business Representative
AIA Representative
City of Knoxville
MPC
Emory Place Partners
Knox Heritage, Bliss Home
City of Knoxville
City of Knoxville
City of Knoxville
City of Knoxville
UT Grad
UT Grad
UT Grad
MAC Realty
Downtown property owner
St. John's Cathedral
St. John's Cathedral
St. John's Cathedral
St. John's Cathedral
CBID
Market Square Association
City of Knoxville
City of Knoxville
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.

Kim introduced the new member, Matt Synowiez, representing the Central Business Improvement District replacing Jeffrey Nash.

A motion was made by Anne Wallace and seconded by Bob Alcorn to approve the September 21 minutes.

Certificates of Appropriateness:

Certificate No. 10-B-11-DT

525 Henley St - Holiday Inn (Design Innovation Architects)

Pre-development N/A

Description of Work

Add wood sign board above the main entrance, the width of two structural support bays. Add wall sign that is 3 feet tall by 12 feet 1 inch wide, or 36.25 square feet. The wall sign is made of metal and is non-illuminated. Add three flags, attached to the front façade above the proposed sign board. Add three exterior up lights to illuminate the proposed flags.

Replace the existing glass and metal frame main entrance with a new clear glass and metal frame entrance. There will be two new doors; a 10 to 12 foot electric revolving door and a 3 to 4 foot main door. Add wood panels to the right of the new entrance and to the ceiling of the recessed drop-off area, in front of the new entrance. Add wall sign to the right of the main entrance that is 2 feet 1 inch tall by 6 feet 1/2 inch wide, or 12.6 square feet. This wall sign will be made of metal and will be non-illuminated.

Staff Recommendation

APPROVE Certificate 10-B-11-DT as submitted.

Faris Eid, Design Innovation Architects, stated the improvements are needed to help people find the entrance. As a clarification, the sign board is made of a wood like material (Trespa) for outdoor use.

A motion was made by John Sanders and seconded by Anne Wallace to approve the staff recommendation. The motion carried unanimously.

Certificate No. 10-C-11-DT

131 S Gay St - Harry's (John L. Sanders)

Pre-development N/A

Description of Work

Refurbish and reinstall the projecting sign that was removed in 2009. The sign is 4 feet tall by 8 feet 1.5 inches wide, or 32.5 square feet. The original Harold's sign frame will be refurbished and new acrylic sign panels will be installed. The sign will be internally illuminated. There will be a steel outrigger with stainless steel guide wires to support the sign. The sign face will be acrylic.

Staff Comments

In the discussion for the renovation of the façade in 2008, the board indicated that the sign that was going to be retained/replicated on the corrugated metal was significant to the structure and should be retained in some form. After reviewing the minutes for the December 2008 board meeting, the significance of the projecting sign was not discussed. Once a sign is removed it cannot be reinstalled without a permit and must meet all current sign regulations.

The guidelines recommend projecting signs be no larger than 9 square feet, proportional to the building where they are located and not be internally illuminated (Section 1.C.7). The board has the option to consider a larger sign on a case-by-case basis, along with internal illumination which has typically been approved only when the light penetrates the letters or other design elements of the sign face.

Staff Recommendation

APPROVE Certificate 10-C-11-DT subject to the following: 1) The sign shall be no more than 9 square feet. 2) The sign shall be non-illuminated, or the letters and graphics should be illuminated only.

Mike Reynolds reviewed the application and stated that this is an old sign with a new face.

John Sanders stated that he respects the guidelines, but the contractor doing stabilization on the roof took the sign down without knowledge of the ownership. The sign is part of Harold's and want to reinstall it. They wanted to reinstall the sign when the building was renovated but the contractor told them that they didn't have it anymore. They would like for the board to consider an exception to the guidelines because Harold's was there for 50 years. They are refacing the existing sign.

Kim Henry asked about the 9-foot rule in the guidelines and asked if their total sign area would go over their allowed amount of signage in the zoning district. Mr. Reynolds stated that the allowed sign area is three times the building frontage, so in this case the building is approximately 20 feet wide so they are allowed approximately 60 square feet of signage. The existing wall sign area is unknown but as long as it is around 30 square feet or less, they should not go over their allowed sign area.

Mr. Sanders stated that since this is a mid-block building and the way the block curves slightly is a big reason for why the sign is needed for visibility. Tim Hill stated the sign would have never been removed under normal circumstances, and it has historic value. This is as important as the S&W sign.

Joe Petre asked if the outriggers are the same as the original. Mr. Sanders said yes, support system is the same. Mr. Petre stated that Harold's had a sign on all faces of their awning and the new awning does not. Mr. Sanders stated that Harold's awning did not meet the minimum clearance standards with the sidewalk and the new awning does.

Anne Wallace asked if the whole sign face will be illuminated. Mr. Sanders stated that is how the sign currently operates. Ms. Wallace asked if there was some thought to an opaque face with only the letters illuminated. Mr. Sanders responded that they will look into that possibility but they want it approved as submitted. Mr. Petre stated he does not mind full illumination.

A motion was made by Joe Petre and seconded by Carol Montgomery to approve as submitted. The motion carried with John Sanders recusing.

Certificate No. 10-D-11-DT

440 Walnut St - New Union Shops (Aaron Pennington)

Pre-development N/A

Description of Work

Replace dark storefront glass with clear glass. Enlarge storefront openings and install new aluminum storefront with clear glass and match mullion spacing and height of adjacent windows (see Union Avenue Elevation and Partial Plan). Install new window opening along the alley and match mullion spacing and height of adjacent windows (see Alley Elevation).

Install new metal awning along the Union Avenue and Walnut Street façades. The awning will

project from face of building 6 feet and have a 9 foot minimum clearance above the sidewalk (see Union Avenue Elevation, Walnut Elevation and Partial Plan).

Staff Comments

The Union Avenue sidewalk is 12 feet wide, with tree wells that are 5 feet wide. The trunk of the trees are 2.5 feet from the back of the curb. The proposed awning would come within 3.5 feet of the trunk of the trees and would require some trimming of the branches in order to install the awning.

Staff Recommendation

APPROVE Certificate 10-D-11-DT as submitted.

Mike Reynolds stated that staff is concerned about the existing trees, and the proposed awning would be 3.5 feet from the trunk of the trees and would have to be trimmed. When the trees mature the branches will be above the awning and will be able to fill out.

Aaron Pennington, Dewhirst Properties, stated he is here to answer any questions. Joe Petre asked if the new awnings are going to keep the water from pouring on the sidewalk, and Mr. Pennington stated they will. Mr. Petre asked if they will be increasing the storefront area for the existing tenant Lellyett and Rogers. Mr. Pennington stated at that they will be putting in clear glass but will not be increasing the storefront area at this time.

A motion was made by Bob Alcorn and seconded by John Sanders to approve the staff recommendation. The motion carried with David Dewhirst recusing.

Certificate No. 10-E-11-DT

412 W Jackson Ave - 412 & 416 W Jackson (Aaron Pennington)

Pre-development N/A

Description of Work

412 West Jackson Ave - Repair and tuck point the brick on all elevation, as necessary. Stabilize and repair stone base under the storefront. Repair and paint the existing wood storefront. Repair and paint existing full glass wood doors. Repair, service and paint existing garage door. Repair and paint existing steel windows and install new glass as required, on north and west elevations. Clean and paint existing cast iron vents. Clean and repair existing decorative finials. Flash parapet and repair stone coping on all elevations, as needed.

416 West Jackson Ave - Repair and tuck point brick on all elevations, as needed. Repair and/or rebuild damaged area of brick façade above the storefront. Stabilize and repair masonry base below storefront. Replace existing storefront with new painted wood or metal storefront with transoms, to resemble the design of the storefront at 412 West Jackson Ave. Replace existing front door with new full glass painted wood or metal door. Repair base of garage door. Repair, service and paint garage door. Add new metal collector box and downspout. Clean and repair existing decorative finials. Flash parapet and repair stone coping on all elevations, as needed. Paint and repair original metal sign on roof.

Staff Recommendation

APPROVE Certificate 10-E-11-DT as submitted.

Kim Henry asked if this is a stabilization project. Aaron Pennington stated that the two buildings were built at the same time and the storefront at 416 West Jackson Avenue was replaced at some point with a more modern aluminum storefront.

Bob Alcorn asked if they currently have tenants. Mr. Pennington stated that the buildings are vacant.

Anne Wallace asked when they plan to start the project. Mr. Pennington responded they are going to stabilize the buildings first, do the outside. When they find a tenant, they will do the inside.

A motion was made by Anne Wallace and seconded by John Sanders to approve the staff recommendation. The motion carried with David Dewhirst recusing.

Certificate No. 10-F-11-DT

701 Henley St - Convention Center solar (FLS Energy, Inc.)

Pre-development N/A

Description of Work

Add solar panels to the roof of the Convention Center, near the Cumberland Avenue façade. The solar panels will be setback from the edge of the façade and will be mounted on low profile racks, with a height of approximately 16 inches.

Staff Comments

This proposal will not be visible from street level.

Staff Recommendation

APPROVE Certificate 10-F-11-DT without conditions.

Mike Reynolds stated we had a solar panel application a year ago and this is similar.

Susanna Sutherland stated that she is available for questions.

A motion was made by John Sanders and seconded by Carol Montgomery to approve the staff recommendation. The motion carried unanimously.

Certificate No. 10-G-11-DT

137 and 141 S Gay St - 137 S Gay St (McCamy Construction, LLC)

Pre-development N/A

Description of Work

These two buildings had previously been approved for storefront renovations and the storefront to the left has not yet been renovated.

Add awnings above both storefronts (see example attached).

At 137 S. Gay Street (building to the right), paint the unpainted brick and add trim molding

along the parapet that matches 141 S. Gay Street.

Add a hanging sign between the two storefronts. Add wall sign on the side of 141 S. Gay Street that is 10 feet tall by 16 feet wide, or 160 square feet.

Staff Comments

The guidelines recommend not painting masonry that has never been painted (page 27). The addition of trim and molding to the top of the parapet on 137 S. Gay Street would add architectural elements that are not in keeping with the architectural style of the building.

Staff Recommendation

APPOVE Certificate 10-G-11-DT with the following conditions: 1) The awnings maintain a 9-foot clearance with the sidewalk, 2) The second story of 137 South Gay Street shall remain as-is, unpainted and without trim and molding on the top of the parapet, 3) The hanging sign shall be no more than 9 square feet, and either be non-illuminated or the letters and graphics should be illuminated only, and 4) The total sign area shall be within the maximum limits for the C-2 zoning district.

Mike Reynolds reviewed the description of work, staff comments and recommendations.

John Sanders asked if the sign that designates the name of the building counts toward the total signage allowed. Mr. Reynolds stated that he does not believe it would since it does not advertise the business in the building.

Joe Petre asked if the area for all the signs add together must be less than the sign ordinance allowance. Mr. Reynolds responded yes.

Sam McCamy, who is the owner and contractor for this building, stated that the last time he was here they received approval for the storefront on the building to the left. The brick is painted different colors and the owner wants the two buildings to have a coordinated look by painting the facades on both buildings. The brick on the left is a different type of brick. Mr. McCamy asked what the maximum sign area would be for the wall sign on the side of the building. Mr. Reynolds stated that the total sign area allowed by the sign ordinance is three times the building frontage. In this case the wall sign is 160 square feet and the allowed sign area for all signs approximate 130 square feet. The sign will have to be scaled down so it would not go over maximum allowed. Mr. McCamy asked if the mural qualifies as a sign, and Anne Wallace responded that it does not. Mr. Reynolds added that if they were advertising the business, a mural would qualify as a sign.

John Sanders asked if the property has been resubdivided to be one lot. Mr. McCamy said that was finalized this week.

Ms. Wallace stated that the total sign available is three times the linear feet of the property frontage. The wall sign could be painted on building or put on wood or metal. Mr. McCamy asked if awning lettering counts toward the total allowed sign area. Ms. Wallace responded that it does. Mr. McCamy stated they want lettering on the side and on the awnings. He distributed a new rendering to the board that was not included in the agenda packet. Mr. McCamy said that the tenant want to have letting on the awning that is same as their other business, Nama.

Ms. Wallace stated that the zoning ordinance does not currently have a definition for a mural so if a painted sign is approved, it will be best to discuss the sign with Scott Brenneman (City Sign Enforcement Officer) to determine if what they are proposing will be a sign or a mural. Kim Henry stated that they will be advertising a business in the building so it should be viewed as a sign.

Mr. McCamy asked if he needs to get anything approved with the City Sign Enforcement Officer first before he comes to the Downtown Design Review Board for approval. Mr. Reynolds responded that he needs to get an approval from the Downtown Design Review Board first and then he will need to submit a sign permit application through the City for final permitting.

Mr. McCamy asked to get an approval today for the signs requested and if the tenant has different requirements than they will reapply. Ms. Henry asked if we have any details on the signs. Mr. Reynolds stated that the board could approve the signs as long as they are comfortable with the sign area. The valence signs will be small in size and confined to the valence so there will not be any large graphics. The hanging sign can be restricted to nine square feet with no illumination. The wall sign can be approved as either painted or on a board affixed to the building at a size that is within the sign ordinance regulations.

Mr. McCamy stated in the new drawings submitted today, the wall sign shows that there are two businesses shown on the wall sign. One will be in the two storefronts we are discussing today and the other will be in the old Nama location. Ms. Henry responded that the sign for the business in the old Nama location will not be allowed because it would be an off-premise sign. David Dewhirst asked if the off-premise sign issue is something the board could vary. Mr. Reynolds responded that an off-premise sign is a billboard and new billboards are outlawed in the city.

Mr. Reynolds asked if the existing transoms between the two awnings are to be removed. Mr. McCamy responded they currently have clear glass in the transom on the left storefront and prism glass on the right storefront. The tenant is interested in removing the middle transom glass and replacing it wood for a sign on both storefronts. Mr. Reynolds responded that he talked to his designer, Mack Fraser, and told him that this would not be appropriate and he changed the design. Mr. McCamy asked what would be appropriate; having one awning over each storefront. The arched doorway will not have an awning and will have a blade sign over it. If they installed an LED sign, they would have to come back to the board. Mr. Reynolds stated that if the tenant wants to have a sign with LED lighting, it will need to come back before then board when the design is finalized.

Mr. Sanders asked if we are voting on the information presented. Ms. Henry responded that she did not feel there was sufficient information. Mr. Sanders stated that he agreed.

Mr. Sanders stated that if the awnings were installed with a nine-foot sidewalk clearance, it would change the plans the board has. They would have to go to City Council to change the nine-foot height requirement. Mr. McCamy stated that he feels the awning clearance of nine feet will not be a problem. Mr. Sanders stated that when the awning height is brought up to nine feet it changes how it will cover the transom and how it appears on the building. Mr. Dewhirst asked if the board could vote to lower the minimum clearance. Mr. Sanders responded that the board cannot and City Council would have to approve the lower height. You will have to come back to show us the whole signage and awning package.

Mr. Sanders asked if the storefront on the left will be changed to wood as previously approved. Mr. McCamy responded that the copper will try to keep the copper framing unless it is not feasible, in which case it will be changed to wood to match the storefront on the right.

Mr. Reynolds stated they are adding awnings, signage, adding new molding/trim and painting the building on the right.

Ms. Henry asked if the applicant would be ok if the board takes action on everything except the awning and signs so they can move forward with their project. Mr. McCamy responded that he is ok with this action.

Mr. Sanders asked if the comments on the drawing are to be considered part of the submittal; such as removing the Farmer's and Traders Bank sign. Mr. McCamy stated that they are not planning to remove the Farmer's and Trader's Bank. Ms. Wallace stated that the board looks at this sign as a name of building and they do not have to include that in the total sign area.

Mr. McCamy stated they will do the trim however the board wants. Mr. Petre stated that the Century Building is an example of two buildings being converted to one building with a coordinated design. Ms. Henry asked if there is someone that can comment on the historic consequences for the block. Mr. Reynolds stated that from a historic standpoint, you do not want to change a building from its historic roots. If you add architectural detailing, it takes away the historic character of the building and may remove the building as a contributing structure within the National Register Historic District.

Bob Alcorn stated that painting the second floor of the building on the right would unify the buildings. The storefront on both buildings have already been painted. Mr. McCamy stated that he would rather paint the building but could come up with a paint scheme for the other buildings that would more closely match the brick color of the building on the right. Mr. Dewhirst added that the guidelines rely on are the National Park Service Guidelines, which do not want you to paint exterior brick. Changing the paint on the building on the left to match the brick color on the right would be a good idea. The trim is something the Park Service would not want to be done. He hopes he does not ask the committee to violate the guidelines. Mr. McCamy stated he will not ask for the trim and paint at this time. If his tenant wishes to ask for it again, he will bring it back for consideration.

Ms. Henry asked if there will be any issues with getting a building permit to get started on his project. Melvin Wright stated that as long as he has an existing certificate, he can get a building permit. He would prefer to have one Certificate of Appropriateness that has all the approvals so there is no confusion.

Mr. McCamy asked if the board can approve the awnings and signs as the staff recommended. John Sanders responded that he feels the awning design will change significantly once it is brought into compliance with the nine-foot clearance requirement and there is not enough information to approve at this time.

A motion was made by John Sanders and seconded by Anne Wallace to postpone until the next board meeting to allow the applicant to provide more details next month. The motion carried unanimously.

Ms. Wallace suggested that Mr. McCamy meet with Mike Reynolds before the next meeting so that we have all the details in order.

Certificate No. 10-H-11-DT

710 and 712 Walnut St - Total Demolition Services, Inc.

Pre-development:

Description of Work

Demolition of 710 and 712 Walnut Avenue and removal of all structures, foundations and footings. Seed and straw the property after demolition.

Staff Comments

These two buildings are not in a National Register Historic District or individually listed on the National Register of Historic Places, so Section 1.B.8 (page 19) of the Downtown Knoxville Design Guidelines would apply. The Downtown Knoxville Design Guidelines states that "The demolition of buildings... may be appropriate when in compliance with the guidelines". It also states, "If a building is demolished, all visible unutilized building material must be removed and the site must be vegetated or otherwise brought into compliance with the guidelines".

The buildings conform to many aspects the guidelines recommend for how private development should interact with the public realm to create a cohesive streetscape experience for pedestrians. If these building are razed without any immediate use for the site, the cohesive streetscape will be lost. For a similar situation, such as surface parking lots, the guidelines require decorative fencing, walls and landscaping as a means to define the public realm and create an edge to the sidewalk. A treatment such as this could be used for this site to mitigate the loss of the buildings that added to the pedestrian experience, which the guidelines where enacted to enhance.

(Amended 10/18/2011)

Staff Recommendation

APPROVE Certificate 10-H-11-DT with the following condition: 1) Screen the site using the requirements for parking facilities, Section 1.A.3d (page 7), of the Downtown Knoxville Design Guidelines which states "Screen surface lots, where they abut a public sidewalk, with decorative walls, fencing and landscaping". (Amended 10/18/2011)

Mike Reynolds stated that the board created demolition guidelines a couple years ago that clearly states the intention to have all demolition requests to come before the board. This update also created guidelines for demolition of buildings not on the National Register. The guidelines require the site to be cleared of building materials and revegetated, or otherwise brought into compliance with the guidelines. A wall, fencing and/or landscaping, as required for parking lots, could be appropriate to create an edge to the sidewalk.

Rev. John Ross, Dean of St. John's Episcopal Cathedral, stated that these two buildings we bought in 1999. These are the last two they could use for expansion of the church because they are adjacent to the church. They are in terrible shape with leaks, etc., and were in this shape when they bought them. We cannot use these buildings and do not have the money to repair them. Also, they are not handicapped accessible above the first floor. The footprint of these two buildings is not much different than the footprint of the great hall that the church uses for all sorts of activities. We do not have any use for these properties as parking. The church will make the property look very nice with fencing to match what we have used on the children's

playground.

Joe Petre asked if the pictures of fencing in the agenda was something the staff added, or was it the applicant. Mr. Reynolds responded that staff added the pictures and meant to add a picture of their fence along Cumberland, at the playground, but was unable.

Kim Henry asked if the church has any plans for the property. Rev. Ross responded that these buildings are the last piece of property that would be available to us and the buildings do not meet the functional needs to the church. We want to keep this land for future use. Ms. Henry asked if they ever put these buildings on the market. Rev. Ross responded that they have not because they want to control the property next to the chapel, which is very important to them.

John Sanders stated that he lives and works downtown and this is his neighborhood, also. The church owns them, but they should have kept them in better shape. He disagrees with the assessment that these buildings are in too bad of condition to keep because he has worked with many buildings that were in worse shape. Carol Montgomery stated that old buildings are an asset, and when they come down, you cannot replace them.

Rev. Ross stated that the church is in the business of ministry and health of the church is important to the downtown neighborhood. The church has saved buildings in the past. The footprint of these buildings is strategically important to church. They have had an influx of young adults and they are growing. When the buildings were acquired, the church did not have any plans for them other than for the future use of the church. The vitality of the church is important to the City of Knoxville.

Scott Schimmel, President of Knox Heritage and owner of two businesses downtown, would like this proposal postponed to find a use for these buildings and find sources of funding to stabilize the buildings to prevent the church from incurring additional costs. The buildings are eligible for National Register and would like to pursue getting them added to the National Register. Why rush to tear them down if there are no immediate plans for the site. The church may find that they will have a need for the buildings in the future. Knox Heritage might be able to assist the church in stabilizing the buildings. Mr. Sanders asked Mr. Schimmel how much time Knox Heritage would need meet with the church and search for alternatives. Mr. Schimmel responded it may take more than one month to meet and discuss alternatives; may need two to three months.

Ms. Henry asked Rev. Ross if the church would be agreeable to meet with Knox Heritage to discuss alternatives to stabilize the buildings. Rev. Ross responded that the church has not rushed to a decision and does not see how a postponement would change their decision. He stated that he would be agreeable to meet with Knox Heritage but the challenge will be, where do they find another footprint that is adjacent to their chapel. It is essential to have space that is adjacent to the church. Rev. Ross stated the he feels the buildings are not very attractive and what they put back there will be attractive. They have always built stone buildings and a new building on this site will be no different.

Mr. Petre asked if the church has had any interest in selling these buildings. John Ross responded that they have not. Bob Alcorn asked if the church is intending to construct something on the site, even if it takes 30 years. Rev. Ross responded that they do plan on building on the site and he thinks it will be more like 10 years or less, based on previous experience.

Mr. Sanders stated that they are removing value, and they have nothing to show the board what they are going to put back. He cannot support this without a rendering of what they intend to put

on the site. A fence does not contribute anything to the streetscape and neighborhood.

A motion was made by John Sanders and seconded by Carol Montgomery to deny the request.

Mr. Petre added that the board is bound by the design guidelines. Ms. Henry asked what the church would receive today, whether it is a vote to approve or deny. Mr. Reynolds stated that if the board denies the request they would not receive a Certificate of Appropriateness and they would not be able to receive a demolition permit. If the board approves, there would be an automatic hold of the issuance of the certificate until the 7 day appeal period has expired. If there are any conditions on the approval, then they would need to abide by those as well. Mark Donaldson, MPC Executive Director, explained that the appeal process would go to MPC and then to City Council. Ms. Henry asked who can appeal. Mr. Reynolds stated it is anyone in attendance and spoke for/against to the proposal.

Mr. Petre stated that he struggles with how the board can deny a request that meets the guidelines. He stated he helped write the guidelines and does not know how the board can vote against something that abides by the guidelines. The church is within their rights to do what they are asking to do.

John Craig, former President of Knox Heritage, stated that the guidelines need to provide for National Register eligible buildings. The only difference is whether the owner has applied; however, the asset is the same in either case. He is concerned about this being demolition by neglect and then the deterioration being used as rationale for tearing the buildings down. Stabilizing the buildings is what Knox Heritage does, and the church may not be aware of the funds that are available. Someone else may be able to use these buildings later.

Matt Synowiez stated that this is a property rights issue and has concerns about demolition and hope the church has given this some thought.

David Dewhirst asked if he would consider postponing the matter for 30 days. Knox Heritage may be able to stabilize them until the church has plans for the site. If they do not have plans, it should not matter to postpone 30-60 days. With Knox Heritage's help, maybe the buildings could be used until the church is ready to do something with the site. Knox Heritage could potentially help with the maintenance funds. Rev. Ross stated they have never said they would never sell the property. If this is for the sake of our ministry, we understand and discuss before we make decisions. We need to increase our footprint and the church needs the security of the property. We are not rushing to demolish the buildings. Postponing for 30 days would not help us in our conversion because the church is clear where we are headed. The church wants the opportunity to be creative with the site. Mr. Dewhirst asked, would the church be willing to postpone 30-60 days to allow time to find funds external of the church that help maintain the buildings until the church has a plan for the site. Mr. Sanders stated he would agree that a postponement is preferred at this point to allow such talks and would like to know what is planned for the site before demolition. Rev. Ross responded, that they do not plan do anything on the site within 30-60 days but it will not be very long before they do start dreaming of expansion and the land associated with the two buildings is the only available place for the church to expand. The existing church parking lot is not a viable option for the church because of the need for the parking. Mr. Dewhirst asked if the church would be willing to accept a 30-60 postponement to find alternative funding sources to cover the maintenance costs of the church until there is a plan for the site. Rev. Ross responded that the properties will continue to be significant to the church and if they want to build something in the future there may be some unnecessary costs spent maintaining the

buildings.

Anne Wallace stated that in the interest of making sure that the board is comfortable with this and all options have been exhausted, we should postpone for 30-60 days to allow conversations between Knox Heritage and the church. If the board takes action on the application today, then there will most likely be an appeal. The postponement will allow for the parties to meet and hopefully circumvent the appeal process. Everyone should be educated before they vote. Ms. Wallace, Mr. Reynolds and Bob Whetsel took a tour of the buildings and saw the challenges.

John Sanders withdrew his motion and Carol Montgomery seconded.

A motion was made by David Dewhirst and seconded by Anne Wallace to postpone the application until the November meeting.

Mr. Petre stated that he understands what the church is saying, and feels it is not demolition by neglect. We have not changed our guidelines, but maybe we should. He stated that the church has been clear that a postponement will do nothing for their position. Delaying is not appropriate if the reason is more time to talk someone out of their proposal.

Mr. Reynolds stated that when we come back next month, we need clarification what they are going to put back. We know they are willing to install a fence and it may be a fence like they put on Cumberland and it will be beneficial for the board to review. Mr. Petre asked if staff will be advising the applicant on how they can proceed and that they have the right keep their plan as submitted or to modify their plan. Mr. Reynolds responded, yes they can do what you said. Mr. Dewhirst stated that we need to see specific plans for what you plan to put on the site just as any other application the board reviews. Rev. Ross responded that if the board wants the church to have conversions with outside organizations, he would like more than 30 days. Rev. Ross stated he is confused on what the board is asking and that his request met the guidelines. Ms. Henry stated there are many groups that support downtown and are generally opposed to the demolition of buildings downtown. Rev. Ross stated he we will bring drawings at the next meeting. Ms. Henry stated that the board would like to hear if you have had any conversions with outside organizations about helping with the buildings. Rev. Ross asked if this is a requirement or a request. Mr. Petre stated that this is not a requirement but a request. Joe asked if their request is allowable within the guidelines, and Mr. Reynolds responded yes. Mr. Petre stated that the guidelines should be changed if the board does not want demolitions such as this. Ms. Henry stated that guidelines cannot explicitly cover all issues, and if they did, there would be no need for a board to review applications.

Mr. Dewhirst stated he would like to amend his motion to 90 days. Ms. Henry asked if this is satisfactory for the church. Rev. Ross stated that he would rather come back in 30 days with drawings.

The motion by David Dewhirst and seconded by Anne Wallace to postpone the application until the November meeting was approved 8-1 with Joe Petre voting No.

Staff Report:

- 10-A-11-DT (129 S. Gay Street) – Hanging sign for lululemon athletica. Mike Reynolds approved this certificate.

There being no further business, the meeting was adjourned.