

MINUTES
KNOXVILLE DOWNTOWN DESIGN REVIEW BOARD
MEETING OF AUGUST 21, 2013
MAIN ASSEMBLY ROOM
4:00 P.M.

<i>Chad Boetger</i>	Downtown Resident/Architect
<i>Mark Heinz</i>	Downtown Owner/Architect
<i>Lorie Matthews</i>	Downtown Resident/HZC
<i>Brandon Pace</i>	AIA Representative
<i>Brian Pittman</i>	Resident/MHM Architects
<i>Matt Synowicz</i>	CBID Representative
<i>Anne Wallace</i>	City of Knoxville
Faris Eid	Design Innovation Architects
Brent Johnson	City of Knoxville
Jeff Johnson	MHM Architects
Carl Keaney	Jackson Terminal
Bart Mikitowicz	Glass and Concrete Consulting
Chris Morris	Design Innovation Architects
David Odle	Conversion Properties, Inc.
Joe Petre	Conversion Properties, Inc.
Kim Trent	Knox Heritage
Kaye Graybeal	MPC
Mike Reynolds	MPC
Dori Caron	MPC

The meeting was called to order by Chair Chad Boetger. It was established that there was a quorum. Mr. Boetger asked that the Board members introduce themselves. There were no Ex Officio Members present. Visitors present: Kaye Graybeal, MPC and Christa Cuccaro, who introduced herself as a new clerk in the City Law office. Brian Pittman was introduced as a new Board member. Attendees who wished to speak were asked to sign in. Board members present are shown in italics.

Action: A Motion was made by Brandon Pace and seconded by Anne Wallace to approve the July 17, 2013 Minutes. The Motion carried unanimously.

Certificates of Appropriateness:

Certificate No. 7-A-13-DT

100 N Central St - Patrick Sullivan's (Design Innovation Architects)
Pre-development N/A

Description of Work

This application is a revision to CoA 6-F-13-DT (staff approval) and CoA 7-A-13-DT (board approval 7/17/2013). At the July 2013 meeting, the board approved certain aspects of the proposal and requested the applicant submit additional information for items that needed further details. In addition to those items requested by the board, the applicant has added a few minor changes.

----- APPROVED AT THE JULY 17, 2013 BOARD MEETING -----
108 N. Central Street - Demolition of the 1 story building.

106 N. Central Street - Replace the existing non-historic windows on the second story with historically appropriate one-over-one windows.

100 N. Central Street - Repair existing stained glass windows and large storefront windows on the first floor where feasible and replace other non-original windows with historically appropriate one-over-one windows on the N. Central and Jackson Avenue facades.

----- ITEMS TO BE REVIEWED FOR APPROVAL AT THE AUGUST 21, 2013 MEETING -----

100 N. Central Street - Restore and repaint all historic windows that were not previously approved for replacement. Re-construct the parapet at the back of the Sullivan's building in the same design to be plumb. All decorative elements on the building will be cleaned and repainted. The double door on the Jackson Avenue (toward the rear of the building) will be replaced with doors of the same design with louvers infilling the panel of the doors.

106 N. Central Street - Restore the street level façade to its earliest documented state. Remove the existing stucco on the first floor and clean and repoint the brick as necessary. The existing continuous beam will be re-exposed and all existing windows will be professionally restored to their like-new condition. Remove internal egress stairs that lead to the door between the two storefronts and add a new internal egress stair. Close openings on the north elevation that connected the interiors of 106 & 108 N. Central Street. The filler wall for the closed openings will be clad with painted cement siding and inset from the exterior brick wall. The cement siding will be the same as that of the proposed addition. Create two new window openings on the ground floor of the rear façade, facing the courtyard.

Addition - The addition will be constructed behind and attached to both 100 & 106 N. Central Street. It will not be visible from the street. The addition will be two stories and clad with painted cement siding. Replace the existing egress metal stair between the addition/100 N. Central Street and the adjacent building that currently exits into the courtyard, with a new stair that exits on Jackson Avenue. The landing is behind a wrought iron gate, which will be replaced with new wrought iron gate.

Courtyard - The existing courtyard for the Sullivan's property will be removed and a new courtyard design will take its place. There will be wrought iron fencing, brick pillars and walls with concrete caps that enclose the courtyard. There will be two gates for code compliant egress exits. The courtyard will include square concrete pavers and vegetation strips as shown in the attached plans. The concrete pavers will be easily removed in necessary for future designs.

Staff Comments

----- COMMENTS FROM THE JULY 17, 2013 BOARD MEETING -----

The Historic Resources section of the guidelines apply to these structures because 100 N. Central Street (Patrick Sullivan's) is in the Jackson Avenue Warehouse (National Register) Historic District and 106 & 108 N. Central Street are in the Southern Terminal and Warehouse (National Register) Historic District. Both 106 & 108 N. Central Street are listed as non-contributing structures.

In regard to the demolition request for 108 N. Central Street, section 1.C.12 of the guidelines states "Allow demolition of existing buildings or additions that do not contribute to the district, evaluated on a case-by-case basis". The structure is circa 1925 but has been altered beyond reasonable means of restoration or repair.

With the proposed restoration of the storefront at 106 N. Central Street, this structure could potentially be considered contributing to historic district in the future since the original description noted the alteration to the storefront as a reason for its non-contributing status.

----- ADDITIONAL COMMENTS FOR THE AUGUST 21, 2013 BOARD MEETING -----

The guidelines that apply to this proposal are as follows:

Section 1.B.2e. Design private plazas to be pedestrian-friendly. Provide human-scale amenities and include landscaping. NOTE: Landscaping is incorporated into the design.

Section 1.B.3a. Use complimentary materials and elements, especially next to historic buildings. NOTE: The addition to the rear will be made of contemporary materials.

Section 1.B.5e. All windows at the pedestrian level should be clear.

Section 1.C.1a. Preserve or restore historic roofline features, including parapet walls and cornices.

Section 1.C.1d. Do not alter, obscure or destroy significant features of historic resources when constructing additions.

Section 1.C.2a. Restore and maintain storefronts as they were originally.

Section 1.C.4a. Repair rather than replace historic windows.

Section 1.C.4b. Replace windows if repairs are not possible with matching windows, including duplicating design, operation, material, glass size, muntin arrangements, profiles, and trim.

Section 1.C.4c. Insert windows with the same pane configuration, materials and size as other buildings of the same general construction date, if no original windows are present.

Section 1.C.5a. Repair masonry with stone or brick and mortar that match the original.

Section 1.C.11a. During rehabilitation of historic buildings, restore components to the original or an approximate design.

Section 2.C.1a. Painted wall signs. NOTE: The wall sign on the Jackson Avenue façade of the Sullivan's building will be repainted.

Staff Recommendation

APPROVE Certificate 7-A-13-DT subject to the following condition: 1) The approvals on this date will be in addition to those previously approved by staff and the board unless stated otherwise, 2) Use mortar suitable for historic masonry as recommended by the National Park Service, Preservation Brief #2 (Repointing Mortar Joints in Historic Masonry Buildings).

Discussion: Chris Morris, DIA, noted they have revised the drawings for 106 North Central elevations showing in more detail their proposed plan and he reviewed the proposed changes. He also presented an elevation reflecting the proposed courtyard. He further noted the owner will be re-painting the ice cream sign. Mr. Morris clarified that there was an agreement between the owner and the owner of the building east of them identifying an egress easement. Faris Eid, DIA, noted the owners have not yet identified a tenant. The owner is working to stabilize the building as well as make it marketable. It was clarified that there appears to be a slight variation in the actual size of the windows and their size/scale as indicated on the elevations. Mr. Morris stated that the size of the window openings will not change and agreed that the elevations were simply drawn slightly out of scale. He further clarified they will be one over one. Mike Reynolds noted staff had no further comment beyond reiterating the conditions noted above in the Staff Recommendation.

Action: A Motion was made by Mark Heinz and seconded by Matt Synowicz to approve the Certificate per Staff Recommendation with so noted conditions. The Motion carried unanimously.

Certificate No. 8-B-13-DT

531 S Gay St - Holston Building (Glass and Concrete Contracting)
Pre-development N/A

Description of Work

Remove the existing HVAC louvers and enclose the opening with similar brick to the existing. The new brick will be recessed 3/8 inch to create an architectural shadow box effect.

Mortar that is intended for historic substrates will be used to duplicate appearance and compressive strength of the original mortar, along with matching the color. The mortar joints will be tooled to produce a uniform concave profile that duplicates the surrounding masonry.

Staff Comments

This building is a contributing structure within the Gay Street Commercial Historic District on the National Register. The proposal is consistent with Section 1.C.5 (Masonry) of the Downtown Knoxville Design Guidelines.

An exact copy of the brick on the building was not able to be found. The shadow box effect (or recessed brick) will help differentiate the historic brick and architectural detailing, with that of the new brick infill. The recess will help mask the color difference of the new brick as well.

Staff Recommendation

APPROVE Certificate 8-B-13-DT as submitted.

Discussion: Chair Chad Boetger recused himself and turned the meeting over to Vice Chair Lorie Mathews. Existing and sample bricks were shown to the board members. Bart Mikitowicz, contractor representative, described the proposed replacement bricks. He noted that they want to prevent creating a mix match pattern. It was agreed that the color differential would likely be indistinguishable.

Action: A Motion was made by Anne Wallace and seconded by Brandon Pace to approve the Certificate as submitted per Staff Recommendation. The Motion carried unanimously.

Certificate No. 8-D-13-DT

430 S Gay St - (430 Gay Street, LLC)
Pre-development N/A

Description of Work

This application will amend CoA #2-B-13-DT.

After getting feedback from the National Park Service in regard to Historic Tax Credits, the owner has made the following modifications to the original renovation plan that was approved by the Board in February 2013:

- 1) Remove the fixed awning on the storefront. (Sheet A201, Detail 1 & 2; Sheet A202, Detail 1 & 2)
- 2) Remove the added (square) window on the fourth floor on Union Avenue. (Sheet A201, Detail 1)
- 3) Repair or rebuild the medallions in the second floor (main level) windows along Union Avenue. (Sheet A201, Detail 1)
- 4) Keep large existing windows on the second story at the intersection, on both on Gay Street and Union Avenue elevations (Sheet A201, Detail 1 & 2).
- 5) Remove planter that was proposed for the roof deck area. (Sheet A115.1, Detail 1 & 4)
- 6) Add detail for railing that was not on the previous approval. (Sheet A115.1, Detail 5)
- 7) Modify to the storefront recess width from 15ft to 12.5ft due to field measurement of what is existing, and change the transoms in the recess to clear glass after it was found that the "lozenge" glass was previously removed. (Sheet A202, Detail 1, 4, and 13)
- 8) Remove the proposed french doors with metal railing from plan on the rear (east) elevation and replace all the existing windows new windows as previously approved. (Sheet A201, Detail 3 & 4)
- 9) Infill opening off the alley with masonry to match the existing. (Sheet A201, Detail 4)

Staff Comments

This building is within the Gay Street Commercial (National Register) Historic District and the applicable guidelines from the Historic Resources section regarding the amendments are as follows:

- 1) Section C.2a. Restore and maintain storefronts as they were originally.
- 2) Section C.3a. Establish recessed entries, either rectangular or with slightly canted sides, which are appropriate in storefronts.
- 3) Section C.4a. Repair rather than replace historic windows.
- 4) Section C.4b. Replace windows if repairs are not possible with matching windows, including duplicating design, operation, material, glass size, muntin arrangements, profiles, and trim.
- 5) Section C.4c. Insert windows with the same pane configuration, materials and size as other buildings of the same general construction date, if no original windows are present.
- 6) Section C.5a. Repair masonry with stone or brick and mortar that match the original.
- 7) Section C.11a. During rehabilitation of historic buildings, restore components to the original or an approximate design.

Staff Recommendation

APPROVE Certificate 8-D-13-DT as submitted.

Discussion: Brian Pittman recused himself. Jeff Johnson from MHM Architects noted he was here to answer any questions. Mike Reynolds reviewed the proposed changes that reflect feedback received by the National Park Service. It was clarified that the changers also address correcting issues found when they began to open up the front entrance.

Action: A motion was made by Mark Heinz and seconded by Anne Wallace to approve the Certificate as submitted per Staff Recommendation. The Motion carried unanimously.

Certificate No. 8-C-13-DT

205 W Jackson Ave – Jackson Terminal (Carl Keaney)
Pre-development – N/A

Description of Work

Renovate the former rail freight depot (circa 1890), replace the deteriorated loading dock, add accessibility ramp and create a courtyard to the west of the building. No changes to the building envelope are contemplated and no work is proposed for 203 W Jackson Avenue, the newer building adjoined to the rear of this building.

All elevations: Clean and paint the exterior brick.

South Elevation (Loading Dock/Boardwalk): Remove the deteriorated wood loading dock and replace with a similar heavy timber wood boardwalk. The small block structure will be removed and not reinstalled. Install ADA access ramp to the western edge of the boardwalk and new stairs periodically along the length of the boardwalk, as shown in the attached plans. The ADA ramp will be made of concrete. Install metal railing system with horizontal balusters and wood top to the ramp, stairs and dock. Install new anodized aluminum storefronts in the openings where the existing large wooden doors (12 in total). The existing wood doors are hung on track and they will remain fixed in the open position on the interior of the building. The new aluminum storefront can be painted but it is not anticipated to be painted at this time. Install new surface mounted sconces approximately 14 feet above the boardwalk and under the roof overhang (24 in total). The lights will shine up and down and are centered between each set of engaged columns. New rain gutters will be installed and the downspouts will match those originally on the building. The benches and planters shown on the boardwalk will be made from the reclaimed wood of the existing loading dock. The existing parking spaces in front of the loading dock will be reinstalled in the going from approximately 42 spaces to 36.

West elevation (Courtyard): Remove the brick veneer to expose the original arched openings and add a brick veneer that matches the rest of the building. The arched openings will have the same metal storefront as along the boardwalk. Install sconces above the three arched storefronts, similar to those along the boardwalk. Create a small courtyard with concrete steps, planters and cobblestone surface.

Staff Comments

This project is within the Southern Terminal & Warehouse Historic District and the applicable guidelines are as follows:

Section A.3c. Locate surface parking lots to the side or rear of buildings. No surface parking lots should be created in front of buildings. NOTE: The surface parking area is already located in front of the structure where the loading dock historically was located and the main thoroughfare for vehicles and pedestrians is separated from this parking for most of the length by the Jackson Avenue ramp leading to Gay Street.

Section B.2e. Design private plazas to be pedestrian-friendly. Provide human-scale amenities and include landscaping. NOTE: Planters are incorporated into the design to accommodate landscaping.

Section B.3.a Use complimentary materials and elements, especially next to historic buildings. NOTE: The storefronts, railings and ADA ramp are made of contemporary building materials/methods as to differentiate the new components from the original building.

Section B.5e. All windows at the pedestrian level should be clear.

Section C.2b. Along Jackson Avenue, retain industrial loading dock or garage doors (usually 10-12 feet wide and constructed of metal); these features may be incorporated in new construction (for example, where a loading dock or parking entrance is needed). NOTE: The feel of a loading dock will be retained but will not be used for that purpose. The loading dock door openings will not be altered and the storefront will be primarily glass with a thin metal frame which gives it the look of having the doors open.

Section C.3b. Allow for multiple entries on the first floor of the building, giving access to commercial space that may be divided into bays.

Section C.5a. Repair masonry with stone or brick and mortar that match the original.

Section C.5b. Do not paint masonry that has never been painted. NOTE: The brick has previously been painted.

Section C.9a. Use indirect lighting of the building façade where appropriate.

Section C.11a. During rehabilitation of historic buildings, restore components to the original or an approximate design.

Staff Recommendation

APPROVE Certificate 8-C-13-DT as submitted.

Discussion: Brandon Pace recused himself. Mike Reynolds noted the Certificate only involves the historic portion of the warehouse closer to Jackson Avenue. He noted the biggest portion of the proposal involves rebuilding the loading dock. He noted the Applicant intends to rebuild to better reflect its original proportions. Carl Keaney, Applicant representative, clarified a few points. He noted they will use bricks of the same dimension which will be painted to maintain the current facade. Mr. Keaney also noted they have begun the process of working towards obtaining historic tax credits. He further stated they had also modified their design to reflect suggestions made to them when they met with the Tennessee Historic Preservation Committee. He noted that feedback was to use heavy wood and not concrete for the dock although they were OK with the ramp being constructed with concrete. Further, additional feedback was that any storefront and/or openings needed to be paintable. Mr. Keaney also stated they also removed originally proposed skylights.

Action: A Motion was made by Matt Synowicz and seconded by Mark Heinz to approve the Certificate as submitted per Staff Recommendation. The Motion carried unanimously.

Certificate No. 8-E-13-DT

415 Walnut St - Liberty Building (City of Knoxville) Pre-development N/A

Description of Work

Demolition of the structure and removal of all loose materials to allow for preparation of the site for a private developer to construct a parking garage per the requirements of the attached Request for Proposals.

Due to the concern with roadway stability and the need for the perpendicular interior basement walls to provide support, the slabs will not be removed at the demo stage. If there is a delay with the private developer starting construction, the non-vegetated areas will either be seeded to provide a stand of grass or covered with plastic and directed it to a sump and pump.

The site will be secured with fencing around the entire construction site, similar to what is currently installed at the corner of Summer Place and Locust Street.

Staff Comments

The structure is not listed on the National Register of Historic Places so the guidelines that apply are as follows:

- 1) Section 1.A.4c. Plant street trees where possible. Choose tree planting locations that will not significantly alter the setting of, or harm the materials of historic buildings. NOTE: There are several mature street trees adjacent to the structure that may be able to be saved. The City's Urban Forester should evaluate the trees and determine which have a reasonable good chance of survival with proper protection.
- 2) Section 1.B.8a. 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. NOTE: Some of the underground walls and slab will need to be retained for stability of the sidewalk and roadway.

The City plans to sell the property to a private developer who will be responsible for obtaining all zoning approvals, including design approval by the Downtown Design Review Board.

Staff Recommendation

RECOMMEND the project as proposed with the following condition: 1) With guidance and oversight by the City's Urban Forester, the healthy trees adjacent to the structure to be demolished should be protected during the demolition and eventual construction of the parking structure with the intent of retaining as many of the mature trees as reasonably possible.

Discussion: Mike Reynolds noted this is a city project and the task here is to make a recommendation to the city, not approve or deny. He noted the city intends to move immediately into prepping the site for development so there is no in-between time for the Board to review at this time. He further noted once a proposal is initiated for a parking garage it will come before the Board for approval of a Certificate of Appropriateness. He noted post demolition, the City plans to move forward quickly with soils testing to ensure the site can accommodate a garage. There was discussion of saving multiple well established trees and Mr. Reynolds noted he had met with the City Urban Forester, Kasey Krause. One potential issue with regards to saving the trees is that a final design proposal had not yet been established /approved and that design may impact which trees can be saved. Brent Johnson stated he was here to answer questions. He noted the City will own the property throughout the demolition, turning it over to the developer that is chosen. Mr. Krause did identify 5 male ginko trees, potentially 40 years old, that he would like to be preserved. Concern was noted with the fact that under the terms of the RFQ, there is room for the project to not proceed quickly, noting the re-vegetating/ covering with plastic/sump pump language.

Mr. Johnson clarified that the plastic covering and pump were only for existing bare material. He stated the basement slabs will not be removed until the developer is ready to begin construction.

He further clarified that the building needed to be demolished in order to complete the geotechnical work to make sure the site is suitable for a garage. Mr. Johnson stated that the City does not have an alternative plan but all looks good so far. He further stated if it does not they will vegetate per guidelines and come back before the Board with another proposal. Mike Reynolds noted he will be sending a memo to the City Council and the Mayor Rogero with the Board's recommendation. Discussion ensued regarding the possible need to include language in his memo denoting the Board's concern that construction of the garage may not proceed in a timely manner post demolition and the concern that there may be no construction of the garage at all.

Joe Petre clarified that there is an existing Memorandum of Understanding between the City and TVA. He stated there is an obligation to proceed with the garage and the only way for a garage to not be built there is if geotechnical data does not support one. He further clarified the City does have some of the geotechnical work done but needs to demolish the building in order to complete it. Mike Reynolds clarified that the City will have a developer under contract prior to demolition being started. Brent Johnson noted that the City hopes to have the Assignment from TVA to the private developer by the September 17th City Council meeting. At that same time, he noted they will have the contract in place with that developer. He said it will take another 6 weeks to contract with a demolition company. There will have been ample time for appeal.

Action: A Motion was made by Matt Synowicz and seconded by Anne Wallace to recommend the project as proposed per Staff Recommendation with its so noted conditions. The Motion carried unanimously.

Staff Report:

128 S. Gay Street (COA 8-A-13-DT) – Minor alteration to an existing structure.

Staff reviewed the Level 1 Certificate approved this month.

Other Business:

Discussion of demolition requirements and alternatives in the Downtown Design Overlay District.

Discussion: Mike Reynolds reviewed the history of the Board and why the guidelines needed to be revisited. He briefly reviewed the current guidelines. The guidelines as written are vague regarding demolition and noted examples of where there is not enough clarity for when it is appropriate to deny a demolition request. It was noted that the need for a Certificate of Appropriateness for demolition was not included in the original guidelines. He reviewed the current guidelines. He touched on the zoning overlays that require a Certificate of Appropriateness prior to being issued a permit for demolition: H1, D1 and NC1.

Mike reviewed the different ways approval/denial of demolition is handled across the country. There are multiple ways it is approached: 1) Review of post demolition plan only 2) Demolition delay provisions 3) Regulations limiting surface parking 4) Review of demolitions based on age of structure and 5) Review of demolitions for all structures within municipality.

He noted that in most of his research of other cities, there was no demolition denial language tying it to their Downtown Design Review Boards, and that demolition typically went through other bodies. He clarified the Historic Zoning Commission is legislated with the authority to approve or deny

demolition with H-1 overlays. The HZC also reviews buildings for nomination to the National Register. The D-1 overlay does not identify whether or not a structure is on the National Register or whether or not it should be. Extensive discussion ensued with regards to demolition and the Board's current purview with regards to demolition. Kim Trent, Knox Heritage, noted they feel there is a discrepancy between the state historic preservation office and what their office sees as eligible for the National Register. She felt that a state agency should not be the only entity deciding what is or is not eligible. It was noted the intent of the original guidelines was to keep a fabric of building stock defined in these guidelines, maintaining a positive impact and experience.

It was noted that there are challenges in maintaining that fabric and respecting basic property rights. Ms. Wallace noted it may be appropriate to add a maximum age requirement for demolition. Mr. Reynolds added that it may be appropriate to add more stringent requirements to reviewing demolition requests for buildings over a certain age in the National Register district. He further noted that there could be economic hardship provisions added as well. It was clarified that the onus is on the owner to prove that they can't fix a building. Possible options included other bodies, the HZC and/or City Council reviewing demolition requests. It was also noted changes in the guidelines may require changes in the City ordinance as well. There was general consensus that either the guidelines need to be updated to be much more specific with regards to demolition within the area or demolition need to be reviewed by another body, though generally Board members preferred it stay under the purview of this body. The request for a moratorium on demolition applications until the guidelines have been updated has gone to the Vice Mayor's office for review. Other comments were that the application itself be updated to require more information, that limiting surface parking and/or making requirements for approval more stringent, updating landscaping requirements on surface parking approvals, requiring a post demolition plan upon application and consideration of demolition delay ensuring a public comment period and exploration of other options. It was generally agreed that members also want to ensure continued support of the ongoing development of the downtown area. Mr. Reynolds stated he would draft amendment language for consideration as well as an outline of the discussion today.

Action: A Motion was made by Anne Wallace and seconded by Matt Synowicz to adjourn. The Motion carried unanimously and the meeting was adjourned.