

**MINUTES  
KNOXVILLE DOWNTOWN DESIGN REVIEW BOARD  
MEETING OF MAY 15, 2013  
MAIN ASSEMBLY ROOM  
4:00 P.M.**

<i>Chad Boetger</i>	Resident Representative
<i>Kim Henry</i>	Urban Design Representative
<i>Brandon Pace</i>	AIA Representative
<i>Joe Petre</i>	Business Representative
<i>Matt Synowicz</i>	CBID Representative
Kim Trent	Knox Heritage
Arthur Seymour, Jr.	<i>For St. John's Church</i>
Jeff Gaylon	PBA
Nathan Honeycutt	MHM
Melvin Wright	City of Knoxville
Rick Emmett	City of Knoxville
Mike Reynolds	MPC

The meeting was called to order by Chair Kim Henry. It was established that there was a quorum. Ex Officio Members or Visitors present were introduced: Melvin Wright, City of Knoxville, Plans Review and Inspections and Rick Emmett, City of Knoxville, Downtown Coordinator. Attendees who wished to speak were asked to sign in. Board members present are shown in italics.

**Action: A Motion was made by Chad Boetger and seconded by Matt Synowicz to approve the April 17, 2013 Minutes. The Motion carried unanimously.**

**Certificates of Appropriateness:**

***Certificate No. 10-H-11-DT***

710 & 712 Walnut Street – Total Demolition Services, Inc.  
Pre-development – 10/18/2011

**Description of Work**

Demolition of 710 and 712 Walnut Street and removal of all structures, foundations and footings.

Add new landscaping, fencing and pedestrian gateway as shown in the attached plans. There will be a courtyard that is accessible by the public.

**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 state 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”.

**Staff Recommendation**

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

**Discussion:** Arthur Seymour, Applicant representative, noted there have been multiple expansions and renovations since the church was built in 1891, replacing the actual original church there, built in 1844. The original sanctuary entrance was off of Walnut St. They have found in recent years that most people, mainly due to parking issues, use the north side of the church as the main entrance, coming from the parking lot.

The church continues to grow and they continue to deal with parking challenges associated with their current footprint. They acquired property for long term future use over the years as they know they are land locked at their current location. He noted their goal is to create drive through access to the main entrance to the church. Mr. Seymour noted they were requesting this demolition to create access to the church for people who cannot walk up the steps to the church as well as folks with families and young children. Since the church filed this application in 2011, they had discussion with Kim Trent, Knox Heritage, developer David Dewhirst and others and they have looked at every angle whereby they could save these buildings and still do what they need to do as a downtown church. There are extremely limited in land space. He further noted the governing bodies of the church have decided they need to proceed with demolition request at this time. The buildings are simply too expensive to maintain, are no longer eligible for tax exemption and are in significant disrepair. Kim Trent, Knox Heritage, noted they are a preservation advocacy organization in the City of Knoxville and Knox County. She noted they specialize in working with owners who are having problems with historic properties and work with them to create designs and find financial solutions to solve their problems. They have been working with the church to identify a solution outside of demolition. Knox Heritage presented an option to the church last week and Ms. Trent briefly reviewed what was presented. Mr. Dewhirst would be engaged to manage the properties for them. Knox Heritage believes the buildings would be National Register eligible due to their age. It was clarified that in order to obtain a demolition permit from the City they would need to obtain a Certificate of Appropriateness from the Board. The drawings submitted in the original application reflect a temporary design until the church has the funds to completely redo the “back” side of the church, creating a new entrance that is more accessible. Mr. Seymour noted they wanted to complete that work in 5-6 years. Mr. Seymour was not aware of the details of the option presented to the church by Knox Heritage. He noted the church met with David Dewhirst and his proposal was reviewed as well. However, the church feels they need to proceed with their plan as presented. Mr. Seymour noted there was also concern that vacant buildings often attract the wrong kind of people. He also noted they are very sensitive to the nature of downtown and historic preservation. There was discussion surrounding the length of time this application has been on the Agenda. It was clarified that the church did not have a finalized design for their long term vision. Joe Petre noted he did not see demolition as the best solution but felt the church was within its rights to request it and did not feel we [the Board] was within its purview to decline it.

**Action: A Motion was made by Joe Petre to approve the application as submitted and per staff recommendation. Matt Synowicz seconded the Motion noting that although he also has a strong displeasure towards demolition of historic structures he was a supporter of owner and property rights.**

**Additional Discussion:** It was noted that an issue at hand is the Board is looking at an intermediate step of what this may ultimately be with there being no final design presented. Joe Petre noted the rational for his Motion is that the church can appeal the Board’s decision and he sees no grounds for them to lose such an appeal. He stated he felt that if the Board did not like the way the guidelines were written they should enlist the City’s assistance to change them.

**A vote on the Motion on the floor was taken: Joe Petre and Matt Synowicz vote yes. Brandon Pace, Kim Henry and Chad Boetger vote no. The Motion does not carry by majority vote.**

Mike Reynolds noted the Board needed to approve an actual denial if this is their intent, which would need to include a reason for denial. **Brandon Pace** noted he agreed with Mr. Petre that unfortunately he does not think that on appeal, the church will be denied. Mr. Petre further noted that the Applicant has complied within the guidelines and he did not feel it was right for the Board to force them to do something they do not want to do. Mr. Petre, again noting he was not advocating for demolition itself, stated he felt the Applicant would win on appeal and if they [the Board] restrict anyone from doing something that was within their rights. There was significant discussion regarding the type of design plans needed for future requests concerning in this site. **Mr. Boetger** also noted he did not want to see these buildings be demolished but also said he did not see how they would lose upon appeal, and agreed that the Applicant’s plan did satisfy the guidelines. He stated he felt the issue at hand was with the guidelines themselves.

**Action: A Motion was made by Brandon Pace and seconded by Chad Boetger by to deny the application based on the lack of a presentation of a long term plan for the site.**

**Additional Discussion:** Arthur Seymour spoke noting statues in Tennessee as well as with the Federal government regarding land use for religious organizations that give them extra protection from local regulation on limitation of their land use.

**A vote on the Motion on the floor was taken: Bandon Pace, Kim Henry and Chad Boetger vote yes. Joe Petre and Matt Synowicz vote no. The Motion carries by majority vote.**

Chair Kim Henry stated the Applicant's next step would be to appeal the decision to the Metropolitan Planning Commission and subsequently to the City Council is applicable. She then noted that anyone else attending the meeting that wants to be part of the appeal process needed to ensure they sign in as attending today's Board meeting.

***Certificate No. 5-A-13-DT***

510 S Gay St. (City of Knoxville)  
Pre-development – N/A

**Description of Work**

Relocate the Regal Riviera Cinema sign from the roof structure that was removed over the escalators to the east elevation of the elevator tower next to the new pedestrian bridge (see the attached plans). The sign will face State Street.

This request will replace Certificate 3-C-13-DT if approved.

**Staff Recommendation**

RECOMMEND Certificate 5-A-13-DT as submitted to relocate the Regal Cinema sign to the east elevation of the elevator tower (facing State Street).

**Discussion:** Nathan Honeycutt, architect of record on the garage, briefly addressed the Board.

**Action: A Motion was made by Joe Petre and seconded by Matt Synowicz to approve the application as summited and per staff recommendation. The Motion carried unanimously.**

Mr. Honeycutt asked to present a future project proposal to the Board for comment. There were no comments from the Board. Mr. Reynolds stated that when staff receives an application for this project, it will be reviewed to determine if it can be approved by Staff or brought before the Board.

**Staff Report: Mr. Reynolds reviewed the Staff approvals since the April meeting.**

1. 505 Market Street (6-A-13-DT) – Non-illuminated projecting sign that meets the guidelines.
2. 603 W Main Street (6-B-13-DT) – Renovations that do not alter appearance of the structure.

**Review of Tabled Items:**

1. 100 S Broadway (11-B-12-DT) – Minor Alteration to an Existing Structure. There was no discussion.

**Other Business:** There was no other business.

**Action: A Motion was made by Joe Petre to adjourn.**