

**MINUTES
KNOXVILLE DOWNTOWN DESIGN REVIEW BOARD
MEETING OF OCTOBER 16, 2013
MAIN ASSEMBLY ROOM
4:00 P.M.**

Board member – Present	Board membership
Brandon Pace	American Institute of Architects
Brian Pittman	Downtown Resident
Matt Synowicz	Central Business Improvement District
Anne Wallace	City of Knoxville
Russ Watkins	Business/Development/Real Estate Professional
Marleen Davis	Urban Design Professional
Chad Boetger	Downtown Resident
Mike Reynolds	Metropolitan Planning Commission (non-voting)
Board member – Absent	Board membership
Lori Matthews	Historic Zoning Commission
Mark Heinz	Business/Development/Real Estate Professional
Ex-officio & staff members	Department / Organization
Mark Donaldson (ex-officio)	Metropolitan Planning Commission
Dori Caron	Metropolitan Planning Commission
Crista Cuccaro	City of Knoxville – Law Department
Rick Emmett	City of Knoxville – Downtown Coordinator
Tom Reynolds	City of Knoxville – Building Inspections
Applicants & general public	Affiliation
Ross Bradley	TDK Construction Co.
Buz Goss	Marble Alley Development
Josh Flory	Knoxville New Sentinel
Aaron Pennington	Dewhirst Properties
John Sanders	Sanders Pace Architecture
Brad Slayden	Ragan Smith Associates
Alan Thompson	Ragan Smith Associates

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. Ex-officio members and other staff members introduced themselves. Mike Reynolds noted that minor typographical errors have been corrected to the Minutes since the draft minutes were distributed.

Action: A Motion was made by Anne Wallace and seconded by Brandon Pace to approve the August 21, 2013 Minutes. The Motion carried unanimously.

Chair Chad Boetger noted there has been a request by Dewhirst Properties that their application be heard first on today's Agenda. As there were no objections this Item was heard first.

Certificates of Appropriateness:

Certificate No. 10-B-13-DT

400 W Jackson Ave – Armature Parking Lot (Dewhirst Properties)

Pre-development – N/A

Description of Work

This site has been used as a parking lot for many years and is on the same lot as the Armature Building that was recently renovated and approved by the Downtown Design Review Board. The proposed redesign of the parking lot was not part of the original approval.

The proposal includes restriping, adding curbs, landscaping and screening for the trash cans. This site currently has three curb cuts and two will be closed.

There will be a landscape buffer 10 feet deep between the sidewalk and the parking lot. The buffer will include shade trees (Willow Oak) and a continuous row of shrubs (see that attached plan). There are 11 shade trees in total provided in and adjacent to the parking lot.

The trash cans for the Armature Building will be located to the right of the proposed entrance. This is adjacent to another building, however, both properties are owned by the same development group. The trash cans will be screened with landscaping and a painted wood and metal screen, matching the same screen installed by the developer at another location, 220 W Jackson Avenue (Fire Street Lofts). See the attached image.

Staff Comments

The Downtown Knoxville Design Guidelines ("guidelines") require surface parking lots to be screened where they abut a public sidewalk, with decorative walls, fencing and landscaping; and that shade trees be distributed within the lot at a ration of 1 tree per 8 parking spaces (Section 1.A.3). This parking lot would be required to provide 5 shade trees according to the guidelines and there are 11 proposed.

The landscape screening being 10 feet deep, with shade trees and continuous shrubs, should provide an adequate buffer between the sidewalk and the parking lot with the need for walls or fencing.

The guidelines required that dumpsters (or other trash receptacles) be screened from view (Section 1.B.7). This site is not serviced by an alley so the trash cans need to be placed near the sidewalk. The screening proposed has an opening facing the sidewalk without a gate. This has generally been the preferred design for safety purposes to allow visibility within the enclosure so that it does not become a hiding spot.

The design of the parking lot currently does not meet the minimum design standards in the zoning ordinance. The drive aisles are 25 feet wide and they are required to be 26 feet wide. It is not anticipated that making the necessary alterations to come into compliance with the zoning

Staff Recommendation

APPROVE Certificate 10-B-13-DT subject to the following condition: Meet the dimensional standards in the zoning ordinance for off-street parking facilities or obtain the necessary variances from the Board of Zoning Appeals.

Discussion: Mike Reynolds reviewed the application. The Applicant had received a COA for the bulk of this project several years ago which did not include the proposed redesign parking lot. Mr. Reynolds noted staff recommendation included a condition due to the proposed drive aisles being less than required by the zoning ordinance. He noted they can pursue a variance from the Board of Zoning

Appeals or make adjustments to the design. Aaron Pennington stated they agree to meet the dimensional requirements and will make the necessary adjustments. He stated they met the overall 60 foot requirement for the width (drive aisle plus parking stall depth) and will not need to adjust the physical design of the parking lot. It was clarified that the sidewalk was not part of this proposal and that this project stops at the ROW.

Action: A Motion was made by Brandon Pace and seconded by Anne Wallace to approve the Certificate per staff recommendation and condition. The Motion carried unanimously.

Certificate No. 9-B-13-DT

260 State St – Marble Alley Lofts (Brad Slayden)

Pre-development – 9/24/2013

Description of Work

This project is proposed to be constructed on property currently owned by Knox County and on land that is being used as a parking lot and a downtown recycling center. Marble Alley Lofts LLC proposes the construction of a new five story multi-dwelling building which will have 238 ± units and will be wrapped around a five story, 370 ± space parking lot. The building will have units facing State Street, Commerce Street and South Central Street. The location of the club house amenity will be at the corner of State Street and Commerce Avenue, which will have a storefront design, though not accessible by the general public.

The proposal also includes concepts for street modifications and streetscape enhancements, including converting State Street from one-way to two-way, adding street trees in tree wells and bulbouts, adding on-street parking to State Street, Commerce Avenue and Central Street. The sidewalks are brushed concrete with 1-foot concrete banding, and stamped/textured concrete at the intersections and other locations as shown on the Site Layout Plan (sheet C1.1). The proposed sidewalk widths vary from 8 feet to 20 feet, depending on the location, with a 5-foot clear zone maintained for areas constricted by combination of tree wells and stoops. The widths may increase depending on the off-site street and streetscape design. The proposed street light fixtures are shown on Sheet LS1.0, and are the same as those used in the Old City and Gay Street.

ALL OFFSITE STREET AND STREETScape MODIFICATIONS/INSTALLATIONS, OR OTHERWISE INSTALLED BY THE CITY, WILL BE REVIEWED AS A SEPARATE APPLICATION. THE DESIGN OF THE STREETS, TREE WELLS, ON-STREET PARKING, AND STREET LIGHTS MAY CHANGE.

The three façades will have a combination of the following architectural elements (see the elevation sheets for more details): stairs and stoops with steel railings for the ground floor units; balconies with steel railings; steel canopies over several ground floor windows and doors; herringbone pattern brick masonry under many of the windows; and precast window head and sills.

The three façades will be clad with a combination of the following building materials (see the elevation sheets for more details): brick masonry typically on the first and second story, plus one story on the corner towers; stucco on the rest of the façade, including the cornice; the cornice brackets will be a Fypon product (molded, high-density rigid polyurethane) and will be painted; the walls of the recessed balconies will have cement board siding; the storefronts will be made of extruded aluminum; the doors are painted insulated steel with lite; and the residential windows will be aluminum.

The parking garage will be enclosed by the residential structure and will not be visible from the street.

There will be an entrance to the garage on State Street and Central Street, both of which go through the building with residential units above. The garage will be used for the use of the residents and their guests, not open to the general public. The gates at both entrances will be set back to allow two vehicles to stack

off the right-of-way. An off-street loading/unloading space for the residents is provided on the southern edge of the property along South Central Street, next to the KUB substation.

The gateway through the building shown on the Commerce Avenue elevation is pedestrian only and leads to a courtyard with landscaping and a pool.

The signage package includes the following: 1) Flush mounted sign on the steel walkway railing above the pedestrian gateway on the Commerce Avenue elevation (17 feet wide and 27 square feet). 2) Projecting signs on the towers at the corners of Commerce Avenue with State Street and Central Street, which will be a 24-foot tall and 2 feet 3 inches wide (57 square feet), and internally illuminated with LEDs. The cabinet will be extruded aluminum with aluminum faces that are routed for dimensional, push-thru graphics with raised acrylic lettering. 3) Roof sign on the South Central Street elevation are channel letters with polycarbonate faces (5 feet tall and 53 feet wide, 270 square feet). Each letter will be internally illuminated with LEDs.

The exterior lighting of the façade includes wall mounted cylinder fixtures on the two towers at the corners of Commerce Avenue with State Street and Central Street, and smaller wall mounted fixtures distributed along all street facing façades, typically between the first and second story above ground level (see the lighting plan for additional information).

Staff Comments

The site currently consists of multiple lots, easements and abandoned rights-of-way. In the process of making the site one lot the developer is requesting 3 variances that are listed on the Final Plat, which is provided for reference. These variances are to reduce the required public utility and drainage easements along perimeter boundaries, right-of-way dedication and corner radius requirements. There may also need to be a variance for aisle width in the parking garage.

There is one roof mounted sign proposed and they are allowed within the C-2 (Central Business) District, however, they are not a recommended sign in the "Traditional Grid District" (Section 2.B). In such instances the board can consider the request on a case-by-case basis and determine the appropriateness based on findings of fact. There are very few roof signs in the Downtown Design Overlay (D-1) District mounted on a standalone frame. Most are attached to the elevator towers of some of the taller buildings. The Downtown Gill and Brewery (424 S Gay Street) has a sign attached to the back of their building that faces James White Parkway, but it is below the roofline and not roof mounted. The Fidelity Building (500 S Gay Street) has a roof mounted sign facing James White Parkway but it is currently blank. Both of these signs were installed before the D-1 overlay was adopted. The guidelines were amended in 2008 to create The Promenade District, to legalize and give guidance for how sign should be attached to the City owned Promenade structure. The recommendation for these signs is that they be at the bottom edge of the metal roof structure, no taller than 5 feet and not over 60 square feet. The total square feet is limited because there is also a requirement that no sign be wider than the concrete structure supports that it sits between, which provides an equitable amount of space for most any business with a storefront along Gay Street for the buildings that are attached to the Promenade.

The developer is asking for approval of the on-site sidewalk and streetscape design as proposed (excluding what is on public right-of-way). The proposed property line is the curblin at the on-street parking stalls, which means the bulbouts (sidewalk and tree well extensions) would be the only part on public right-of-way. An agreement between the City and developer has not yet been reached for the texture of the sidewalks, street trees and lighting fixtures. If the board wishes to consider the on-site sidewalk and streetscape improvements as part of this application, it should be conditioned upon the design the City submits for the work to be completed on public property matching that of this proposal. If the two designs do not match then the on-site sidewalk and streetscapes design of this certificate of appropriateness will need to be revised to match that of the City design.

Staff Recommendation

APPROVE Certificate 9-B-13-DT subject to the following considerations: 1) The board determine if the roof sign is appropriate for the location.

Discussion: Mike Reynolds touched on the highlights of the application. He noted the developer is looking to combine multiple lots and are under contract to purchase the property from Knox County. This proposal is for strictly residential usage with a structured parking garage, there will not be a commercial component. He noted on the corner of Commerce Avenue and State Street they do show a storefront like space however this is the location of the clubhouse. Mr. Reynolds noted the parking garage will not be visible from the street. The proposal includes changing a portion of State Street from a one way to a two way street. Mr. Reynolds clarified the Board is only being asked to consider what is within the property line not the streetscape improvements. The Applicant has asked that the sidewalks be included in the consideration, however, they have not yet reached an agreement with the City regarding them. The sidewalks may come back before the Board should the Applicant and the City agree on a design different than that on this proposal.

He noted the building itself, as well as the balconies, will not require any variances as they are outside of the setbacks. Units that have ground level access will have stairs with direct access to the sidewalk and may have stoops. Mr. Reynolds further noted on the Commerce Avenue elevation there is a pedestrian entry into the courtyard. This opening will have signage. The large Marble Alley rooftop sign can be viewed on the Central Street elevation. Mr. Reynolds asked for clarification on how many projecting signs will be on each corner of the building. The Developer confirmed that they are proposing two projecting signs on each of two corners; Commerce Avenue and State Street, and Commerce Avenue and Central Street intersections, with both the vertical and rooftop signs being internally illuminated. The building will also have up-lighting and the sidewalks are proposed to have street lights using Old City and Gay Street lighting (which will also require cooperation with the City).

Applicant Brad Slayden introduced their team. He noted they wanted to work with staff to see this project through. He noted they were asking the Board for approval of the building and site improvements, inside the property lines. He also noted they have been working with Rick Emmett and Bob Whetsel on the streetscape designs which are also vital to this project and reiterated they did not yet have an agreement with the City on the design. He noted the sidewalks would be located on the property and they have a plat going before the MPC on November 14 to set their final property lines and subsequently streetscapes. The setbacks will be from those newly established property lines. Mr. Slayden again noted they would work with staff to ensure a unified plan with regards to the sidewalks in creating the streetscape. Mr. Slayden noted they were asking for approval of the signage package today as well.

In discussing the proposed rooftop sign, Mr. Reynolds clarified the zoning regulations. The C-2 zoning district does allow rooftop signs, however, they are not addressed in the guidelines. The Board needs to make findings on whether or not this sign is appropriate for this area.

In explaining the decision to make this a solely residential building, Buz Goss, noted it was largely market driven. He noted he still hoped to build retail space on the corner of Commerce Avenue and Central Street, but today residential development is what is being funded. Concern was expressed that mixed use development was a better approach as Knoxville does not have many residential only buildings and a residential only development may produce a future missed opportunity. Brandon Pace asked if they could reconsider a residential only proposal. Mr. Goss noted he has been advocating for that and would like to make it happen, but the ideal location for retail development here would be at the corner of Central Street and Commerce Avenue as there is traffic coming off the interstate, a dog park right there and a connection into Old City. However, he noted, as it stands today the project is funded as

presented and there is no opportunity to go back to the lender and say they want to include retail space. He noted at the street level they created stoops to raise the unit's floor level up yielding a separation from the street, creating a nice streetscape with lots of activity from the units which have front doors that open up onto the street. He noted this would prevent (referencing a comparison to the Lerner Building) pedestrians walking by blank storefronts with blinds behind them. It was noted that since the building has central residential corridors, these "front" doors will be used more as back doors given there would not be enough on-street parking available and tenants would park in the garage. Ms. Goss noted that part of the reason to dedicate the City right-of-way here is to create twenty-six (26) additional on-street parking spaces around the perimeter of the building. Mr. Goss stated he felt there would be many residents that would access their units from the street.

Discussion proceeded onto the potential for retail development at the corner of Commerce Avenue and Central Street. Anne Wallace asked why there was such a large section of blank wall at this intersection. Mr. Goss noted the architect, unable to be present today, would better be able to answer specific questions with regards to the building façade. Mr. Slayden noted they could revisit the look of that facade with the architect. Responding to continued concern expressed over the lack of public/retail space, as well as ground floor residential units accessed from an internal area and not the street being right for any urban area, Mr. Goss acknowledged that although that is a reasonable point of view, his lenders were equity people who want residents to have an accessible internal parking space. Mr. Reynolds noted the MPC would be involved in ensuring the internal parking met all zoning requirements, reiterating the Board was primarily tasked with reviewing the appearance of the building from the street.

Discussion moved to the large rooftop sign being proposed. Mr. Goss noted that his vision for Marble Alley was ultimately of a large district. He noted they address three different scales in this project; the James White Parkway area, vehicular scale moving through the downtown area and then the pedestrian scale, generating the need for three scales of signage. The rooftop sign would be visible from James White Parkway and the Summit Hill exit. He wants to impress the idea that there is a bigger area down here. He spoke of Phase 2 of the district. He has another 1.25 acres at the intersection of Union Avenue and State Street where he is in the process of developing a mixed use project. Here is where the energy of the corridor is located. Mr. Goss noted he is trying to identify Marble Alley as a destination. He also noted as a residential building there is not much space on the sides of the building to mount a large wall sign.

Anne Wallace noted the City is in the process of looking at its sign package and that there has been a concentrated effort to look at overall sign square area and a general move towards reduction in sign square area, especially for pole mounted signs. Mark Donaldson noted he has been serving as staff to this task force for over one and a half years and they have just recently focused in on a set of recommendations, one of which is to list roof signs as a prohibited sign in the future. He noted that in commercial districts they have recommended that total sign area attached to a building be less than ten percent of the building façades that are exposed to the streets. Mike Reynolds noted that the Promenade District recommends externally illuminated signage, not interlay lit.

Mr. Goss stated the funding for the project is in place. Ross Bradley indicated that they were in the process of designing the project and they will be finished by the first of December. He noted they plan on submitting the plans then and their intent is to get through the plan review process before Christmas and to break ground the first part of 2014.

Anne Wallace noted there are significant challenges in adding commercial development as part of this project. She pointed out that the Guidelines do "encourage" this. Subsequent to that Ms. Wallace felt the Board had a sufficient lack of factual basis on which to make a determination of the large rooftop sign.

Action: A Motion was made by Anne Wallace to approve the design package per the staff recommendation with the exception that the roof mounted sign be postponed until the November meeting.

Further Discussion: Chad Boetger inquired as to whether they could have (for example) 230 residential units (238 proposed) leaving some room for retail demand in the future. Mr. Goss noted their financing package included market studies which look at the overall demand which right now is purely residential. He noted they have modeled this project on other successful developments. He stated over the last few years it has simply been easier to obtain residential financing. To obtain financing involving commercial tenants, you need a lease in hand and the tenant needs to be an A-rated tenant. Mr. Bradley firmly stated that trying to have any retail space would kill the project. Mr. Goss did state he is hoping the addition of these residential units will drive the need to more commercial/retail development in the area.

Brandon Pace stated he is excited about the overall project but has concerns that it is not mixed use given the enormity of the project. He also stated that it would remove a large portion of real estate out of potential retail use which will be needed with additional residential units. He further noted he realizes Mr. Goss is planning future retail development but he feels that the Board needs to evaluate the project based on expectations that our city is going to continue to grow and what this project adds to our city, and not on current financial strategy.

Alan Thompson stated this model has been in other markets with and without mixed use, both concepts being successful. He noted the real draw and attraction to this property is the high level of quality retail in the immediate area, and further noted there was not a high level of available residential space. They want to promote an urban lifestyle.

He noted it was his opinion that the type of demographic that is drawn to downtown living, which is not inexpensive, would access the existing retail regularly. He reminded Board members there is still 1.2 acres left in the Marble Alley area development (Phase 2) and encouraged them to look at this residential proposal as Phase 1. Mr. Thompson noted the market does cater to this particular use of this phase at this time. It was also noted the current one-way traffic flow is not conducive to retail/commercial development.

Mr. Thompson noted they want the clubhouse to be visible from a leasing standpoint, and relocating it over by the pool to perhaps create retail space would not really be an option. Concern was again expressed at the lack of retail space in the proposal and it was offered that they explore doing some retail space on State Street. Mr. Goss reiterated that was not possible. And he felt there was no factual basis for retail space in this immediate area presently. He again reiterated that he has retained property at the corner of Union Avenue and State Street for future retail development and is looking for these additional residential units to drive the energy for that development.

Further and substantial discussion ensued regarding the possibility of adding retail space verses the inability to obtain financing for a mixed use project at this time. Brian Pittman noted that he felt the area around State Street would be a vital area for retail and noted he felt that the design could easily include a small retail strip on State Street, suggesting Commerce Avenue and Central Street corner could remain strictly residential. Mr. Goss asked the Board to consider, in good faith, his vision and intent to develop retail space in the future, in addition to the potential for approximately 3 million dollars of disposable income annually to be spent in the existing retail locations. Brandon Pace reiterated his concern that we would be giving up a large portion of real estate away from future retail development that will be needed with increased residential units. Mr. Goss felt there was enough of the block left for future retail use. They do not feel that they can generate the quality of tenant needed to

obtain financing on a State Street location.

There was then discussion surrounding developing quality buildings downtown and the use of stucco on the upper levels of the façade. Marleen Davis inquired about the quality of the proposed stucco. It was clarified that the architect felt that the use of EFIS or some type of stucco would be more appropriate in an urban setting. It was further clarified that this is a 35 million dollar project and their intent is to build a quality building to attract the type of tenant that is looking for what they will offer. It was general consensus that cementitious stucco would be need to be used and not EFIS. It was further noted that regardless of what is used, the building will be regularly maintained. Mr. Goss clarified this was market rate housing and not student housing.

Discussion moved to the Guidelines. Ms. Wallace referenced a” very clear” statement on Page 9 with regards to the private realm, that reads “*these guidelines are not meant to govern the use of the structures but to foster complimentary designs between the public and private realm*”. She further acknowledged that there is a bit of a conflict on Page 17 where Item 6C says “*encourage the development of mixed use buildings with apartments over lower story commercial uses*”. She noted as one of the authors of the guidelines when she was with MPC, and as a Board member for several years, the intent was not to control use. She charged the Board with reviewing the proposal based on its merits as presented, and although wanting to encourage mixed use, not getting into specifying uses. Brandon Pace noted the point was well taken but was still firm in his belief that we need to consider the future of what is an important corner of our city and does not see this project, as presented, as a good urban use. He asked the developers to reconsider how these units (approximately ten ground floor facing State Street) and possibly the corner club area could be shelled out for dedication to future use (other than residential), or perhaps an option that would relocate these 8-10 units elsewhere in the structure.

Russ Watkins asked Mr. Goss if there was a compromise. Mr. Thompson noted they would be open to revisiting the façade design to make it appear more commercial in nature. They again stated their financing will not support commercial space. Their funding structure will allow for some design changes but will not allow for use changes. Mike Reynolds noted that from a staff perspective, although they do encourage mixed use the guidelines do not dictate use. They encourage flexibility in design for the potential of a different use in the future but again do not dictate use.

Action: Brian Pittman seconded Anne Wallace’s Motion to approve the design package per the staff recommendation with the exception that the roof mounted sign be postponed until the November meeting.

Further Discussion: Brandon Pace asked if there would be an opportunity to create open space that may be possibly converted to other use in the future. Tom Reynolds noted that based on the 2012 building code, there are options called live-work units. Essentially these are units where commercial use can be combined with a residential use and would meet code. Mr. Goss stated he thought it may be possible and potentially a good solution noting his goal is to ultimately get more retail there. He offered that they could research a design that could be converted at some point when the market is such that it makes sense to do so. He clarified that they would look into designs for State Street that would accommodate a use that would be something other than solely residential in the future. He noted that he was not open to postponing the application at this time as he wants to meet their current timeline. Tom Reynolds noted that in a C-2 zoning district, a live-work unit is considered residential under the code from an occupancy standpoint. The Applicant was encouraged to redesign the whole unit to accommodate a live-work option and not just change the façade by changing out the door, adding more glass etc.

Action: Anne Wallace amended her Motion, which originally included approving the design

package as submitted per the staff recommendation with the exception that the roof mounted sign be postponed until the November meeting, to also include that cementitious stucco be used as drawn in the plans on the upper portion of the building, and that EIFIS not be used, and to have the opportunity for live-work units along the first floor facing State Street.

It was clarified that the Applicant has offered to make changes to the elevation to incorporate more of a storefront look in certain locations. Ms. Wallace also noted they do already have large windows that face State Street that could be interpreted as a commercial type of use. The Applicant noted they could also change the door to be more of a commercial nature.

The Applicant agreed to work out the elevation changes to the State Street elevations with staff. The Amended Motion was seconded by Brian Pittman. The Motion carried unanimously.

Certificate No. 10-A-13-DT

531 Henley St - The Tennessean Hotel (McCarty Holsaple McCarty)
Pre-development N/A

NOTE: THE APPLICANT HAS REQUESTED THAT THE APPLICATION BE TABLED

Description of Work

This is a conversion of a former office building into a hotel. The first phase will consist of façade, interior plan, and M.E.P. renovations to floors 2-7. The first floor and a portion of the second floor will be renovated in phase 2. The building is located at the intersection of Clinch and Henley Street and is directly adjacent to the Holiday Inn at The Worlds Fair Park. No work will be performed on the Holiday Inn during this phase.

The new exterior south elevation (facing Clinch) will include the following materials and features (see the attached plans for more detail): new EIFIS walls, new architectural precast walls (the existing precast will be stained to match), new EIFIS infill between the windows, and new storefront windows with metal panel at sill.

The new exterior east elevation (facing Henley) and west elevation (facing Worlds Fair Park) will include the following materials and features (see the attached plans for more detail): new 1 inch insulating glazing in an aluminum curtain wall system.

Staff Recommendation

APPROVE Certificate 10-A-13-DT as submitted.

Discussion: Mike Reynolds stated the Applicant has requested that this application be tabled.

Action: A Motion was made by Anne Wallace and seconded by Russ Watkins to table this application. The Motion carried unanimously.

Staff Report:

301 Wall Avenue (9-A-13-DT) – Installation of mechanical equipment on the roof. Staff determined that screening would not be required since it will not be visible from the street.

Mike Reynolds reviewed the Level 1 Certificate approved this month.

Other Business:

Review for approval by the board, with a recommendation to the Metropolitan Planning Commission and City Council, to adopt the proposed amendments to the Downtown Knoxville Design Guidelines and Downtown Knoxville Design Overlay District regarding the demolition of structures and other associated

guidelines.

Discussion: There was no discussion as neither the Board members nor the public have had sufficient time to review the proposed amendments.

Action: A Motion was made by Anne Wallace and seconded by Russ Watkins to postpone discussion of the proposed amendments to the Downtown Knoxville Design Guidelines and Downtown Knoxville Design Overlay District to the November meeting. The Motion carried unanimously.

Action: A Motion was made by Anne Wallace and seconded by Branson Pace to Adjourn. The Motion carried unanimously and the meeting was adjourned.

Action: It became apparent that further discussion was warranted and Chair Chad Boetger reconvened the Board meeting.

Action: Chair Chad Boetger reconvened the Downtown Design Review Board to open the discussion regarding C-2 zoning and the possibility of MPC looking at the requirements for retail, mixed use etc. Russ Watkins noted, given for example the prior case discussed today, there was clearly hope that the proposal could ultimately have some retail space included in the final proposal. Given the guidelines as they are written now, there is no way for the Board to require that, and he stated that as written the Board doesn't really have any teeth. He felt that if we want to develop/grow as a mixed use city, the Board should have the ability to say that if an Applicant wants to develop X number of square feet, there needs to be a percentage of that development required to be retail/commercial. Mark Donaldson clarified that in the county in the Planned Residential zone district, you are enabled, but not required, to develop a certain amount of commercial once you achieve a certain level of residential development.

Mr. Donaldson noted there is a whole school of zoning called inclusionary zoning which mandates certain types of residential mixes within projects of a certain size.

He further noted it is not much of a leap to go from demanding a certain mix of residential to demanding a certain mix of residential plus a certain amount of commercial. The communities that do this frequently assist the developers with subsidies, incentives, etc. Mike Reynolds noted staff could research options on how to proceed with changing the zoning requirements for certain types of development. It was noted again that a good quality design can support future changes in use of any building. Board members asked if staff could research what is being done in other cities. Mr. Donaldson noted staff can do a better job in tying applications back to the Downtown Plan that has been approved, as for example, it carved out the Old City and Market Square as retail districts and designated Gay and Union Streets as primarily retail corridors. He noted with any application in these areas you would have the purview to demand first floor retail space.

Mr. Reynolds clarified that the Applicant, per the Approved Motion, needs to bring their proposed changes to the State Street elevation to staff for approval. If they have not made any significant changes at that juncture staff can question their plans. It was clarified that there were not very specific design mandates given in the Approved Motion. Mr. Reynolds felt the Applicant did have some interest in changing the design to some degree but agreed that to only change the door would not really satisfy the intent of the Motion. He noted it would have to come back to the Board if staff did not support their proposed changes.

John Sanders, past member of the Board, noted that in prior meetings the Board demanded any changes came back to the Board for review and approval. He disagreed that a one month delay would have hurt the project. Mr. Pace noted that given the current guidelines the Board cannot demand certain design

elements.

Action: A Motion was made Brandon Pace and seconded by Russ Watkins to ask the MPC to research strategies on how zoning can be changed to require mixed use development within the downtown area. The Motion carried unanimously.

A Motion was made by Brandon Pace and seconded by Anne Wallace to Adjourn. The Motion carried unanimously and the meeting was adjourned.