



Agenda Item # 8

MEMORANDUM

To: Metropolitan Planning Commission
From: Michael Reynolds, Planner II
Date: Monday, June 30, 2008
Re: D-1 (Downtown Design Overlay District) Ordinance Amendment

STAFF RECOMMENDATION:

APPROVE the amendments to the D-1 (Downtown Design Overlay District) zone

BACKGROUND:

As part of the Downtown Design Overlay District one year update process for City Council, MPC staff and the Downtown Design Review Board have proposed multiple modifications/additions to the Downtown Knoxville Design Guidelines. One of the additions involves amending the D-1 zoning ordinance to require a Certificate of Appropriateness (CoA) for the demolition of buildings and building features. In conjunction, there will be an addition to the staff approval list: demolition of non-historic building features on publicly-oriented facades and demolition of historic building features to be replaced in-kind.

Currently demolitions are only addressed in the Historic Resources section of the guidelines and are not stated as D-1 ordinance as being required to have a CoA before obtaining a permit. There has been instances when building features have been demolished (such as storefronts) before submitting for a Certificate of Appropriateness so there is no opportunity to assess the current conditions. The inclusion of demolitions in the D-1 ordinance is necessary to allow the Board the opportunity to review the removal to building features, especially in National Historic Districts. The review of the demolition of buildings and building features that are not in a National Historic District will be primarily to approve a post-demolition plan that is consistent with the Guidelines.

AMENDMENTS TO ARTICLE 4, SECTION 26, D-1 DOWNTOWN DESIGN OVERLAY DISTRICT, OF THE CITY OF KNOXVILLE ZONING ORDINANCE REQUIRING A CERTIFICATE OF APPROPRIATENESS FOR DEMOLITIONS AND ADDING STAFF APPROVALS FOR DEMOLITIONS.

(Old language is ~~struck through~~, and new language is in **bold type**.)

Article 4. Section 26 F. ADMINISTRATIVE PROCEDURES

3. Certificates of Appropriateness will be issued in accordance with the following:
 - a. all applications for Certificates of Appropriateness shall be considered by the Review Board, which shall have the power to approve, approve with conditions or deny Certificates of Appropriateness.
 - b. no permit shall be issued for the following activities without issuance of a Certificate of Appropriateness by the Design Review Board:
 - (1) new construction,
 - (2) façade changes to a publicly-oriented space or interior changes that would obscure windows and doors (such as drop ceilings or display cases), ~~and~~
 - (3) parking facility development or redevelopment, **and**
 - (4) **demolition of buildings and building features facing a publicly-oriented space.**
 - c. exemptions to the Board's review include ordinary repairs, removal of signs (without replacement), temporary signs or structures, emergency safety repairs and interior alterations that do not obscure windows.
 - d. staff may approve the following when they find that the design conforms to adopted guidelines: new signs, **demolition of non-historic features on publicly-oriented facades and demolition of historic features to be replaced in-kind**, replacement of windows at ground level with transparent glass, other replacements of building features that are consistent with the Design Guidelines.
 - e. the Review Board shall, within thirty (30) days following the availability of sufficient data, grant a Certificate of Appropriateness with or without attached conditions or deny said Certificate, and shall state the reasons for denial or the conditions attendant with the granting of a Certificate in writing.