

File # 6-D-21-VA



BOARD OF ZONING APPEALS APPLICATION

Click on [Meeting Schedule, Deadlines and Fees](#) for information on submitting an application to be heard at a monthly Board meeting.

APPLICANT INFORMATION	APPLICANT IS:	THIS PROPOSAL PERTAINS TO:
Name Patrick Core	Owner <input type="checkbox"/>	New Structure <input type="checkbox"/>
Street Address 402 S. Gay St. Suite 201	Contractor <input type="checkbox"/>	Modification of Existing Structure <input checked="" type="checkbox"/>
City, State, Zip Knoxville, TN 37902	Tenant <input type="checkbox"/>	Off Street Parking <input type="checkbox"/>
Phone Number (865) 243-8447	Other <input checked="" type="checkbox"/>	Signage <input type="checkbox"/>
Email pcore@dia-arch.com		Other <input type="checkbox"/>

THIS IS A REQUEST FOR:

- Zoning Variance (Building Permit Denied)
 Extension of Non-Conforming Use/or Structure
 Appeal of Administrative Official's Decision
 Map Interpretation

PROPERTY INFORMATION

Street Address 417 - 423 S. Gay St. (Kress Building) City, State, Zip Knoxville, TN 37902
 See KGIS.org for Parcel # 094LE007 and Zoning District DK-H

VARIANCE REQUIREMENTS

City of Knoxville Zoning Ordinance Article 7, Section 2

The City of Knoxville Board of Zoning Appeals shall have the power and authority to grant variances from terms of this ordinance according to the procedure and under the restrictions set out in this section.

The purpose of the variance is to modify the strict application of the specific requirements of this ordinance in the case of exceptionally irregular, narrow, shallow or steep lots, or other exceptional physical conditions, whereby such strict application would result in practical difficulty or unnecessary hardship which would deprive an owner of the reasonable use of his land. The variance shall be used only where necessary to overcome some obstacle which is preventing an owner from using his property as the zoning ordinance intended.

DESCRIPTION OF APPEAL

Describe your project and why you need variances.

Renovation of the Kress Building to include new restaurants and future tenants. Current zoning requires 12 bike parking spaces. We appeal that this zoning requirement be reduced to 0 for the entire building. Future occupants in the basement and 2nd and 3rd floors will be commercial tenants.

As a clarification, no building permits for the Kress Building have been denied because of this, but we understand that this requirement has affected other projects on Gay St.

Table 11-2: Required Off-Street Parking
Required vehicular parking spaces (if provided) - 129

Table 11-7: Required Bicycle Parking
Shopping centers and mixed-use multi-tenant structures are to be considered as a whole, not as individual tenants
Required Number of Bicycle Parking Spaces - 12

Describe hardship conditions that apply to this variance.

Existing building footprint occupies the entire site, and there is no available exterior space for bike parking. Additionally, 145 City-owned public bike parking spaces currently exist within 1/4-mile radius of this building.

APPLICANT AUTHORIZATION

I hereby certify that I am the authorized applicant, representing ALL property owners involved in this request and that all owners have been notified of this request in writing.

REVISED

6/4/21 - CMB

Patrick R. Core

DATE 05/10/21

APPLICANT'S SIGNATURE _____

File #



BOARD OF ZONING APPEALS APPLICATION

*******OFFICE USE ONLY*******

Is a plat required? Yes No

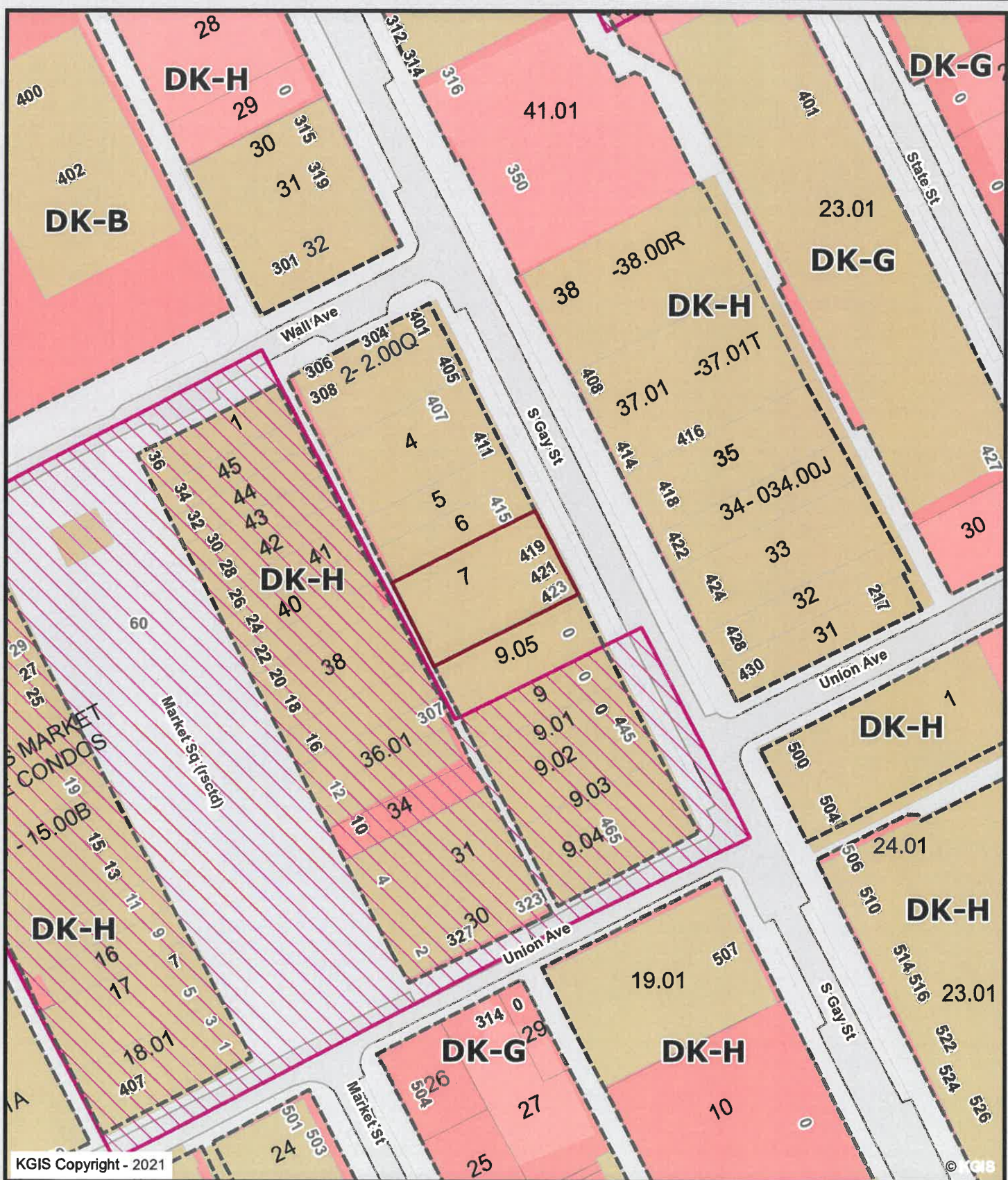
Small Lot of record?

VARIANCE REQUEST(S) WITH ORDINANCE CITATION(S):

(This area is currently blank for the variance request details.)

PROJECT INFORMATION

Date Filed	Fee Amount
Council District	BZA Meeting Date
PLANS REVIEWER	DATE



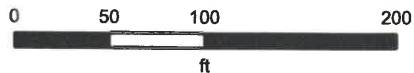
417 - 423 S. Gay St. (Kress Building)

6-D-21-VA
Patrick Core

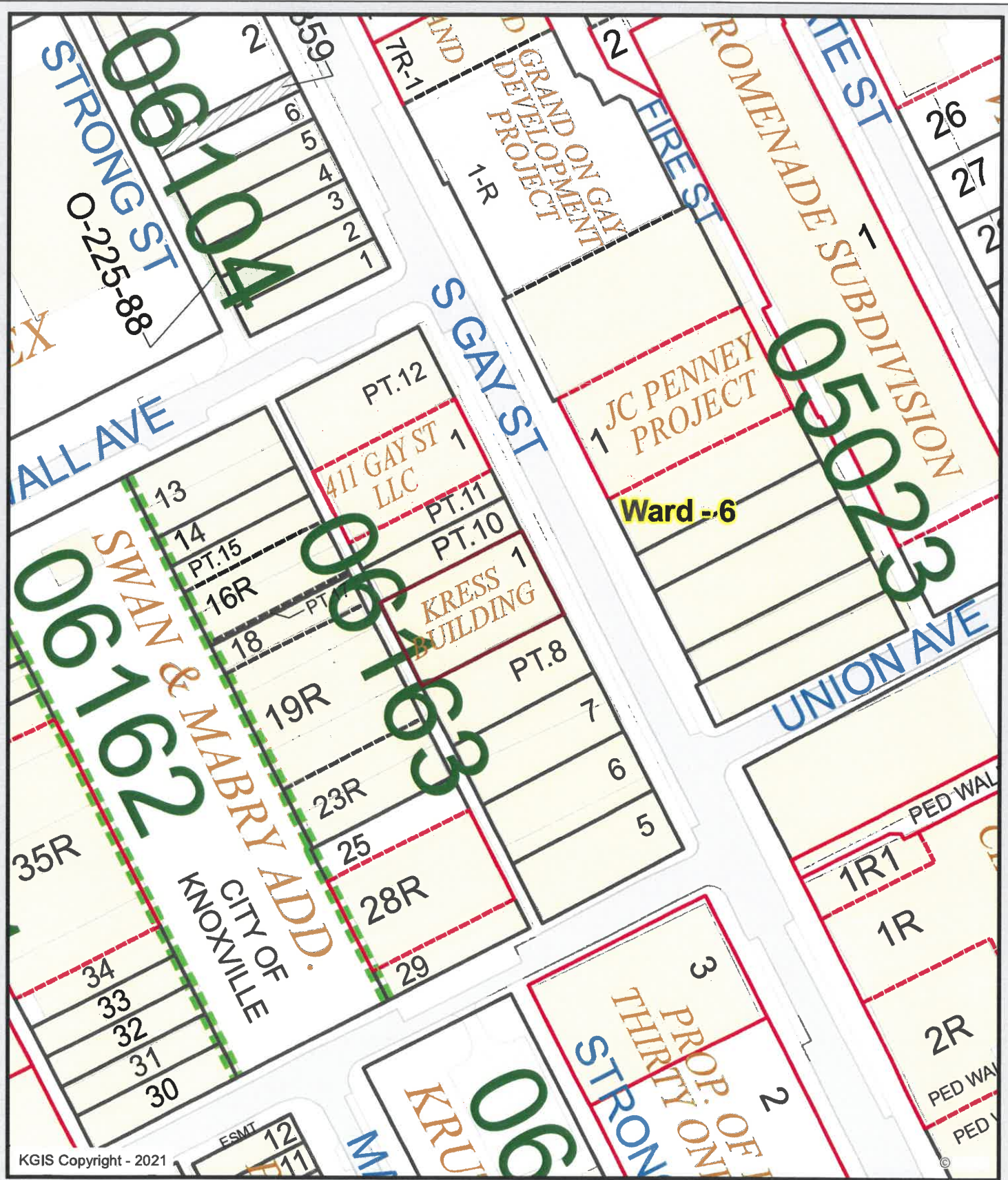
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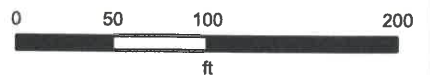
417 - 423 S. Gay St. (Kress Building)

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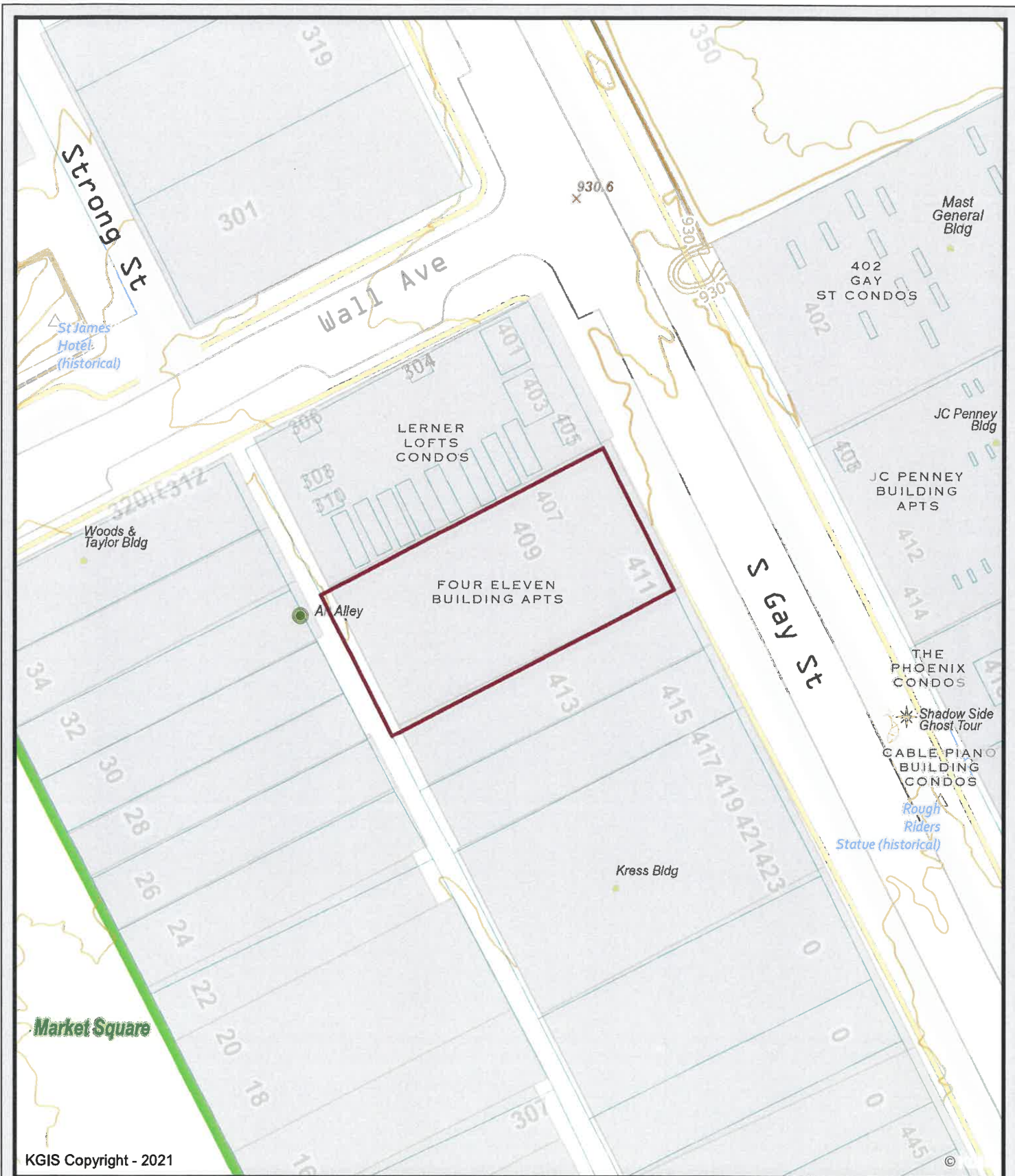
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417 - 423 S. Gay St. (Kress Building)

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Patrick Core

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EXISTING BIKE PARKING LOCATIONS

KRESS- BUILDING RENOVATION
 428 S. GAY ST.
 KNOXVILLE, TN 37902



LEVEL	OCCUPANCY	SQUARE FOOTAGE	MIN SPACES REQ. (RATIO)	NUMBER OF SPACES REQ.
BASEMENT	EATING AND DRINKING ESTABLISHMENT, NO DRIVE THROUGH	8400	8 PER 1000	67.2
GROUND LEVEL	EATING AND DRINKING ESTABLISHMENT, NO DRIVE THROUGH	8400	8 PER 1000	67.2
2ND LEVEL	OFFICE	8400	3 PER 1000	25.2
3RD LEVEL	OFFICE	8400	3 PER 1000	25.2
			SUBTOTAL	184.8
			KAT CREDIT (REDUCTION)	(55)
			TOTAL	129.8

REVISED

6/4/21 - CANS

From: [Ryan Pruitt](#)
To: [Patrick Core](#)
Cc: [Thomas Boyd](#); [Faris Eid](#); [File](#)
Subject: Re: FW: 21008 F05 2021-03-17 417 S. Gay St. initial meeting - bike parking count - BZA
Date: Tuesday, April 06, 2021 12:25:03 PM
Attachments: [8052a366-e46b-45ef-90ef-c728bb090bb7.png](#)

I approve DIA Inc to apply for Frothy Monkey Knoxville's Bike Parking Zoning Variance based on the terms of the email correspondence below.

Ryan Pruitt
Frothy Monkey

On Tue, Apr 6, 2021 at 11:20 AM Patrick Core <pcore@dia-arch.com> wrote:

Ryan,

We have had a few conversations with City Codes regarding bike parking. Zoning would require 4 spaces within FM to comply, however, there is ample bike parking on the street (145 to be exact), and the building footprint takes up the whole site.

We intend to submit for a Zoning Variance. This was excluded from our scope of services, but we will now provide this service. We estimate that it will take 6 hours. Should it end up taking more time, we would ask for compensation beyond this amount. I will keep track.

The deadline to submit is 4/14 at noon and would require a letter from you authorizing us to apply for you. This could be an email. There is also a \$200 fee.

Please review this and let me know if we can proceed. We would recommend this instead of parking bikes within the building. There isn't a guarantee this will be approved, but I expect that it would be. Thank you.

Sincerely,

Patrick Core, AIA, CCCA

Design Innovation Architects, Inc.

Project Architect

Direct: 865.243.8447

From: Peter Ahrens <pahrens@knoxvilletn.gov>
Sent: Monday, April 05, 2021 4:23 PM
To: Patrick Core <pcore@dia-arch.com>
Cc: Faris Eid <FEid@dia-arch.com>; File <File@dia-arch.com>
Subject: RE: 21008 F05 2021-03-17 417 S. Gay St. initial meeting - bike parking count

I have a meeting scheduled for next week. **In the meantime, I'd pursue a zoning variance.** I do appreciate the information about existing bicycle parking availability...that will be very instrumental during my discussions with Stephanie Welch.

Peter Ahrens

Director of Plans Review & Building Inspections

City of Knoxville

400 W. Main Street, Suite 475

Knoxville, TN 37902

Office: 865-215-3938

From: Patrick Core <pcore@dia-arch.com>
Sent: Monday, April 5, 2021 9:02 AM
To: Peter Ahrens <pahrens@knoxvilletn.gov>
Cc: Faris Eid <FEid@dia-arch.com>; File <File@dia-arch.com>
Subject: RE: 21008 F05 2021-03-17 417 S. Gay St. initial meeting - bike parking count

Peter,

I wanted to follow up on bike parking for this project. Do you need any further info to discuss?

Thanks

Sincerely,

Patrick Core, AIA, CCCA

Design Innovation Architects, Inc.

Project Architect

Direct: 865.243.8447

From: Patrick Core
Sent: Thursday, March 25, 2021 10:25 AM
To: Peter Ahrens <pahrens@knoxvilletn.gov>
Cc: File <File@dia-arch.com>; Faris Eid <FEid@dia-arch.com>; James Tente <JTente@knoxvilletn.gov>; Aaron Scates <ascates@knoxvilletn.gov>; Bryan Berry <BBerry@knoxvilletn.gov>; Adam Kohntopp <AKohntopp@knoxvilletn.gov>; Rick Emmett <remmett@knoxvilletn.gov>; Destiny Huff <DHuff@dia-arch.com>
Subject: RE: 21008 F05 2021-03-17 417 S. Gay St. initial meeting - bike parking count

Peter,

As we discussed in the 3/17 meeting, we are sending you information regarding existing City-provided bike parking within ¼ mile of the Kress Building; there are 145 bike parking spaces. We assumed that each post rack could park 2 bikes.

Please see attached, and let us know when we can discuss further. Thank you.

Sincerely,

Patrick Core, AIA, CCCA

Design Innovation Architects, Inc.

Project Architect

Direct: 865.243.8447

From: Patrick Core
Sent: Wednesday, March 17, 2021 3:30 PM
To: Peter Ahrens <pahrens@knoxvilletn.gov>; James Tente <JTente@knoxvilletn.gov>; Aaron Scates <ascates@knoxvilletn.gov>; Bryan Berry <BBerry@knoxvilletn.gov>; Adam

Kohntopp <AKohntopp@knoxvilletn.gov>; Rick Emmett <remmett@knoxvilletn.gov>
Cc: File <File@dia-arch.com>; Faris Eid <FEid@dia-arch.com>
Subject: 21008 F05 2021-03-17 417 S. Gay St. initial meeting

Thank you for your time today; see attached minutes. Let me know if there are any corrections.

James and Aaron, follow up question on equipment platform – could this be accessed by an extension ladder or does the ladder have to be permanent? See attached for another DIA project where an extension ladder is used to access an equipment platform (Old City Athletic Club on Jackson Ave.).

Sincerely,

Patrick Core, AIA, CCCA

Design Innovation Architects, Inc.

Project Architect

Direct: 865.243.8447

-----Original Appointment-----

From: Peter Ahrens <pahrens@knoxvilletn.gov>

Sent: Tuesday, March 16, 2021 12:04 PM

To: Peter Ahrens; James Tente; Aaron Scates; Bryan Berry; Scott Elder; Joshua Frerichs; Adam Kohntopp; Patrick Core; Faris Eid; File

Cc: Rick Emmett; Joshua Jenkins

Subject: 417 S. Gay St.

When: Wednesday, March 17, 2021 9:00 AM-10:00 AM (UTC-05:00) Eastern Time (US & Canada).

Where: Zoom Online

Hello,

This Zoom meeting is at the request of Patrick Core with Design Innovation Architects regarding the attached agenda and plans. Please see the Zoom link below.

Join Zoom Meeting

[https://us02web.zoom.us/j/84128743900?
pwd=NzZGbXJ4QmZQV2VIREppZ0ZONHVXQT09](https://us02web.zoom.us/j/84128743900?pwd=NzZGbXJ4QmZQV2VIREppZ0ZONHVXQT09)

Meeting ID: 841 2874 3900

Passcode: 173362

One tap mobile

+19292056099,,84128743900#,,,,*173362# US (New York)

+13017158592,,84128743900#,,,,*173362# US (Washington DC)

Dial by your location

+1 929 205 6099 US (New York)

+1 301 715 8592 US (Washington DC)

+1 312 626 6799 US (Chicago)

+1 669 900 6833 US (San Jose)

+1 253 215 8782 US (Tacoma)

+1 346 248 7799 US (Houston)

Meeting ID: 841 2874 3900

Passcode: 173362

Find your local number: <https://us02web.zoom.us/j/kgtaShdBm>

From: [Ryan Pruitt](#)
To: [Laura Chimeno](#)
Cc: [Patrick Core](#); [Kenneth Chimeno](#); [File](#); [Gordon Smith](#); [Bobby McCarter](#); [thomas@icqknox.com](#); [Faris Eid](#)
Subject: Re: 20044 F01 F02 2021-05-07 Kress Building addressing and BZA
Date: Friday, May 07, 2021 1:40:00 PM

All sounds correct to me.
Ryan Pruitt
Frothy Monkey

On Fri, May 7, 2021 at 10:48 AM Laura Chimeno <laura.chimeno@gmail.com> wrote:
Thank you, Patrick. All of the legal documentation for Pelican Mountain/Fat Tuesday has been using the address of 417.

Laura

On Fri, May 7, 2021 at 11:12 AM Patrick Core <pcore@dia-arch.com> wrote:

Ryan, Laura and Kenny,

Please see attached, since this indirectly affects you all. Two items to bring to your attention: addressing and bike parking.

Addressing

In order to complete the on-going electrical work for the building, each new and existing electrical panel has to have an address assigned to it. The current building address is 417 – 423 S. Gay Street. To my knowledge and according to my correspondence with Knoxville Addressing, these addresses have not been assigned / confirmed for each tenant yet.

However, it seems like everyone's expectation is that Fat Tuesday is 417 and Frothy Monkey is 419.

I received the 2nd attachment from Knoxville Addressing. The address 421 will be assigned to the 2nd Floor, to clarify.

I think this is in line with everyone's expectations, but I wanted to confirm. I can complete this process if this is ok by all. Please let me know.

Bike Parking

Current zoning requires bike parking for this building. This is hard to accommodate because the building takes up the entire site. We (DIA, and Jackson Central) propose to ask for a variance to reduce the required number of spaces from 4 to 0 for the entire building (each tenant). Ryan, just wanted to let you know that this was going to be for the whole building. Laura and Kenny, really just FYI, shouldn't affect you, but wanted to keep you informed. We (DIA) have had to discuss this with City Codes on another Gay St. project.

Please let me know if you have any input or questions. I'd like to complete these applications today. Thank you.

Sincerely,

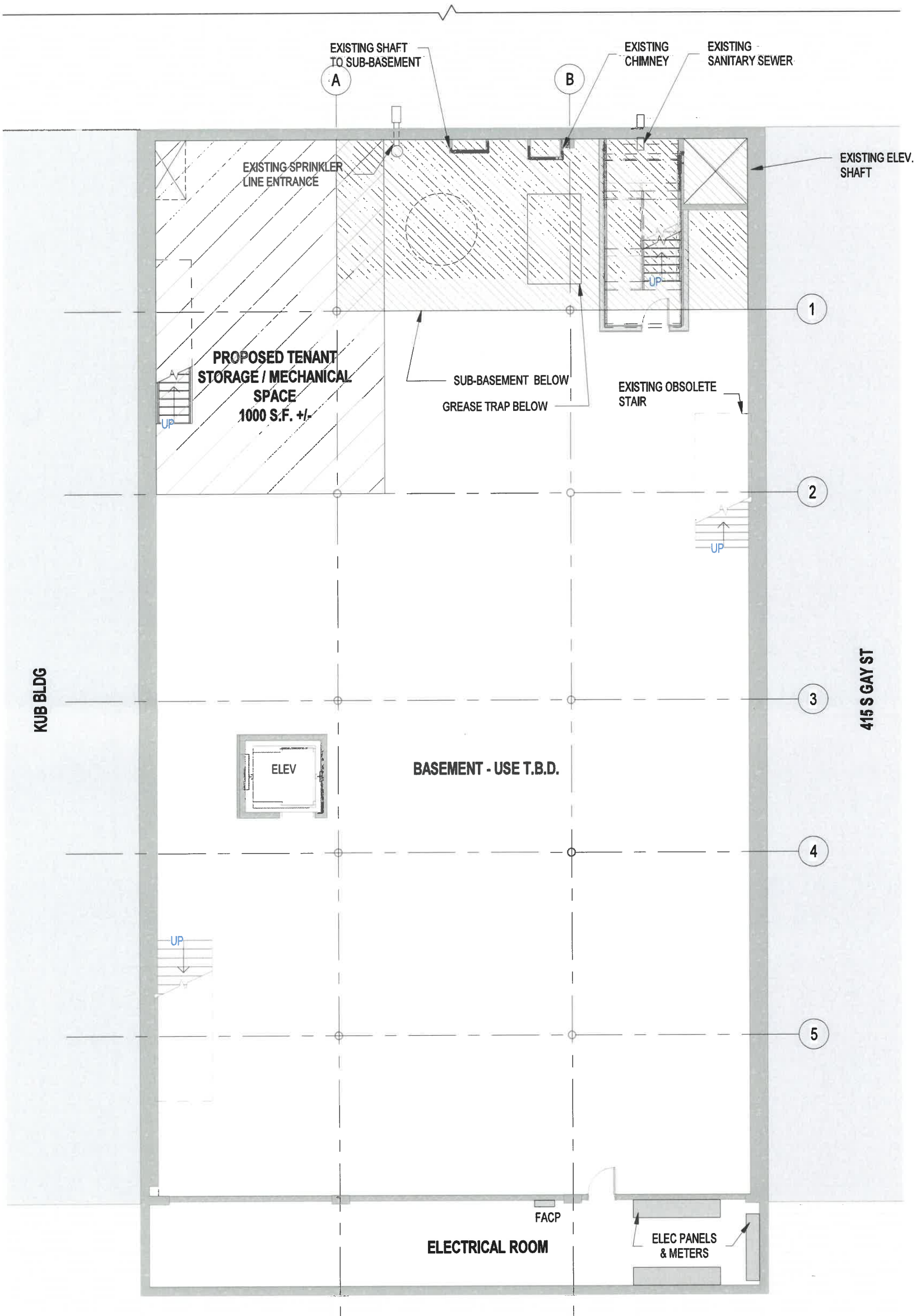
Patrick Core, AIA, CCCA

Design Innovation Architects, Inc.

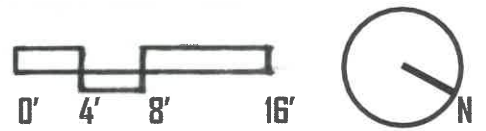
Project Architect

Direct: 865.243.8447

| | |



EXISTING/ DEMO - BASEMENT LEVEL



20044

2021-05-10

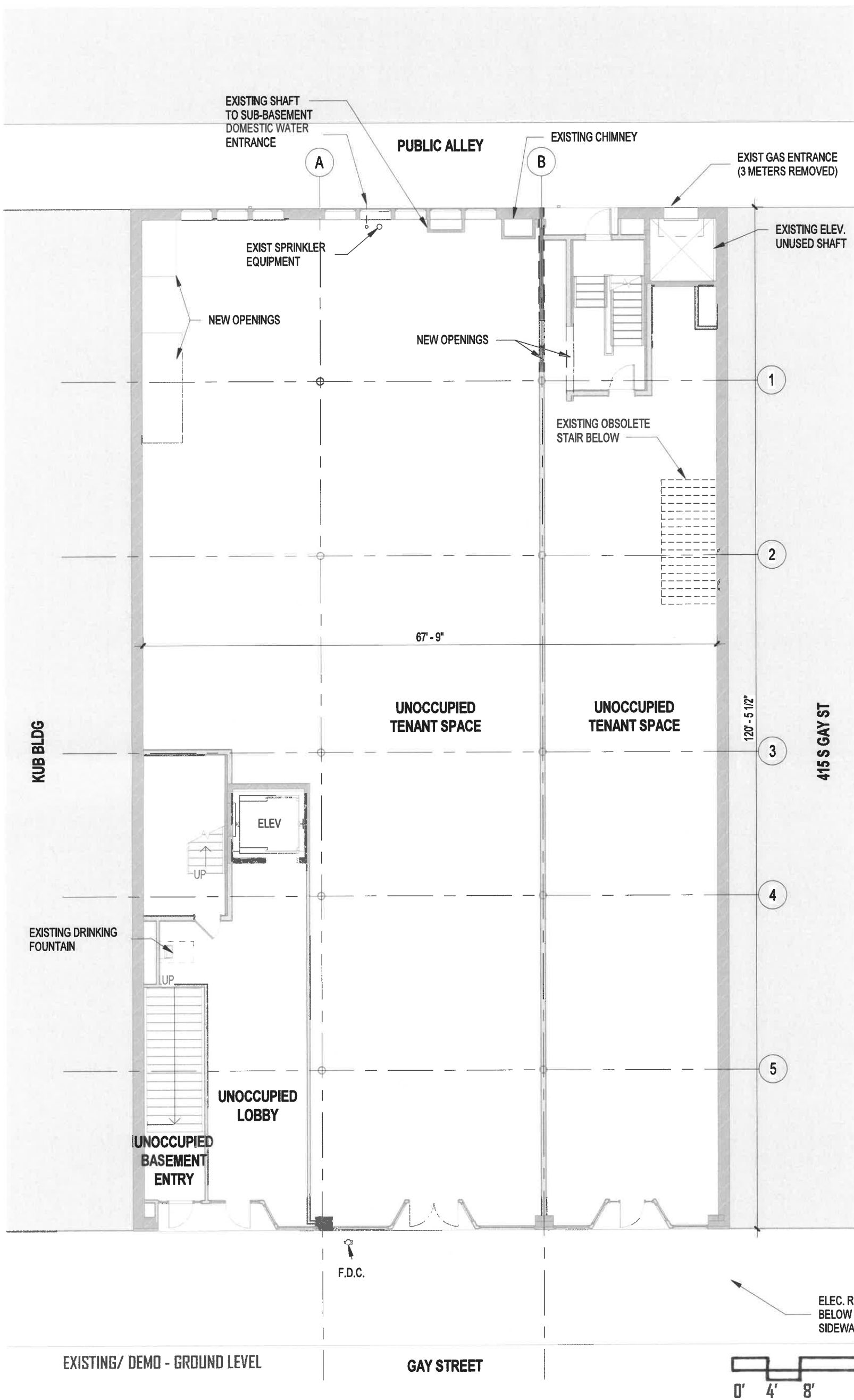
CONCEPT DRAWINGS

KRESS BUILDING

417 S. GAY STREET - KNOXVILLE, TN

DIA
 Design Innovation
 ARCHITECTS + INTERIORS + PLANNING
 ph. 865.637.8540 www.dia-arch.com

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20044

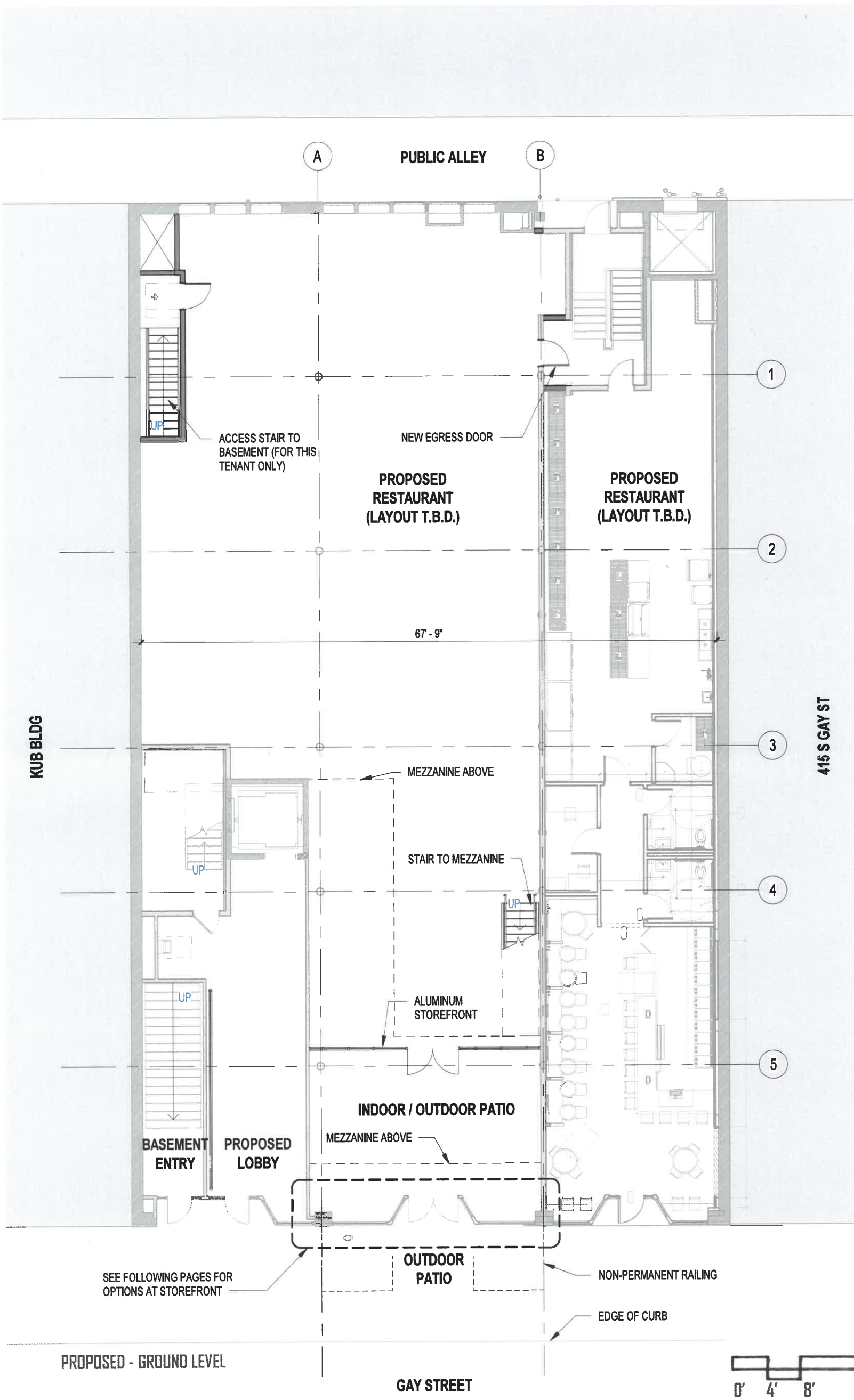
2021-05-10

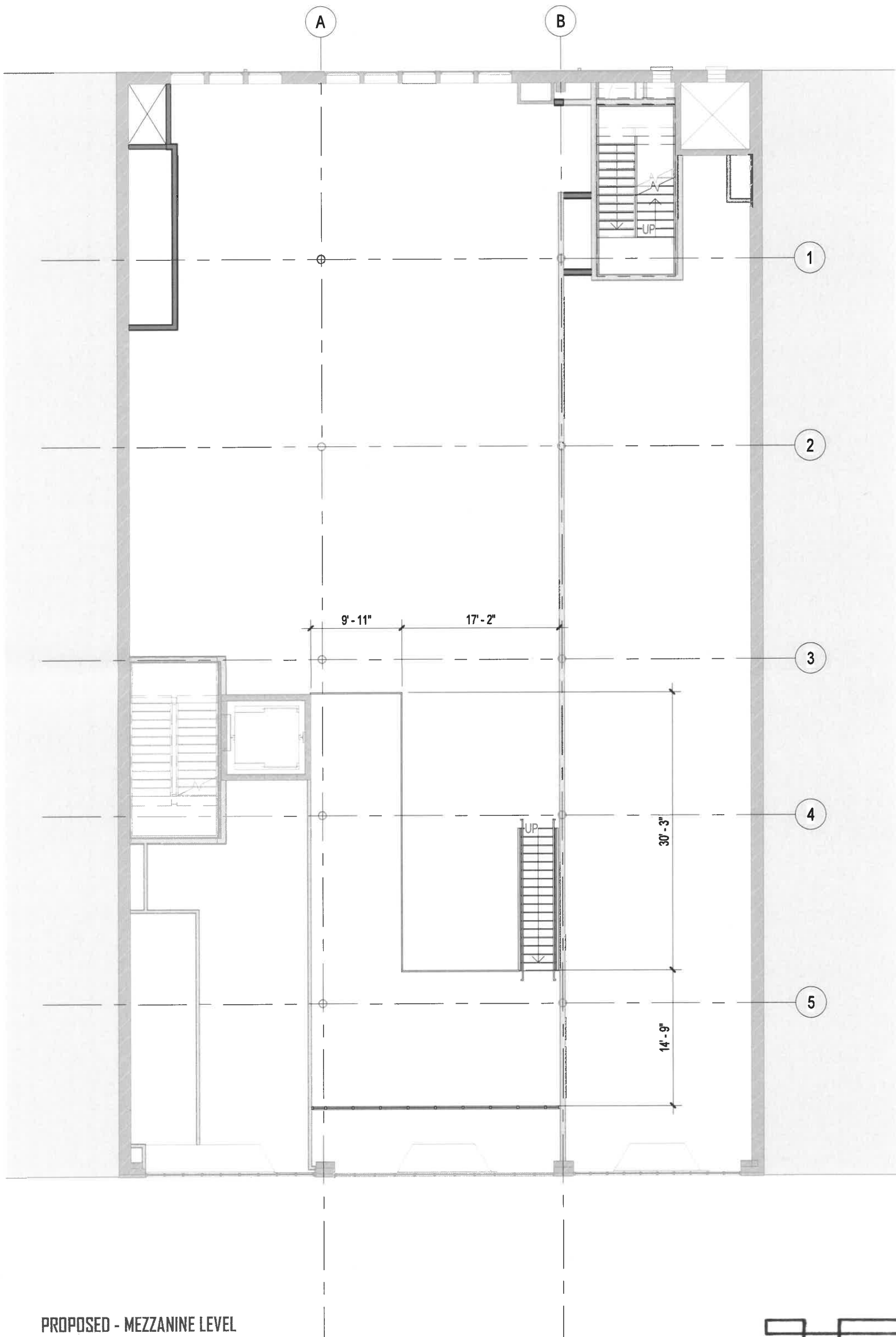
CONCEPT DRAWINGS

KRESS BUILDING
417 S. GAY STREET - KNOXVILLE, TN

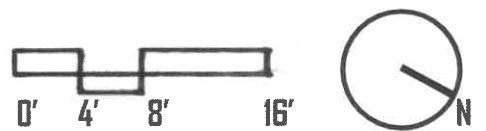
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COURTESY: BUREAU OF ARCHITECTURE





PROPOSED - MEZZANINE LEVEL



20044

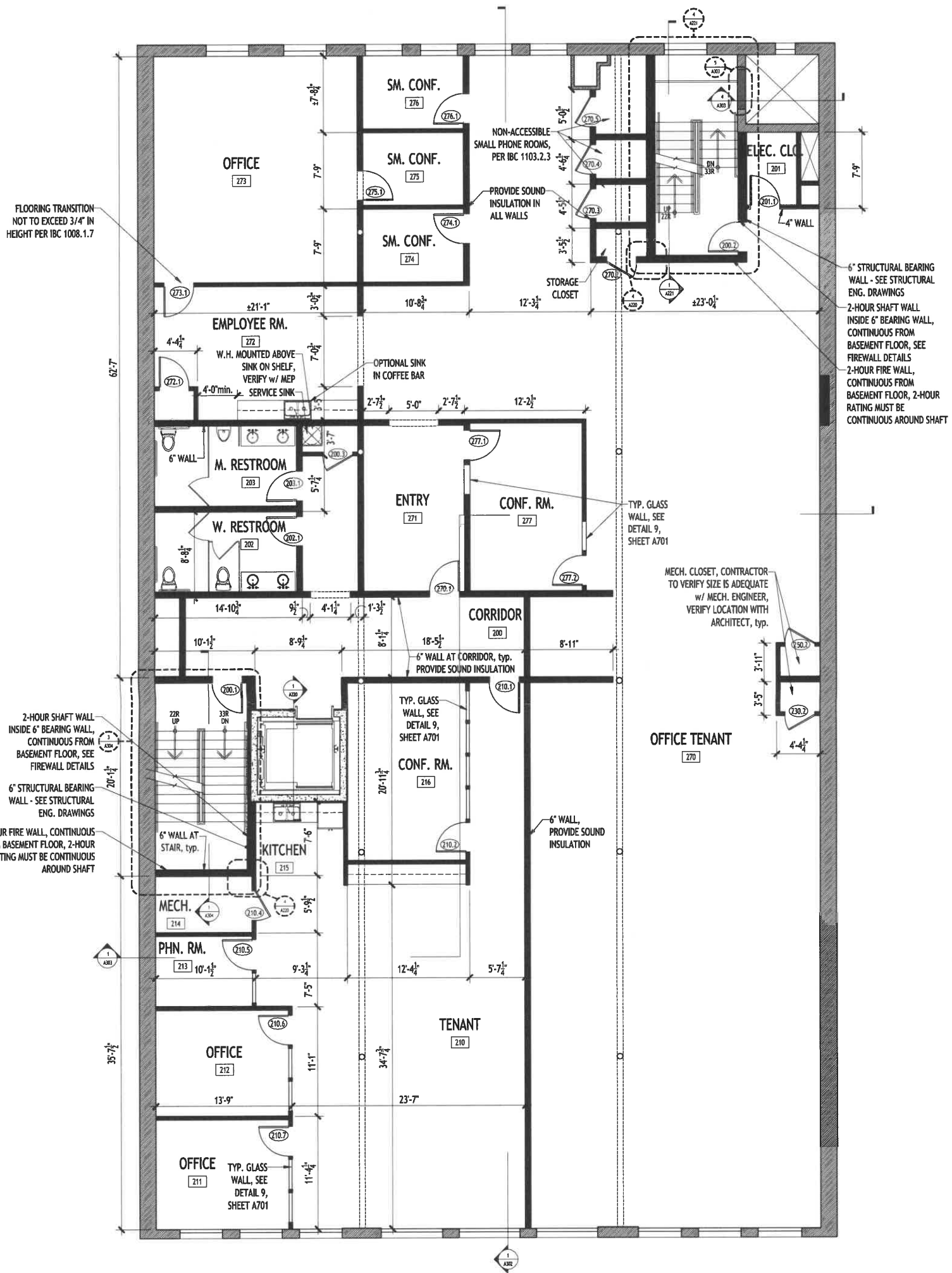
2021-05-10

CONCEPT DRAWINGS

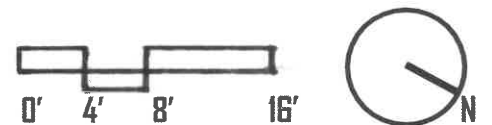
KRESS BUILDING
417 S. GAY STREET - KNOXVILLE, TN

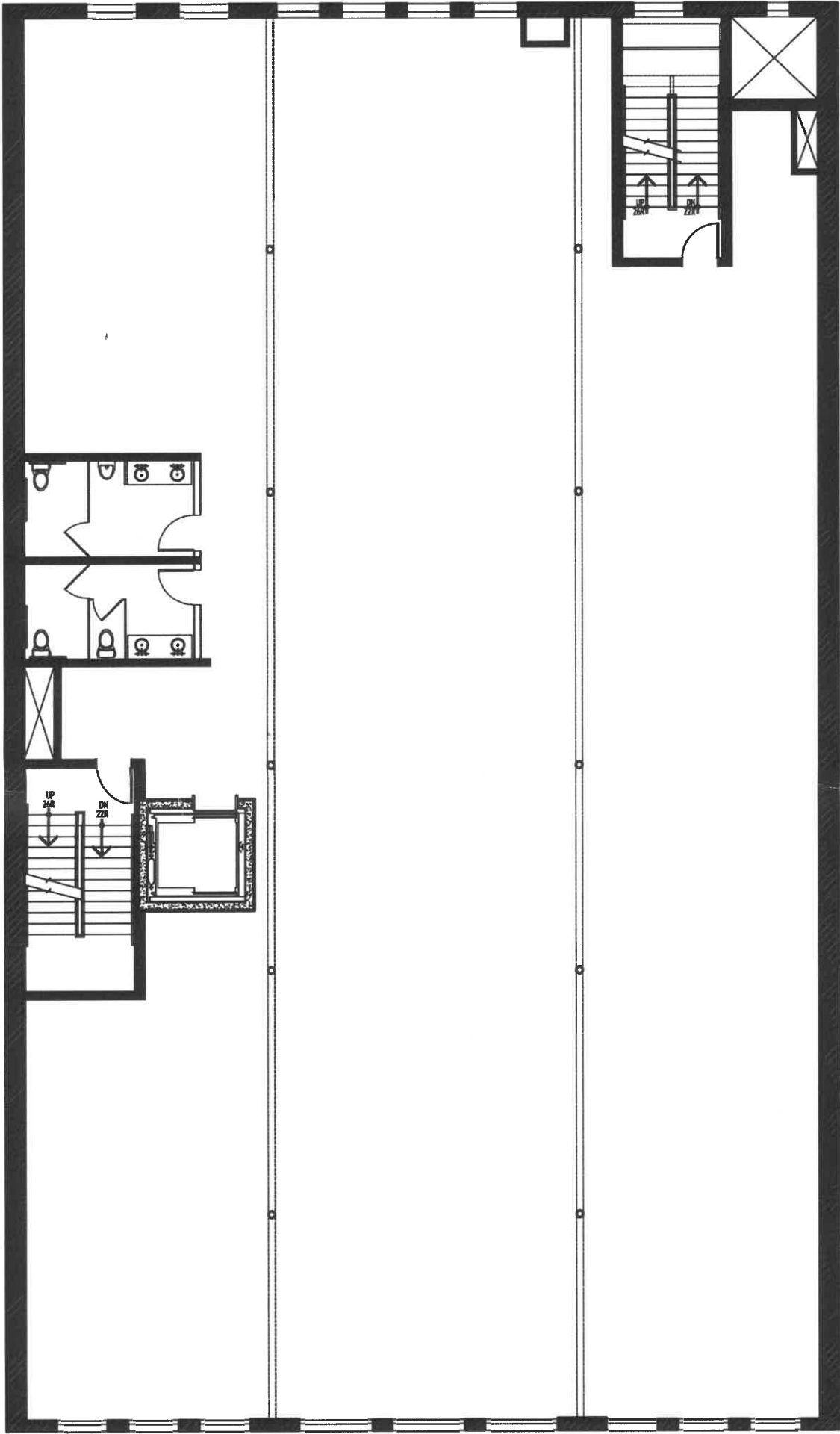
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EXISTING - 2ND LEVEL





EXISTING - 3RD LEVEL

