



Design Review Board
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Legal Action Report – Meeting Minutes Design Review Board (DRB)

Members of the Design Review Board (DRB) held a meeting, which was open to the public on:

Date and Time: Friday, September 18, 2026, 8:30 AM

Location: Meeting was held virtually using Microsoft Teams

1. Call to Order / Roll Call, 8:33 AM

Members Present:

- Paige Anthony
- Rosemary Bright (Vice Chair)
- Daniel Maher
- Chris Stebe (Chair) – Arrived at 9:13 AM
- Cade Hayes

Members Absent:

- Caryl Clement
- Grace Schau

A quorum was established.

2. Review and Approval of the 8/21/26 Draft LAR and Meeting Minutes

Action Taken

Vice Chair Bright made a motion to approve the 8/21/26 Legal Action Report and Meeting Minutes. The motion was duly seconded by DRB Member Hayes. All in favor, motion passed unanimously 4-0.

3. Call to the Audience

No speakers came forward.

4. SD-0826-00116 – Moxy Hotel

Related Activity #s: TD-DEV-0626-00166, TC-COM-0626-00973

Address: 75 N 5TH AV

Parcel #: 117066950

Zoning: OCR-2

Rio Nuevo Area (RNA) Review

Action Taken

Applicant's Presentation

The applicant team, led by RICK Engineering, presented the proposed six-story, 137-unit Moxy Hotel at 75 N 5th Avenue. The applicant described the existing two-level underground parking garage, the relationship of the project to the adjacent MLK building, and the constraints created by the garage structure and utilities in the right-of-way. The team explained that landscaping would therefore rely on a combination of in-ground trees, raised planters, shrubs, and decorated paving, and that exterior illumination would primarily be provided by building-mounted fixtures. The architectural team stated that the building's colors and materials were selected to draw from the surrounding downtown context.

DRB Discussion

Exterior lighting and safety: The Board reviewed the lighting proposed along 5th Avenue, the service area, and the pedestrian route from the street to the parking garage elevators. The applicant described downlights at the façade pilasters, wall sconces, soffit downlights, and existing garage/elevator lighting intended to provide continuous illumination. Particular attention was given to the west side of the hotel between the proposed Moxy and existing MLK building, where a separate landscape/fencing improvement package showed a shared courtyard/dog-run area but did not yet document lighting. The Board requested that west-side building-mounted lighting be shown and coordinated to support safety and security in that shared area.

Shade study and landscaping: The submitted shade study showed approximately 58 percent shade. Staff noted that the plan referred to June 30 rather than the June 21 date required by the RNA standard; the applicant confirmed this was a typographical error and agreed to correct it. Discussion then focused on four trees proposed in raised planters along the 5th Avenue frontage. Board members expressed concern that Virginia Live Oak trees in approximately 3- to 3.5-foot planters would have insufficient long-term root volume and survivability. The team reviewed utility and garage constraints, including the presence of water, electric, gas, sewer, and fiber facilities and areas with approximately four to five feet of cover over the garage. Alternatives discussed included larger planters, open-bottom planters, root barriers, and smaller or more container-suitable tree species, including little leaf ash, Texas olive, and Mulga. The applicant indicated that open-bottom planters and alternative species could be accommodated.

Building materials and colors: The Board reviewed the proposed brick, plaster, metal, and soffit finishes. The applicant explained that brick would be used prominently at the first floor along 5th Avenue, with upper-level plaster colors drawing from the nearby train depot. A slightly rosier plaster would accent portions of the massing, the main entrance canopy would include a rosy-gold mirrored soffit inspired by the Rialto Theatre marquee, and metal canopies, window surrounds, and related elements would use a dark bronze finish. The Board discussed these materials as part of the project's relationship to the downtown context and pedestrian scale.

Parking and bicycle facilities: The Board reviewed the existing underground garage and was advised that the parking counts meet applicable requirements. The applicant showed the two garage levels, including areas serving the Moxy, MLK, and public parking, and identified accessible spaces near the Moxy elevator. The Board also asked about bicycle parking. The applicant stated that both short and long-term bicycle parking would be provided, with long-term parking inside the building, but acknowledged that the submitted plans did not yet clearly show the bicycle parking locations. The Board requested that bike racks and bicycle parking locations be indicated on the plans.

Plazas and open space: The Board and staff discussed the RNA requirement for public plazas or courtyards equal to five percent of gross floor area. The applicant initially identified a shared courtyard/dog-run area

between the Moxy and MLK buildings as potential qualifying open space; however, that space is outside the hotel property and has limited direct guest access. Staff advised that, if used for compliance, the shared space should be clearly shown in the design package along with the applicable development agreement. The Board also discussed creating usable amenity areas with seating or tables along 5th Avenue and Toole Avenue. The Board ultimately requested a calculation showing the required five-percent outdoor plaza area and demonstrating compliance using the outdoor spaces along Toole Av. and Fifth Av.

Rio Nuevo Area design criteria: The Board reviewed the applicable RNA building and site design standards, including building scale and setbacks, first-floor architectural detail, storefront glazing and activity, façade articulation, exterior lighting, visible entries, heat and glare, parking, shade, colors and materials, street-level activity, sidewalk access, vehicular circulation, parking screening, plazas/open space, and streetscape requirements. The applicant confirmed that the hotel lobby would include a bar, meeting space, and food service intended to activate ground floor frontage.

Motion

A motion was made by Vice Chair Bright to recommend approval of the project, subject to the following conditions: 1) Calculate the outdoor plaza space at 5% and indicate compliance by utilizing outdoor spaces along Tool Avenue and 5th Avenue; 2) Show the location of bike parking on the plans; 3) Provide outdoor lighting on the west side of the building for safety and security support of the courtyard shared with the Martin Luther King building; and 4) Address landscape planter slated for small trees; consider open bottom planters as well as plant species that are more conducive to survival in containers.

The motion was duly seconded by DRB Member Hayes. Motion passed unanimously 5-0.

5. Staff Announcements

Staff announced that the next DRB meeting was scheduled for October 2, 2026, with a facade remodel case at 110 East Broadway.

6. Adjournment

The meeting adjourned at 10:00 AM.