

CASE SUMMARY

APPLICATION TYPE: OTHER BUSINESS

KNOXVILLE-KNOX COUNTY

M P C
METROPOLITAN
P L A N N I N G
C O M M I S S I O N

T E N N E S S E E

Suite 403 • City County Building
4 0 0 M a i n S t r e e t
Knoxville, Tennessee 37902
8 6 5 • 2 1 5 • 2 5 0 0
F A X • 2 1 5 • 2 0 6 8
w w w • k n o x m p c • o r g

File Number: 7-A-17-OB **Related File Number:**
Application Filed: 5/23/2017 **Date of Revision:**
Applicant: OAKWOOD-LINCOLN PARK NEIGHBORHOOD ASSOCIATION

PROPERTY INFORMATION

General Location:
Other Parcel Info.:
Tax ID Number: 999 999 **Jurisdiction:**
Size of Tract:
Accessibility:

GENERAL LAND USE INFORMATION

Existing Land Use:
Surrounding Land Use:
Proposed Use: **Density:**
Sector Plan: **Sector Plan Designation:**
Growth Policy Plan:
Neighborhood Context:

ADDRESS/RIGHT-OF-WAY INFORMATION (where applicable)

Street:
Location:
Proposed Street Name:
Department-Utility Report:
Reason: Appeal of Infill Design Review Committee's grant of a certificate of appropriateness for Habitat for Humanity

ZONING INFORMATION (where applicable)

Current Zoning:
Former Zoning:
Requested Zoning:
Previous Requests:
Extension of Zone:
History of Zoning:

PLAN INFORMATION (where applicable)

Current Plan Category:
Requested Plan Category:

SUBDIVISION INFORMATION (where applicable)

Subdivision Name:

No. of Lots Proposed:

No. of Lots Approved: 0

Variances Requested:

S/D Name Change:

OTHER INFORMATION (where applicable)

Other Bus./Ord. Amend.: Appeal of Infill Design Review Committee's grant of a certificate of appropriateness for Habitat for Humanity

MPC ACTION AND DISPOSITION

Planner In Charge: Jeff Archer

Staff Recomm. (Abbr.):

Staff Recomm. (Full):

Comments:

An appeal of the Infill Housing Design Review Committee decision granting a Certificate of Appropriateness (COA) to Knoxville Habitat for Humanity to permit the construction of a new home at 431 E. Springdale Avenue has been filed by a resident of the neighborhood in which the new home is proposed. Appeals of decisions of the Infill Housing Design Review Committee are heard by the Metropolitan Planning Commission. In appeals such as this, MPC staff does not present a recommendation but rather provides an overview of the case and addresses the issues identified by the appellant. This overview is provided below.

This appeal was filed by Ms. Deborah Thomas, who serves on the Oakwood Lincoln Park Neighborhood

Association Board. This COA (File # 3-A-17-IH) was issued based on the approval of the application at the

May 4, 2017 Infill Housing Design Review Committee meeting. This is the second appeal of a COA for this

property, and a project timeline can be found at the end of this memo.

The decision being cited for appeal is "the Infill Design Review Committee's grant of a certificate of appropriateness, despite the applicant's noncompliance with (1) the application requirements and (2) the

Infill Housing Design Guidelines as to the mass/scale of proposed structure."

The reasons stated for this appeal include: (1) "The Infill Housing Design Review Committee approved an

application that was incomplete and inconsistent with the guidelines and (2) the proposed 8-foot exterior

wall plates will yield a mass and scale that is inconsistent with the original houses in the neighborhood; height of the wall plates should be approximately 10 feet instead, to comply with the Guidelines." An attached May 23, 2017 letter from Ms. Thomas to the Planning Commission goes into more details about

the appeal.

Discussion regarding point (1) of the reason for appeal:

In the letter provided by Ms. Thomas, she stated that the foundation and eave height were missing from the application and the Committee should not have approved the application because required information was missing. Page 38 of "MPC's Administrative Rules and Procedures" states that "an incomplete application will not be accepted" and that applications shall provide labeled "height to eave" and "foundation height" as part of application.

It is correct that the application did not have this information labeled on the application that was distributed to Committee members and posted to the MPC website on April 18th. Although the application

was made available for over two weeks before the meeting, staff did not receive any contact requesting

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additional information. The application was accepted because it was thought to have all the required information needed. After noticing the height to eave was missing from the application staff contacted the applicant and asked them to bring this information to the Infill Housing Design Review Committee meeting, so it can be reviewed by the committee.

The height to the eave and top of foundations were two issues that were discussed in great detail during

the May 4th Infill Housing Design Review Committee meeting. At this meeting there were five neighborhood representatives. Both the neighborhood representatives and the applicant brought supplemental information to the meeting that illustrated the heights of these building elements on nearby

houses. The committee reviewed this supplemental information and listened to explanations of both parties.

The Committee unanimously approved the application after reviewing the distributed information from the applicant and neighborhood. As a result, the COA included a front foundation height of 2-feet and an

eave height of approximately 10 feet (measured from the ground). In addition, the Committee's approval

was subject to a change in the windows, front door, and siding that was more appropriate to the surrounding area.

Discussion regarding point (2) of the reason for appeal:

The Heart of Knoxville Infill Housing Design Guidelines do not specifically discuss "wall plates" but do address the overall scale of buildings. The guidelines state that "the front elevation should be designed to be similar in scale to other houses along the street." The committee felt that the overall scale was similar to other houses on the street, specifically 317 E. Springdale (see adjacent photo), which the neighborhood and Habitat agreed to use as a base model for a revised Infill Housing application (referenced in timeline below). The scale issues noted in the guidelines address inappropriate scales of one- versus two- story buildings, not 1 or 2 feet.

Project Timeline

The following is a summary of major points in the application and approval process for this property, in chronological order 1-6.

1. Original application is filed for this property on March 28, 2016. Neighborhood representatives appeal the decision of the Committee to MPC, seeking an 8:12 roof pitch, front-gable porch roof, and shift in secondary door from side door to rear door location. At the May 12th MPC Meeting, the Planning Commission voted to deny the appeal. Then the neighborhood representatives appealed MPC's decision to City Council, which upheld the appeal making the COA null. The following architectural elevations are from the COA that was approved by the Infill Committee, but nullified by City Council in affirming the appeal.

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2. Habitat files for a revised application (illustrated below) on February 22, 2017, addressing issues brought up during the appeal process in 2016, including proposing a smaller house, having a roof pitch of 8:12, and relocating the back door. This information was shared with the neighborhood representatives and they expressed their concern with the design. As a result, Habitat postponed the application review for two consecutive months in order to schedule a meeting with the neighborhood representatives.

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3. On April 5, 2017, Habitat hosted a meeting to discuss the application. Attendance included Oakwood Lincoln Park Neighborhood Association Board members (Ms. Thomas and Ms. Ellis), City Councilman Mark Campen, Habitat staff, and MPC staff. The neighborhood was interested in adding a more complex roof shape and a different architectural details. They wanted to ensure that any proposed design would not be out of character with the street and expressed interest in seeking a Neighborhood Conservation (NC-1) zoning overlay in this area. At the conclusion of the meeting, the neighborhood representatives agreed that 317 E. Springdale (see adjacent photo) could be used as a model since it was original to the neighborhood, had more Craftsman-style detail, and was located on the street.

4. On April 18, 2017, Habitat submitted revised application which was made available to the Committee and public. This application included a new house plan, containing similar design elements of the house located at 317 E. Springdale Avenue.

5. On May 4, 2017, the Infill Housing Design Review Committee met and approved the revised application with four conditions: (1) the windows shall be changed to 1:1, instead of prairie style; (2) the front door shall be Craftsman-style or Half-light, per the guidelines; (3) the vinyl siding shall be smooth, instead of wood grain; and (4) the minimum exposed foundation shall be 24". The applicant revised their plan meeting to address the five conditions and a COA was issued May 8th (See image below and attached COA).

6. May 23, 2017, Appeal filed by Ms. Thomas (copy attached).

Action: Denied **Meeting Date:** 7/13/2017

Details of Action:

Summary of Action: Approved appeal of Oakwood-Lincoln Park Neighborhood of COA for 431 E Springdale Avenue.

Date of Approval: **Date of Denial:** 7/13/2017 **Postponements:**

Date of Withdrawal:

Withdrawn prior to publication?: Action Appealed?: 7/28/2017

LEGISLATIVE ACTION AND DISPOSITION

Legislative Body: Knoxville City Council

Date of Legislative Action: 8/29/2017

Date of Legislative Action, Second Reading: 9/12/2017

Ordinance Number:

Other Ordinance Number References:

Disposition of Case: Postponed

Disposition of Case, Second Reading: Denied

If "Other":

If "Other":

Amendments:

Amendments:

Date of Legislative Appeal:

Effective Date of Ordinance: