

MINUTES

KNOX COUNTY HISTORIC ZONING COMMISSION
KNOXVILLE HISTORIC ZONING COMMISSION

FEBRUARY 21, 2019

Knox County Historic Zoning Commission				
Commissioner	Present	Absent	Excused	Arrived
Bill Belser	X			
Mike Crowder	X			
George Ewart, Chair	X			
Kim Isenberg	X			
Scott Smith, Vice-Chair	X			

Staff/Others Present	Affiliation

Approval of Minutes

N/A

Election of Officers

Mike Crowder made a motion to elect George Ewart as Chair and Scott Smith as Vice-Chair. The motion was seconded by Bill Belser. The motion carried unanimously.

Staff Reports

N/A

Reports to Commission

N/A

KNOX COUNTY CERTIFICATES OF APPROPRIATENESS

Concord Village HZ Overlay District

10809 Third Drive – pre-application review for new house

Discussion: Kaye Graybeal reviewed the staff report and staff recommendation of approval.

Comm. Smith complimented the Applicants on the renderings looking very nice and questioned if there will be any deviations to the plans.

Laura and Daniel Benner were both present and made themselves available for any questions or comments the Commission may have. Ms. Benner answered by stating that everything is extremely similar to the plans in the packets today, except for one small exterior change. The kitchen wall will be set-back four to five feet, extending the exterior porch out a bit further than shown on the current plans.

Comm. Isenberg explained that the design meets the design guidelines, the materials are appropriate for the area, and the house is proportionate in scale. Comm. Isenberg stated that the renderings provided to the Commission are very nice and she will be excited to see the finished product.

Ms. Graybeal added that a few more details are required before requesting County Historic Zoning Commission approval. The Applicant will need to give more specific construction details such as window style, type of porch flooring, brick being used, foundation type, and garage placement.

Comm. George Ewart thanked the applicants for initiating a pre-application review and wish them the best of luck in their project.

Action: Comm. Smith moved to adjourn the Knox County Historic Zoning Commission meeting at 8:52 A.M. The Motion was seconded by Comm. Isenberg. The Motion carried unanimously and the meeting was adjourned.

Knoxville Historic Zoning Commission				
Commissioner	Present	Absent	Excused	Arrived
Rick Blackburn			X	
Bart Carey, Chair	X			
Steve Cotham	X			
Faris Eid	X			
Dasha Lundy	X			
Lorie Matthews	X			
Dationa Mitchell, Vice-Chair			X	
Sandi Swilley			X	
Stanton Webster			X	

Staff/Others Present	Affiliation
Lisa Belle Hatfield	City Law Department
Kaye Graybeal	Knoxville-Knox County Planning
Laura Edmonds	Knoxville-Knox County Planning
Scott Elder	City Plans Review and Building Inspections
DeAnn Bogus	City Plans Review and Building Inspections
Peter Ahrens	City Plans Review and Building Inspections
Amy Brooks	Knoxville-Knox County Planning

Knoxville Historic Zoning Comm. Chair Bart Carey called the meeting to order at 9:05 a.m. Roll call was taken and it was noted there was a quorum. Comm. Carey stated that the meeting is being televised and recorded. He also asked that speakers limit their presentations to five minutes and to sign in when they reach the podium. Applicants or members of the public who wished to speak on an Agenda Item were sworn in. He further noted that any appeals to Commission decisions can be taken to Chancery Court if appealed within 60 days.

Approval of Minutes

Action: Comm. Lundy moved to approve the January 17, 2019 Knoxville Historic Zoning Commission Minutes. The Motion was seconded by Comm. Matthews. The Motion carried unanimously.

Result: Approved.

Staff Reports

There are no Level 1 Certificates.

Reports to Commission

There were no reports to Commission.

KNOXVILLE CERTIFICATES OF APPROPRIATENESS

Knoxville High School H-1 Landmark

101 E. 5th Avenue – front parking (2-I-19-HZ)

Discussion: Kaye Graybeal reviewed the staff report and staff recommendation of approval.

Rick Dover, Dover Development Corp., was present and made himself available for any questions or comments that the Commission may have. Mr. Dover began by explaining that he's contemplated the need for a parking lot at Knox High but hoped that he would never have to. Unfortunately, Mr. Dover feels as though he has put off the project for as long as he can and the economic reality is that a parking lot is necessary. Mr. Dover went on to say that the Knox High is the projects that he is most proud of in his 40 years of development. Mr. Dover said that Dover Development earned an award from the Senior Living Industry for "Top Renovation Project for Senior Living" anywhere in the United States, and it has never been won by a Tennessee property or developer. Mr. Dover explained that Knox High is primarily an elderly population with mobility issues that are not willing to have their cars off site or moved off-site. Mr. Dover tried leased satellite parking, given free Uber tickets, and offered Valet parking. It has since hampered our leasing velocity and lowered the occupancy to under forty percent. Therefore, Mr. Dover feels that he has no other option besides requesting on-site parking. Mr. Dover ensures that the parking lot will be built accordingly and to the Board's full satisfaction. Mr. Dover agrees with the Staff Recommendations and conditions for approval and thanked the Board for their time and consideration.

Arin Streeter, 925 Eleanor Street, Fourth & Gill Neighborhood Representative, explained that the neighborhood feels as if they've not had enough time to digest this proposal. The neighborhood requests that the Commission give more time to review the proposal. Also, Mr. Streeter mentioned that some of the items in the application are missing that the Fourth & Gill Neighborhood would like to know more about. For example, there is no mention of the conservation easements that are held by the City and the City's approval of this work. Also, due to this property's peculiarity, there's no mention of the TIF issued by the County is technically owned by the Knox County Industrial Development Board. Lastly with both of these entities being public, it falls under the Heritage Preservation Act in the State of Tennessee that regulates the alteration and modification of Monuments if they are owned by Public Entities.

Lisa Hatfield, City Law Department, did not have an opinion to offer today on the application of the Historic Preservation Act. In this situation, the City is the beneficiary and holder of the easement of the "Doughboy" statue both by plat and by legal document. However, Ms. Hatfield is not in the position to speak on the Historic Preservation Act today since she is a substitute for City Law Attorney Christina Magrans. If there are further questions for Mrs. Magrans, the Commission may want to defer this item for her opinion.

Bob Whetsel, 1015 Luttrell Street, Fourth & Gill Board of Directors and head of the Zoning and Development Committee. Mr. Whetsel stated that Fourth & Gill has not had time to sit down and discuss this item and would like to request more time to review it. Mr. Whetsel stated that Fourth & Gill has a Board Meeting on Monday and would love to have this item on their Agenda for discussion. Mr. Whetsel commends Mr. Dover on his renovation of Knox High School, the quality of the development and bringing it back to active use. Mr. Whetsel feels that it would be beneficial for the Fourth & Gill Neighborhood and Mr. Dover to sit down and discuss the buildings parking needs, future landscape designs, and talk through any questions or concerns the community may have. Mr. Whetsel stated that the neighborhood needs and wants Knox High to be a success and it's important for everyone to be on the

same page. Therefore, Mr. Whetsel asks the Commission for an additional thirty days for further discussion.

David Nix, Park City/Park Ridge, began by saying that he is glad to see something has been done with the former Knox High School building; however, to sacrifice the entire front façade of the building and landscaping for parking is not a great use. Mr. Nix stated that it will permanently disrupt the building forever. The “Doughboy” monument is currently in a park-like setting and to surround it in an island of a parking lot would be a disgrace to the monument.

Mr. Dover started by thanking the community for attending the meeting and for their comments and stated that all of their concerns are valid concerns. Mr. Dover proposed sitting down with the Fourth and Gill Neighborhood to work out perimeters of every single condition in the Staff Report. Mr. Dover stated that in order for the project to be successful, he would like to have full neighborhood and staff report. He also mentioned that he is on a strict time constraint. Mr. Dover is set to go before the Board of Zoning Appeals this afternoon for driveway approval because TDOT has designated 5th Avenue an Arterial and permitting cannot issue a permit if there is a driveway within a hundred feet of 5th Avenue. Therefore, he cannot afford to have this item postponed another month.

Comm. Faris Eid suggested that since there is still plenty of room between the parking lot and Fifth Avenue, and since he would still be outside the 10-foot buffer area. The fifty-six feet can be reduced to fifty feet along with the other changes, it provides quite a large buffer between the parking lot and the building. If the parking lot is moved outward towards Lamar and Central, the area around the Doughboy statue does grow as well.

Peter Ahrens, Director of Plans Review and Inspections, confirmed that the variance request being heard at BZA this afternoon is limited to the location of the curb cut. If during discussions dimension modifications are requested to reduce drive isle which is less than required by the zoning ordinance, they would have to go through BZA again and that time frame can take up to two months. Mr. Ahrens informed the Commission that the double-fee deadline for the March BZA Meeting is Monday, February 25, 2019. The applicant would need to provide a site plan by Monday in order to move forward to the March Agenda.

Scott Elder, Zoning Coordinator for Plans Review and Inspections, wanted to remind the Applicant that there is a 15-day appeal period after the March BZA meeting so they will need to build that in to their timeline. Mr. Elder mentioned that there is also the possibility of a special-called BZA Meeting.

Mr. Dover emphasized that he does not have the time to redesign their plans and elongate the approval process. While Mr. Dover is willing to work with the neighborhoods and with Staff’s recommendations and conditions, he is not in agreeance with modifying dimensions and extending the approval process to both Historic Zoning Commission and the Board of Zoning Appeals again. Mr. Dover also mentioned that he has discussed with City Engineering and met all of their requirements and conditions on the design.

Further discussion ensued amongst the Commissioners. Commissioners requested feedback from Plans Review and Inspections on how the total square footage of the parking lot determines the buffer set-backs and if there is any room for modifications without having to go before the Board of Zoning Appeals.

Action: Comm. Eid moved that the application submitted for 101 E. 5th Avenue be approved based on staff recommendations and staff conditions to mitigate the potential impact of the proposed parking lot onto the existing building, the building, doughboy statue, and surrounding obelisks, by removing conditions number 1 and 2, eliminating the sidewalk in front of the stairs and shifting the driveway over towards the front stairway, and no modification to any part of the monument or obelisks around it. Further conditions include portions of the sidewalk that can slide out and still be within the required 10-foot buffer set back as mandated by the City which will result in additional room around the Doughboy Statue without having to request any additional variances. A few

additional conditions include the addition of a landscape plan requesting community input which can be approved by staff, moving the obelisks as little as possible at a maximum of five feet to align with the rest of the obelisks, and removing the restrictions of limiting the parking pavement striping to brick red. The Motion was seconded by Comm. Matthews. The Motion carried 4-1 (Lundy No).

Result: Approved.

South High School H-1 Landmark

953 E. Moody Avenue – Rehabilitation of exterior (2-H-19-HZ)

Discussion: Ms. Graybeal reviewed the staff report and staff recommendation of approval.

Action: Comm. Eid moved that the application submitted for 953 E. Moody Avenue be approved based on the evidence submitted, the information provided, and per staff recommendation. The Motion was seconded by Comm. Lundy. The Motion carried unanimously.

Result: Approved.

Knollwood H-1 Landmark

105 Major Reynolds Place – New construction (2-G-19-HZ)

Discussion: Kaye Graybeal reviewed the staff report and staff recommendation of approval.

Stefan Robichaux, D &G Acquisition, LLC, was present and made himself available for any questions or comments the Commission may have. Mr. Robichaux introduced himself and confirmed that the dimensions in the Staff Report are correct. Mr. Robichaux wanted to add that their proposal is to relocate and align that curb cut with the curb cut along Major Reynolds. The landscape plan consists of replacing the trees that are currently located on the turn into the property, the curb cut off of Major Reynolds. Presently, there are a cluster of trees on both the North and South of that curb cut, and their plan is to remove the trees and replace them with appropriate co-compliant new trees. Vegetation shown on the site plan has been placed there to reserve the visual site line of both their property and Major Reynolds.

Action: Comm. Eid moved that the application submitted for 105 Major Reynolds Place be approved based on the evidence submitted, the information provided in the staff report, and per staff recommendation. The Motion was seconded by Comm. Matthews. The Motion carried unanimously.

Result: Approved.

Fort Sanders NC-1

1601 Forest Avenue – partial demolition/addition (2-F-19-HZ)

Discussion: Ms. Graybeal reviewed the staff report and staff recommendation of approval.

David Holmes, 212 E. Oklahoma Avenue, was present and made himself available for any questions or comments the Commission may have.

Discussion ensued amongst the Commissioners. The Commissioners expressed concern about the house being partially demolished and reconstructed, the possibility of new windows where there was none historically before, and the house being on a corner lot and highly visible in Fort Sanders. Comm. Carey stated that the new construction plan presented before the Commission does not have similar attributes to the historic homes built in Fort Sanders in the 1900s, and stated that it completely takes away from the character of a Queen Anne.

Peter Ahrens, Director of Plans Review and Inspections, stated that this house was permitted as a general repair which as we can see from the photos is not. Once the inspector went to the house to inspect, he

realized the work had gone beyond general repair and told the Applicant that they would need drawings in place before moving forward. Mr. Ahrens does not feel comfortable moving forward without any type of construction drawings. While pictures have been provided, there is still insufficient information in the Applicant's request. Mr. Ahrens stated that the Community Development Department will require much more than what has been provided for the Historic Zoning Commission before issuing any permits for further construction. Mr. Ahrens suggested that the Commission may wait until they've been provided with formal construction drawings showing elevations and dimensions before approving this request.

Action: Comm. Eid moved that the application submitted for the building located at 1601 Forest Avenue be postponed to the March 21, 2019 Historic Zoning Commission Meeting to give the applicant time to submit more extensive drawings for the Commission to review before approval. The Motion was seconded by Comm. Matthews. The Motion carried unanimously.

Result: Approved

Fourth and Gill H-1 District

703 Luttrell Street- handicap ramp and garage doors (2-J-19-HZ)

Discussion: Kaye Graybeal reviewed the information in the application.

Teresa Matthews, owner of 703 Luttrell Street, was present and made herself available for any questions or comments the Commission may have. Ms. Matthews stated that they were additionally going to submit a concrete ramp, but after talking with Planning Staff, the concrete is not appropriate and Ms. Graybeal suggested using materials less permanent such as wood. Ms. Matthews discussed ramp materials, dimensions/slopes, and garden walks affiliated with the construction of the ramp and garage addition to the house. Ms. Matthew confirmed that the back addition will be built first and then the construction of the ramp and sidewalk will follow.

DeAnn Bogus, Plans Review and Inspections, informed the Applicant that Plans Review will review the slope of the proposed ramp, and assess whether or not a guardrail or handrail is necessary. Ms. Bogus stated that with building any handicapped ramp, whether for residential or commercial use will need to comply with residential code.

Arin Streeter, 925 Eleanor Street, Fourth & Gill Neighborhood Representative and HZC liaison, stated that the Neighborhood has not heard any comments in opposition to this application. Also, the neighborhood is in agreement with staff that ramps should be put in in a temporary fashion to ensure that others would be able to take it down without any impact in the future.

Action: Comm. Eid moved that the application submitted for the building located at 703 Luttrell Street be postponed to the March 21, 2019 Historic Zoning Commission Meeting to allow the applicant to submit elevation drawings and the type of guardrail needed if necessary, but to also approve the garage door per staff recommendation. The Motion was seconded by Comm. Matthews. The Motion carried unanimously.

Other Business

835 N. Central Street- recommendation on H-1 Overlay

Discussion: Kaye Graybeal reviewed the information in the application.

Joe Petre, Conversion Properties, was present and made himself available for any questions or comments the Commission may have. Mr. Petre noted that this company came before the Commission last month and presented an early design concept to obtain a historic grant. Mr. Petre's stated that the owners Axle Logistics is one of the fastest growing logistic companies in the U.S. and they're currently located downtown and want to move their corporate office into this Historic building. They have both applied and

been awarded the historic grant. In efforts to being transparent with the applicant's intentions, Mr. Petre wanted to ensure that the Commission does not have any hesitations with the design of the building because their main goal is to grow the business. Therefore, the business comes before the preservation of the building and the applicants are dependent on this body to approve the design, and if there is any hesitation by the Commission, they would like to know it as soon as possible. Once the building is under H-1 Overlay, the applicants would not want to modify their design and construction timeline.

Action: Comm. Matthews moved that the application submitted for the building located at 835 N. Central Street be approved based on the evidence submitted, the information provided in the staff report, and per staff recommendation. The Motion was seconded by Comm. Cotham. The Motion carried 4-0-1 (Eid Abstain).

Action: Comm. Matthews moved to adjourn the Knoxville Historic Zoning Commission meeting at 12:03 P.M. The Motion was seconded by Comm. Cotham. The Motion carried unanimously and the meeting was adjourned.