

**KNOXVILLE/KNOX COUNTY METROPOLITAN PLANNING COMMISSION  
 PLAN AMENDMENT REPORT**

▶ **FILE #:** 4-H-18-SP

**AGENDA ITEM #:** 47

**AGENDA DATE:** 4/12/2018

▶ **APPLICANT:** RIYANS LLC  
**OWNER(S):** RIYANS LLC

**TAX ID NUMBER:** 94 L M 027

[View map on KGIS](#)

**JURISDICTION:** Council District 1

**STREET ADDRESS:** 310 Thirteenth St

▶ **LOCATION:** **Northeast side Thirteenth St., northwest side Bridge Ave.**

▶ **APPX. SIZE OF TRACT:** **1900 square feet**

**SECTOR PLAN:** Central City

**GROWTH POLICY PLAN:** Urban Growth Area (Inside City Limits)

**ACCESSIBILITY:** Access is via Thirteenth St., a local street with 29' of pavement width within 40' of right-of-way, or Bridge Ave., a local street with 31' of pavement width within 40' of right-of-way.

**UTILITIES:** Water Source: Knoxville Utilities Board

Sewer Source: Knoxville Utilities Board

**WATERSHED:** Second Creek

▶ **PRESENT PLAN AND ZONING DESIGNATION:** **MDR (Medium Density Residential) / R-3 (High Density Residential) / NC-1 (Neighborhood Conservation Overlay)**

▶ **PROPOSED PLAN DESIGNATION:** **GC (General Commercial)**

▶ **EXISTING LAND USE:** **Retail market**

▶ **PROPOSED USE:** **Package store**

**EXTENSION OF PLAN DESIGNATION:** No

**HISTORY OF REQUESTS:** None noted

**SURROUNDING LAND USE AND PLAN DESIGNATION:**  
 North: Apartments / MDR  
 South: Bridge Ave., apartments / MDR  
 East: Apartments / MDR  
 West: Thirteenth St., apartments / MDR

**NEIGHBORHOOD CONTEXT** The surrounding area is developed with apartment housing, zoned R-3/NC-1.

**STAFF RECOMMENDATION:**

▶ **DENY the requested GC (General Commercial) sector plan designation.**

No conditions have changed that warrant amendment of the sector plan map for this site. The current R-3/NC-1 zoning is consistent with the plan and gives the applicant reasonable use of the property, which has already been operating as a legal non-conforming business since at least the 1970's, according to the applicant. Approval of this request would represent a spot plan amendment with no reasonable justification to warrant the

change.

**COMMENTS:**

SECTOR PLAN REQUIREMENTS FROM GENERAL PLAN (May meet any one of these):

CHANGES OF CONDITIONS WARRANTING AMENDMENT OF THE LAND USE PLAN:

INTRODUCTION OF SIGNIFICANT NEW ROADS OR UTILITIES THAT WERE NOT ANTICIPATED IN THE PLAN AND MAKE DEVELOPMENT MORE FEASIBLE:

No known improvements have been made in the vicinity of this site. The zoning and development pattern for this area is well established and appropriate as is.

AN OBVIOUS OR SIGNIFICANT ERROR OR OMISSION IN THE PLAN:

The Central City Sector Plan appropriately designates this site for MDR (Medium Density Residential) uses, consistent with the current R-3/NC-1 zoning. This site is located in the middle of an established neighborhood that is consistently zoned R-3/NC-1.

CHANGES IN GOVERNMENT POLICY, SUCH AS A DECISION TO CONCENTRATE DEVELOPMENT IN CERTAIN AREAS:

There has been no change in public policy that warrants the requested amendment to the One Year Plan.

TRENDS IN DEVELOPMENT, POPULATION OR TRAFFIC THAT WARRANT RECONSIDERATION OF THE ORIGINAL PLAN PROPOSAL:

No known improvements have been made in the vicinity of this site. The zoning and development pattern for this area is well established and appropriate as is.

ESTIMATED TRAFFIC IMPACT: Not required.

ESTIMATED STUDENT YIELD: Not applicable.

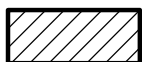
If approved, this item will be forwarded to Knoxville City Council for action on 5/8/2018 and 5/22/2018. If denied, MPC's action is final, unless the action to deny is appealed to Knoxville City Council. The date of the appeal hearing will depend on when the appeal application is filed. Appellants have 15 days to appeal an MPC decision in the City.



**4-H-18-SP  
CENTRAL CITY SECTOR PLAN AMENDMENT**

From: MDR (Medium Density Residential)

To: GC (General Commercial)

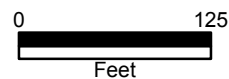


Original Print Date: 3/19/2018      Revised:      Metropolitan Planning Commission \* City / County Building \* Knoxville, TN 37902

Petitioner: RIYANS LLC

Map No: 94

Jurisdiction: City



REZONING

PLAN AMENDMENT

Name of Applicant: Riyans LLC

Date Filed: 2/26/2018 Meeting Date: 4/12/2018

Application Accepted by: M Payne

Fee Amount: File Number: Rezoning

Fee Amount: File Number: Plan Amendment 4-H-18-5P (4-J-18-RZ) (4-E-18-PA)



PROPERTY INFORMATION Address: 310 13th Street General Location: 1/3 Thirteenth Street 1/2 Bridge Ave Parcel ID Number(s): 094LMD27 Tract Size: 38x50 Existing Land Use: Retail Market Planning Sector: Central City Growth Policy Plan: City Census Tract: 69 Traffic Zone: 61 Jurisdiction: City Council District 101

PROPERTY OWNER OPTION HOLDER PLEASE PRINT Name: SHEHZAD JIWANI Company: RIYANS LLC Address: 310 13th STREET City: KNOXVILLE State: TN Zip: 37916 Telephone: 865-765-8001 Fax: E-mail: RIYANSLLC@gmail.com

Requested Change REZONING FROM: TO:

APPLICATION CORRESPONDENCE All correspondence relating to this application should be sent to: PLEASE PRINT Name: ANDREW G. SEXTON, JR. Company: FRANTZ, MCCONNELL, SEXTON & ASSOCIATES Address: P.O. BOX 39 City: KNOXVILLE State: TN Zip: 37909 Telephone: 546-9321 Fax: 637-5249 E-mail: ASSEXTON@FRANTZMCCONNELL.COM

PLAN AMENDMENT One Year Plan Central City Sector Plan FROM: MDR TO: GC

APPLICATION AUTHORIZATION I hereby certify that I am the authorized applicant, representing ALL property owners involved in this request or holders of option on same, whose signatures are included on the back of this form. Signature: NAME AS ABOVE Company: Address: City: State: Zip: Telephone: E-mail:

PROPOSED USE OF PROPERTY Package Store Density Proposed Units/Acre Previous Rezoning Requests:



# CITY OF KNOXVILLE

*mailed  
5-12-16  
SE*

## Plans Review & Inspections Division

May 12, 2016

Sheazad Jiwani

Riyan's LLC, DBA Corner Market on 13th

310 13<sup>th</sup> Street

Knoxville, TN 37916

**RE: 310 Thirteenth Street – Parcel ID# 094LM027**

To Whom It May Concern:

This letter is regarding the above-referenced property. The KGIS zoning map shows this property is currently zoned R-3 / NC-1 (High Density Residential / Neighborhood Conservation Overlay) Districts.

It has been determined by the Building Official that the use of this property as a retail market and deli with no on-site product consumption is pre-existing to the current zoning regulations and therefore may continue its use as such.

Please contact me at (865) 215-4473 if you have additional questions.

Sincerely,

Scott Elder

Zoning Chief – City of Knoxville

Enclosures

City County Building • 400 Main Street • Suite 505 • Knoxville, TN 37902

Office: 865-215-3669 • Fax: 865-215-2627

[www.KnoxvilleTN.gov](http://www.KnoxvilleTN.gov)

## REQUIRED SIGN POSTING AGREEMENT FORM

For all rezoning, plan amendment, concept plan, use on review, BZA variance, right-of-way closure, and street name change applications, a sign must be posted on the subject property, consistent with the adopted MPC/BZA Administrative Rules and Procedures. When applicable, MPC staff will provide the sign(s) to post on the subject property at the time of application.

The sign(s) must be posted in a location that is clearly visible from the nearest adjacent street. If the property has more than one street frontage, then the sign(s) should be placed along the higher classified street. MPC staff may recommend a preferred location for the sign(s) to be posted at the time of application.

The sign(s) must be posted no later than two weeks prior to the scheduled MPC/BZA hearing and must remain in place until after the meeting. The applicant is responsible for ensuring that the signs remain posted throughout the two-week period prior to the public hearing. Failure to maintain the signs during this time period may be cause for postponement of the application until the next scheduled meeting. In the case of a postponement, the sign can either remain in place or be removed and reposted no later than two weeks prior to the next MPC/BZA meeting.

MPC staff will provide the first sign(s) for no additional charge as part of the application fees. If the sign(s) are lost or stolen and need to be replaced, then the applicant will be responsible for picking up a new sign from the MPC offices. The applicant will be charged a replacement fee for additional sign(s) consistent with the agency's cost of purchasing each sign.

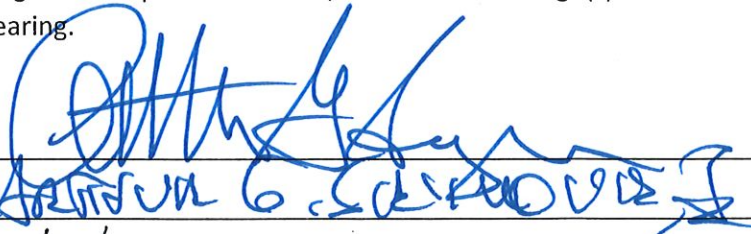
I hereby agree to post the sign(s) provided on the subject property on or before 3/29/2018, consistent with the guidelines provided above; and remove the sign(s) within one week after the MPC/BZA public hearing.

Signature: \_\_\_\_\_

Printed name: \_\_\_\_\_

Date: \_\_\_\_\_

MPC/BZA File #: \_\_\_\_\_

  
ANTHONY G. SCARFONE, JR.  
2/26/18  
4-H-18-SP 4-E-18-PA



**KNOXVILLE/KNOX COUNTY METROPOLITAN PLANNING COMMISSION  
PLAN AMENDMENT/REZONING REPORT**

▶ **FILE #:** 4-J-18-RZ  
4-E-18-PA

**AGENDA ITEM #:** 47  
**AGENDA DATE:** 4/12/2018

▶ **APPLICANT:** RIYANS LLC  
**OWNER(S):** RIYANS LLC

**TAX ID NUMBER:** 94 L M 027 [View map on KGIS](#)  
**JURISDICTION:** Council District 1  
**STREET ADDRESS:**

▶ **LOCATION:** Northeast side Thirteenth St., northwest side Bridge Ave.

▶ **TRACT INFORMATION:** 1900 square feet.

**SECTOR PLAN:** Central City

**GROWTH POLICY PLAN:** Urban Growth Area (Inside City Limits)

**ACCESSIBILITY:** Access is via Thirteenth St., a local street with 29' of pavement width within 40' of right-of-way, or Bridge Ave., a local street with 31' of pavement width within 40' of right-of-way.

**UTILITIES:** Water Source: Knoxville Utilities Board

Sewer Source: Knoxville Utilities Board

**WATERSHED:** Second Creek

▶ **PRESENT PLAN DESIGNATION/ZONING:** MDR (Medium Density Residential) / R-3 (High Density Residential) / NC-1 (Neighborhood Conservation Overlay)

▶ **PROPOSED PLAN DESIGNATION/ZONING:** GC (General Commercial) / C-3 (General Commercial) / NC-1 (Neighborhood Conservation Overlay)

▶ **EXISTING LAND USE:** Retail market

▶ **PROPOSED USE:** Package store

**EXTENSION OF PLAN DESIGNATION/ZONING:** No

**HISTORY OF ZONING REQUESTS:** None noted

**SURROUNDING LAND USE, PLAN DESIGNATION, ZONING** North: Apartments / MDR / R-3 (High Density Residential) / NC-1 (Neighborhood Conservation Overlay)

South: Bridge Ave., apartments / MDR / R-3 (High Density Residential) / NC-1

East: Apartments / MDR / R-3 (High Density Residential) / NC-1

West: Thirteenth St., apartments / MDR / R-3 (High Density Residential) / NC-1

**NEIGHBORHOOD CONTEXT:** The surrounding area is developed with apartment housing, zoned R-3/NC-1.

**STAFF RECOMMENDATION:**

▶ **DENY GC (General Commercial) One Year Plan designation for the site.**

No conditions have changed that warrant amendment of the One Year Plan map for this site. The current R-3/NC-1 zoning is consistent with the One Year Plan and gives the applicant reasonable use of the property, which has already been operating as a legal non-conforming business since at least the 1970's, according to the applicant. Approval of this request would represent a spot plan amendment with no reasonable justification to warrant the change.

▶ **DENY the rezoning to C-3 (General Commercial) / NC-1 Neighborhood Conservation Overlay), consistent with the denial recommendations for the associated plan amendments.**

The subject property is developed with a grocery store (see attached photo) that has operated as a legal non-conforming use for many years under R-3/NC-1 zoning. All adjacent properties are zoned R-3/NC-1 and used for residential purposes. If approved, C-3 at this location would constitute an inappropriate spot zoning.

**COMMENTS:**

ONE YEAR PLAN AMENDMENT REQUIREMENTS:

CHANGES OF CONDITIONS WARRANTING AMENDMENT OF THE LAND USE PLAN (May meet any one of these.)

A. AN ERROR IN THE PLAN - The One Year Plan appropriately designates this site for MDR (Medium Density Residential) uses, consistent with the current R-3/NC-1 zoning. This site is located in the middle of an established neighborhood that is consistently zoned R-3/NC-1.

B. A SIGNIFICANT CHANGE IN THE DEVELOPMENT PATTERN, OR THE COMPLETION OF A PUBLIC IMPROVEMENT (ROAD, PARK, SEWER), WHICH CHANGES THE BASIS ON WHICH THE PLAN WAS DEVELOPED FOR AN AREA - No known improvements have been made in the vicinity of this site. The zoning and development pattern for this area is well established and appropriate as is.

C. A CHANGE IN PUBLIC POLICY, UNANTICIPATED BY THE PLAN - There has been no change in public policy that warrants the requested amendment to the One Year Plan.

D. NEW INFORMATION (INCLUDING NEW PLANS AND STUDIES PRODUCED BY MPC) BECOMING AVAILABLE, WHICH REVEALS THE NEED FOR A PLAN AMENDMENT - No new information has become available that would reveal the need for a plan amendment at this particular location.

REZONING REQUIREMENTS FROM ZONING ORDINANCES (must meet all of these):

THE PROPOSED AMENDMENT SHALL BE NECESSARY BECAUSE OF SUBSTANTIALLY CHANGED OR CHANGING CONDITIONS IN THE AREA AND DISTRICTS AFFECTED, OR IN THE CITY/COUNTY GENERALLY:

1. C-3 zoning is not necessary as the property is already developed and currently being used as a legal non-conforming business under its current R-3/NC-1 zoning. The applicant has indicated that the proposed use is for the existing retail market to continue at this location, but the C-3 zoning is being requested in order to allow a package store for liquor sales.
2. The Central City Sector Plan and the City of Knoxville One Year Plan both propose medium density residential uses for this site, consistent with the current R-3/NC-1 zoning.
3. Because there is no justification to amend the sector plan or One Year Plan to GC, staff does not support rezoning to C-3, which would require that the plans be amended to allow commercial zoning.

THE PROPOSED AMENDMENT SHALL BE CONSISTENT WITH THE INTENT AND PURPOSE OF THE APPLICABLE ZONING ORDINANCE:

1. The C-3 zone, as described in the zoning ordinance, is for personal and business services and general retail businesses. This zoning category is intended to include areas where commercial development has displaced or is displacing residential development, or is moving in on vacant land. Further, the regulations are designed to guide future change so as to discourage formation of future commercial slums, to preserve the carrying capacity of the streets, and to provide for off-street parking and loading. It is not the intent of this district to encourage the extension of existing strip commercial areas, but rather to provide concentrations of general commercial activities.



2. Based on the above general intent, this site is not appropriate to be rezoned to C-3. There is no justification to amend the applicable future land use plans to GC in order to consider the requested C-3 zoning.
3. The NC-1 (Neighborhood Conversation Overlay) will remain in place, regardless if the base zoning changes.

THE PROPOSED AMENDMENT SHALL NOT ADVERSELY AFFECT ANY OTHER PART OF THE COUNTY, NOR SHALL ANY DIRECT OR INDIRECT ADVERSE EFFECTS RESULT FROM SUCH AMENDMENT:

1. The applicant has reasonable use of the property under the current zoning, where the current business is operating as a legal non-conforming use.
2. Public water and sewer utilities are available to serve the site.
3. Approval of this request could lead to expansion of commercial uses at the site, which could potentially increase the impact on surrounding residential property owners.

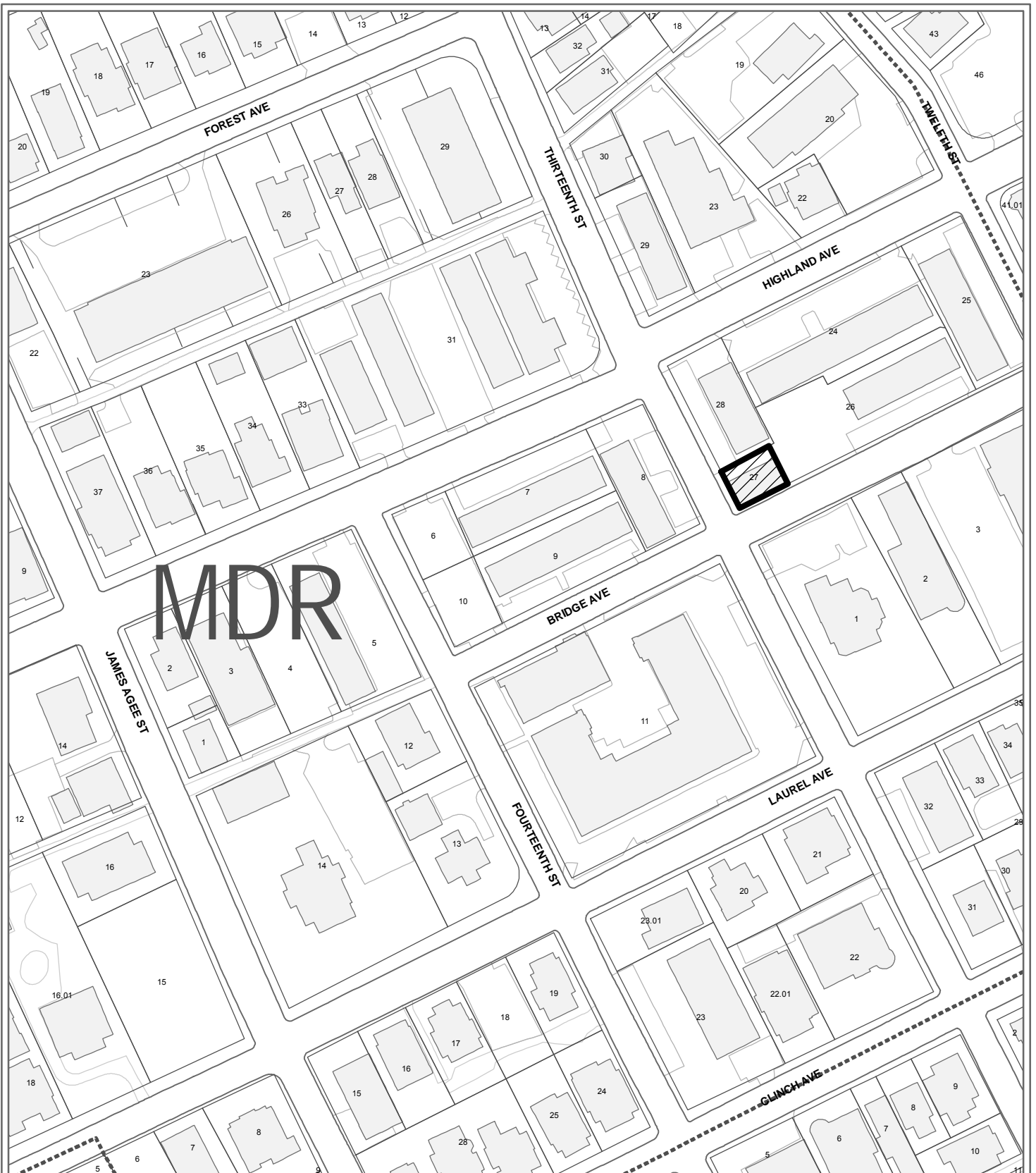
THE PROPOSED AMENDMENT SHALL BE CONSISTENT WITH AND NOT IN CONFLICT WITH THE GENERAL PLAN OF KNOXVILLE AND KNOX COUNTY, INCLUDING ANY OF ITS ELEMENTS, MAJOR ROAD PLAN, LAND USE PLAN, COMMUNITY FACILITIES PLAN, AND OTHERS:

1. With approval of the requested One Year Plan amendment to GC, the requested C-3 zoning would be consistent with the plan.
2. With approval of the associated Central City Sector Plan amendment to GC (4-H-18-SP), the requested C-3 zoning would be consistent with the sector plan.
3. The site is located within the City Limits of Knoxville on the Knoxville-Knox County-Farragut Growth Policy Plan map.
4. This current zoning does not present any apparent conflicts with adopted plans, and should be maintained.

ESTIMATED TRAFFIC IMPACT: Not required.

ESTIMATED STUDENT YIELD: Not applicable.

If approved, this item will be forwarded to Knoxville City Council for action on 5/8/2018 and 5/22/2018. If denied, MPC's action is final, unless the action to deny is appealed to Knoxville City Council. The date of the appeal hearing will depend on when the appeal application is filed. Appellants have 15 days to appeal an MPC decision in the City.



**4-E-18-PA / 4-J-18-RZ  
PLAN AMENDMENT**

From: MDR (Medium Density Residential)

To: GC (General Commercial)



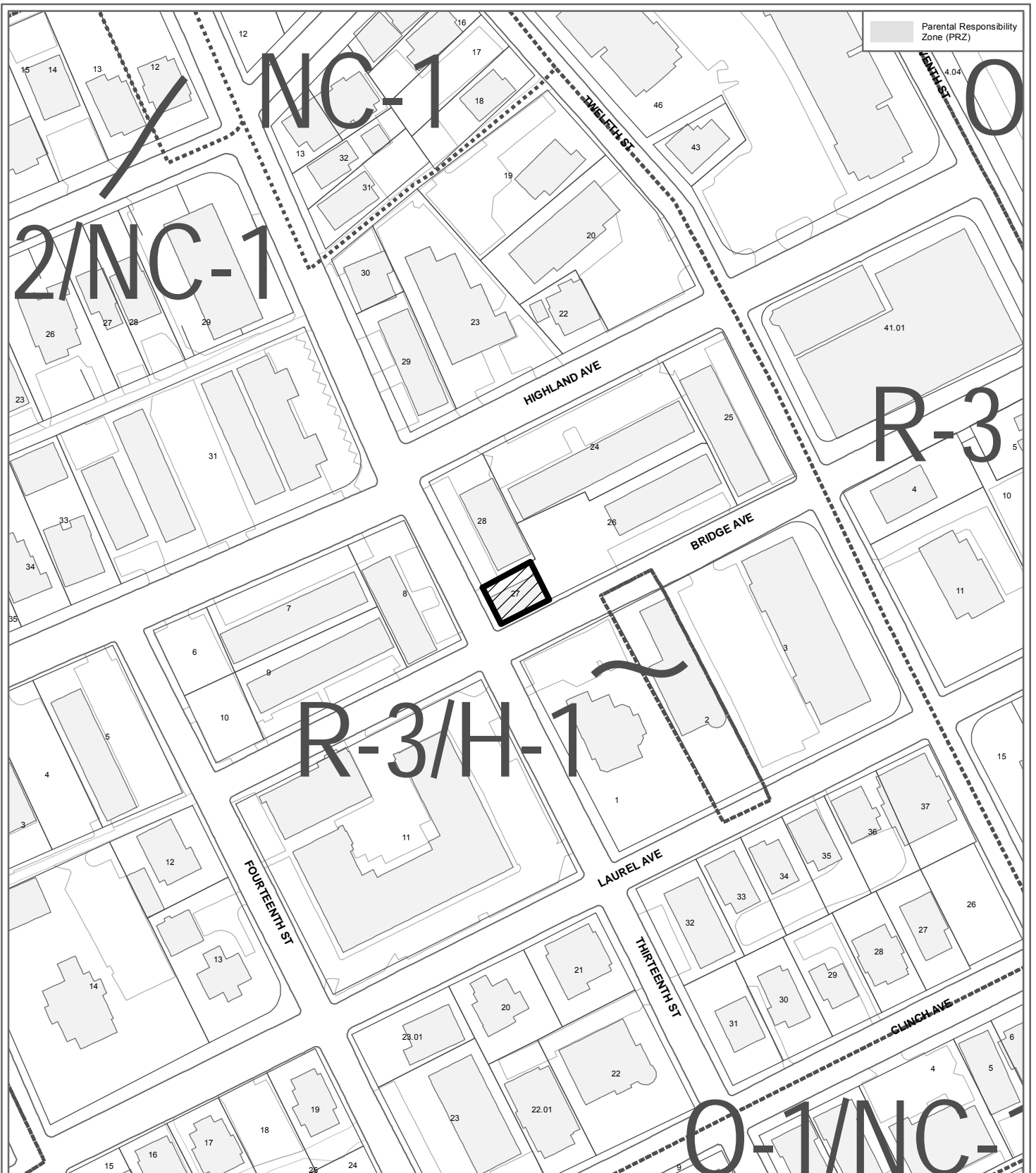
Petitioner: RIYANS LLC

Map No: 94

Jurisdiction: City

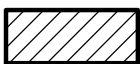


Original Print Date: 3/19/2018      Revised:  
Metropolitan Planning Commission \* City / County Building \* Knoxville, TN 37902



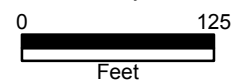
**4-J-18-RZ  
REZONING**

From: R-3 (High Density Residential) / NC-1 (Neighborhood Conservation Overlay)  
 To: C-3 (General Commercial) / NC-1 (Neighborhood Conservation Overlay)



Petitioner: RIYANS LLC

Map No: 94  
 Jurisdiction: City



Original Print Date: 3/19/2018  
 Revised:  
 Metropolitan Planning Commission \* City / County Building \* Knoxville, TN 37902

Google Maps 310 13th St

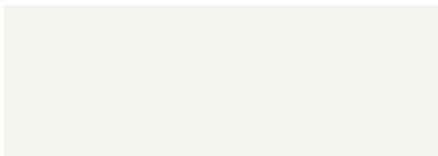


Waldo ©DreamWorks Distribution Limited. All rights reserved. Image capture: Feb 2017 © 2018 Google

Knoxville, Tennessee



Street View - Feb 2017



MPC April 12, 2018

Agenda Item # 47



Betty Jo Mahan <bettyjo.mahan@knoxmpc.org>

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[MPC Comment] 13th Street Grocery Package Store

1 message

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Hannah Thiessen <hannah.thiessen@gmail.com>

Tue, Mar 27, 2018 at 11:03 AM

Reply-To: hannah.thiessen@gmail.com

To: commission@knoxmpc.org

Hello,

I'm writing the commission to let you know how I feel about the change of 13th Street grocery into a package store. My understanding is that package store here means liquor. I live at 403 14th street - exactly a block from this great little convenience store - and I frequent it all the time. Their selling beer is not a problem at all, as the place is mostly frequented by students and locals. However, we are very close to the homeless population issue on Broadway and Western.

We already have problems with panhandling, dumpster-diving and drug dealing happening in this neighborhood, and my concern is that by offering liquor, we will have more people 'hanging out' and harassing students and residents. Normally, I am all for businesses having the freedom to change their revenue streams, but I feel that this could make the area I live considerably more dangerous and unsafe. As a single female who frequently walks to this shop in the evening, I would have to stop going if I felt that my neighborhood was no longer safe.

--

Hannah Thiessen  
[hannah.thiessen@gmail.com](mailto:hannah.thiessen@gmail.com)

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This message was directed to [commission@knoxmpc.org](mailto:commission@knoxmpc.org)



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## Fwd: Fort Sanders Zoning Question

1 message

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Gerald Green <gerald.green@knoxmpc.org>

Tue, Mar 27, 2018 at 2:08 PM

To: Mike Brusseau <Mike.Brusseau@knoxmpc.org>, Betty Jo Mahan <bettyjo.mahan@knoxmpc.org>, Planning Commissioners <commission@knoxmpc.org>

FYI

Gerald Green AICP  
Executive Director  
Knoxville-Knox County  
Metropolitan Planning Commission  
[400 Main Street, Suite 403](#)  
[Knoxville, TN 37902](#)  
[865.215.3758](#)  
[gerald.green@knoxmpc.org](mailto:gerald.green@knoxmpc.org)

----- Forwarded message -----

From: Gerald Green <[gerald.green@knoxmpc.org](mailto:gerald.green@knoxmpc.org)>

Date: Tue, Mar 27, 2018 at 2:06 PM

Subject: Re: Fort Sanders Zoning Question

To: Randall Deford <[randall.deford@defordarchitecture.com](mailto:randall.deford@defordarchitecture.com)>

Randall,

I will be honest in my initial comment and say that this rezoning request has not generated as much discussion as some of the other upcoming agenda items and as a result I have not given it as much thought. During the staff discussion of requested rezonings, the requested rezoning of C-3 for this property was not received with much enthusiasm. Staff has not made a final decision so comments from the neighborhood will be valuable to staff in making a recommendation. MPC has received one comment, from a tenant in your apartments on 13th. Additional comments are welcomed and will be helpful. Comments directed to the Planning Commission ([commission@knoxmpc.org](mailto:commission@knoxmpc.org)) are received by staff also and are useful in informing both staff and the Planning Commission. I believe we can gather demographic data about the neighborhood.

Thanks for the comment and I look forward to touring Fort Sanders with you soon,  
Gerald

Gerald Green AICP  
Executive Director  
Knoxville-Knox County  
Metropolitan Planning Commission  
[400 Main Street, Suite 403](#)  
[Knoxville, TN 37902](#)  
[865.215.3758](#)  
[gerald.green@knoxmpc.org](mailto:gerald.green@knoxmpc.org)

On Tue, Mar 27, 2018 at 10:04 AM, Randall Deford <[randall.deford@defordarchitecture.com](mailto:randall.deford@defordarchitecture.com)> wrote:

Gerald:

Are you able to comment on an item before the commission?

If so, I'd like to know more, if there is more to know, about the rezoning of the 13th Street Grocery, item:

I think I speak for all my neighbors when I say we have happily supported the pre-existing non-conforming use of grocery and deli over the many decades. Even when it has been kind of crappy, it has been convenient.

However, I am worried about the change from that to a package store. Does MPC have any information from the census data about the average age of the neighbors? It seems to me that there is a good chance that the majority of them are underage.

Thanks,

R

C. Randall De Ford, AIA, NCARB  
C. Randall De Ford Architecture  
[1511 Laurel Avenue](#)  
[Knoxville, TN 37916](#)  
T [865.673.0743](#)



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[MPC Comment] Comments Regarding Item 4-E-18-P A / 4-J-18-RZ

2 messages

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Randall Deford <randall.deford@defordarchitecture.com>

Thu, Mar 29, 2018 at 12:07 PM

Reply-To: randall.deford@defordarchitecture.com

To: commission@knoxmpc.org

Dear Planning Commisioners and Staff:

My name is Randall De Ford. I am an architect who lives in Fort Sanders and works from home. I have lived within 3 blocks of the 13th Street Grocery for over 30 years. During these decades, I have seen many changes in the neighborhood, have been a long term member and officer of the Historic Fort Sanders Neighborhood Association, am one of the unofficial caretakers of James Agee Park, and am the founding president of the Fort Sanders Community Development Corporation. I continue to be very active in promoting Fort Sanders preservation, not only of our historic structures, but of our viability as a neighborhood.

I think I speak for most if not all of my neighbors when I say we have happily supported the pre-existing non-conforming use of the grocery and deli over the many decades. Even in the times when it might not have been as good as others, it has always been convenient. However, I am not able to support the current application to change the store's use to a package store, item 4-E-18-PA / 4-J-18-RZ.

If the neighborhood was one of vibrant mixed-use such as downtown, my opinion might be different, but Fort Sanders neighborhood differs from downtown in a few important ways.

1. The use of Fort Sanders is primarily residential, not mixed-use.
2. The overwhelming population of our neighborhood is a vulnerable one, in many ways immature, prone to excessive drinking, and the unpleasant behavior to which that so often leads.
3. A high percentage of our population is below the legal drinking age.
4. The Fort Sanders neighborhood is target of the homeless, dumpster divers and those who would prey upon an immature and naive population.

I thank you for your careful consideration of my request and hope that you will deny the application; and that the 13th Street Grocery might succeed as a provider of convenient food items appropriate to our residential population.

Sincerely,

R

C. Randall De Ford, AIA, NCARB

C. Randall De Ford Architecture

1511 Laurel Avenue

Knoxville, TN 37916

T 865.673.0743

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This message was directed to [commission@knoxmpc.org](mailto:commission@knoxmpc.org)



Terry, Katherine F <Katherine.Terry@gapac.com>

Thu, Mar 29, 2018 at 4:09 PM

Reply-To: katherine.terry@gapac.com

To: "commission@knoxmpc.org" <commission@knoxmpc.org>, "dan.kelly@knoxmpc.org" <dan.kelly@knoxmpc.org>, "gerald.green@knoxmpc.org" <gerald.green@knoxmpc.org>

Dear Knoxville Metro Planning Commission folks,

My name is Katherine Terry. I am against the current application to change the use of the Corner Market on 13<sup>th</sup> Street into package store, item 4-E-18-PA / 4-J-18-RZ. I am a parent of a UTK student and Fort Sanders resident who lives a block from the grocery at 411 14<sup>th</sup> Street. My son buys groceries at the Corner Market on 13<sup>th</sup> Street there several times a week. He loves the convenience of the store and always runs into friends there. This is so wrong for the Fort!

I worry about the homeless population that my son has to deal with daily already- just imagine when they are able to buy liquor right there near their favorite Dumpster!! This must not be allowed to happen. Please consider that many of us are far away from our college kids and expect that the Knoxville community will help us keep them safe. Your decision to deny this application will help in that effort.

Please deny this application and preserve the integrity of the Fort Sanders neighborhood.

Sincerely,

Katherine Terry

7894 Poplar Pike

[Germantown, TN 38138](#)

[901-857-3463](#)

[Quoted text hidden]

REZONING  PLAN AMENDMENT

Name of Applicant: RIYANS LLC

Date Filed: 2/26/2018 Meeting Date: 4/12/2018

Application Accepted by: M. Payne

Fee Amount: 1,000.00 File Number: Rezoning 4-5-18-RZ

Fee Amount: 600.00 File Number: Plan Amendment 4-E-18-PA (4-H-18-SP)



**PROPERTY INFORMATION** 310

Address: 15 Thirteenth St 13th St  
 General Location: 15 Thirteenth St 15 Bridge Ave

Parcel ID Number(s): 094LM027

Tract Size: 38 x 50

Existing Land Use: Gen Retail Market

Planning Sector: Central City

Growth Policy Plan: City

Census Tract: 69

Traffic Zone: 61

Jurisdiction:  City Council 1st District  
 County Commission \_\_\_\_\_ District

PROPERTY OWNER  OPTION HOLDER

PLEASE PRINT

Name: SHEZAD JIWANI

Company: RIYANS LLC

Address: 310 13th STREET

City: KNOXVILLE State: TN Zip: 37916

Telephone: 865-785-8001

Fax: \_\_\_\_\_

E-mail: RIYANSLLC@gmail.com

**Requested Change**

**REZONING**

FROM: R-3/NC-1

TO: C-3/NC-1

**PLAN AMENDMENT**

One Year Plan  \_\_\_\_\_ Sector Plan

FROM: MOR

TO: GC

**APPLICATION CORRESPONDENCE**

All correspondence relating to this application should be sent to:

PLEASE PRINT

Name: ANDREA C SEXTON

Company: FRANK McCONVILLE - SEXTON

Address: P.O. BOX 39

City: KNOXVILLE State: TN Zip: 37901

Telephone: 546-9325

Fax: 637-5849

E-mail: AJSBYWOUR@FUSKIP.CO

**PROPOSED USE OF PROPERTY**

Package Store

Density Proposed H Units/Acre

Previous Rezoning Requests: H

**APPLICATION AUTHORIZATION**

I hereby certify that I am the authorized applicant, representing ALL property owners involved in this request or holders of option on same, whose signatures are included on the back of this form.

Signature: [Signature]

PLEASE PRINT

Name: SHEZAD JIWANI

Company: \_\_\_\_\_

Address: \_\_\_\_\_

City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_

Telephone: \_\_\_\_\_

E-mail: \_\_\_\_\_

## REQUIRED SIGN POSTING AGREEMENT FORM

For all rezoning, plan amendment, concept plan, use on review, BZA variance, right-of-way closure, and street name change applications, a sign must be posted on the subject property, consistent with the adopted MPC/BZA Administrative Rules and Procedures. When applicable, MPC staff will provide the sign(s) to post on the subject property at the time of application.

The sign(s) must be posted in a location that is clearly visible from the nearest adjacent street. If the property has more than one street frontage, then the sign(s) should be placed along the higher classified street. MPC staff may recommend a preferred location for the sign(s) to be posted at the time of application.

The sign(s) must be posted no later than two weeks prior to the scheduled MPC/BZA hearing and must remain in place until after the meeting. The applicant is responsible for ensuring that the signs remain posted throughout the two-week period prior to the public hearing. Failure to maintain the signs during this time period may be cause for postponement of the application until the next scheduled meeting. In the case of a postponement, the sign can either remain in place or be removed and reposted no later than two weeks prior to the next MPC/BZA meeting.

MPC staff will provide the first sign(s) for no additional charge as part of the application fees. If the sign(s) are lost or stolen and need to be replaced, then the applicant will be responsible for picking up a new sign from the MPC offices. The applicant will be charged a replacement fee for additional sign(s) consistent with the agency's cost of purchasing each sign.

I hereby agree to post the sign(s) provided on the subject property on or before 3/29/18, consistent with the guidelines provided above; and remove the sign(s) within one week after the MPC/BZA public hearing.

Signature: \_\_\_\_\_

Printed name: ANDREW G. SIBTNER

Date: 2/26/18

MPC/BZA File #: 4-5-18-R2