



PLAN AMENDMENT REPORT

▶ **FILE #:** 4-A-19-SP

AGENDA ITEM #: 29

AGENDA DATE: 4/11/2019

▶ **APPLICANT:** SHEAZAD JIWANI
OWNER(S):

TAX ID NUMBER: 94 N R 013, 014 [View map on KGIS](#)

JURISDICTION: Council District 1

STREET ADDRESS: 2126 Forest Ave

▶ **LOCATION:** Southeast side of Forest Ave., east side of 22nd St., north of Highland Ave.

▶ **APPX. SIZE OF TRACT:** 0.26 acres

SECTOR PLAN: Central City

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

ACCESSIBILITY: Access is via Forest Ave and Twenty Second St, both local streets, with a pavement width of 25' to 30' feet within a right-of-way width of 40' to 50' feet.

UTILITIES: Water Source: Knoxville Utilities Board

Sewer Source: Knoxville Utilities Board

WATERSHED: Third Creek

▶ **PRESENT PLAN AND ZONING DESIGNATION:** MU (Mixed Use) - SD, MC-CC16 /

▶ **PROPOSED PLAN DESIGNATION:** NC (Neighborhood Commercial)

▶ **EXISTING LAND USE:** Produce store / commercial

▶ **PROPOSED USE:** Apartments & neighborhood store

EXTENSION OF PLAN DESIGNATION:

HISTORY OF REQUESTS: None noted

SURROUNDING LAND USE AND PLAN DESIGNATION: North: Parking - Mixed Use Special District (MU-CC16)

South: Office - Mixed Use Special District (MU-CC18)

East: Parking - Mixed Use Special District (MU-CC16)

West: Multi-dwelling residential - Mixed Use Special District (MU-CC16)

NEIGHBORHOOD CONTEXT The neighborhood is comprised of a mix of multi-dwelling and single-dwelling structures, with office, warehousing and some commercial uses interspersed through the area.

STAFF RECOMMENDATION:

▶ **ADOPT RESOLUTION #4-A-19-SP, amending the Central City Sector Plan to NC (Neighborhood Commercial) designation and recommend that City Council also adopt the sector plan amendment (see**

attached resolution, Exhibit A.)

This site is located in the Fort Sanders neighborhood surrounded by multi-dwelling residential. Staff recommends amending the Central City Sector Plan to NC (Neighborhood Commercial) in this location to foster more opportunities for walkable commercial options.

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 significant improvements have been made in the vicinity of this site.

AN OBVIOUS OR SIGNIFICANT ERROR OR OMISSION IN THE PLAN:

The sector plan should have recognized the commercial redevelopment opportunity for the existing industrial zoned area surrounded by multi-dwelling residential.

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

There have been no major changes in government policy for this area.

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

The Fort Sanders neighborhood continues to see growth in multi-dwelling residential and walkable commercial options are needed within the neighborhood for the growing residential population.

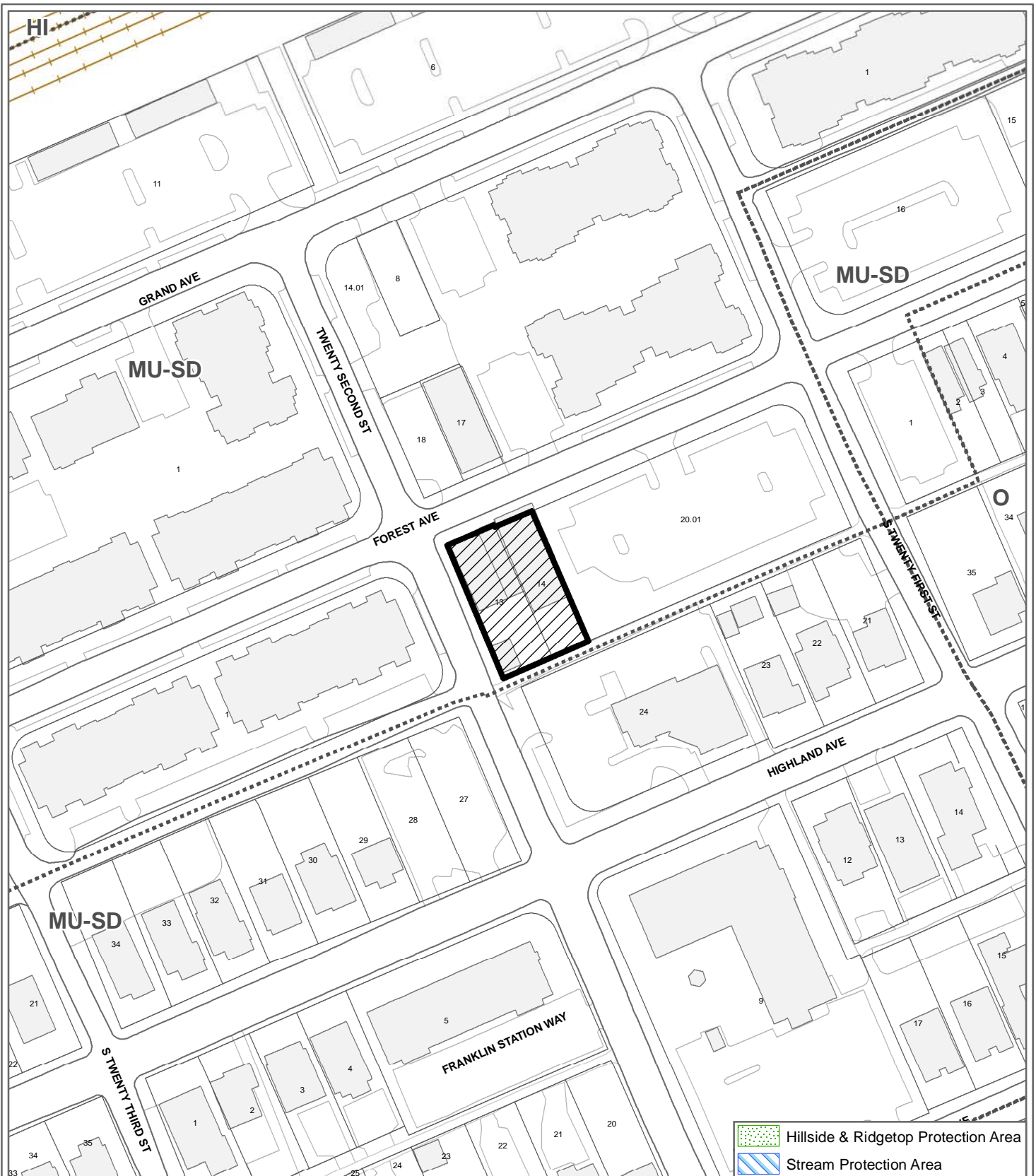
State law regarding amendments of the general plan (which include Sector Plan amendments) was changed with passage of Public Chapter 1150 by the Tennessee Legislature in 2008. The law provides for two methods to amend the plan at TCA 13-3-304:

1. The Planning Commission may initiate an amendment by adopting a resolution and certifying the amendment to the Legislative Body. Once approved by majority vote of the Legislative Body, the amendment is operative.
2. The Legislative Body may also initiate an amendment and transmit the amendment to the Planning Commission. Once the Planning Commission has considered the proposed amendment and approved, not approved, or taken no action, the Legislative Body may approve the amendment by majority vote and the amendment is operative.

ESTIMATED TRAFFIC IMPACT: Not required.

ESTIMATED STUDENT YIELD: Not applicable.

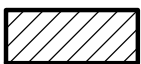
If approved, this item will be forwarded to Knoxville City Council for action on 5/7/2019 and 5/21/2019. If denied, Knoxville-Knox County Planning Commission's action is final, unless the action to deny is appealed to Knoxville City Council. The date of the appeal hearing will depend on when the appeal application is filed. Appellants have 15 days to appeal a Planning Commission decision in the City.



**4-A-19-SP
CENTRAL CITY SECTOR PLAN AMENDMENT**

From: MU (Mixed Use) - SD, MC-CC16

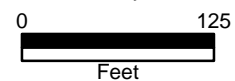
To: NC (Neighborhood Commercial)



Petitioner: Jiwani, Shezad

Map No: 94

Jurisdiction: City



Original Print Date: 3/18/2019 Revised:
Metropolitan Planning Commission * City / County Building * Knoxville, TN 37902

*KNOXVILLE-KNOX COUNTY PLANNING COMMISSION
A RESOLUTION AMENDING THE CENTRAL CITY SECTOR PLAN*

WHEREAS, the Knoxville-Knox County Planning Commission, a regional planning commission established pursuant to state statute, has the duty to make, adopt and amend plans for the physical development of Knoxville and Knox County; and

WHEREAS, the Planning Commission pursuant to state statute has prepared and adopted the Knoxville-Knox County General Plan 2033, as the official comprehensive plan for Knoxville and Knox County; and

WHEREAS, the Council of the City of Knoxville and the Commission of Knox County have adopted the Knoxville Knox County General Plan 2033, as the official comprehensive plan for Knoxville and Knox County; and

WHEREAS, the Planning Commission has prepared the Knox County Future Land Use Map, a portion of which is contained within the Central City Sector Plan, consistent with the requirements of the General Plan; and

WHEREAS, the Knoxville-Knox County General Plan 2033, provides criteria for periodic updates and amendments of the land use maps contained within plans initiated by the Planning Commission or in response to applications from property owners; and

WHEREAS, Sheazad Jiwani, has submitted an application to amend the Sector Plan from Mixed Use Special District to Neighborhood Commercial, for property described in the application; and

WHEREAS, the Planning Commission staff recommends approval of a revised amendment to the Central City Sector Plan, consistent with General Plan requirements that such amendment represents either a logical extension of a development pattern, or is warranted because of changing conditions in the sector as enumerated in the Plan; and

WHEREAS, the Planning Commission, at its regularly scheduled public hearing on April 11, 2019, after consideration of the staff recommendation and testimony from those persons in support and opposed to the plan amendment, approved the amendment for the subject property, as requested, and/or amended.

NOW, THEREFORE, BE IT RESOLVED BY THE KNOXVILLE-KNOX COUNTY PLANNING COMMISSION:

SECTION 1: The Planning Commission hereby adopts the revised amendment to the Central City Sector Plan, with its accompanying staff report and map, file #4-A-19-SP.

SECTION 2: This Resolution shall take effect upon its approval.

SECTION 3: The Planning Commission further recommends that Knoxville City Council likewise consider this revised amendment to the General Plan 2033.

Date

Chairman

Secretary



PLAN AMENDMENT/ REZONING REPORT

▶ **FILE #:** 4-A-19-RZ **AGENDA ITEM #:** 29
4-A-19-PA (REVISED) **AGENDA DATE:** 4/11/2019

▶ **APPLICANT:** SHEAZAD JIWANI
OWNER(S): Sheazad Jiwani

TAX ID NUMBER: 94 N R 013, 014 [View map on KGIS](#)

JURISDICTION: Council District 1

STREET ADDRESS: 2126 Forest Ave

▶ **LOCATION:** Southeast side of Forest Ave., east side of 22nd St., north of Highland Ave.

▶ **TRACT INFORMATION:** 0.26 acres.

SECTOR PLAN: Central City

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

ACCESSIBILITY: Access is via Forest Ave and Twenty Second St, both local streets, with a pavement width of 25' to 30' feet within a right-of-way width of 40' to 50' feet.

UTILITIES: Water Source: Knoxville Utilities Board

Sewer Source: Knoxville Utilities Board

WATERSHED: Third Creek

▶ **PRESENT PLAN DESIGNATION/ZONING:** MU (Mixed Use) / MU-SD-CC16 / I-2 (Restricted Manufacturing and Warehousing)

▶ **PROPOSED PLAN DESIGNATION/ZONING:** NC (Neighborhood Commercial) / C-1 (Neighborhood Commercial)

▶ **EXISTING LAND USE:** Produce store / commercial

▶ **PROPOSED USE:** Apartments & neighborhood store

EXTENSION OF PLAN DESIGNATION/ZONING:

HISTORY OF ZONING REQUESTS: None noted.

SURROUNDING LAND USE, PLAN DESIGNATION, ZONING North: Parking - Mixed Use Special District (MU-CC16)

South: Office - Mixed Use Special District (MU-CC18)

East: Parking - Mixed Use Special District (MU-CC16)

West: Multi-dwelling residential - Mixed Use Special District (MU-CC16)

NEIGHBORHOOD CONTEXT: The neighborhood is comprised of a mix of multi-dwelling and single-dwelling structures with office, warehousing and some commercial uses interspersed through the area.

STAFF RECOMMENDATION:

► **RECOMMEND that City Council APPROVE NC (Neighborhood Commercial) as the One Year Plan land use designation.**

This property is located in the Fort Sanders neighborhood, and is currently designated as a mixed-use special district (MU-CC16) as part of the one year plan. This property has an existing commercial building and warehouse space on it and is zoned industrial. Staff recommends approval for this request for NC and the rezoning request to C-1 (Neighborhood Commercial), which would provide for a neighborhood commercial use in the middle of a primarily multi-dwelling residential area.

► **RECOMMEND that City Council APPROVE C-1 (Neighborhood Commercial) zoning.**

Staff recommends approval of the requested C-1 zoning, which is compatible with the requested plan amendment to NC (Neighborhood Commercial) land use designation for this property. The adjacent properties are zoned RP-3 (24-60 du/ac), which will provide a walkable commercial option for residents in the neighborhood.

COMMENTS:

ONE YEAR PLAN AMENDMENT REQUIREMENTS:

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

AN ERROR IN THE PLAN - The One Year Plan should have recognized the need for commercial redevelopment opportunities in the existing industrial zoned area that is surrounded by multi-dwelling residential.

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 - There are no major changes in this area.

A CHANGE IN PUBLIC POLICY, UNANTICIPATED BY THE PLAN - There has not been a change in public policy since the adoption of the One Year Plan.

NEW INFORMATION (INCLUDING NEW PLANS AND STUDIES PRODUCED BY KNOXVILLE-KNOX COUNTY PLANNING) BECOMING AVAILABLE, WHICH REVEALS THE NEED FOR A PLAN AMENDMENT- There have been no new plans or studies available which reveals the need for the plan amendment.

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. The property is located within the existing city limits of the Growth Policy Plan.
2. The Central City Sector continues to see a high rate of growth in multi-dwelling residential and a need for walkable commercial opportunities.

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

1. The proposed amendment to C-1 zoning is intended to provide areas in which the principal use of land is devoted to the neighborhood store. It is a restricted commercial district, limited to a narrow range of retail, service and convenience goods only and to the first floor of a structure. This district is designed for areas where large commercial operations are undesirable, but where individual proprietary stores are useful and desirable for the neighborhood.

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

1. C-1 zoning is compatible with the proposed NC sector plan and one year plan designations.

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:

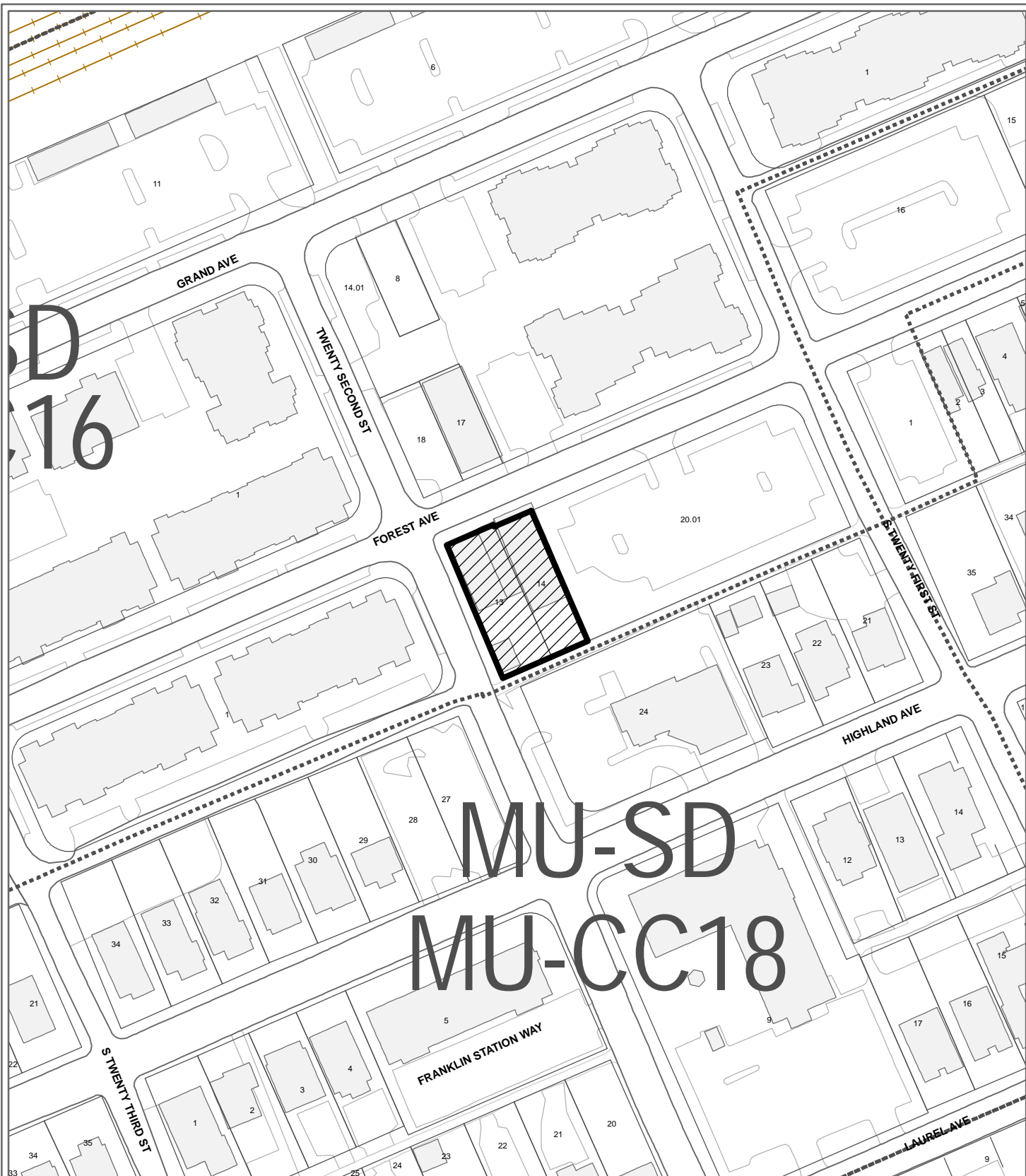
1. The recommended amendment for the Central City Sector Plan and One Year Plan to NC (Neighborhood

Commercial) makes the proposed rezoning consistent with the land use plan and all other adopted plans.

ESTIMATED TRAFFIC IMPACT: Not required.

ESTIMATED STUDENT YIELD: Not applicable.

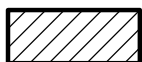
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**4-A-19-PA / 4-A-19-RZ
PLAN AMENDMENT**

From: MU (Mixed Use) / MU-SD-CC16

To: NC (Neighborhood Commercial)



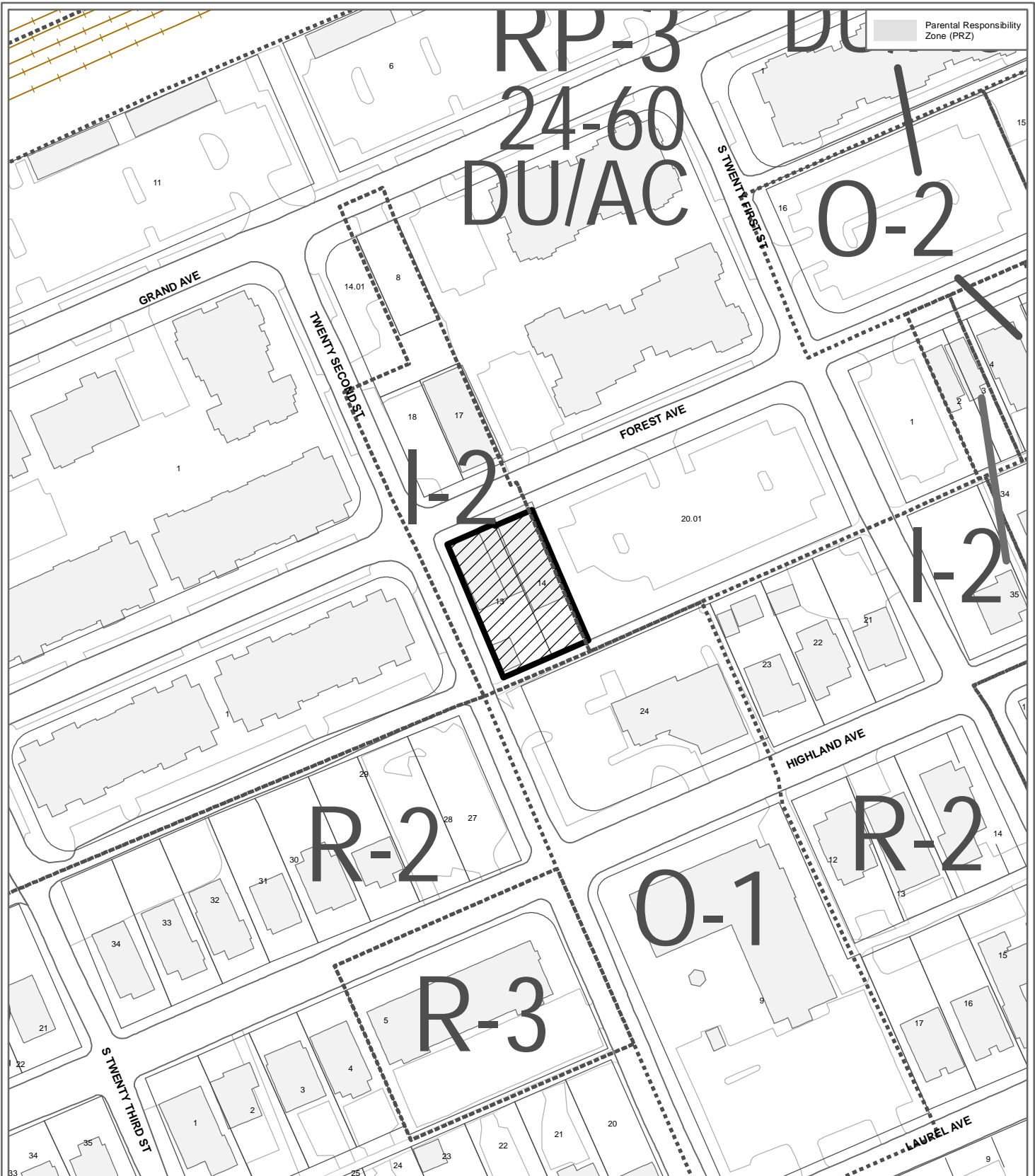
Original Print Date: 3/18/2019 Revised:
Metropolitan Planning Commission * City / County Building * Knoxville, TN 37902

Petitioner: Jiwani, Sheazad

Map No: 94

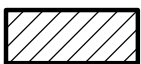
Jurisdiction: City





**4-A-19-RZ
REZONING**

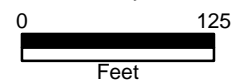
From: I-2 (Restricted Manufacturing and Warehousing)
To: C-1 (Neighborhood Commercial)



Petitioner: Jiwani, Sheazad

Map No: 94

Jurisdiction: City



M P C

METROPOLITAN
PLANNING
COMMISSION
T E N N E S S E E

Suite 403 • City County Building
400 Main Street
Knoxville, Tennessee 37902
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FAX • 215 • 2068
www.knoxmpc.org

REZONING PLAN AMENDMENT

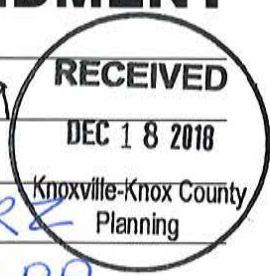
Name of Applicant: SHEAZAD JIWANI

Date Filed: 12/18/18 Meeting Date: 4/11/19

Application Accepted by: Liz Alberson

Fee Amount: \$1,000 File Number: Rezoning 4-A-19-RZ

Fee Amount: \$6,000 File Number: Plan Amendment 4-A-19-PA
4-A-19-SP



PROPERTY INFORMATION

Address: 2124, 2126, 2128 FOREST AVE

General Location: SE/S Forest Ave, E/S 22nd St

Parcel ID Number(s): 094 N 014 OFFICERS
North of Highland Ave

Tract Size: LESS THAN 5 ACRES

Existing Land Use: MULTI COMMERCIAL BLDG

Planning Sector: CENTRAL CITY

Growth Policy Plan: _____

Census Tract: 69

Traffic Zone: 60

Jurisdiction: City Council 150 District
 County Commission _____ District

PROPERTY OWNER OPTION HOLDER

PLEASE PRINT Name: SHEAZAD JIWANI

Company: (SHEAZAD JIWANI)

Address: 510 13TH ST

City: KNOXVILLE State: TN Zip: 37916

Telephone: 765-8001

Fax: _____

E-mail: _____

APPLICATION CORRESPONDENCE

All correspondence relating to this application should be sent to:

PLEASE PRINT Name: ANTHONY G. SEYMOUR, JR

Company: FRANZ MCGONIGLE - SEYMOUR

Address: P.O. BOX 59

City: KNOXVILLE State: TN Zip: 37901

Telephone: 546 9321

Fax: 637-5145

E-mail: AJSEYMOUR@KMSKAT.COM

Requested Change

REZONING

FROM: J-2

TO: C-1

PLAN AMENDMENT

One Year Plan Central City Sector Plan

FROM: MU-SD MC-CC16

TO: NC

PROPOSED USE OF PROPERTY

APARTMENTS - MULTIFAMILY
STORY

Density Proposed _____ Units/Acre

Previous Rezoning Requests: _____

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: SAME AS ABOVE

Company: _____

Address: _____

City: _____ State: _____ Zip: _____

Telephone: _____

E-mail: _____

NAMES OF ALL PROPERTY OWNERS INVOLVED OR HOLDERS OF OPTION ON SAME MUST BE LISTED BELOW:

Please Print or Type in Black Ink:

(If more space is required attach additional sheet.)

Name

Address

• City •

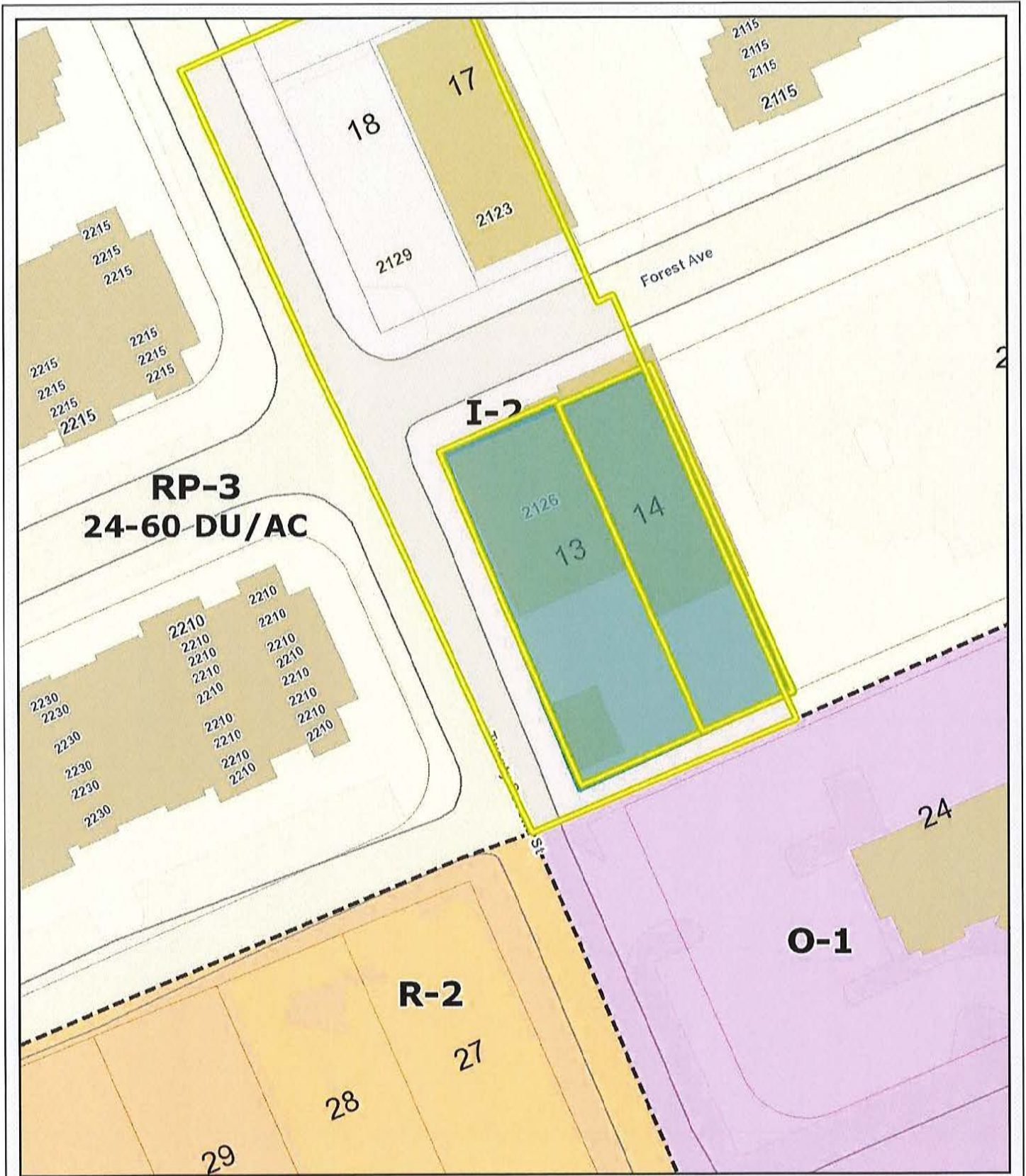
State •

Zip

Owner

Option

BOBBY BOLUS
AND MARY
SUE BOLUS



Sheazad Jiwani

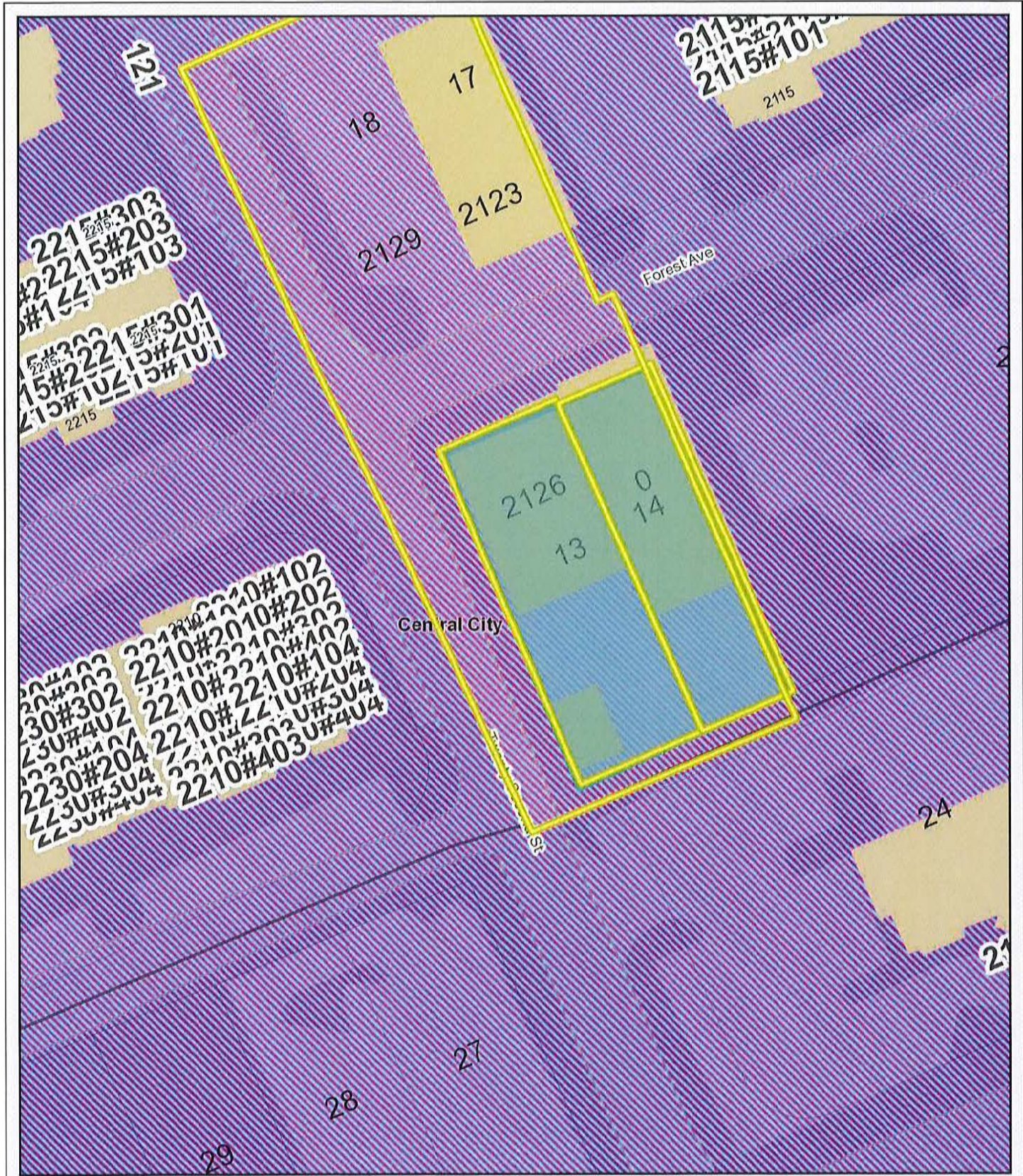
I-2 to C-1



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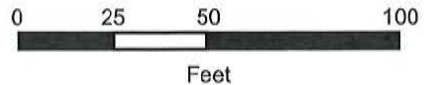
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Sheazad Jiwani



MUSD MV-CC-18 to NC



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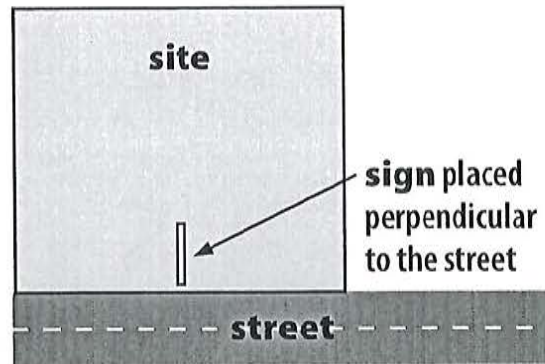
REQUIRED SIGN POSTING AGREEMENT

For all rezoning, plan amendment, concept plan, use on review, right-of-way closure, and street name change applications, a sign must be posted on the subject property, consistent with the adopted MPC Administrative Rules and Procedures.

At the time of application, MPC staff will provide a sign(s) to post on the property as part of the application process. If the sign(s) go missing for any reason and need to be replaced, then the applicant will be responsible for picking up a new sign(s) from the MPC offices. The applicant will be charged a fee of \$10 for each replacement sign.

LOCATION AND VISIBILITY

The sign must be posted in a location that is clearly visible from vehicles traveling in either direction on the nearest adjacent/frontage street. If the property has more than one street frontage, then the sign should be placed along the street that carries more traffic. MPC staff may recommend a preferred location for the sign to be posted at the time of application.



TIMING

The sign(s) must be posted 15 days before the scheduled MPC public hearing and must remain in place until the day after the meeting. In the case of a postponement, the sign can either remain in place or be removed and reposted 15 days before the next MPC meeting.

I hereby agree to post and remove the sign(s) provided on the subject property consistent with the above guidelines and between the dates of:

March 27 2019 and April 12 2019
(15 days before the MPC meeting) (the day after the MPC meeting)

Signature: _____

Printed Name: _____

Phone: _____

Email: _____

Date: _____

MPC File Number: _____