

SPECIAL USE REPORT

► FILE #: 8-B-25-SU AGENDA ITEM #: 21

AGENDA DATE: 8/14/2025

► APPLICANT: FORREST KIRKPATRICK

OWNER(S): FSI Investments LLC

TAX ID NUMBER: 94 M J 017 <u>View map on KGIS</u>

JURISDICTION: City Council District 1
STREET ADDRESS: 1547 CLINCH AVE

► LOCATION: North side of Clinch Ave, east side of Sixteenth St

► APPX. SIZE OF TRACT: 11512 square feet

SECTOR PLAN: Central City

GROWTH POLICY PLAN: N/A (Within City Limits)

ACCESSIBILITY: Access is via Sixteenth Street, a minor collector with a pavement width of 40

ft within a 70-ft right-of-way, and Clich Avenue, and minor collector with a pavement width of 32 ft within a 52-ft right-of-way. There are sidewalks on

both sides of each street.

UTILITIES: Water Source: Knoxville Utilities Board

Sewer Source: Knoxville Utilities Board

FIRE DISTRICT: Knoxville Fire Department

WATERSHED: Second Creek

► ZONING: C-N (Neighborhood Commercial), NC (Neighborhood Conservation

Overlay)

EXISTING LAND USE: Commercial

USE AND ZONING:

► PROPOSED USE: Eating and Drinking Establishment

HISTORY OF ZONING: This property was rezoned in August of 2023 from RN-5 (General

Residential) to C-N (Neighbrohood Commercial) (7-M-23-RZ).

SURROUNDING LAND North: Commercial (theater) - RN-5 (General Residential Neighborhood),

NC (Neighborhood Conservation Overlay)

South: Public/quasi public (university housing, lodge) - O (Office), INST

(Institutional)

East: Multifamily - RN-6 (Multifamily Residential Neighborhood), NC

(Neighborhood Conservation Overlay)

West: Transportation/communications/utilities - INST (Institutional), NC

(Neighborhood Conservation Overlay)

NEIGHBORHOOD CONTEXT: This area is made up of a mix of residential, commercial, and institutional

uses. Residential uses are multifamily and comprised by a mix of high-rise structures and converted dwellings. Commercial uses include neighborhood-

scale corner stores to the east and the Laurel Theatre to the north.

Institutional uses are predominantly buildings owned and operated by the

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STAFF RECOMMENDATION:

- ► Approve the request for an eating and drinking establishment with approximately 1,755 sqft of floor area in the C-N (Neighborhood Commercial) district, subject to 3 conditions.
 - 1) Meeting all applicable requirements of the City of Knoxville Zoning Ordinance.
 - 2) Meeting all applicable requirements of the City of Knoxville Engineering Department.
 - 3) Meeting all applicable requirements of the City of Knoxville Plans Review and Inspections Department.

With the conditions noted, this plan meets the requirements for approval in the C-N District and the criteria for approval of a special use.

COMMENTS:

This proposal is for an eating and drinking establishment (restaurant) in the Fort Sanders Neighborhood, located on the ground floor of an existing structure in the northeast quadrant of the intersection of Clinch Avenue and Sixteenth Street. Access to the restaurant is from the Clinch Avenue sidewalk. In February 2024, the City of Knoxville Board of Zoning Appeals approved a parking variance that reduced the minimum required parking for a mixed-use, multi-tenant structure from 10 to 5 spaces and the minimum setback for a refuse dumpster from 5 feet to 0 feet. The parking spaces and dumpster are located at the rear of the structure, accessible from Sixteenth Street.

STANDARDS FOR EVALUATING A SPECIAL USE (ARTICLE 16.2.F.2.)

- 1) THE USE IS CONSISTENT WITH ADOPTED PLANS AND POLICIES, INCLUDING THE GENERAL PLAN AND THE ONE-YEAR PLAN.
- A. The One Year Plan and Central City Sector Plan designation for this site are MU-SD, MU-CC15 (Mixed Use Special District, Fort Sanders Neighborhood), which recommends a mix of residential, office, and commercial uses, with retail and restaurant uses located along Sixteenth and Fourteenth Street.
- B. The subject property is located along Sixteenth Street.
- 2) THE USE IS IN HARMONY WITH THE GENERAL PURPOSE AND INTENT OF THIS ZONING CODE.
- A. The C-N (Neighborhood Commercial) Zoning District is intended to provide for an environment of integrated residential development and small-scale commercial and service uses, predominantly serving nearby residential neighborhoods. Low-intensity mixed-use is encouraged within the C-N District, with dwellings permitted above the ground floor, as well as multi-family and townhouse development located alongside select commercial uses.
- B. The property is located in the NC (Neighborhood Conservation) Overlay Zoning District, which is intended to foster new construction that is compatible with the scale and physical character of the original buildings of the neighborhood through the use of design guidelines. This proposal does not modify the exterior of the structure, so approval from the Historic Zoning Commission is not required.
- C. An addition to the structure is not proposed, so the Commercial District Design Standards in Article 5.4, Table 5-2 do not apply.
- D. The City of Knoxville Board of Zoning Appeals approved variances to reduce the minimum number of parking stalls from 10 to 5, and the minimum setback from a refuse dumpster from 5 feet to 0 feet (see Exhibit B).
- E. The proposed restaurant within the existing non-residential building is consistent with the C-N District.
- 3) THE USE IS COMPATIBLE WITH THE CHARACTER OF THE NEIGHBORHOOD WHERE IT IS PROPOSED, AND WITH THE SIZE AND LOCATION OF BUILDINGS IN THE VICINITY.
- A. The small-scale restaurant is compatible with the character of the neighborhood where it is proposed.
- B. This proposal does not modify or expand the existing structure.
- 4) THE USE WILL NOT SIGNIFICANTLY INJURE THE VALUE OF ADJACENT PROPERTY OR BY NOISE, LIGHTS, FUMES, ODORS, VIBRATION, TRAFFIC, CONGESTION, OR OTHER IMPACTS DETRACT FROM THE IMMEDIATE ENVIRONMENT.
- A. No adverse impacts are expected on adjacent properties resulting from this approval.
- 5) THE USE IS NOT OF A NATURE OR SO LOCATED AS TO DRAW SUBSTANTIAL ADDITIONAL TRAFFIC THROUGH RESIDENTIAL STREETS.

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- A. The proposed restaurant is within the mixed-use and walkable Fort Sanders Neighborhood. The site only has 5 parking spaces for the restaurant and retail market located on the upper floor. It is anticipated that most patrons will walk or use alternative forms of transportation.
- B. Sixteenth Street and Clinch Avenue are both classified as minor collector streets.
- C. The use will not draw substantial additional traffic through residential streets.
- 6) THE NATURE OF DEVELOPMENT IN THE SURROUNDING AREA IS NOT SUCH AS TO POSE A POTENTIAL HAZARD TO THE PROPOSED USE OR TO CREATE AN UNDESIRABLE ENVIRONMENT FOR THE PROPOSED USE.

A. There are no known uses in the area that could be a potential hazard or create an undesirable environment for the proposed uses within the development.

ESTIMATED TRAFFIC IMPACT: 188 (average daily vehicle trips)

Average Daily Vehicle Trips are computed using national average trip rates reported in the latest edition of "Trip Generation," published by the Institute of Transportation Engineers. Average Daily Vehicle Trips represent the total number of trips that a particular land use can be expected to generate during a 24-hour day (Monday through Friday), with a "trip" counted each time a vehicle enters or exits a proposed development.

ESTIMATED STUDENT YIELD: Not applicable.

The Planning Commission's approval or denial of this request is final, unless the action is appealed to the Knoxville City Council. The date of the Knoxville City Council hearing will depend on when the appeal application is filed.

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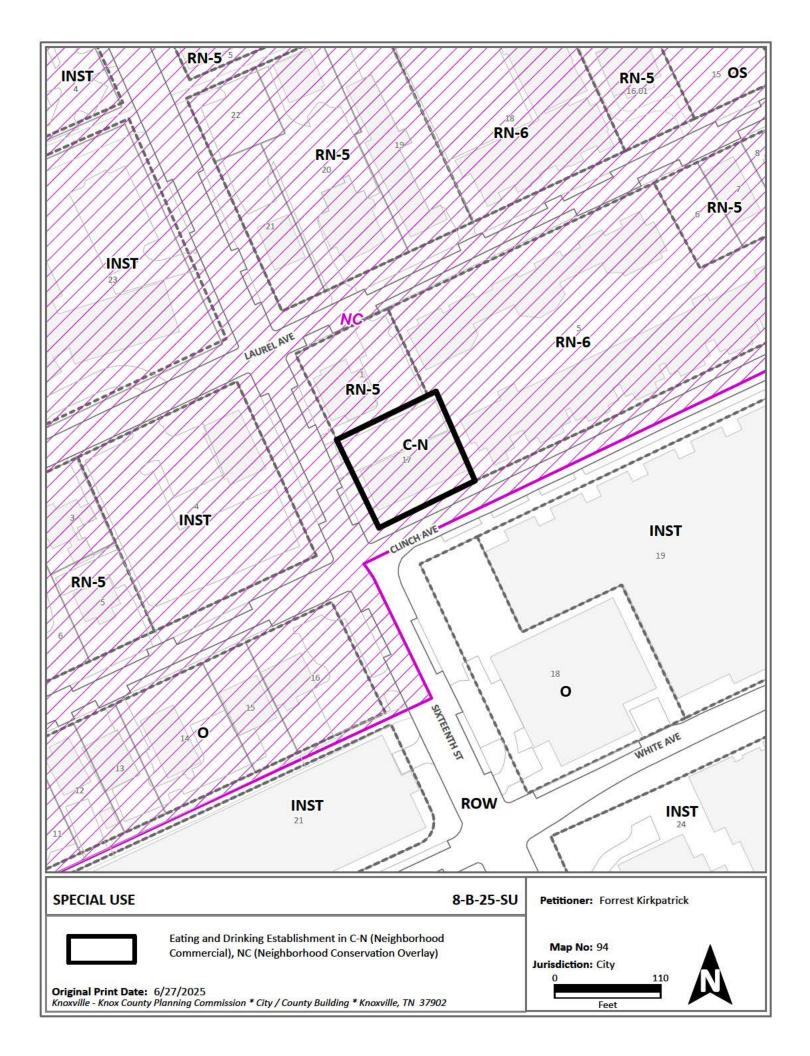
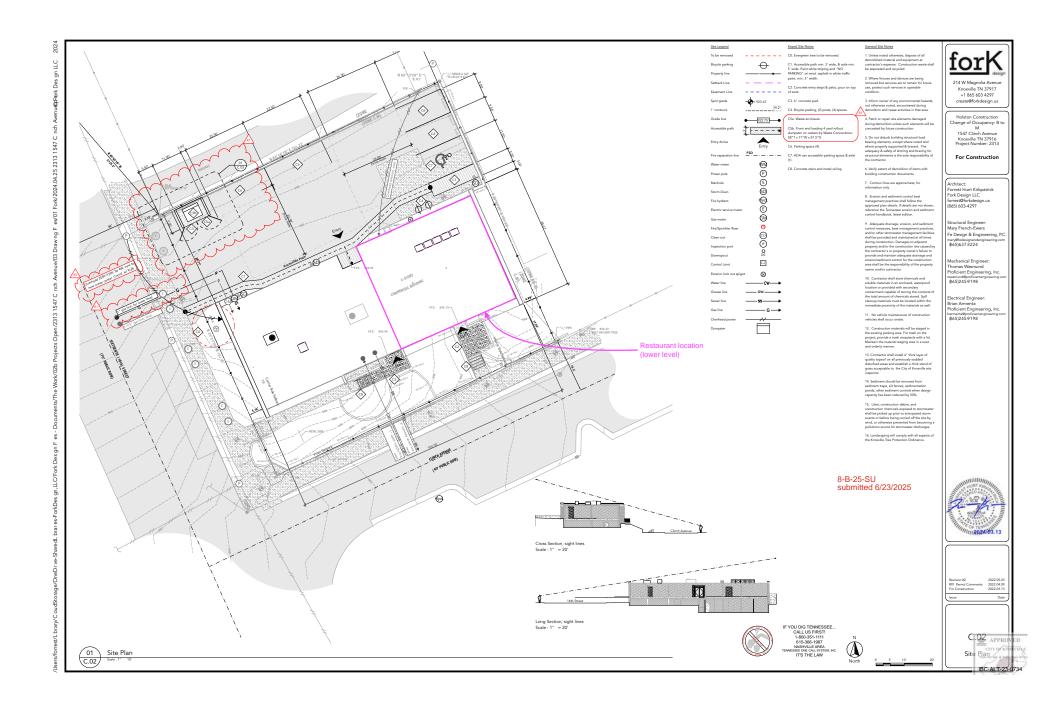
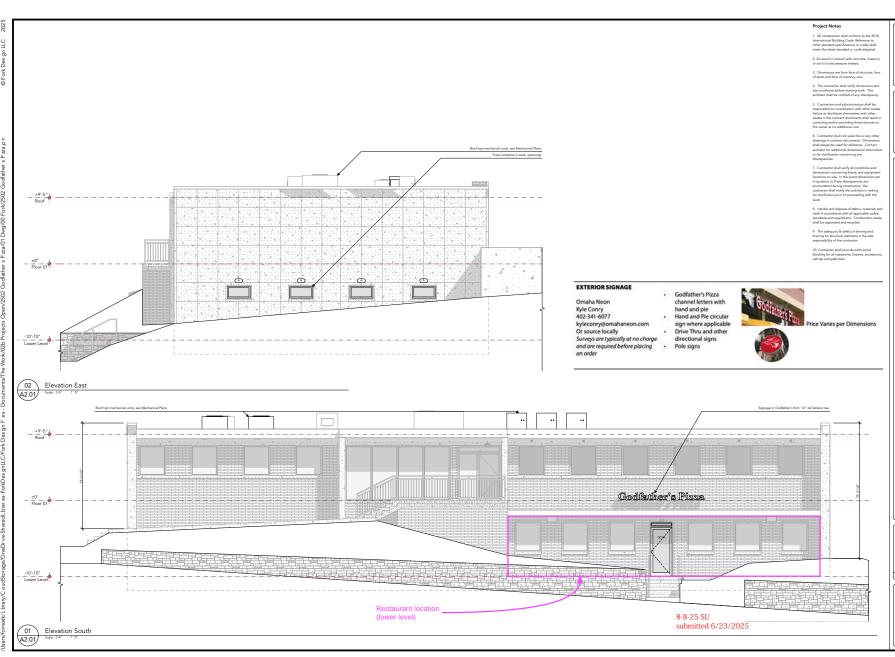


Exhibit A. Contextual Images Location Map LAUREL AVE CLINCH AVE CLINCH AVE **Aerial Map** CONTEXTUAL MAPS 1 8-B-25-SU 110 Case boundary





Knoxville TN 37917 +1 865 603 4297 create@forkdesign.us

Godfather's Pizza Tenant Improvements 1547 Clinch Avenue Knoxville TN 37916

Project Number: 2502

Construction Documents

Architect: Forrest Hunt Kirkpatrick Fork Design LLC forrest@forkdesign.us (865) 603-4297

Mechanical Engineer: Thomas Wasmund Proficient Engineering, Inc. twasmund@proficientengineering. 865)245-9198

Electrical Engineer: Brian Armenta Proficient Engineering, Inc. barmenta@proficientengineering.co 865)245-9198

05/13/25 03/06/25 02/17/25

A2.01

Elevations

CITY OF KNOXVILLE, TENNESSEE BOARD OF ZONING APPEALS DECISION

Application filed for variance of requirements of the City of Knoxville Zoning Ordinance was considered by the Board of Zoning Appeals at the public hearing on 02/20/2024 at 4:00 PM, in the Small Assembly Room of the City/CountBuilding, 400 Main Street, Knoxville.

BZ1F24VA

FORREST KIRKPATRICK

(1547 CLINCH AVE KNOX)

1 1. Reduce the required off-street parking spaces for a Mixed-Use Multi-Tenant from 10 spaces to 5 spaces. Per Article 11.4, Table 11-2.

DESCRIPTION: BOARD VOTED 4-0 TO APPROVE.

02/20/2024: BZA Approved

2 2. Reduce the minimum required setback for a refuse dumpster from 5ft to 0ft. Per Article 10.3.A.5.

DESCRIPTION: BOARD VOTED 4-0 TO APPROVE

02/20/2024: BZA Approved

Appeal to City Council:

Date of Council Hearing:

Council Action:

Resolution Number, if approved:

Appeal to Chancery Court:

Docket Number:

Court Action:

*CONDITIONS OF APPROVAL

- 1. Approved variances are limited to the variance request(s) as shown on the site plan submitted to the Board of Zoning Appeals.
- 2. A building permit may be issued on 03/07/2024, if no appeal is filed with MPC within fifteen (15) days after the BZA meeting.

EXHIBIT C

FORT SANDERS NEIGHBORHOOD

Fort Sanders is one of the most densely populated neighborhoods in the City of Knoxville. With the neighborhood's proximity to downtown, two regional hospitals and the flagship campus of the University of Tennessee, it is an ideal location for many residents and it acts as a gateway for many of Knoxville's visitors. With these assets comes the challenge of coordinating quality growth while maintaining the rich character and history that give Fort Sanders its unique identity.

Plans to reference for additional information:

- Fort Sanders Neighborhood Plan (MPC, 2000)
- Cumberland Avenue Corridor Plan (MPC, 2007)

MU-CC15:

This district consists of areas along Clinch Avenue between 16th Street and 11th Street; including the neighborhood commercial area at the intersection of James Agree, two large apartment complexes (one of which is under construction), one hotel, and several offices and houses. Most of the district is on the south side of Clinch Street. which has seen the most transition from residential to other uses. The surface parking lot that encompasses the half block along Clinch Avenue, between James Agree Street and 14th Street, is an opportunity for a mixed-use development that includes neighborhood commercial uses and is scaled compatibly with the surrounding houses. If appropriate zoning is not available to allow a mixed-use development, extending the Neighborhood Conservation (NC-1) Overlay zone should be for this property to allow compatible development within a Basic or Planned Development zone.

Recommended Uses

A mix of uses should be allowed including residential, office, retail and restaurants. The retail and restaurant uses should be located along 16th Street and 11th Street, and near the James Agee Street intersections of White Avenue and Clinch Avenue. The Neighborhood Conservation (NC-1) Overlay district should be extended into areas not already covered to ensure that infill development is compatible with the surrounding neighborhood.



Mixed-use buildings, like this one in Atlanta, could be appropriate alona Clinch Avenue.

- Neighborhood Mixed Use Center (MU-NC)
- Office (O)
- High Density Residential (HDR)
- Medium Density Residential (MDR)
- Automobile-oriented uses, such as gas stations, are not appropriate.

Recommended Zoning:

Form Code or Corridor Overlay District zoning should be developed for the area. Basic and Planned Development district zones that allow a "recommended use", or mix of these uses, for this district can be considered and should be conditioned to require "development plan" review to ensure infill development is compatible with the surrounding neighborhood; including, but not limited to, building setbacks, height and parking location and screening.

MU-CC16:

This district wraps around the eastern and northern edges of Fort Sanders and is meant to allow higher residential densities outside of the historic core of the neighborhood. Along Grand Avenue, there is a broad mix of uses that have been compatible with the residential uses (including office, wholesale and retail) and should be allowed to continue. High density residential uses have slowly been replacing these non-residential uses; this trend will likely continue.

Recommended Uses

Residential uses are appropriate for the entire district. The existing office, wholesale, warehouse/distribution, and retail along Grand Avenue should be allowed to continue on those sites as a stand-alone use, or as a mix with other uses. The design and scale of the buildings should be complimentary to the surrounding neighborhood.

- High Density Residential (HDR)
- Medium Density Residential (MDR)
- Along Grand Avenue:
 - Office (O)
- Business Park Type 2 (BP-2)
- Neighborhood Mixed Use Commercial (MU-NC)

Recommended Zoning

Basic and Planned Development district zones that allow a "recommended use", or mix of these uses, for this district can be considered and should be conditioned to require "development plan" review to ensure infill development is compatible with the surrounding neighborhood; including, but not limited to, building setbacks, height and parking location and screening. The C-2 (central business district) zone is not appropriate in this district.

(1) DOWINGAU AND IN OULTHIS TOTHLAL YOUR convenience.

(2) Sign the application digitally (or print, sign, and scan).

(3) Eliner print the completed form and bring it to

Reset Form

Knoxville-Knox County Planning offices OR email it to applications@knoxplanning.org

Development

P	Plannir	ng	On email it to app	iications@kni	De	velopment Request	
Subdivision	n 🗌 Concept Plan*	☐ Final Plat				Request	
Zoning	g 🗌 Rezoning	☐ Plan Amend	ment*				
Developmen	t 🗌 Development P	lan* 🗌 Planned Dev	velopment* ■ Use	on Review / Sp	ecial Use*	' ☐ Hillside Protection COA*	
*These applicat	ion types require a pre	e-application consulta	ition with Planning st	aff.			
Forrest Kirk	(natrick						
Applicant Name	<u> </u>		Af	filiation			
06/20/2025		August 14				File Number(s)	
Date Filed		Meeting Date	(if applicable)			8-B-25-SU	
						0-B-23-30	
Corres	pondence		All corresponden	ce will be dired	ted to the	approved contact listed below.	
☐ Applicant	☐ Property Owner	☐ Option Holder	☐ Project Survey	or 🗌 Engin	eer 🔳	Architect/Landscape Architect	
Forrest Kirk	(patrick		Fork	Design, LL	С		
Name			Company				
214 W Mag	nolia Avenue		Knox	ville	TN	37917	
Address	007		City		State	ZIP	
865-603-42 Phone	297	Email					
rnone		Lillali					
Current F	Property Info						
FSI INVES	TMENTS LLC	2201	I GREENWICH LAN	EKNOXVILLE	, TN 3793	865-456-4536	
	Name (if different)	Prope	erty Owner Address	00414104	7	Property Owner Phone	
1547 Clinch				094MJ01	/		
Property Addres	SS		KUB	Parcel ID		N	
Sewer Provider			Water Provider			Septic (Y/N)	
						(7)	
Developn	nent Request						
☐ Residential	■ Non-Residential	_				RELATED CITY PERMIT NUMBER	
Proposed Use	Eating & Drinking	g Establishment					
Specify if a traff	ic impact study is requ	uired: 🗌 Yes (requir	ed to be submitted v	ith application	n) 🔳 No		

Subdivision Request RELATED REZONING FILE NUMBER Proposed Subdivision Name ☐ Combine Parcels ☐ Divide Parcel Unit / Phase Number Proposed Number of Lots (total) ☐ Other (specify) Specify if requesting: Variance Alternative design standard **Zoning Request** PENDING PLAT FILE NUMBER ☐ Zoning Change **Proposed Zoning** Proposed Density (units/acre, for PR zone only) ☐ Sector Plan ☐ One Year Plan ☐ Comprehensive Plan ☐ Plan Amendment Change Proposed Plan Designation(s) ☐ If, in Knox county, submit plan **Previous Rezoning Requests** amendment request with application ☐ Other (specify) _ X I declare under penalty of perjury the foregoing is true and correct: 1) He/she/it is the owner of the Authorization property AND 2) The application and all associated materials are being submitted with his/her/its consent Forrest Kirkpatrick, Fork Design 06/20/25 Print Name / Affiliation Date 865-603-4297 Phone Number Email Amir Boghani, FSI INVESTMENTS LLC 06/23/2025, SG Date Paid Property Owner Signature Please Print

Staff Use	Only Admi	nistrative Review	ADDITIONAL REQUIREMENTS	☐ Property Owners / Option Holders
FEE 1		FEE 2	FEE 3	TOTAL
0405	\$1,600.00			\$1,600.00

Public Notice and Community Engagement

Planning strives to provide community members with information about upcoming cases in a variety of ways. In addition to posting public notice signs, our agency encourages applicants to provide information and offer opportunities for dialogue related to their upcoming case(s). We require applicants to acknowledge their role in this process.

Sign Posting and Removal

The Administrative Rules and Procedures of the Knoxville-Knox County Planning Commission require a sign to be posted on the property for each application subject to consideration by the Planning Commission.

Planning staff will post the required sign. If a replacement sign(s) is needed, the applicant is responsible for picking up the new sign(s) from Planning and will be charged \$10 for each replacement.

Location and Visibility

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

Timing

The sign(s) must be posted not less than 12 days prior to the scheduled Planning Commission 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 not less than 12 days prior to the next Planning Commission meeting. The applicant is responsible for removing the sign after the application has been acted upon by the Planning Commission.

Acknowledgement	Have you engaged the		
By signing below , you acknow posted and visible on the pro-	surrounding property owners to discuss your request?		
and between the dates listed	☐ Yes ■ No		
08/01/2025	08/15/2025	☐ No, but I plan to prior to the Planning Commission meeting	
Date to be Posted	Date to be Removed		
2-h-	Forrest Kirkpatrick	06/20/25	

Applicant Signature Applicant Name Date