



# PLAN AMENDMENT REPORT

► **FILE #:** 4-B-21-SP

**AGENDA ITEM #:** 15

**AGENDA DATE:** 4/8/2021

► **APPLICANT:** TERRY L. HARRIS  
**OWNER(S):** Terry Harris

**TAX ID NUMBER:** 82 H E 41

[View map on KGIS](#)

**JURISDICTION:** Council District 6

**STREET ADDRESS:** 2100 Chipman Street

► **LOCATION:** South side of Chipman Street, east side of Glider Avenue

► **APPX. SIZE OF TRACT:** 10800 square feet

**SECTOR PLAN:** Central City

**GROWTH POLICY PLAN:** N/A

**ACCESSIBILITY:** This property is accessed off of Glider Avenue, a local road with a 26-ft pavement width inside a 50-ft right-of-way.

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

Sewer Source: Knoxville Utilities Board

**WATERSHED:** First Creek

► **PRESENT PLAN AND ZONING DESIGNATION:** HI (Heavy Industrial) / RN-4 (General Residential Neighborhood)

► **PROPOSED PLAN DESIGNATION:** LI (Light Industrial)

► **EXISTING LAND USE:** Wholesale

**EXTENSION OF PLAN DESIGNATION:** No

**HISTORY OF REQUESTS:** None noted for this property

**SURROUNDING LAND USE AND PLAN DESIGNATION:** North: Single family residential - HI (Heavy Industrial)

South: Agricultural/forestry/vacant - HI (Heavy Industrial)

East: Single family residential - HI (Heavy Industrial)

West: Single family residential - HI (Heavy Industrial)

**NEIGHBORHOOD CONTEXT** This neighborhood generally contains a mix of industrial, commercial, and residential uses. Streets are on a grid and lots average about 6,000 square feet in area.

## STAFF RECOMMENDATION:

► **Approve the Central City Sector Plan amendment to LI (Light Industrial) because it allows consideration of the I-MU (Industrial-Mixed Use) zone.**

**COMMENTS:**

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

CHANGES OF CONDITIONS WARRANTING AMENDMENT OF THE LAND USE PLAN:

1. There has not been a change of conditions that would warrant a plan amendment.

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

1. No new roads or additional utilities have been introduced in this area.

AN OBVIOUS OR SIGNIFICANT ERROR OR OMISSION IN THE PLAN:

1. There is not an error in the plan to warrant a plan amendment.

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

1. The development trend in this area includes a mix of uses that the I-MU zone would accommodate. It is an established industrial area with other commercial businesses, offices, and housing.
2. This parcel is zoned RN-4, but staff believes I-MU to be a more appropriate zone. A rezoning requires a plan amendment to better align the zone with existing conditions.

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

- 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.
- 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 5/4/2021 and 5/18/2021. 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.



# PLAN AMENDMENT/ REZONING REPORT

► **FILE #:** 4-F-21-RZ **AGENDA ITEM #:** 15  
4-A-21-PA **AGENDA DATE:** 4/8/2021

► **APPLICANT:** TERRY L. HARRIS  
**OWNER(S):** Terry Harris

**TAX ID NUMBER:** 82 H E 41 [View map on KGIS](#)  
**JURISDICTION:** Council District 6  
**STREET ADDRESS:** 2100 Chipman Street  
► **LOCATION:** South side of Chipman Street, east side of Glider Avenue  
► **TRACT INFORMATION:** 10800 square feet.  
**SECTOR PLAN:** Central City  
**GROWTH POLICY PLAN:** N/A  
**ACCESSIBILITY:** This property is accessed off of Glider Avenue, a local road with a 26-ft pavement width inside a 50-ft right-of-way.  
**UTILITIES:** Water Source: Knoxville Utilities Board  
Sewer Source: Knoxville Utilities Board  
**WATERSHED:** First Creek

► **PRESENT PLAN DESIGNATION/ZONING:** HI (Heavy Industrial) / RN-4 (General Residential Neighborhood)  
► **PROPOSED PLAN DESIGNATION/ZONING:** LI (Light Industrial) / I-MU (Industrial Mixed-Use)  
► **EXISTING LAND USE:** Wholesale  
►  
**EXTENSION OF PLAN DESIGNATION/ZONING:** No  
**HISTORY OF ZONING REQUESTS:** None noted for this property  
**SURROUNDING LAND USE, PLAN DESIGNATION, ZONING**  
North: Single family residential - HI (Heavy Industrial) - RN-4 (General Residential Neighborhood District)  
South: Agricultural/forestry/vacant - HI (Heavy Industrial) - RN-4 (General Residential Neighborhood District)  
East: Single family residential - HI (Heavy Industrial) - RN-4 (General Residential Neighborhood District)  
West: Single family residential - HI (Heavy Industrial) - RN-4 (General Residential Neighborhood District)  
**NEIGHBORHOOD CONTEXT:** This neighborhood generally contains a mix of industrial, commercial, and residential uses. Streets are on a grid and lots average about 6,000 square

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**STAFF RECOMMENDATION:**

- ▶ **Approve the One Year Plan amendment to LI (Light Industrial) because it allows consideration of the I-MU (Industrial-Mixed Use) zone.**
- ▶ **Approve the I-MU (Industrial-Mixed Use) zone because it is consistent with the development trend in the area.**

**COMMENTS:**

This parcel was zoned I-3 (General Industrial) prior to adoption of the new zoning ordinance on January 1, 2020, along with the surrounding properties along Chipman Street, Mitchell Street, and Glider Avenue. These properties form a core area consisting of residential, office, and commercial uses inside a peripheral area of industrial uses, and they were reassigned to the RN-4 (General Residential Neighborhood) zone with the adoption of the new zoning ordinance and map. The surrounding industrial properties were reassigned to the I-G (General Industrial) zone.

The RN-4 zone does not allow the various uses present, and many of these properties became non-compliant with the new zoning ordinance despite being an established industrial mixed use area. The I-MU zone would allow all of the existing uses and would be a more appropriate zone for these core properties than the existing RN-4 zone. However, it would require a plan amendment to the LI (Light Industrial) land use classification to align the existing use, zoning, and plan designation.

ONE YEAR PLAN AMENDMENT REQUIREMENTS FROM GENERAL PLAN (May meet any one of these):

CHANGES OF CONDITIONS WARRANTING AMENDMENT OF THE LAND USE PLAN:

1. There has not been a change of conditions that would warrant a plan amendment.

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

1. No new roads or additional utilities have been introduced in this area.

AN OBVIOUS OR SIGNIFICANT ERROR OR OMISSION IN THE PLAN:

1. There is not an error in the plan to warrant a plan amendment.

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

1. The development trend in this area includes a mix of uses that the I-MU zone would accommodate. It is an established industrial area with other commercial businesses, offices, and housing.
2. This parcel is zoned RN-4, but staff believes I-MU to be a more appropriate zone. A rezoning requires a plan amendment to better align the zone with existing conditions.

PURSUANT TO THE CITY OF KNOXVILLE ZONING ORDINANCE, SECTION 16.1.3, SUBSECTIONS 1-3, ALL OF THE FOLLOWING CONDITIONS MUST BE MET FOR ALL REZONINGS:

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. This property and the surrounding properties along the streets listed above were reassigned to the RN-4 zone with the adoption of the new zoning ordinance and map. However, due to the close proximity of an established industrial area, and the presence of other commercial and office uses in the area, staff believes the I-MU zone to be more appropriate. The core area previously described that is zoned RN-4 does not meet the zone's intent as stated below.

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

1. The I-MU (Industrial-Mixed Use) Zoning District is intended to provide for a mix of light industrial uses and a variety of compatible commercial uses such as entertainment, amusement and retail establishments. This mix is designed to promote the reuse of older, character giving structures that may no longer be suitable for their original industrial purposes, but that can accommodate a variety of alternative types of uses. Residential uses are also permitted in the I-MU District, both above the ground floor in mixed-use development, and in multi-family dwellings.

2. Rezoning should be based on the entire range of uses allowed within a zone to ensure that any development brought forth at a future time would be compatible with the surrounding land uses.

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 property is in an established industrial mixed use area, so the I-MU zone would bring this property back into compliance with the zoning ordinance.

2. The property is in the Fulton High School Parental Responsibility Zone.

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:

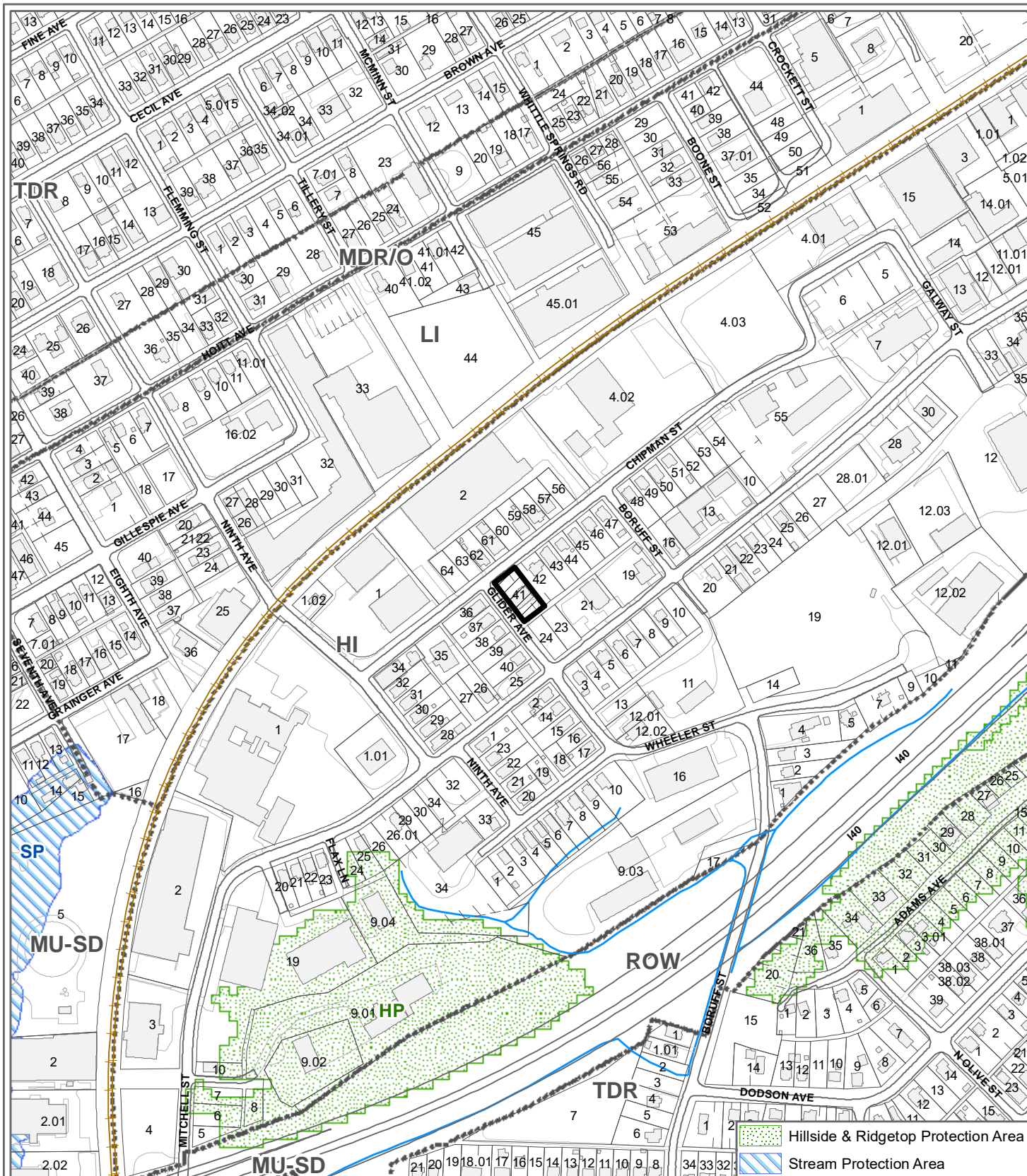
1. This area should be considered further during the Central City Sector Plan update process to better align the existing uses, zoning, and land use classifications of the other properties zoned RN-4.

ESTIMATED TRAFFIC IMPACT: 0 (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.

If approved, this item will be forwarded to Knoxville City Council for action on 5/4/2021 and 5/18/2021. 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-B-21-SP  
CENTRAL CITY SECTOR PLAN AMENDMENT**



From: HI (Heavy Industrial)

To: LI (Light Industrial)

Original Print Date: 3/11/2021

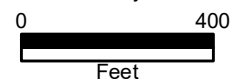
Revised:

Knoxville - Knox County Planning Commission \* City / County Building \* Knoxville, TN 37902

Petitioner: Harris, Terry L.

Map No: 82

Jurisdiction: City







**4-A-21-PA / 4-F-21-RZ  
PLAN AMENDMENT**



From: HI (Heavy Industrial)

To: LI (Light Industrial)

Original Print Date: 3/11/2021  
Revised:  
Knoxville - Knox County Planning Commission \* City / County Building \* Knoxville, TN 37902

Petitioner: Harris, Terry L.

Map No: 82

Jurisdiction: City







### 4-F-21-RZ REZONING



From: RN-4 (General Residential Neighborhood)

To: I-MU (Industrial Mixed-Use)

Original Print Date: 3/11/2021

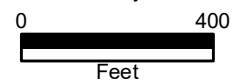
Revised:

Knoxville - Knox County Planning Commission \* City / County Building \* Knoxville, TN 37902

Petitioner: Harris, Terry L.

Map No: 82

Jurisdiction: City





***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**, David Harbin with Bason, Himes, Norvell & Poe, has submitted an application to amend the Sector Plan from Heavy Industrial to Light Industrial 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 8, 2021, 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-B-21-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.*

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*Date*

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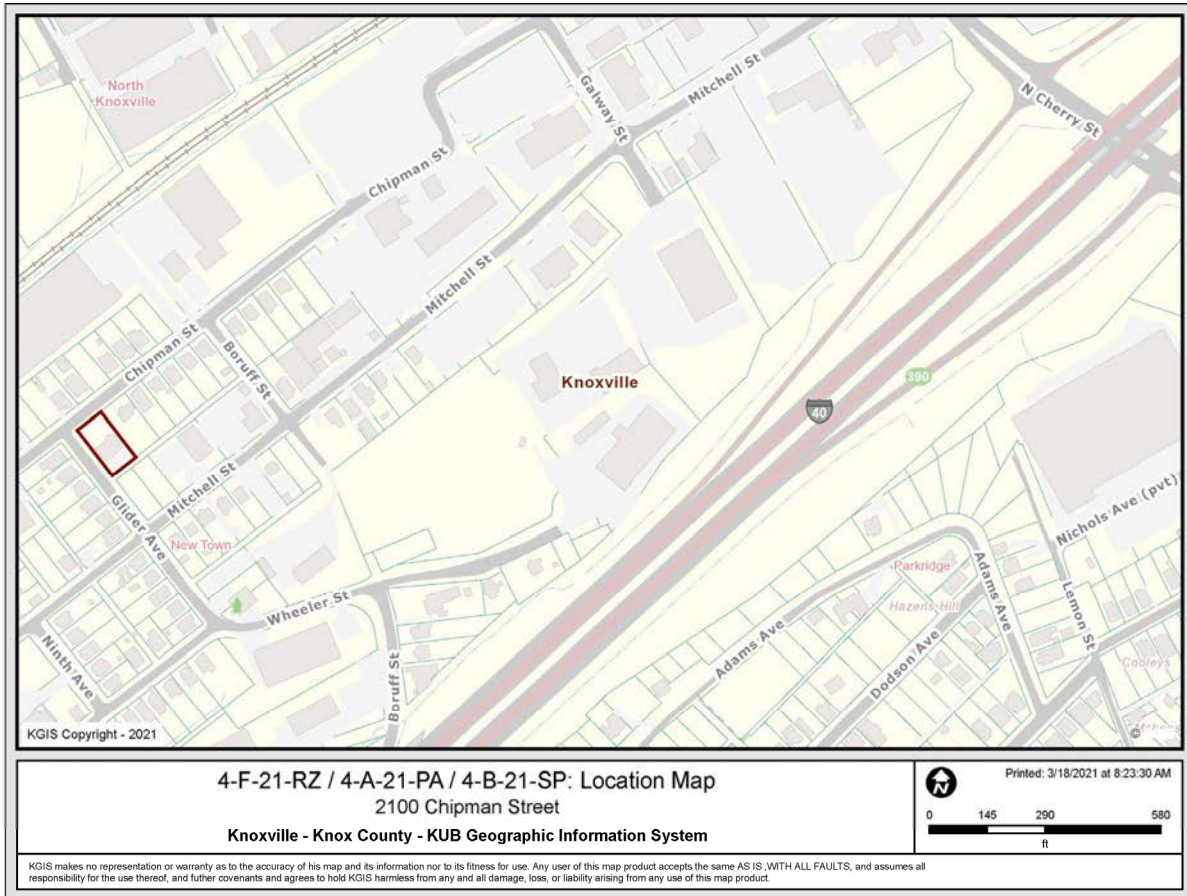
*Chairman*

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*Secretary*

4-F-21-RZ / 4-A-21-PA / 4-B-21-SP

EXHIBIT A. Contextual Images





**4-F-21-RZ / 4-A-21-PA / 4-B-21-SP**

**EXHIBIT A. Contextual Images**

Eagle view of surrounding area.



Street view from Chipman Street.

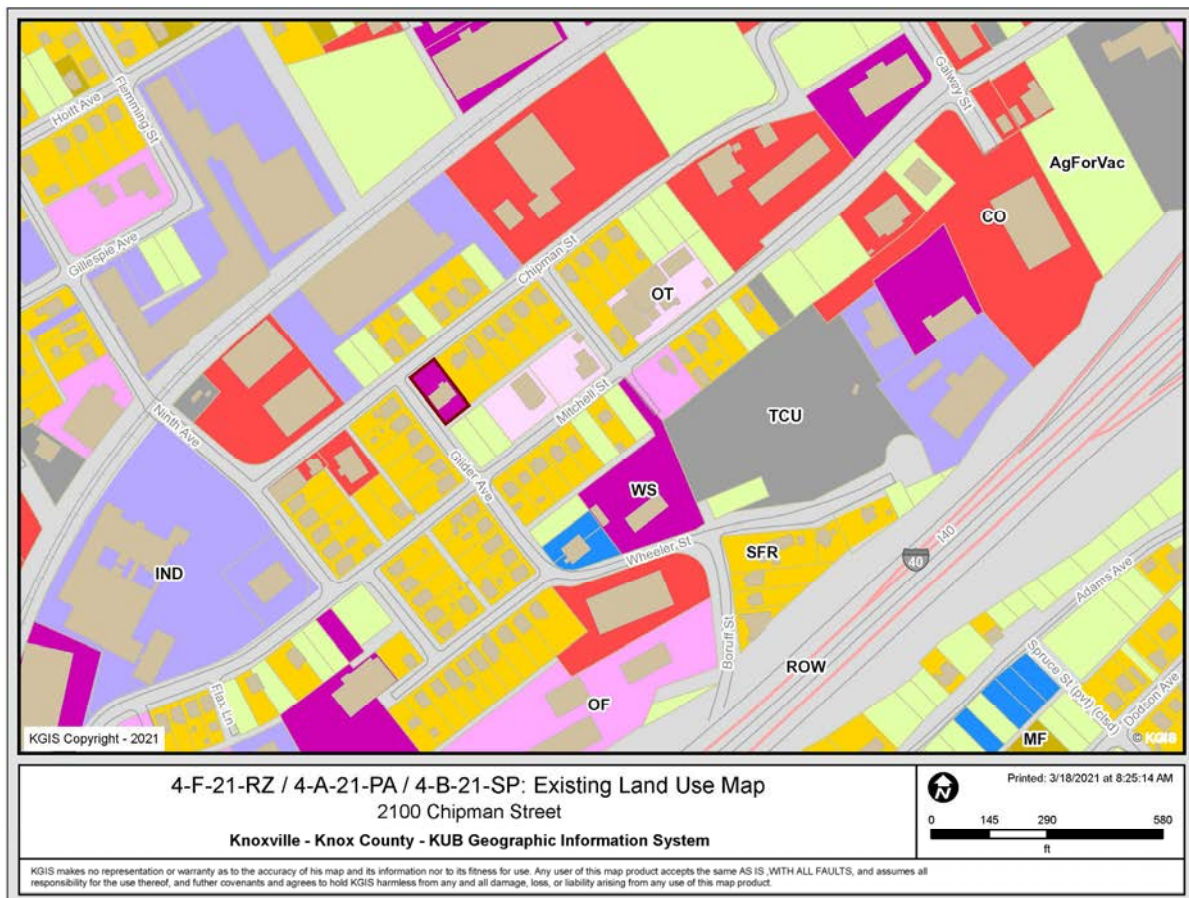




4-F-21-RZ / 4-A-21-PA / 4-B-21-SP

## EXHIBIT A. Contextual Images

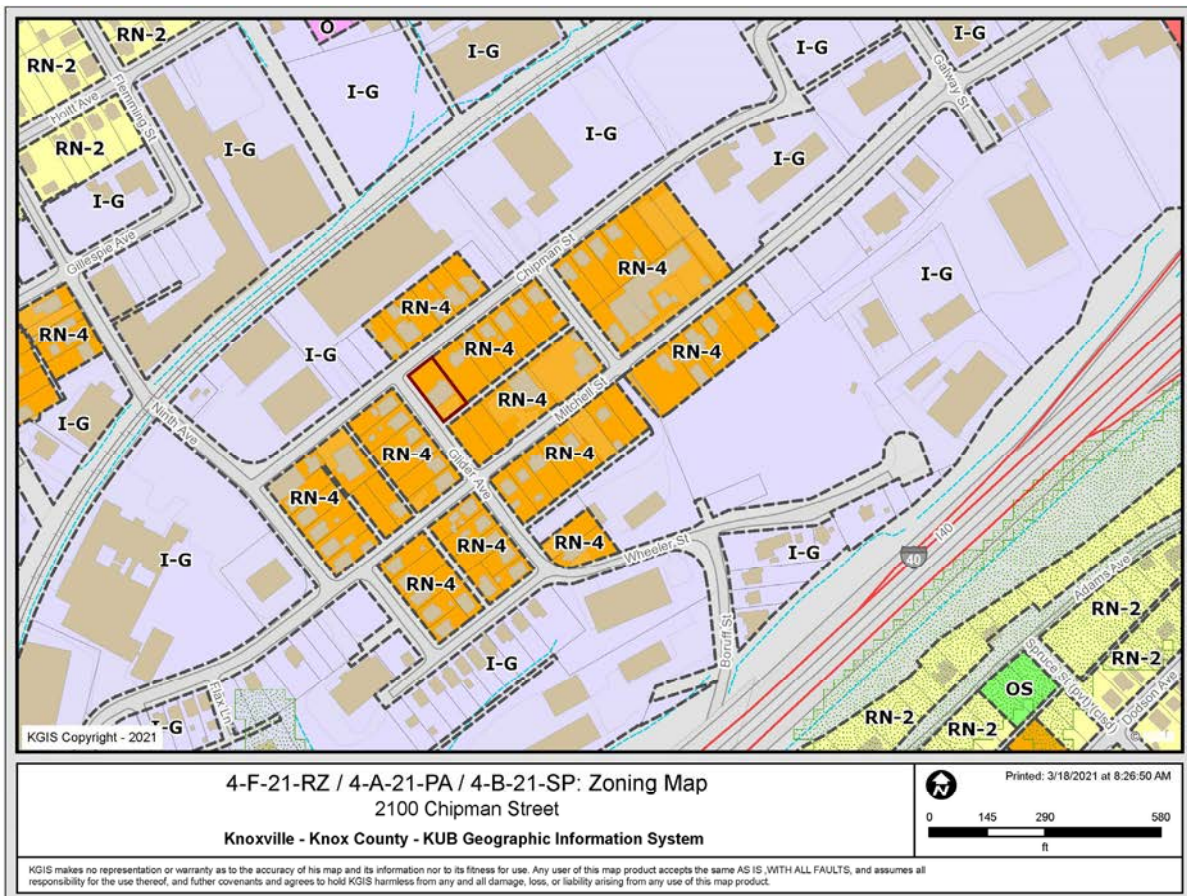
Street view from Glider Avenue.





# 4-F-21-RZ / 4-A-21-PA / 4-B-21-SP

## EXHIBIT A. Contextual Images







# Development Request

## DEVELOPMENT

- ☐ Development Plan  
☐ Planned Development  
☐ Use on Review / Special Use  
☐ Hillside Protection COA

## SUBDIVISION

- ☐ Concept Plan  
☐ Final Plat

## ZONING

- ☒ Plan Amendment  
☒ SP ☒ OYP  
☒ Rezoning

Terry L. Harris  
Applicant Name

Owner  
Affiliation

Feb. 22, 2021  
Date Filed

Apr. 18, 2021  
Meeting Date (if applicable)

File Number(s)  
4-F-21-RZ  
4-B-21-SP  
4-A-21-PA

## CORRESPONDENCE

All correspondence related to this application should be directed to the approved contact listed below.

- ☐ Applicant ☐ Owner ☐ Option Holder ☐ Project Surveyor ☒ Engineer ☐ Architect/Landscape Architect

David Harbin  
Name

Baton Homes Norvell, Inc.  
Company

4334 Papermill Dr  
Address

Knoxville TN 37909  
City State ZIP

588-6972  
Phone

harbin@bhn-p.com  
Email

## CURRENT PROPERTY INFO

Terry Harris  
Owner Name (if different)

9121 Millerton Pk  
Owner Address

633-9955  
Owner Phone

2100 Chipman St. Knoxville TN 37917  
Property Address

Mascot, TN 37806 #E  
Map 82 Parcel 41  
Parcel ID

## STAFF USE ONLY

South side of Chipman Street, East side of Glider Avenue

10,800 sq. ft. +/-  
Tract Size

General Location

6th

RN-4

Jurisdiction (specify district above) ☒ City ☐ County

Zoning District

Central City  
Planning Sector

HI  
Sector Plan Land Use Classification

City  
Growth Policy Plan Designation

WS  
Existing Land Use

N  
Septic (Y/N)

KUB  
Sewer Provider

KUB  
Water Provider

**DEVELOPMENT REQUEST**

- ☐ Development Plan   ☐ Use on Review / Special Use   ☐ Hillside Protection COA  
☐ Residential   ☐ Non-Residential

Home Occupation (specify) \_\_\_\_\_

Other (specify) \_\_\_\_\_

Related City Permit Number(s)

**SUBDIVISION REQUEST**

Related Rezoning File Number

Proposed Subdivision Name

Unit / Phase Number   ☐ Combine Parcels   ☐ Divide Parcel   Total Number of Lots Created

☐ Other (specify) \_\_\_\_\_☐ Attachments / Additional Requirements**ZONING REQUEST**

Pending Plat File Number

☒ Zoning Change   I-MV  
Proposed Zoning

☒ Plan Amendment Change   LI (Sector Plan), LI (one year plan)  
Proposed Plan Designation(s)

Proposed Density (units/acre)

Previous Rezoning Requests

☐ Other (specify) \_\_\_\_\_**STAFF USE ONLY****PLAT TYPE**

- ☐ Staff Review   ☐ Planning Commission

**ATTACHMENTS**

- ☐ Property Owners / Option Holders   ☐ Variance Request

**ADDITIONAL REQUIREMENTS**

- ☐ Design Plan Certification (*Final Plat*)  
☐ Use on Review / Special Use (*Concept Plan*)  
☐ Traffic Impact Study  
☐ COA Checklist (*Hillside Protection*)

Fee 1		Total
0326	\$1,000.00	
Fee 2		
0516	\$600.00	
Fee 3		\$1,600.00

**AUTHORIZATION**

By signing below, I certify I am the property owner, applicant or the owners authorized representative.

David Harbin  
Applicant Signature

DAVID HARBIN  
Please Print

2-22-21  
Date

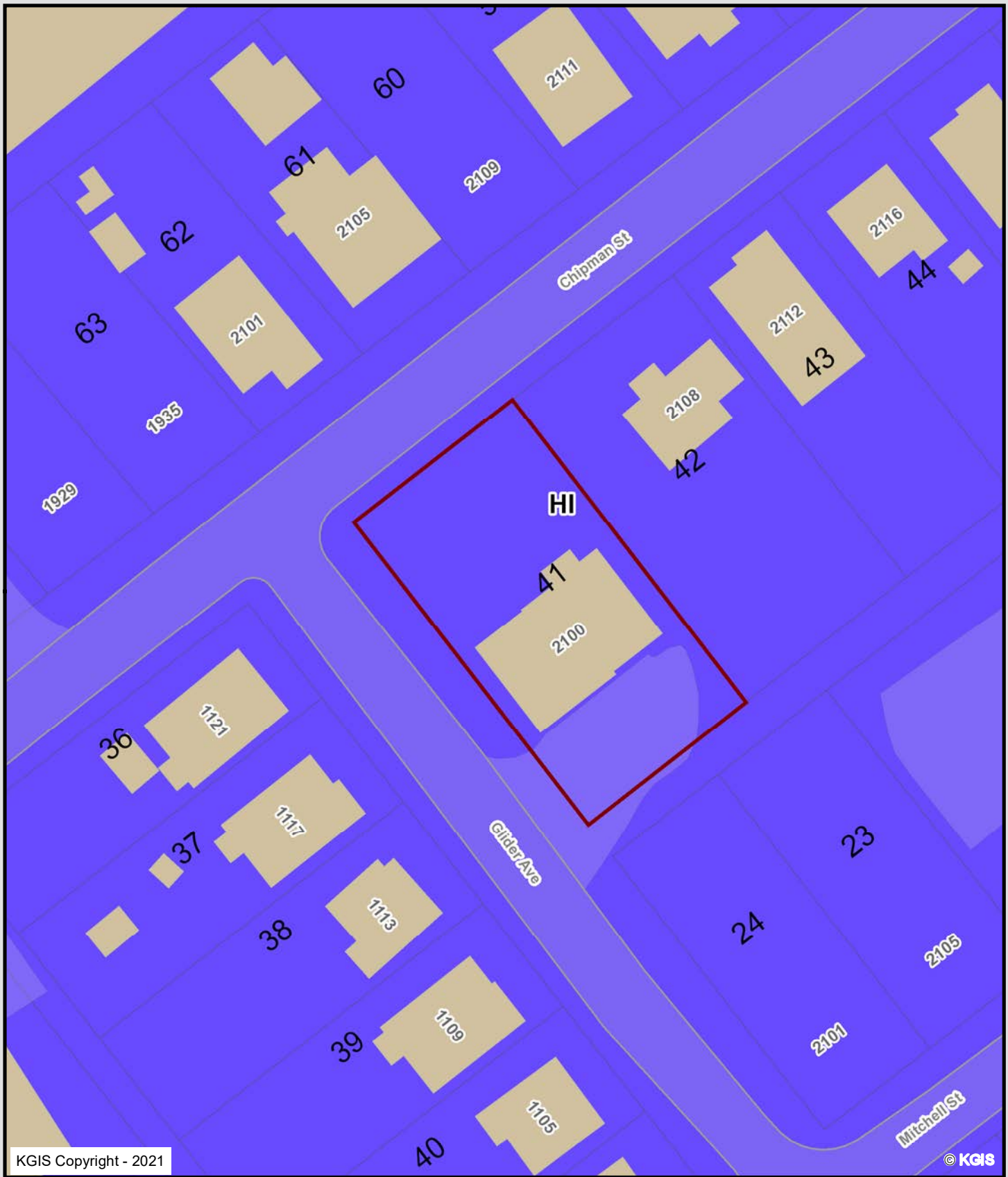
865-588-1472  
Phone Number

harbin@bhnp.com  
Email

Marc Payne  
Staff Signature

Marc Payne  
Please Print

2/22/2021  
Date



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4-F-21-RZ  
4-B-21-SP  
4-A-21-PA

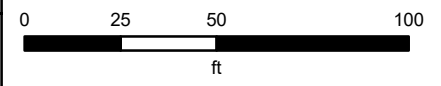
Letter Portrait

One  
Year  
Plan

Knoxville - Knox County - KUB Geographic Information System

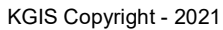


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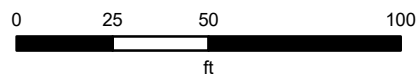


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## Knoxville - Knox County - KUB Geographic Information System



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