

# PLAN AMENDMENT REPORT

► **FILE #:** 10-C-21-SP

**AGENDA ITEM #:** 10

**AGENDA DATE:** 10/14/2021

► **APPLICANT:** **GFL ENVIRONMENTAL**  
**OWNER(S):** Adelaide Showalter and Carolyn Doster

**TAX ID NUMBER:** 94 O B 010 [View map on KGIS](#)

**JURISDICTION:** Council District 6

**STREET ADDRESS:** 1901 Sutherland Ave.

► **LOCATION:** **North of Ailor Avenue, west of Sutherland Avenue, south of Middlebrook Pike**

► **APPX. SIZE OF TRACT:** **4.83 acres**

**SECTOR PLAN:** Central City

**GROWTH POLICY PLAN:**

**ACCESSIBILITY:** Access is via Middlebrook Pike, a major arterial road with 72-ft of pavement separated with a center median within a 118-ft right-of-way, and Sutherland Ave, a minor arterial road with 47-ft of pavement within a 90-ft right-of-way.

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

**WATERSHED:** Third Creek

► **PRESENT PLAN AND ZONING DESIGNATION:** **LI (Light Industrial) / I-G (General Industrial)**

► **PROPOSED PLAN DESIGNATION:** **HI (Heavy Industrial)**

► **EXISTING LAND USE:** **Commercial**

**EXTENSION OF PLAN DESIGNATION:** Yes, I-H zoning is to the southwest and southeast

**HISTORY OF REQUESTS:** None noted

**SURROUNDING LAND USE AND PLAN DESIGNATION:**  
North: Office - GC (General Commercial - C-H-1 (Highway Commercial)  
South: Transportation/communication/utilities - LI (Light Industrial) - I-H (Heavy Industrial)  
East: Transportation/communication/utilities - LI (Light Industrial) - I-H (Heavy Industrial)  
West: Commercial - HI (Heavy Industrial) - I-H (Heavy Industrial)

**NEIGHBORHOOD CONTEXT** This area has a mix of industrial and commercial uses on large and small sized properties. This property is situated along a major arterial road, minor arterial road, and has access to rail.

**STAFF RECOMMENDATION:**

- **Approve the Central City Sector Plan amendment to HI (Heavy Industrial) because the property has suitable access to highway and rail and can support the need to provide diverse economic and employment opportunities.**

**COMMENTS:**

The property is located in an established industrial area of the City with direct access to Middlebrook Pike, a major arterial road, near the I-40/Alcoa Highway interchange, is a relatively flat site, and is compatible with existing land uses, all of which are supported by the sector plan's description of where heavy industrial sites should be situated. In addition, the property is also served by a rail line.

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

**AN ERROR IN THE PLAN:**

1. There is no apparent error in the plan.

**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:**

1. There have been no significant changes in the development pattern in this area.

**A CHANGE IN PUBLIC POLICY, UNANTICIPATED BY THE PLAN:**

1. There have been no significant changes in public policy that would trigger the need for a plan amendment.

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

1. There is a growing need for diverse economic and employment opportunities. This proposed amendment supports creation of manufacturing and related jobs in an area that is highly accessible given this property's location in the Central City.

ESTIMATED TRAFFIC IMPACT: Not required.

ESTIMATED STUDENT YIELD: Not applicable.

If approved, this item will be forwarded to Knoxville City Council for action on 11/16/2021 and 11/30/2021. 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 #:** 10-C-21-RZ **AGENDA ITEM #:** 10  
10-C-21-PA **AGENDA DATE:** 10/14/2021

► **APPLICANT:** GFL ENVIRONMENTAL  
**OWNER(S):** Adelaide Showalter and Carolyn Doster

**TAX ID NUMBER:** 94 O B 010 [View map on KGIS](#)

**JURISDICTION:** Council District 6

**STREET ADDRESS:** 1901 Sutherland Ave.

► **LOCATION:** North of Ailor Avenue, west of Sutherland Avenue, south of Middlebrook Pike

► **TRACT INFORMATION:** 4.83 acres.

**SECTOR PLAN:** Central City

**GROWTH POLICY PLAN:**

**ACCESSIBILITY:** Access is via Middlebrook Pike, a major arterial road with 72-ft of pavement with center median within a 118-ft right-of-way, and via Sutherland Ave, a minor arterial road with 47-ft of pavement within a 90-ft right-of-way.

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

Sewer Source: Knoxville Utilities Board

**WATERSHED:** Third Creek

► **PRESENT PLAN DESIGNATION/ZONING:** LI (Light Industrial) / I-G (General Industrial)

► **PROPOSED PLAN DESIGNATION/ZONING:** HI (Heavy Industrial) / I-H (Heavy Industrial)

► **EXISTING LAND USE:** Commercial

► **EXTENSION OF PLAN DESIGNATION/ZONING:** Yes, I-H zoning is to the southwest and southeast.

**HISTORY OF ZONING REQUESTS:** None noted.

**SURROUNDING LAND USE, PLAN DESIGNATION, ZONING**

North:	Office - GC (General Commercial) - C-H-1 (Highway Commercial)
South:	Transportation/communication/utilities - LI (Light Industrial) - I-H (Heavy Industrial)
East:	Transportation/communication/utilities - LI (Light Industrial) - I-H (Heavy Industrial)
West:	Commercial - HI (Heavy Industrial) - I-H (Heavy Industrial)

**NEIGHBORHOOD CONTEXT:** This area has a mix of industrial and commercial uses and is located on Middlebrook Pike adjacent to the I-40/Alcoa Highway interchange.

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**STAFF RECOMMENDATION:**

- ▶ **Approve the One Year Plan amendment to HI (Heavy Industrial) to allow re-utilization of a grayfield site in an area well served by highway and rail, and to provide a diverse job base for city residents.**
  
- ▶ **Approve I-H (Heavy Industrial) zoning because it is compatible with other zoning in the area and is consistent with the Sector Plan description of where I-H (Heavy Industrial) zoning should be situated in the Central City.**

**COMMENTS:**

The property is located in an established industrial area of the City with direct access to a major arterial road, close proximity to the interstate, is on relatively flat land, and is compatible with existing land uses, all of which meet the sector plan criteria for locations appropriate for heavy industrial development. In addition, the property is also served by a rail line.

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

**AN ERROR IN THE PLAN:**

1. There are no apparent errors in the plan.

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:

1. There have been no significant changes in the development pattern or major infrastructure in this area.

**A CHANGE IN PUBLIC POLICY, UNANTICIPATED BY THE PLAN:**

1. There have been no significant changes in public policy that would trigger the need for a plan amendment.

NEW INFORMATION (INCLUDING NEW PLANS AND STUDIES PRODUCED BY KNOXVILLE-KNOX COUNTY PLANNING) BECOMING AVAILABLE, WHICH REVEALS THE NEED FOR A PLAN AMENDMENT:

1. To promote continued infill and the efficient use of land, many communities are now actively working to re-use "grayfield" and "brownfield" sites as locations for new employment and housing opportunities. There is also recognition that a healthy economy must provide jobs for a wide range of skills, not limited to service and professional employment that has dominated recent job growth. This grayfield location is appropriate for re-use by heavy industry due to its high level of access to highway and rail, and its relative isolation from other land uses that would be incompatible. It is also readily accessible to a large proportion of area job-seekers via major highway and transit service.

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

1. There is a growing need for diverse economic and employment opportunities. This proposed amendment supports job creation in an area that is highly accessible given this property's location in the Central City.

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

1. The I-H Heavy Industrial Zoning District is intended to provide for a wide variety of general manufacturing, fabricating, processing, distributing and warehousing uses. Industrial uses in the I-H District may result in some moderate external effects such as smoke, noise, glare or vibration, and typically include outdoor storage and related outdoor activities.
2. I-H heavy Industrial Zoning should be situated in areas with a good transportation network.

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

1. There are properties zoned I-H (Heavy Industrial), and I-G (General Industrial) nearby to the west, south, and east along Sutherland Ave, so the requested zoning would not be out of character with the area.
2. This property is bounded by a major highway and rail, which creates effective separation between uses.

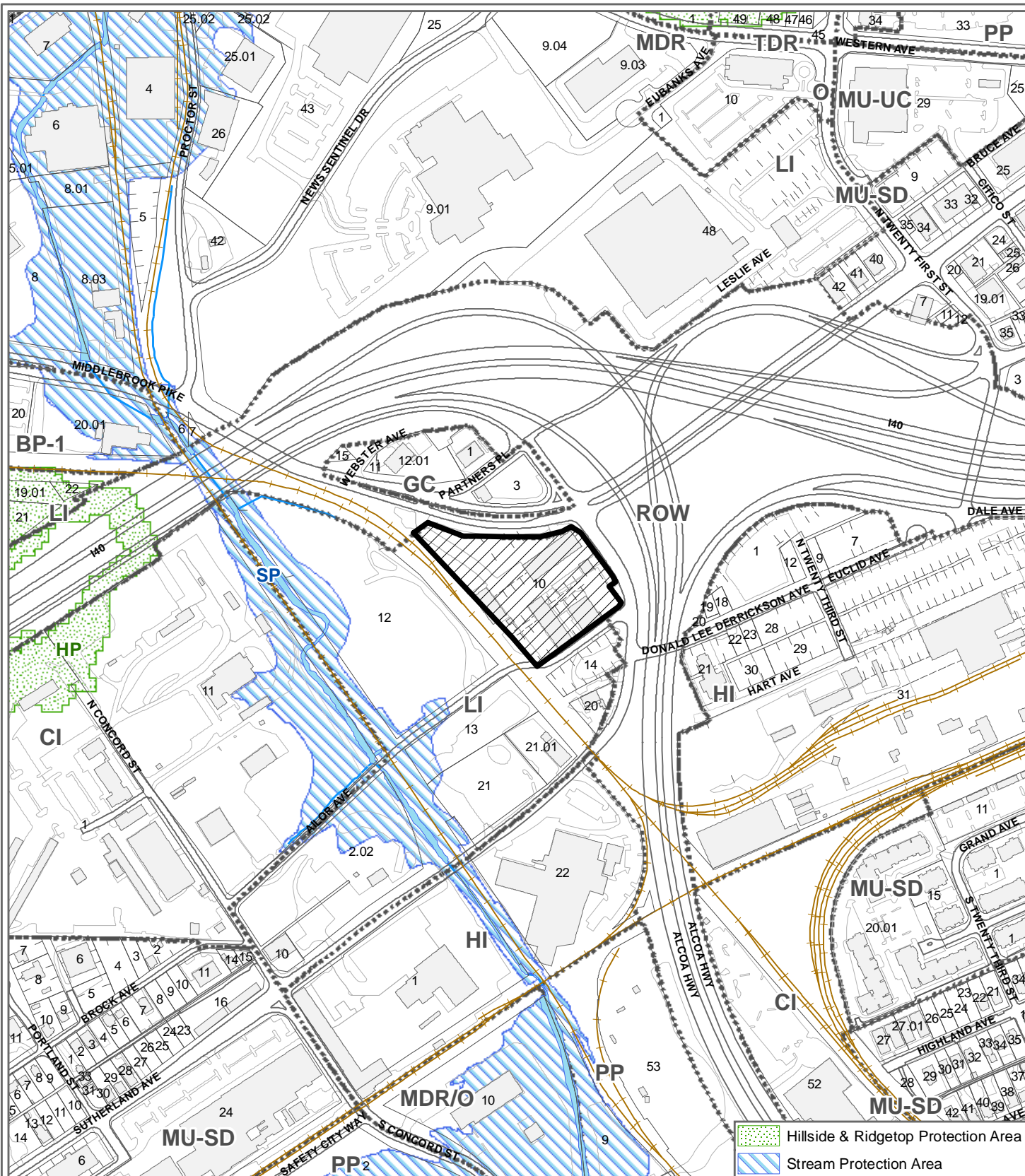
THE PROPOSED AMENDMENT SHALL BE CONSISTENT WITH AND NOT IN CONFLICT WITH THE GENERAL PLAN OF KNOXVILLE AND KNOX COUNTY, INCLUDING ANY OF ITS ELEMENTS, MAJOR ROAD PLAN, LAND USE PLAN, COMMUNITY FACILITIES PLAN, AND OTHERS:



1. The proposed amendment to the Central City Sector Plan by amending this parcel to HI (Heavy Industrial) supports the proposed I-H (Heavy Industrial) zoning on this property.

ESTIMATED TRAFFIC IMPACT: Not required.

ESTIMATED STUDENT YIELD: Not applicable.

If approved, this item will be forwarded to Knoxville City Council for action on 11/16/2021 and 11/30/2021. 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.



 Hillside & Ridgetop Protection Area  
 Stream Protection Area

### 10-C-21-SP CENTRAL CITY SECTOR PLAN AMENDMENT



From: LI (Light Industrial)  
 To: HI (Heavy Industrial)

Original Print Date: 9/8/2021  
 Knoxville - Knox County Planning Commission \* City / County Building \* Knoxville, TN 37902

Revised:

Petitioner: GFL Environmental

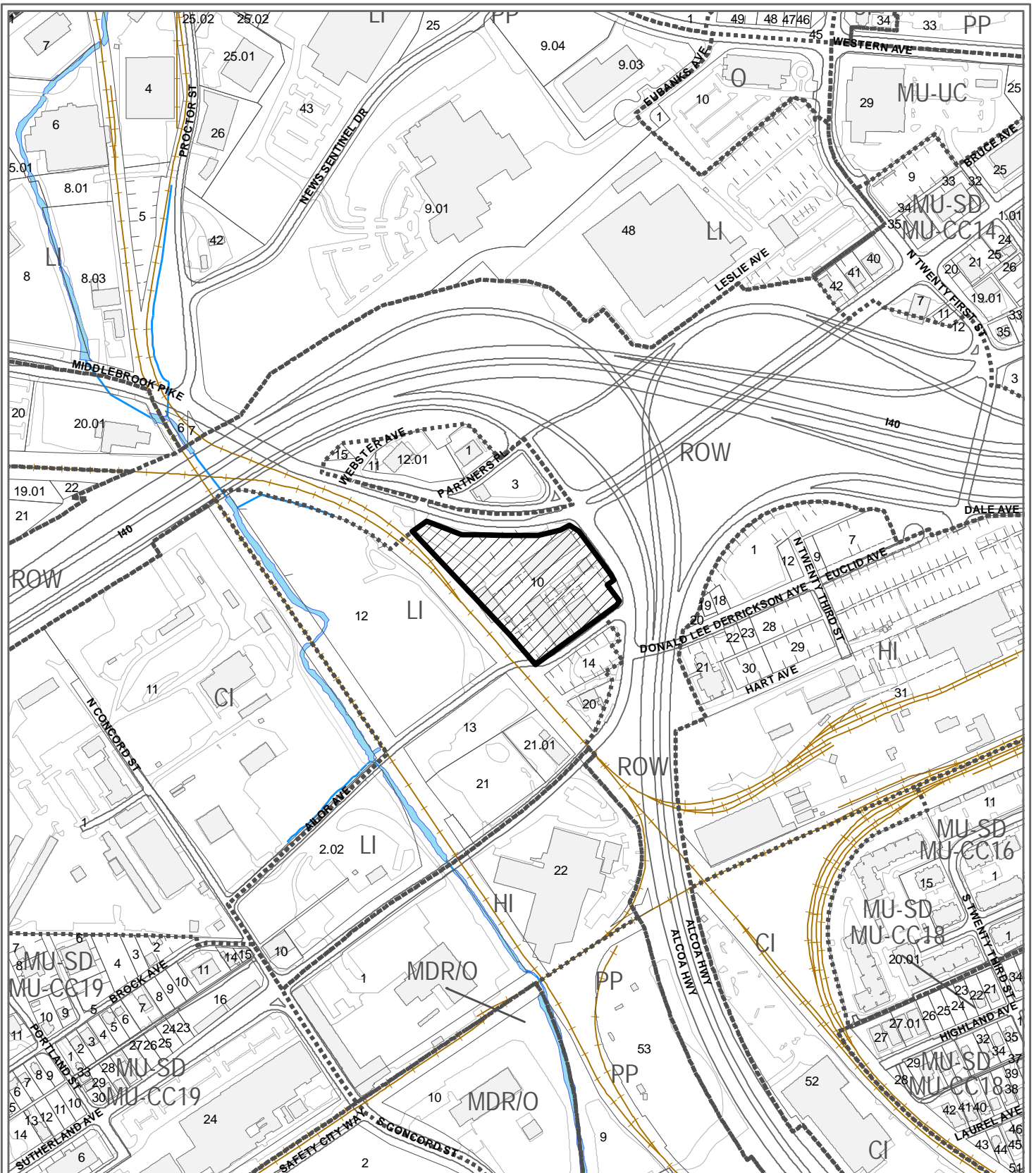
Map No: 94

Jurisdiction: City

0 500  
 Feet







**10-C-21-PA / 10-C-21-RZ  
PLAN AMENDMENT**



From: LI (Light Industrial)  
To: HI (Heavy Industrial)

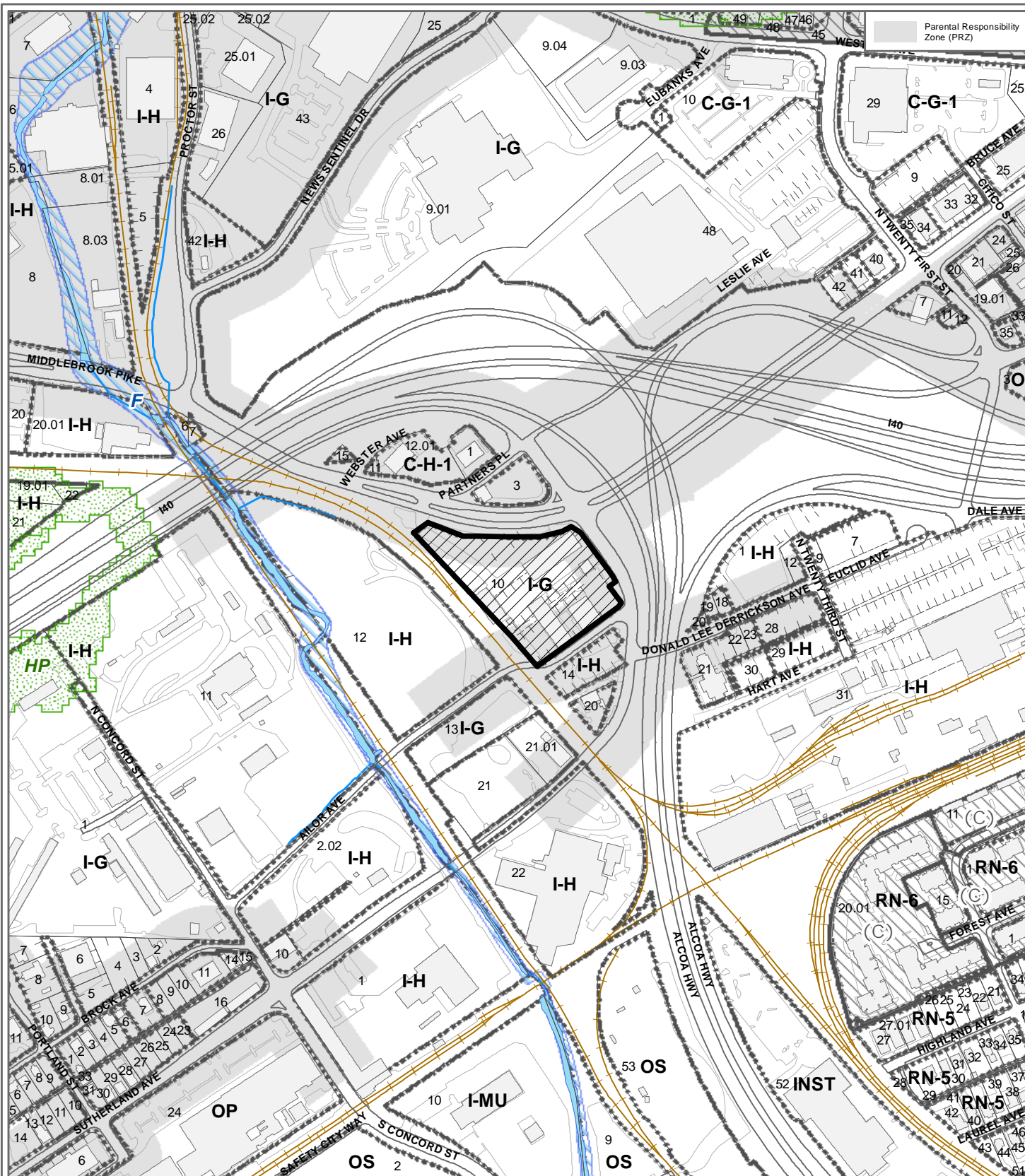
Original Print Date: 9/8/2021  
Revised:  
Knoxville - Knox County Planning Commission \* City / County Building \* Knoxville, TN 37902

Petitioner: GFL Environmental

Map No: 94  
Jurisdiction: City

0 500  
Feet





### 10-C-21-RZ REZONING



From: I-G (General Industrial)

To: I-H (Heavy Industrial)

Original Print Date: 9/8/2021  
 Knoxville - Knox County Planning Commission \* City / County Building \* Knoxville, TN 37902

Revised:

Petitioner: GFL Environmental

Map No: 94

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, GFL Environmental has submitted an application for an amendment to the Central City Sector Plan for property described in the application; and*

*WHEREAS, the Planning Commission recommends approval of an amendment to the Sector Plan from **Light Industrial to Heavy Industrial** 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 October 14, 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 #10-C-21-SP.*

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

*SECTION 3: The Planning Commission further recommends that Knox County Commission 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*

**10-C-21-RZ**  
**EXHIBIT A. Contextual Images**

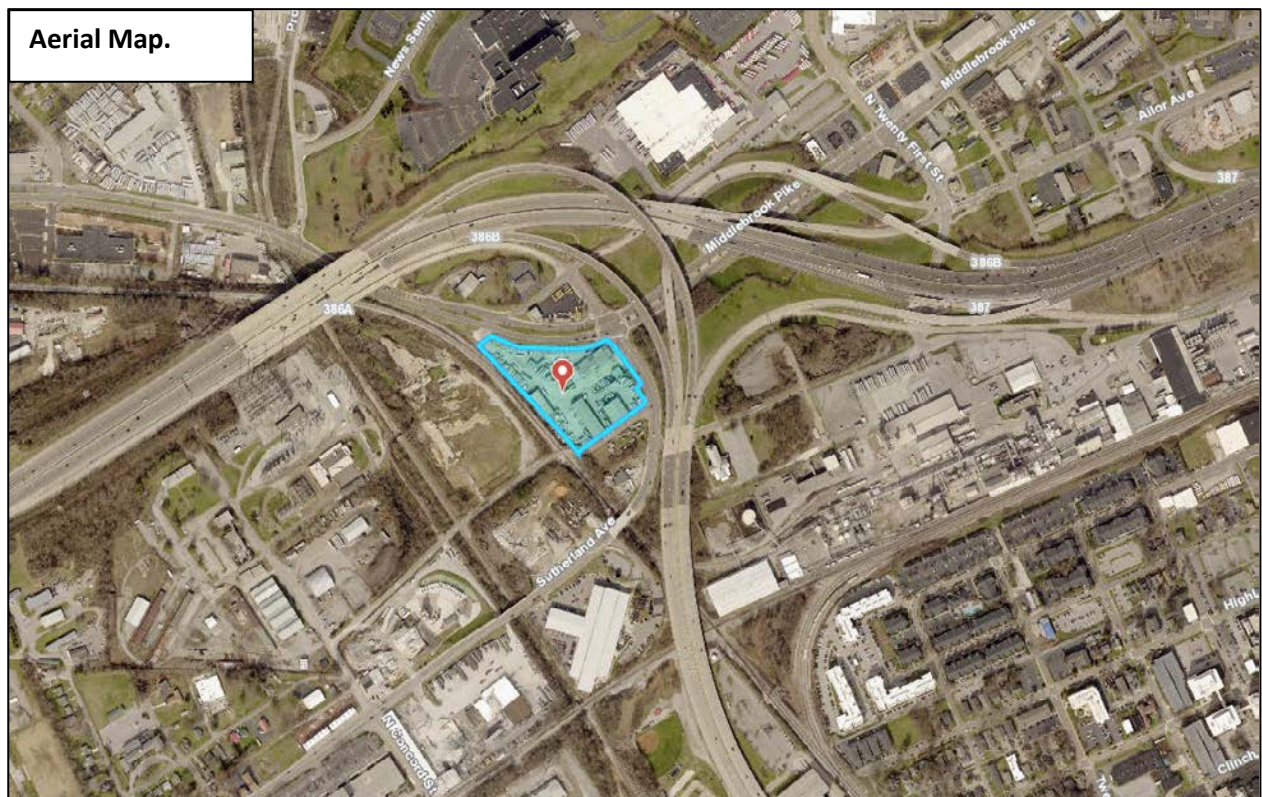
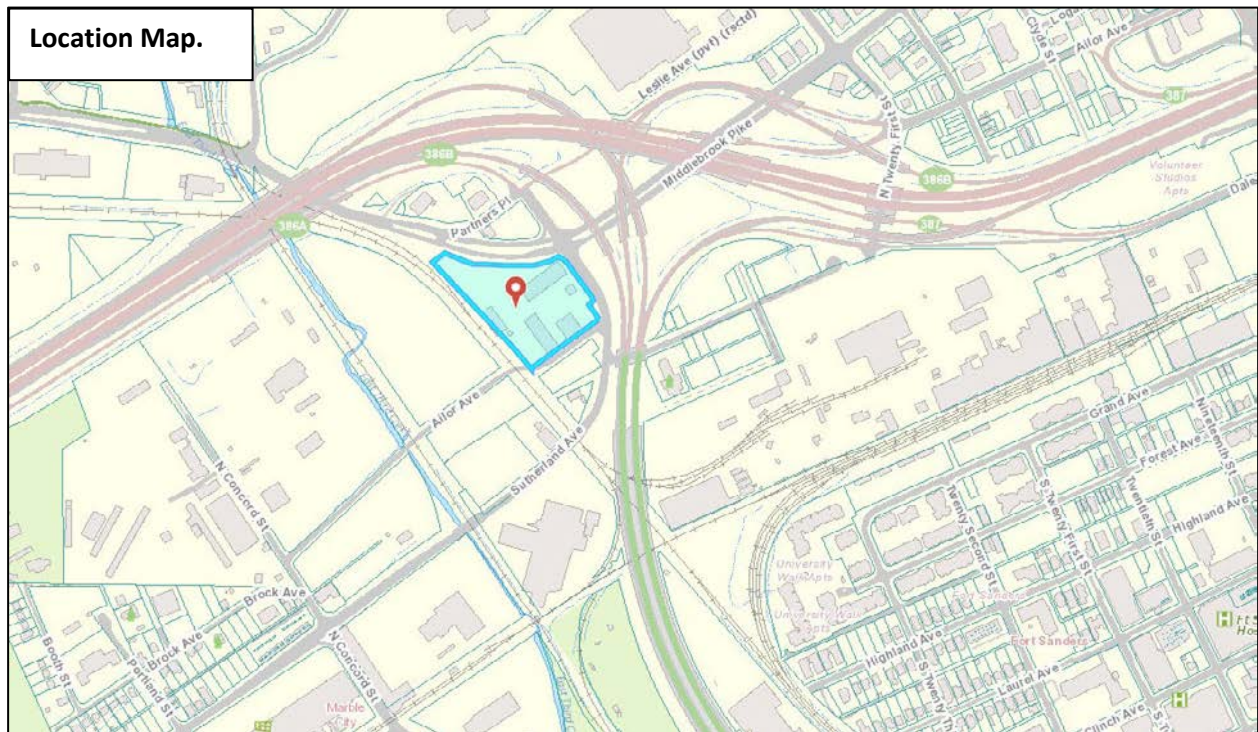
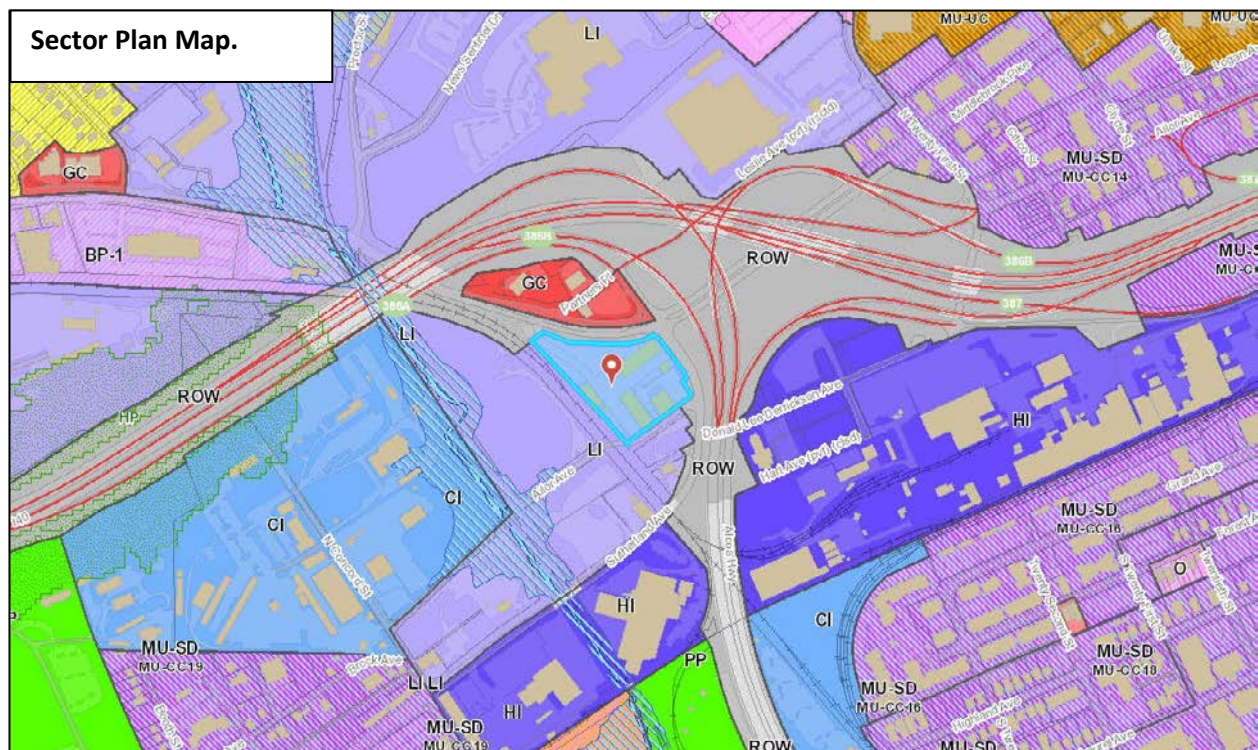
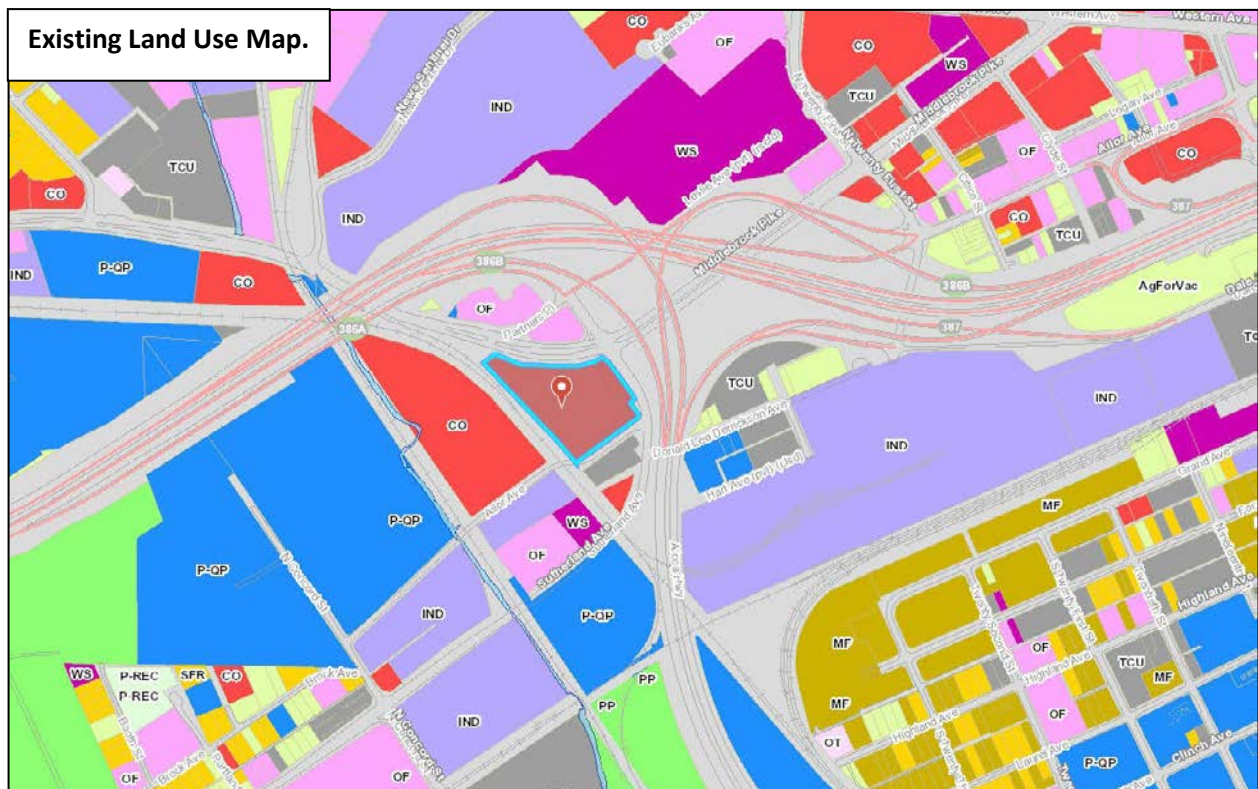




EXHIBIT A. Contextual Images





10-C-21-RZ

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

Benjamin C. Mullins o/b/o GFL Environmental

Option Holder

Applicant Name

Affiliation

August 17, 2020

October 14, 2021

Date Filed

Meeting Date (if applicable)

10-C-21-RZ  
10-C-21-SP  
10-C-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

Benjamin C. Mullins

Frantz, McConnell & Seymour, LLP

Name

Company

550 West Main Street, Suite 500

Knoxville

TN

37902

Address

City

State

ZIP

865-546-9321

bmullins@fmsllp.com

Phone

Email

## CURRENT PROPERTY INFO

Adelaide Showalter and Carolyn Doster

8100 Pointe Oakd Drive Knoxville

865-691-7918

Owner Name (if different)

Owner Address

Owner Phone

1901 Sutherland Ave.

0940B010

Property Address

Parcel ID

Knoxville Utilities Board

Knoxville Utilities Board

N

Sewer Provider

Water Provider

Septic (Y/N)

## STAFF USE ONLY

North of Ailor Ave, West of Sutherland Ave., South of Middlebrook Pike

+/- 4.83 acres

General Location

Tract Size

6th

I-G

CO (Commercial)

☒ City ☐ County

District

Zoning District

Existing Land Use

Central City

LI (Light Industrial)

NA (in City)

Planning Sector

Sector Plan Land Use Classification

Growth Policy Plan Designation

**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**

Proposed Subdivision Name \_\_\_\_\_

Unit / Phase Number   ☐ Combine Parcels   ☐ Divide Parcel

Total Number of Lots Created \_\_\_\_\_

☐ Other (specify) \_\_\_\_\_☐ Attachments / Additional Requirements

Related Rezoning File Number

**ZONING REQUEST**☒ Zoning Change   I-H (Heavy Industrial Zoning District)

Proposed Zoning

☒ Plan Amendment Change   HI (Heavy Industrial)  
Proposed Plan Designation(s)

Pending Plat File Number

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 \$1,900.00

Fee 3

0526 | 300.00

**AUTHORIZATION**

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

Applicant Signature

Benjamin C. Mullins o/b/o GFL Environmen August 17, 2021

Please Print

Date

865-546-9321

bmullins@fmsllp.com

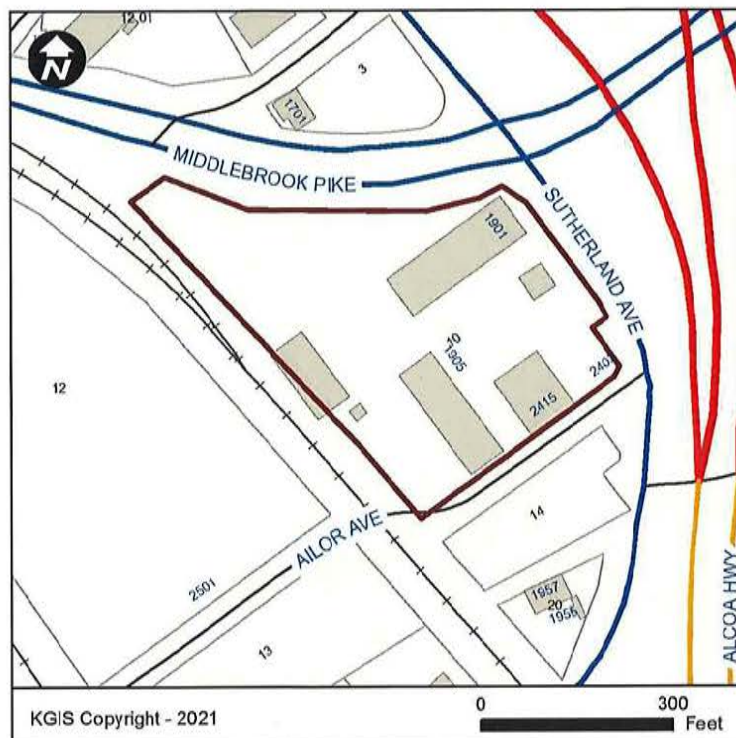
Phone Number

Email

Staff Signature

Marc Payne  
Please Print8/17/2021  
Date



**Parcel 0940B010 - Property Map and Details Report****Property Information**

Parcel ID:	0940B010
Location Address:	1901 SUTHERLAND AVE
CLT Map:	94
Insert:	0
Group:	B
Condo Letter:	
Parcel:	10
Parcel Type:	NORMAL
District:	
Ward:	9
City Block:	22241
Subdivision:	VAN DEVENTER VAN DEVENTER RESUB
Rec. Acreage:	4.83
Calc. Acreage:	0
Recorded Plat:	L251 - C
Recorded Deed:	20061027 - 0036364
Deed Type:	Legal Document:
Deed Date:	10/27/2006

**Address Information**

Site Address: 1901 SUTHERLAND AVE  
KNOXVILLE - 37921

Address Type: BUSINESS

Site Name: POST AND CO TRUCK BODYS

Please contact Knoxville-Knox County Planning at (865) 215-2500 if you have questions.

**Jurisdiction Information**

County: KNOX COUNTY

City / Township: Knoxville

**Political Districts**

Voting Precinct: 09

Voting Location: Eternal Life Harvest Center  
1801 WESTERN AVE

TN State House: 15 Sam McKenzie

TN State Senate: 7 Richard Briggs

County Commission: 1 Dasha Lundy  
(at large seat 10)  
(at large seat 11) Larsen Jay  
Justin Biggs

City Council: 6 Gwen McKenzie  
(at large seat A) Lynne Fugate  
(at large seat B) Janet Testerman  
(at large seat C) Amelia Parker

School Board: 1 Evetty Satterfield

Please contact Knox County Election Commission at (865) 215-2480 if you have questions.

**Owner Information**

SHOWALTER ADELAIDE GAIL POST & DOSTER CAROLYN POST

8100 POINTE OAKS DR

KNOXVILLE, TN 37919

The owner information shown in this section does **not** necessarily reflect the person(s) responsible for Last Year's property taxes. Report any errors to the Knox County Property Assessor's office at (865) 215-2365.

**Knoxville-Knox Co. Planning Information**

Census Tract: 26

Planning Sector: Central City

Please contact Knoxville-Knox County Planning at (865) 215-2500 if you have questions.

**School Zones**

Elementary: WEST VIEW ELEMENTARY

Intermediate:

Middle: BEARDEN MIDDLE

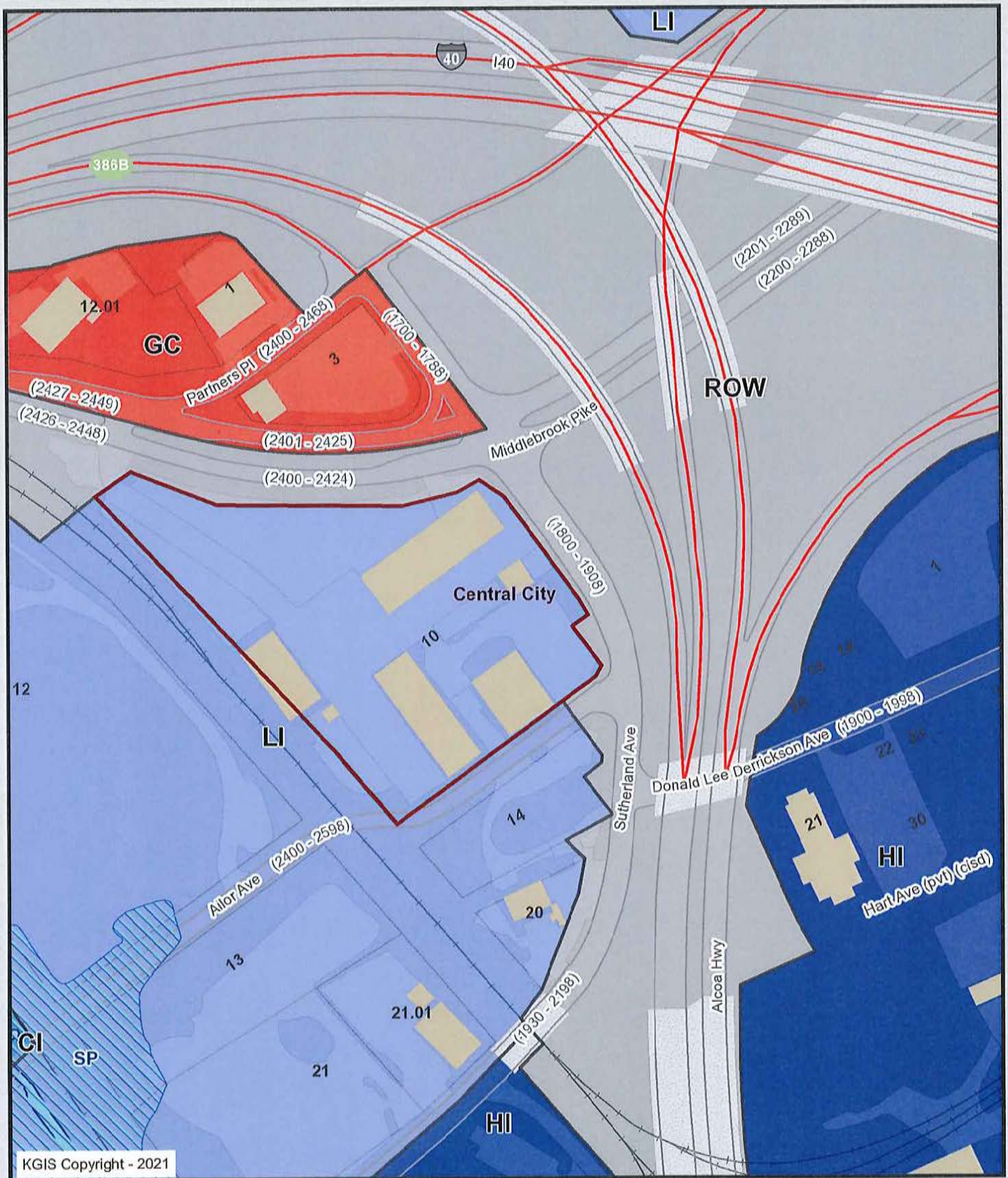
High: WEST HIGH

Please contact Knox County Schools Transportation and Zoning Department at (865) 594-1550 if you have questions.

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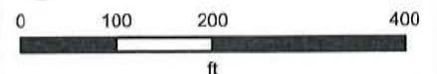


# 1901 Sutherland Sector and One Year Plan

Knoxville - Knox County - KUB Geographic Information System

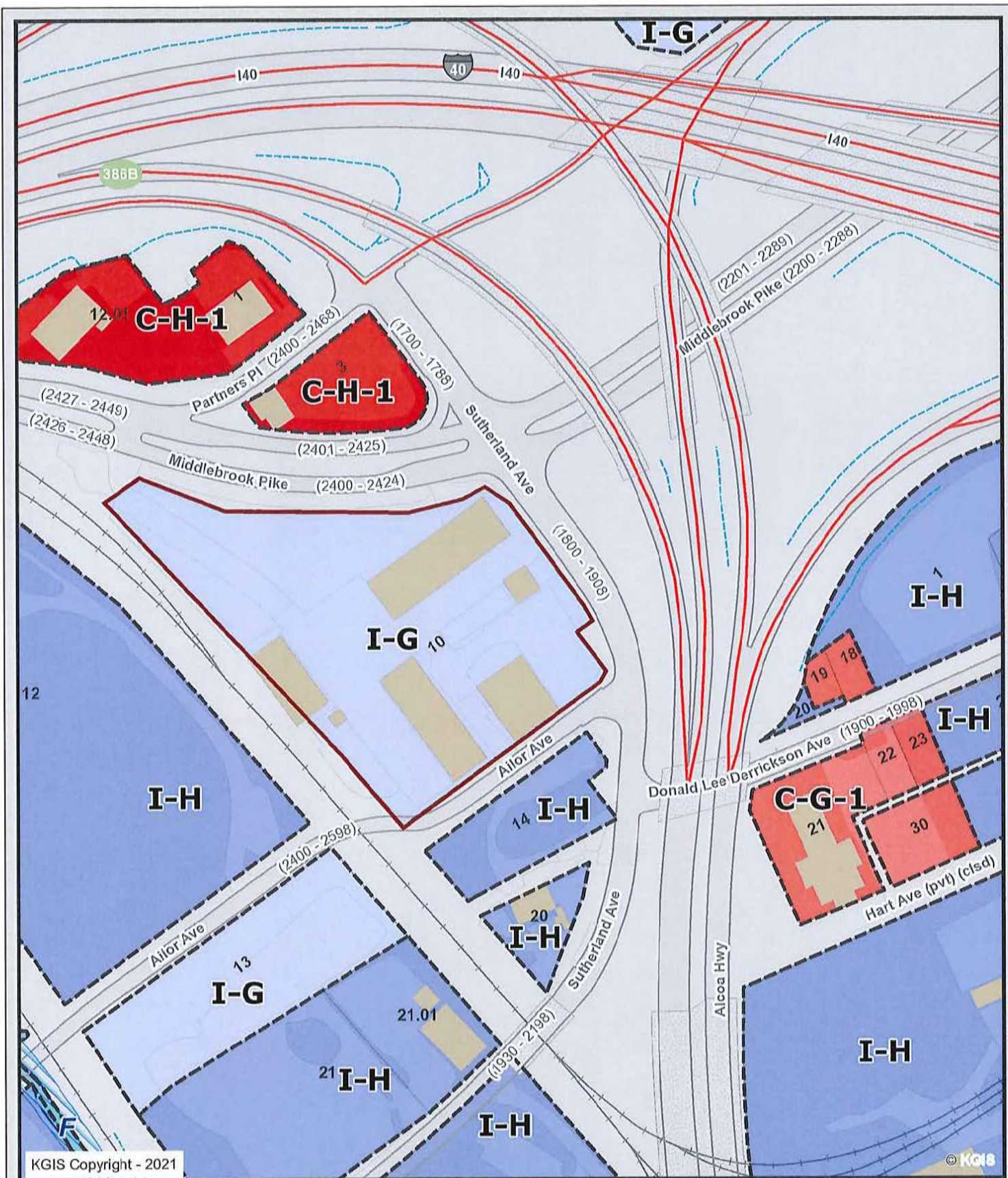


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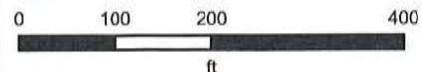
## 1901 Sutherland

Zoning

Knoxville - Knox County - KUB Geographic Information System



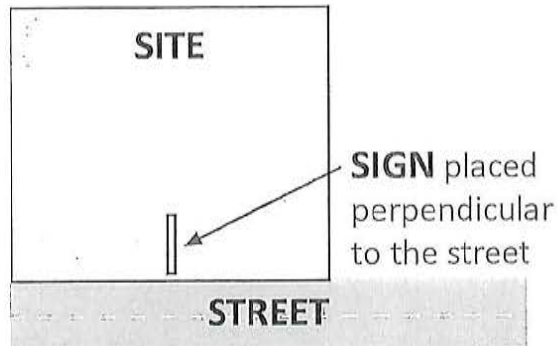
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The Administrative Rules and Procedures of the Knoxville-Knox County Planning Commission require a sign to be posted on the property for each application subject to consideration by the Planning Commission, including the following applications: rezoning, plan amendment, concept plan, use on review/special use, planned development, right-of-way closure, and name change.



The required public notice sign(s) will be provided by Planning to the applicant when an application is submitted. If an application is submitted electronically, 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.

*The individual below is responsible for posting and removing the sign(s) provided consistent with the above guidelines and between the dates of:*

Sept 29 (Wed) and (Fri) Oct 15  
 (applicant or staff to post sign) (applicant to remove sign)

Applicant Name: Ben Mullins

Date: 8-17-21

File Number: 10-C-21-RZ

10-C-21-PA  
10-C-21-SP

☐

Sign posted by Staff

☒

Sign posted by Applicant