

CASE SUMMARY

APPLICATION TYPE: SPECIAL USE



File Number: 6-B-24-SU **Related File Number:**
Application Filed: 4/18/2024 **Date of Revision:**
Applicant: BRIAN L. BUCKMON

PROPERTY INFORMATION

General Location: Southeast side of E Magnolia Ave, east of N Kyle St
Other Parcel Info.:
Tax ID Number: 82 O N 004 OTHER: 082ON014 **Jurisdiction:** City
Size of Tract: 1 acres
Accessibility: Access is via Magnolia Avenue, a major arterial with a 75-ft pavement width within a 96-ft right-of-way.
Access is also via Islington Avenue, an alley with a 13-ft pavement width within a 17-ft right-of-way.
Access is also via Linden Avenue a local street with a 30-ft pavement width within a 40-ft right-of-way.

GENERAL LAND USE INFORMATION

Existing Land Use: Public/Quasi-Public Land
Surrounding Land Use:
Proposed Use: Funeral Home **Density:**
Planning Sector: Central City **Plan Designation:** MU-SD (Mixed Use Special District)
Growth Policy Plan: N/A (Within City Limits)
Neighborhood Context: Magnolia Avenue is a commercial corridor with sidewalks and a mix of office, commercial and residential developments. Outside of the corridor is the Parkridge residential neighborhood to the north and the Morningside Heights residential neighborhood to the south.

ADDRESS/RIGHT-OF-WAY INFORMATION (where applicable)

Street: 2112 E MAGNOLIA AVE
Location:
Proposed Street Name:
Department-Utility Report:
Reason:

ZONING INFORMATION (where applicable)

Current Zoning: C-G-2 (General Commercial), RN-4 (General Residential Neighborhood)
Former Zoning:
Requested Zoning:
Previous Requests:
Extension of Zone:
History of Zoning: None noted.

PLAN INFORMATION (where applicable)

Current Plan Category: MU-SD (Mixed Use Special District)

Requested Plan Category:

SUBDIVISION INFORMATION (where applicable)

Subdivision Name:

No. of Lots Proposed: No. of Lots Approved: 0

Variances Requested:

S/D Name Change:

OTHER INFORMATION (where applicable)

Other Bus./Ord. Amend.:

PLANNING COMMISSION ACTION AND DISPOSITION

Planner In Charge: Jessie Hillman

Staff Recomm. (Abbr.): Approve the request for a funeral home, subject to 4 conditions.

Staff Recomm. (Full):

1. Meeting all applicable requirements of the City of Knoxville Department of Engineering.
2. Meeting all applicable requirements of the City of Knoxville Zoning Ordinance.
3. Meeting all applicable requirements of the City of Knoxville Department of Plans Review and Inspections.
4. Meeting all applicable requirements of the Tennessee Department of Transportation.
5. The nonconforming parking lot at 0 Linden Avenue (Parcel 082ON014) remains under the same ownership as the funeral home. If it is sold, the use of the lot will be brought into compliance with its zoning district.

Comments: This request is to renovate an existing 2-story, 99-year-old building on 2112 E Magnolia Avenue for the use of a funeral home. The most recent known use of the building was as a place of worship. However, it did function as a funeral home from at least 1947 through 2003 according to the ownership record. The proposed funeral home will include an embalming and casket selection room, as well as a chapel for memorial services. There is an existing parking lot next to the building to the east, and an overflow parking lot to the rear of the primary lot across Islington Avenue. There are approximately 80 parking spaces shown on the site plan.

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 proposed use of a funeral home in this vacant building originally built in 1925 is consistent with the General Plan's development policy 6.6 to encourage the reuse of vacant and underutilized historic resources.

B. The land use classification for the subject property in the One Year Plan and the Central City Sector Plan is MU-SD, MU-CC5 (Mixed-Use Special District, Magnolia Avenue). This special district recommends a variety of uses including general commercial, office and residential development. The proposed use of a funeral home is compatible with this range of permissible land uses.

C. The primary lot and satellite parking lot are located within the Magnolia Avenue Corridor Plan and the Martin Luther King, Jr. Avenue Corridor Study, respectively. The proposed use is not in conflict with either of these adopted plans.

2) THE USE IS IN HARMONY WITH THE GENERAL PURPOSE AND INTENT OF THIS ZONING CODE.

A. The primary lot's zoning is C-G-2 (General Commercial), which permits consideration of a funeral home as a special use. There are principal use standards for a funeral home and crematory described in Article 9.3.M. Those standards focus on cremation and are not applicable to this special use case, which will not have a crematory.

B. The satellite parking lot is zoned RN-4 (General Residential Neighborhood), which does not permit a parking lot as a principal use. However, this lot has functioned as an overflow parking lot for the primary lot since at least 1963, when it was purchased by the funeral home business in operation at that time. Article 17.1.D.5 does stipulate the continuation of a nonconforming parking area. The City Plans Review and Inspections Department has determined that this lot can continue as overflow parking on the condition that it remain the same ownership as the primary lot. If the lot were to be sold off, its nonconforming use would need to be brought into compliance with its zoning district.

C. The minimum off-street parking requirement for a funeral home is .33 space per person at design capacity. The applicant has stated that the maximum occupancy of the building is approximately 300 people, bringing the minimum parking requirement to 99 spaces. The property is within 1/4 mile of a

bus stop, which qualifies it for a 30% reduction in the parking requirement, per Article 11.4.B.3. This brings the minimum parking space amount to 66 spaces, which is met by the 80 spaces provided on both lots combined. The parking lots will be re-striped and configured in accordance with City Engineering requirements at the permitting stage.

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 renovation of the existing building for the use of a funeral home is a return to how the building has historically functioned for many years. It is a non-intrusive use that should be compatible with the surrounding commercial corridor along Magnolia Avenue and the residential neighborhood to the south.

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. The most intensive component of the funeral home use is the memorial service that would occur on a scheduled and temporary basis during daytime hours. This is not anticipated to create an environment that would detract from the immediate surroundings or injure property values. To the contrary, the anticipated improvements to the parking lot and renovation of the building provides a beneficial reuse of vacant land.

5) THE USE IS NOT OF A NATURE OR SO LOCATED AS TO DRAW SUBSTANTIAL ADDITIONAL TRAFFIC THROUGH RESIDENTIAL STREETS.

A. The traffic generated from memorial services would be temporary and scheduled. The parking lots have a total of 3 access points to disperse traffic, and the improved layout required at permitting would ensure safe ingress and egress.

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 adjacent developments, land uses or environmental factors that pose a risk to the proposed use of a funeral home.

Action: Approved with Conditions **Meeting Date:** 6/13/2024

Details of Action:

Summary of Action: Approve the request for a funeral home, subject to 4 conditions.

Date of Approval: 6/13/2024 **Date of Denial:** **Postponements:**

Date of Withdrawal: **Withdrawn prior to publication?:** **Action Appealed?:**

LEGISLATIVE ACTION AND DISPOSITION

Legislative Body:

Date of Legislative Action: **Date of Legislative Action, Second Reading:**

Ordinance Number: **Other Ordinance Number References:**

Disposition of Case: **Disposition of Case, Second Reading:**

If "Other": **If "Other":**

Amendments: **Amendments:**

Date of Legislative Appeal: **Effective Date of Ordinance:**