

PLAN AMENDMENT REPORT

► FILE #: 7-F-20-SP AGENDA ITEM #: 15

> AGENDA DATE: 7/9/2020

► APPLICANT: WADE LOVIN OBO ALLIANCE FUNERAL GROUP INC.

OWNER(S): Alliance Funeral Group

TAX ID NUMBER: 94 H A 008 (PART OF) View map on KGIS

JURISDICTION: Council District 3

STREET ADDRESS: 2724 Western Avenue

▶ LOCATION: South side of Western Avenue, south of its intersection with Texas

Avenue

► APPX. SIZE OF TRACT: 1.87 acres

SECTOR PLAN: Central City

GROWTH POLICY PLAN: Within City limits

ACCESSIBILITY: Western Avenue is a major arterial with a 82-foot pavement width inside a

> right-of-way that varies in width from 118 feet to 124 feet at this location. There are dedicated turn lanes onto Texas Avenue from Western Avenue in

front of this property.

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

> Sewer Source: Knoxville Utilities Board

WATERSHED: Third Creek

► PRESENT PLAN AND

ZONING DESIGNATION:

OS (Open Space) / OS (Parks and Open Space)

► PROPOSED PLAN

DESIGNATION:

GC (General Commercial)

► EXISTING LAND USE: Cemetery

EXTENSION OF PLAN

DESIGNATION:

No

HISTORY OF REQUESTS: None noted for this property

SURROUNDING LAND USE

Industrial)

AND PLAN DESIGNATION:

Agricultural/forestry/vacant - OS (Open Space) South:

East: Transportation/communications/utilities - LI (Light Industrial)

West: Agricultural/forestry/vacant - OS (Open Space)

This portion of Western Avenue is a mix of uses with warehouse and NEIGHBORHOOD CONTEXT

industrial uses, single family residential uses, and commercial uses in the

Agricultural/forestry/vacant, commercial, and office - LI (Light

immediate area.

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STAFF RECOMMENDATION:

 Approve the GC (General Commercial) designation since it is consistent with surrounding development.

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 have been no changes to conditions to warrant amending the land use plan.

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 are no obvious or significant errors or omissions in the plan regarding this parcel.

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

- 1. This section of Western Avenue has developed with a variety of uses including commercial, industrial, and residential. The residential uses are separated from the new lot for which rezoning was requested by the cemetery. The special use criteria for a crematorium states that a smokestack of a facility for cremation must be located a minimum of 500 feet from an existing residential dwelling (among other uses), measured from lot line to lot line. The subdivision creates a separation distance of 1,037 feet from the residential properties to the west, and 1,390 feet from the residential properties to the south.
- 2. C-G and C-H zones are common in this area, so the plan amendments to GC allowing commercial zoning on this parcel would allow compatible zoning to the surrounding area.
- 3. The proposed amendment to GC is consistent with the criteria listed in the One Year Plan: the parcel is relatively flat, is served by an arterial, is easily serviced by sewer, and is compatible with other land uses.

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 8/11/2020 and 8/25/2020. 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.

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PLAN AMENDMENT/ REZONING REPORT

► FILE #: 7-H-20-RZ AGENDA ITEM #: 15

7-D-20-PA AGENDA DATE: 7/9/2020

► APPLICANT: WADE LOVIN OBO ALLIANCE FUNERAL GROUP INC.

OWNER(S): Alliance Funeral Group

TAX ID NUMBER: 94 H A 008 (PART OF) View map on KGIS

JURISDICTION: Council District 3

STREET ADDRESS: 2724 Western Avenue

► LOCATION: South side of Western Avenue, south of its intersection with Texas

Avenue

► TRACT INFORMATION: 1.87 acres.

SECTOR PLAN: Central City

GROWTH POLICY PLAN: Within City limits

ACCESSIBILITY: Western Avenue is a major arterial with a 82-foot pavement width inside a

right-of-way that varies in width from 118 feet to 124 feet at this location. There are dedicated turn lanes onto Texas Avenue from Western Avenue in

front of this property.

UTILITIES: Water Source: Knoxville Utilities Board

Sewer Source: Knoxville Utilities Board

WATERSHED: Third Creek

PRESENT PLAN
 OS (Open Space) / OS (Parks and Open Space)

DESIGNATION/ZONING:

DESIGNATION/ZONING:

PROPOSED PLAN GC (General Commercial) / C-G-1 (General Commercial)

► EXISTING LAND USE: Cemetery

►

EXTENSION OF PLAN No

DESIGNATION/ZONING:

HISTORY OF ZONING

None noted for this property

REQUESTS:

SURROUNDING LAND USE, North: Agricultural/forestry/vacant, commercial, and office - LI (Light

PLAN DESIGNATION, Industrial)

ZONING South: Agricultural/forestry/vacant - OS (Open Space)

East: Transportation/communications/utilities - LI (Light Industrial)

West: Agricultural/forestry/vacant - OS (Open Space)

NEIGHBORHOOD CONTEXT: This portion of Western Avenue is a mix of uses with warehouse and

industrial uses, single family residential uses, and commercial uses in the

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STAFF RECOMMENDATION:

- ► Approve the GC (General Commercial) designation since it is compatible with surrounding development and is consistent with the One Year Plan's location criteria for the GC designation.
- Approve C-G-1 (General Commercial) zoning because it is consistent with surrounding development.

COMMENTS:

The applicant has subdivided a small piece of land off from the main parcel. The new lot encompasses the building on the site and a small swathe of land leading up to Western Avenue (the plat is included in the application materials). Should the plan amendments and the rezoning pass, the applicant plans to build a crematorium at this site.

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:

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. This section of Western Avenue has developed with a variety of uses including commercial, industrial, and residential. The residential uses are separated from the new lot for which rezoning was requested by the cemetery. The special use criteria for a crematorium states that a smokestack of a facility for cremation must be located a minimum of 500 feet from an existing residential dwelling (among other uses), measured from lot line to lot line. The subdivision creates a separation distance of 1,037 feet from the residential properties to the west, and 1,390 feet from the residential properties to the south.
- 2. C-G and C-H zones are common in this area, so the plan amendments to GC allowing commercial zoning on this parcel would allow compatible zoning to the surrounding area.
- 3. The proposed amendment to GC is consistent with the criteria listed in the One Year Plan: the parcel is relatively flat, is served by an arterial, is easily serviced by sewer, and is compatible with other land uses.

A CHANGE IN PUBLIC POLICY, UNANTICIPATED BY THE PLAN:

1. No change in public policy directly impacts this 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. No new information has become available to reveal the need for a 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. There is an increased need for crematoriums as more people are opting for cremation than in previous years. Currently, the nearest crematorium is in Blount County. This rezoning would provide an opportunity for the applicant to build a crematorium and help to meet that demand.

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

1. The proposed amendment to C-G (General Commercial) zoning is intended to provide for a heterogeneous mix of retail, personal service, office, and residential uses within and along Knoxville's commercial nodes and corridors. The C-G District is intended to promote mixed-use development in a pedestrian-oriented

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environment that recalls the City's traditional business districts, and offers flexibility in the creation of integrated commercial, office and residential spaces. The CG District is divided into three levels of intensity related to the overall form and design of the development; however, uses are the same across all levels. This zone is intended primarily for indoor commercial uses with limited exceptions per special use approval.

2. Rezonings 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. Commercial zoning exists on Western Avenue across the street and on the other side of the cemetery to the west, so the C-G zone is not out of place.
- 2. There are single family homes on the other side of the cemetery, but the open space of the cemetery will act as a buffer against this zone.
- 3. The applicant's desired crematorium use is allowed as a special use within the C-G zone, so the development would require Planning Commission approval. The special use criteria for a crematorium states that a smokestack of a facility for cremation must be located a minimum of 500 feet from an existing residential dwelling (among other uses), measured from lot line to lot line. The subdivision creates a separation distance of 1,037 feet from the residential properties to the west, and 1,390 feet from the residential properties to the south.

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:

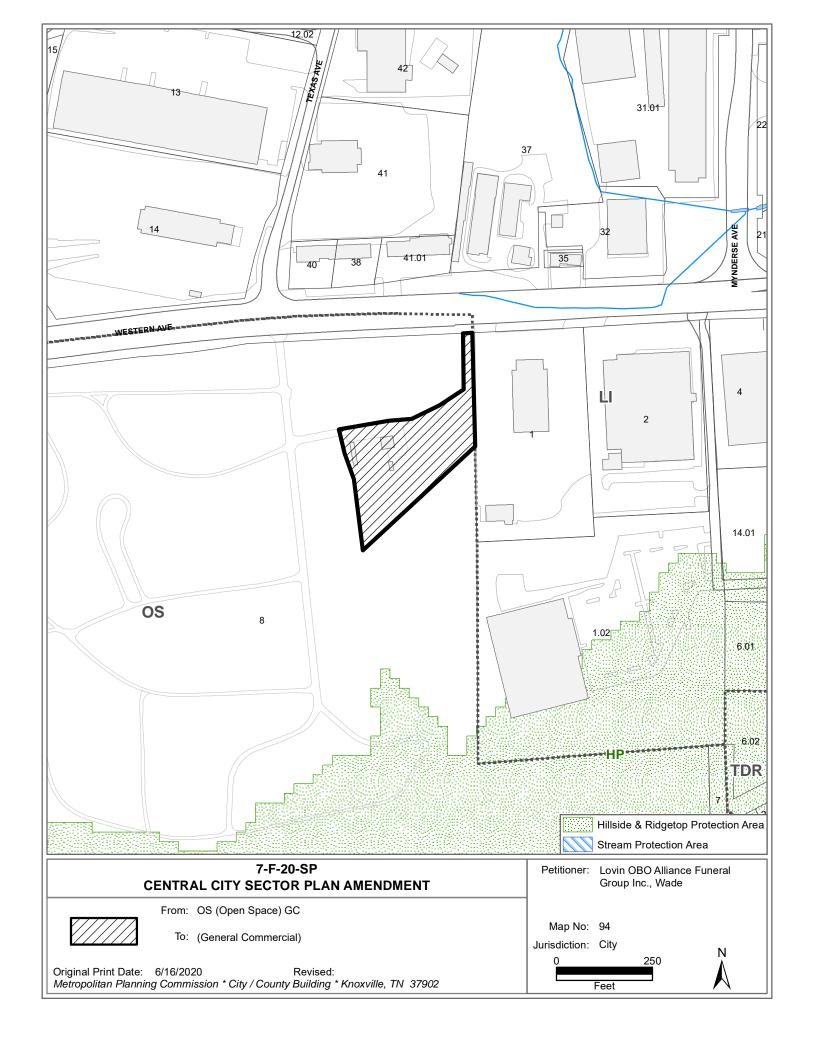
1. The C-G zone is consistent with the accompanying staff recommended plan amendment to the GC (General Commercial) land use designation.

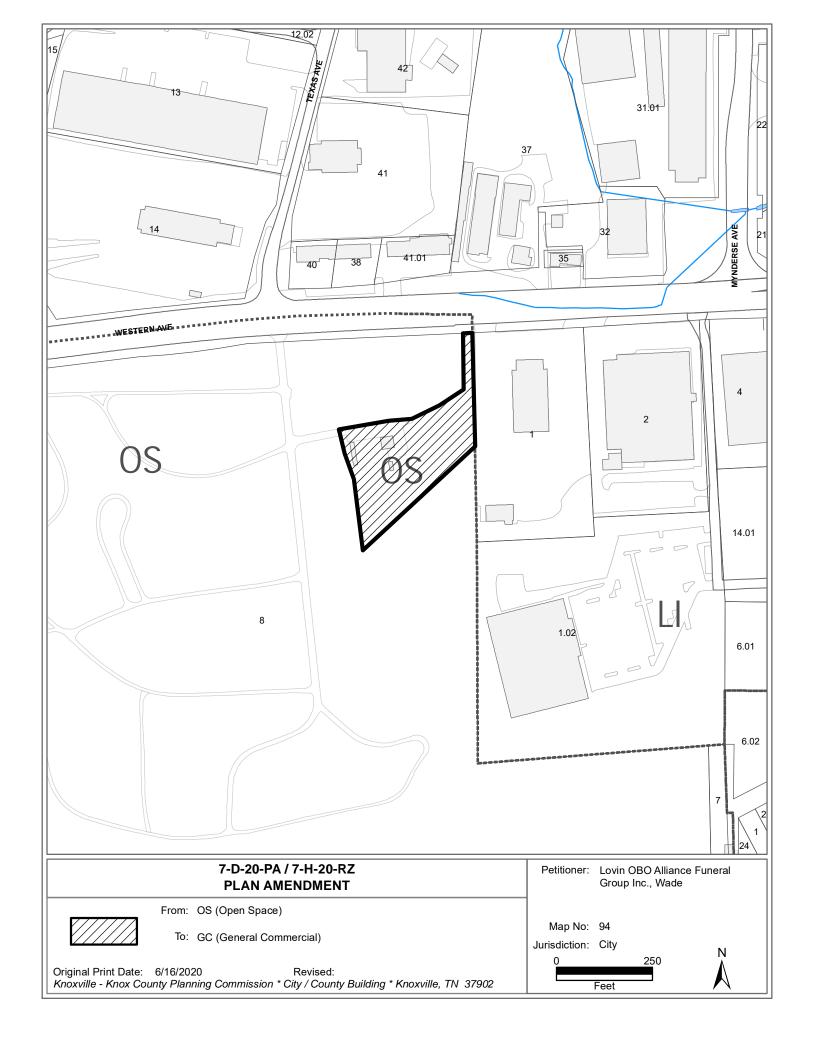
ESTIMATED TRAFFIC IMPACT: Not required.

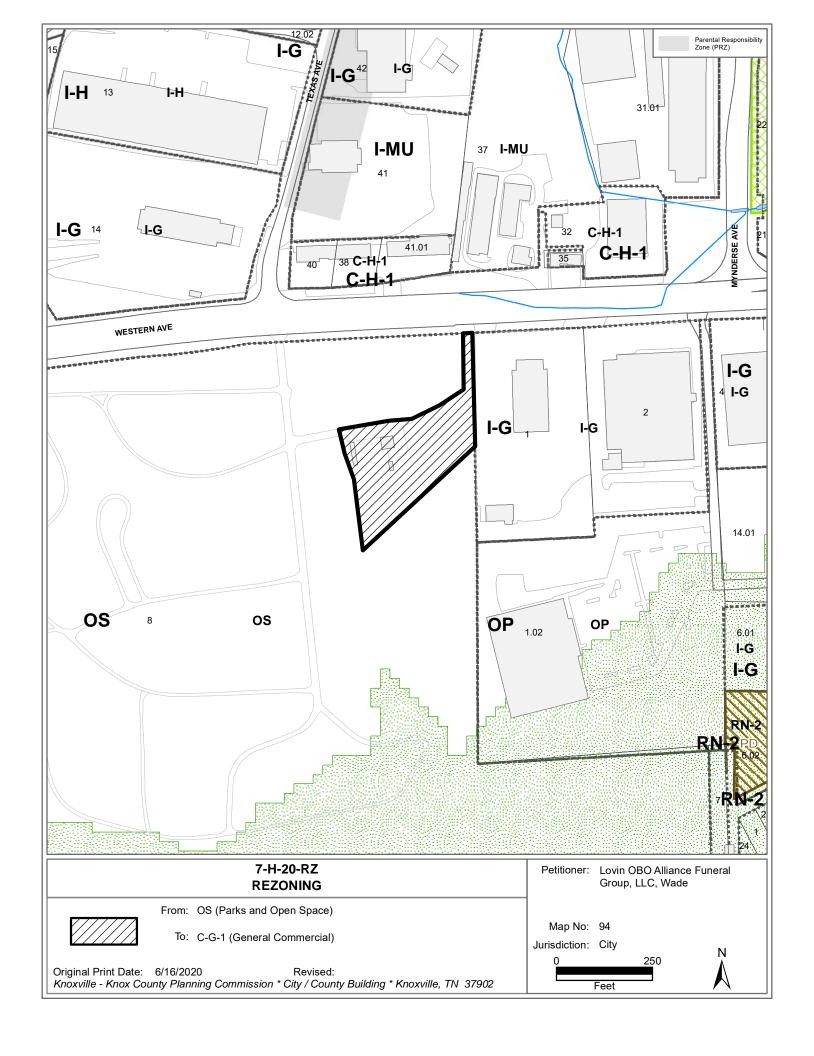
ESTIMATED STUDENT YIELD: Not applicable.

If approved, this item will be forwarded to Knoxville City Council for action on 8/11/2020 and 8/25/2020. 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.

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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, Wade Lovin, on behalf of Alliance Funeral Group Inc., has submitted an application to amend the Sector Plan from Open Space to General Commercial, for the 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 July 9, 2020, 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:

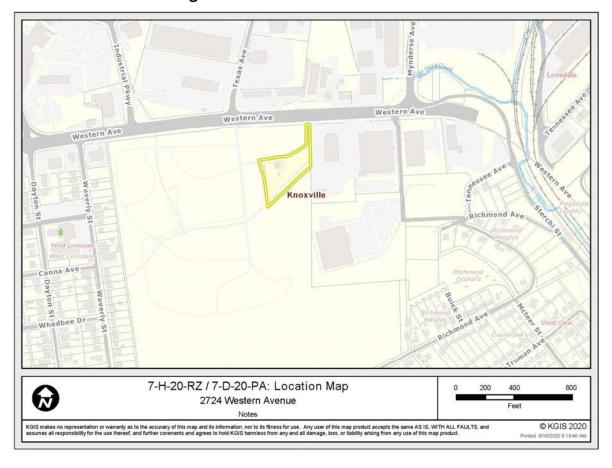
SECTION 1: The Planning Commission hereby adopts the revised amendment to the Central City Sector Plan, with its accompanying staff report and map, file #7-F-20-SP.

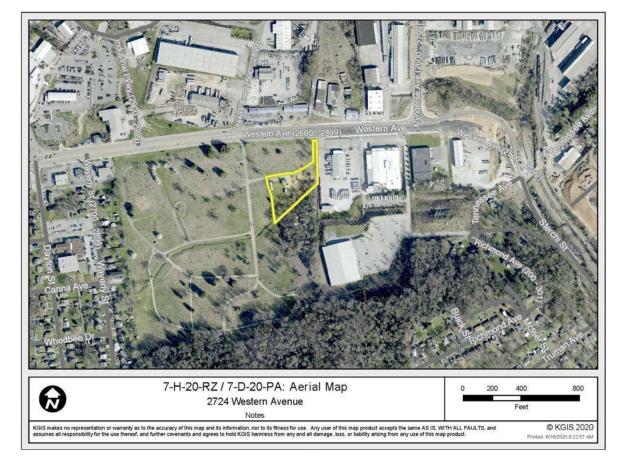
SECTION 2: This Resolution shall take effect upon its approval.

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

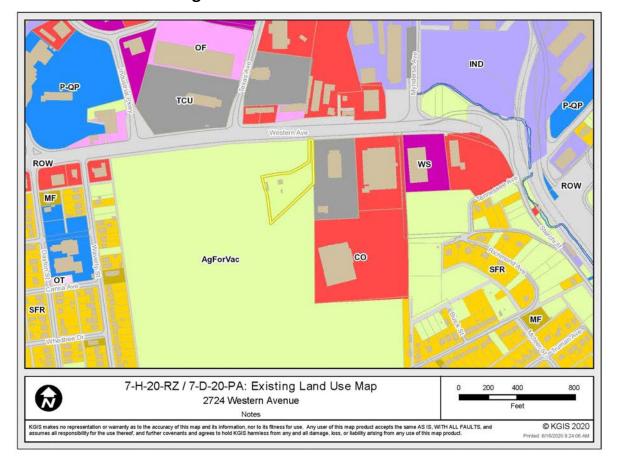
-	Date	
Vice Chair	_	Secretary

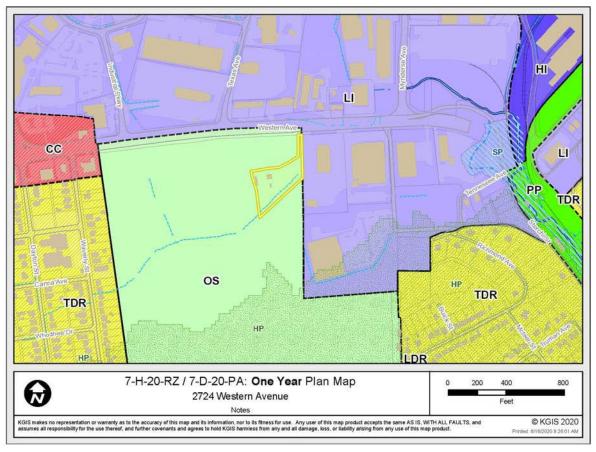
7-H-20-RZ / 7-D-20-PA / 7-F-20-SP EXHIBIT A. Contextual Images



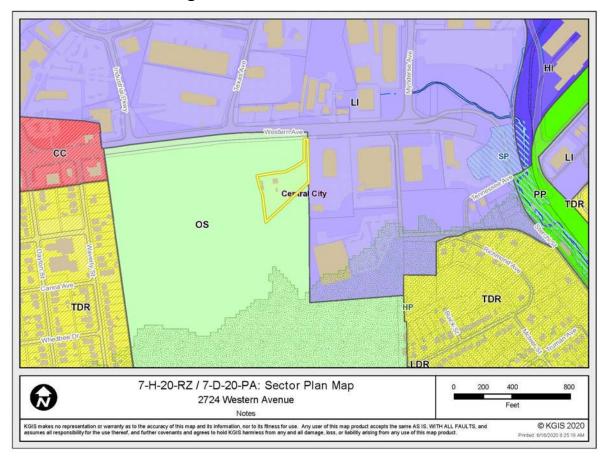


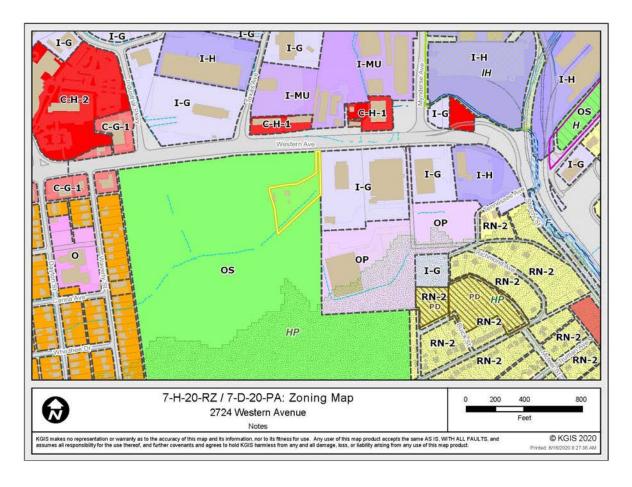
7-H-20-RZ / 7-D-20-PA / 7-F-20-SP EXHIBIT A. Contextual Images

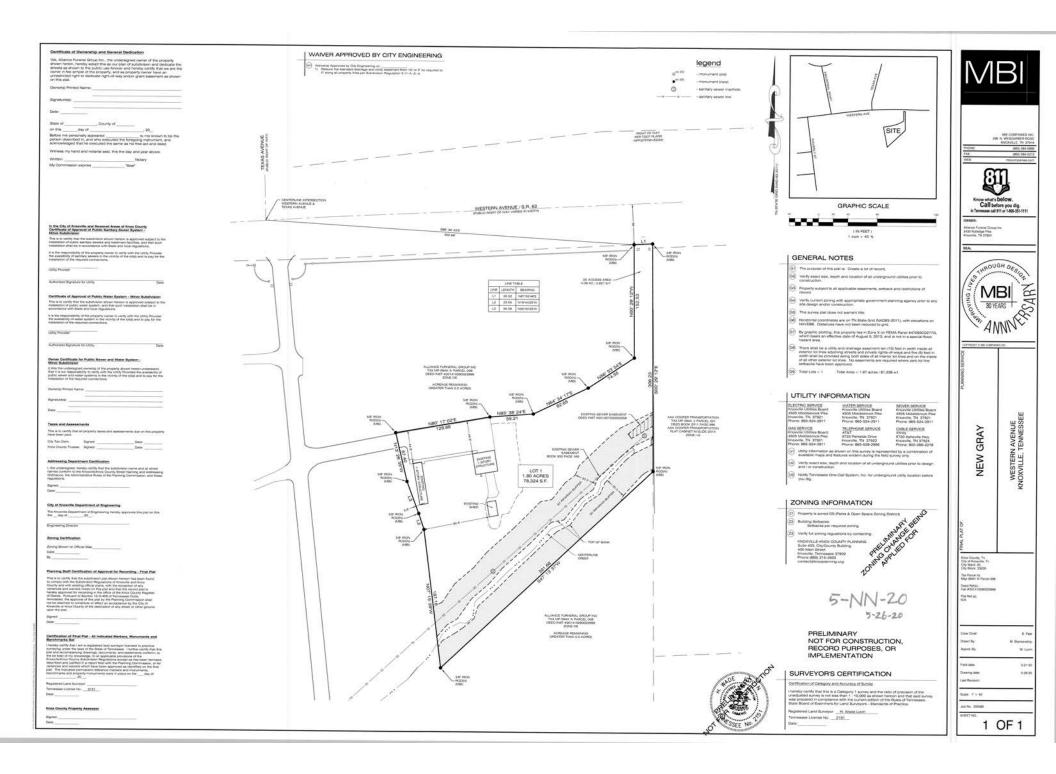




7-H-20-RZ / 7-D-20-PA / 7-F-20-SP EXHIBIT A. Contextual Images







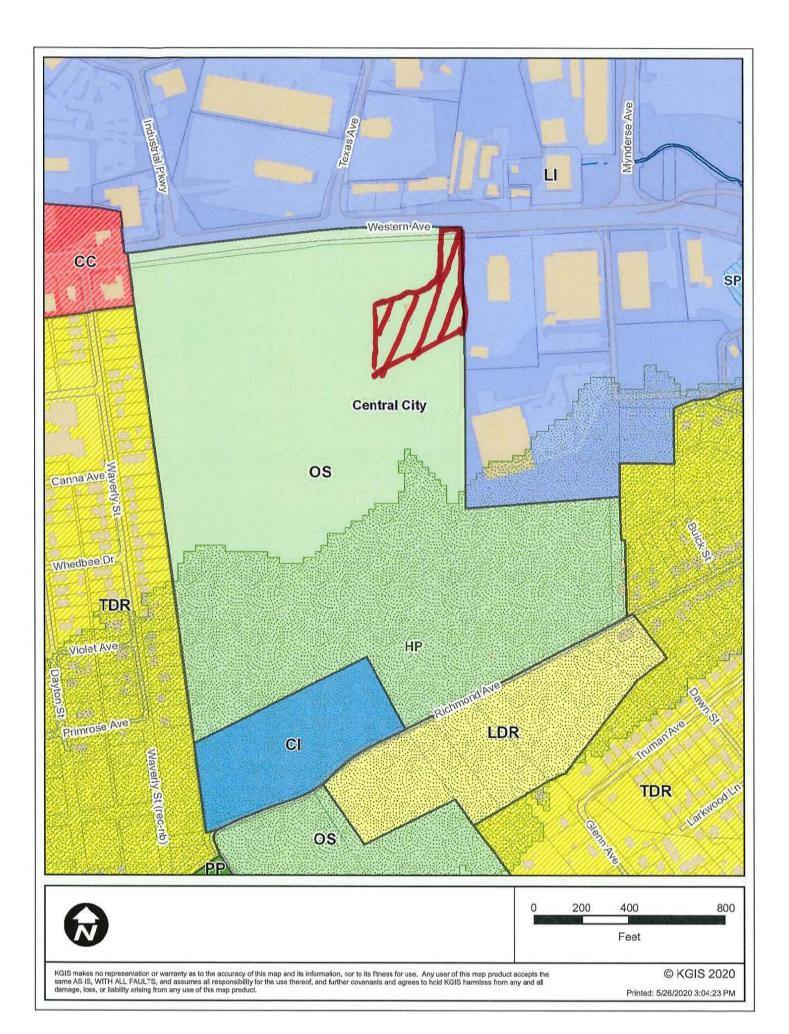
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DEVELOPMENT REQUEST

100	DEVELOPMENT	SUBDIVISIO	ON ZO	ONING
Planning KNOXVILLE I KNOX COUNTY	Development Plan Planned Development Use on Review / Specia	☐ Final P	pt Plan ■ lat □	Plan Amendment Rezoning
Wade Lovin (ME) Applicant Name	BI Companies)		Affiliation	or
5/26/2020 Date Filed	7/9/2020 Meeting Date (if applicable	le)	7-5- 2 File Number	
CORRESPONDENCE All correspondence related to this a				a Architect
☐ Applicant ☐ Owner ☐ Opt H. Wade Lovin	tion Holder 🔳 Project Surveyor	MBI Companies	mtect/candscapt	e Architect
Name		Company		
299 N Weisgarber Road		Knoxville	TN	37919
Address	110	City	State	Zip
865-584-0999	wadel@mbicompani	ies.com		
CURRENT PROPERTY I Alliance Funeral Group Inc		ge Pike, Knoxville, Tn		
Owner Name (if different)	Owner Address			ner Phone
2724 Western Ave		094HA008	part of	(see plat s-NN
Property Address	1 10 . 1 Place	Age Parcel ID	<i>F</i>	
Western Ave @ Texas Ave	South side of Western South of Texas fre	in terrestion	1.87	
General Location	source repair spec	. 14/0/300/-00/	Tract Size	
City of Knowille 3rd dis	thict	OS		
Jurisdiction (specify district above)	City County	Zoning Distric	t	
Central City	05		Turk	la Cita
Planning Sector	Sector Plan Land Use Clas	sification	Growth Poli	cy Plan Designation
Comotons	N	KUB	KUB	
Existing Land Use	Septic (Y/N)	Sewer Provider	Water	Provider

REQUEST

ь	☐ Development Plan ☐ Use on Review / Special Use		
DEVELOPMENT	Residential Non-Residential		
ELOP	☐ Home Occupation (specify):		
DEV	☐ Other (specify):		
SUBDIVISION	 □ Proposed Subdivision Name □ Parcel Change □ Combine Parcels □ Divide Parcel □ Other (specify): □ Attachments / Additional Requirements 		Unit / Phase Number
SONING	☐ Zoning Change: Proposed Zoning Plan Amendment Change: Proposed Plan Designation(s)		
	Proposed Density (units/acre) Other (specify):	ng Requests	
STAFF USE ONLY	PLAT TYPE Staff Review Planning Commission ATTACHMENTS Property Owners / Option Holders Variance Request ADDITIONAL REQUIREMENTS Design Plan Certification (Final Plat only) Use on Review / Special Use (Concept Plan only) Traffic Impact Study	FEE 1: ### 1526 FEE 3:	TOTAL:
	AUTHORIZATION By signing below, I certify I am the property Applicant Signature Please Print		thorized representative. 5/26/2020 Date
	Phone Number Email Michael Reg Staff Signature Please Print	unolds	5/26/2020



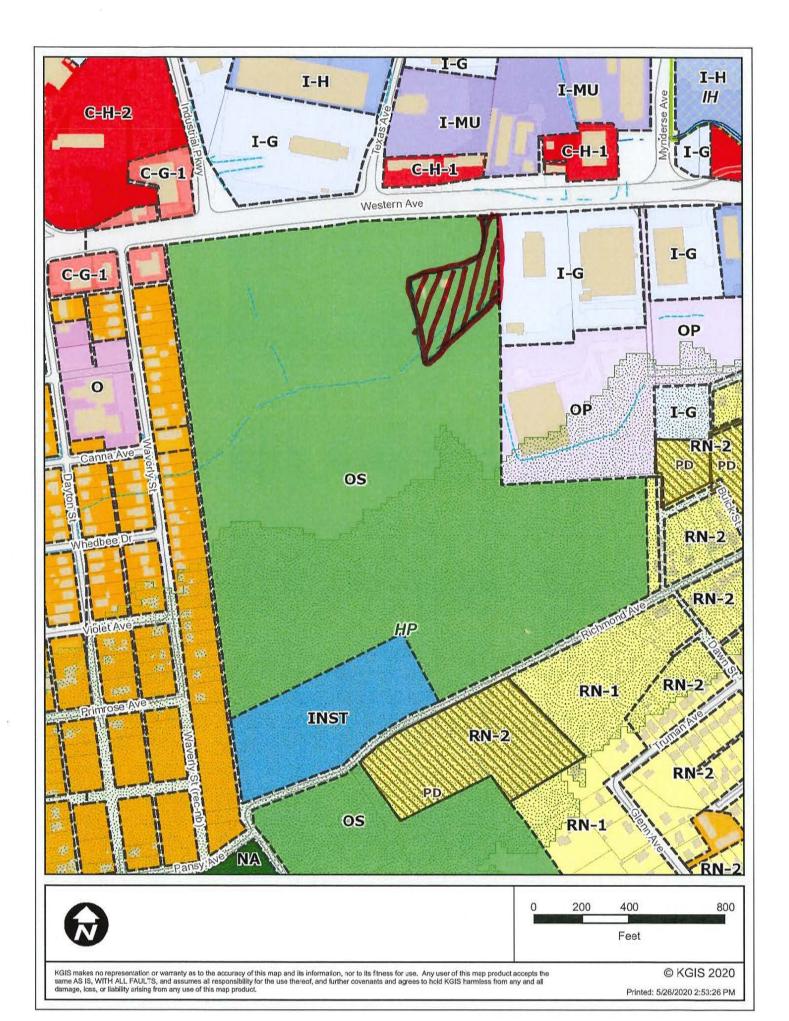
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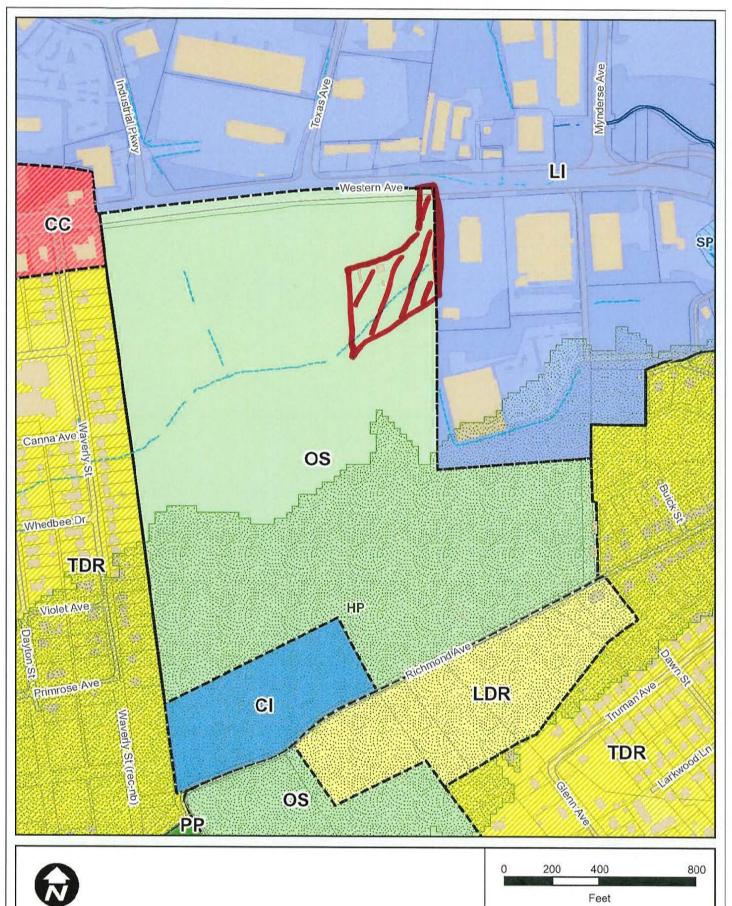
DEVELOPMENT REQUEST

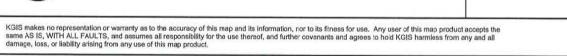
	DEVELOPMENT	NEGUEST		
	DEVELOPMENT	SUBDIVISI	ON Z	ONING
Planning	☐ Development Plan	□ Conce	pt Plan 🔳	Plan Amendment
KNOXVILLE I KNOX COUNTY	☐ Planned Development	☐ Final F	Plat	Rezoning
SHOW THE ET SHOW GOOD TO	☐ Use on Review / Specia	l Use		
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Wade Lovin (NApplicant Name	IBI Companies)		Survey	01
	-61			
5/26/2020	1/9/2020	7-A	-20-RZ	/ 7- D-70-P
Date Filed	Meeting Date (if applicabl	e)	File Numb e r	S(S)
CORRESPONDENCE				
	application should be directed to the	e approved contact liste	d below.	
was a verse control of the wastern to a control of the control of	Option Holder Project Surveyor			e Architect
H. Wade Lovin		MBI Companies	TO TO	
Name		Company		tion .
299 N Weisgarber Road		Knoxville	TN	37919
Address		City	State	Zip
865-584-0999	wadel@mbicompani	ies.com		
Phone	Email			
CURRENT PROPERTY	'INFO			
Alliance Funeral Group Inc	5430 Rutledg	e Pike, Knoxville, Tr	1	
Owner Name (if different)	Owner Address		Ow	vner Phone
2724 Western Ave		094HA008	part of (ce plat s-NN-2
Property Address		Parcel ID	<i></i>	p p (an i sis
Western Ave @ Texas Ave			1.87	7
General Location			Tract Size	
City of KnoxxIIIe 3	listrict	OS		
Jurisdiction (specify district above		Zoning Distri	ct	
Central City	15		Tien	le City
Planning Sector	Sector Plan Land Use Clas	sification		cy Plan Designation
Cemetery	N	KUB	KUB	
Existing Land Use	Septic (Y/N)	Sewer Provider	Water	Provider

REQUEST

	AUTHORIZATION By signing below Applicant Signature 865 584 0999 Phone Number	H. Wade Lovi Please Print	wner, applicant or the owners	s authorized representative. 5/20/2020 Date
STAFF USE ONLY	PLAT TYPE Staff Review Planning Commission ATTACHMENTS Property Owners / Option Holders ADDITIONAL REQUIREMENTS Design Plan Certification (Final Plat only) Use on Review / Special Use (Concept Plat) Traffic Impact Study	Variance Request	FEE 1: 0326 FEE 2: 05/6 FEE 3:	#1,000 #300 #1,300
SONING	Proposed Density (units/acre)	an Designation(s) Previous Rezoning	g Requests	
SUBDIVISION	☐ Proposed Subdivision Name ☐ Parcel Change ☐ Combine Parcels ☐ Divide Par ☐ Other (specify): ☐ Attachments / Additional Requirements		ts Created:	Unit / Phase Number
DEVELOPMENT	 □ Development Plan □ Use on Review , □ Residential □ Non-Residential □ Home Occupation (specify): □ Other (specify). 			







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