

SPECIAL USE REPORT

► **FILE #:** 9-E-20-SU **AGENDA ITEM #:** 36
 POSTPONEMENT(S): 9/10/2020 **AGENDA DATE:** 10/8/2020
 ► **APPLICANT:** WADE LOVIN / MBI COMPANIES
 OWNER(S): Alliance Funeral Group Inc.

TAX ID NUMBER: 94 H A 00801 [View map on KGIS](#)
 JURISDICTION: City Council District 3
 STREET ADDRESS: 2724 Western Ave.
 ► **LOCATION:** South side of Western Ave., south of Texas Ave.
 ► **APPX. SIZE OF TRACT:** 1.8 acres
 SECTOR PLAN: Central City
 GROWTH POLICY PLAN: Inside 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

► **ZONING:** C-G-1 (General Commercial) pending
 ► **EXISTING LAND USE:** Cemetery
 ► **PROPOSED USE:** Crematorium
 N/A
 HISTORY OF ZONING: None noted for this property
 SURROUNDING LAND USE AND ZONING: North: Commercial and office - C-H-1 (Highway Commercial) and I-MU (Industrial Mixed Use)
 South: Agricultural/forestry/vacant - OS (Parks and Open Space)
 East: Transportation/communications/utilities - OS (Parks and Open Space)
 West: Agricultural/forestry/vacant - C-G-1 (General Commercial) and RN-3 (General Residential)
 NEIGHBORHOOD CONTEXT: This portion of Western is a mix of uses with warehouse and industrial uses, single family residential uses, and commercial uses in the immediate area.

STAFF RECOMMENDATION:

- **Approve the request for a crematorium of approximately 6,000 square feet, subject to 2 conditions.**
1. Meeting all applicable requirements of the City of Knoxville Zoning Ordinance.
 2. Meeting all applicable requirements of the City of Knoxville Department of Engineering.

With the conditions noted, this plan meets the requirements for approval of a crematorium in the C-G-1 (General Commercial) zone and the other criteria for approval of a use on review.

COMMENTS:

This request is a for a crematorium in the C-G-1 (General Commercial) zone, which allows crematoriums as a special use. The facility would be located on the Old Gray Cemetery site. The crematorium is not expected to generate additional traffic to the cemetery.

The site will largely remain as is. The crematorium would utilize the existing entry for the cemetery and share its parking. The City of Knoxville's Building Permits and Inspections Office has affirmed they would not require additional parking spaces for the crematorium. An access easement has been platted to provide access to the crematorium since it is located on a separate lot. Three existing accessory structures are proposed for demolition, and a proposed addition behind the existing main building would house the crematorium. A landscaping buffer would not be required since the site is not adjacent to residential structures. However, there is existing vegetation that will remain along the creek to the south and east, and ample existing vegetation on the southern portion of the adjacent cemetery lot.

Crematoriums are also subject to state regulation per the 2010 Tennessee Code [Title 62 - Professions, Businesses and Trades, Chapter 5 - Funeral Directors and Embalmers, Part 5 – Cremation] and must meet the requirements of the Tennessee Board of Funeral Directors and Embalmers [Chapter 0660-09 Requirements for a Crematory].

EFFECT OF THE PROPOSAL ON THE SUBJECT PROPERTY, SURROUNDING PROPERTY AND THE COMMUNITY AS A WHOLE

1. The proposed use will have no impact on schools.
2. No significant traffic will be added to the surrounding roads with the approval of this request.
3. There will be no impact on utility requirements in the area.
4. The smokestack is required to be 500 feet from the nearest residential property. In this case, the smokestack would be over 1,000 feet from the nearest residential property.

CONFORMITY OF THE PROPOSAL TO CRITERIA ESTABLISHED BY THE KNOX COUNTY ZONING ORDINANCE

1. The proposed crematorium is consistent with the standards for special uses in general:
 - The proposed development is consistent with the adopted plans and policies of the General Plan and One Year Plan.
 - The use is in harmony with the general purpose and intent of the Zoning Ordinance.
 - The use is compatible with the character of the neighborhood in which it is proposed, which contains the adjacent cemetery to the south and west and commercial and industrial uses to the north and east.
 - The use will not significantly injure the value of adjacent property.
 - The use will not draw additional traffic through residential areas.
2. The proposed crematorium in the C-G-1 district is consistent with the standards required for a crematorium as a special use:
 - Both a funeral home and a crematorium are allowed within the district.
 - The smokestack of the crematorium is located over 500 feet from any existing educational facilities, day care centers, pre-schools/kindergartens, or residential dwellings, measured from the smokestack to the nearest residential lot line.
3. The proposal meets all relevant requirements of the RN-2 zoning district including dimensional standards and uses.

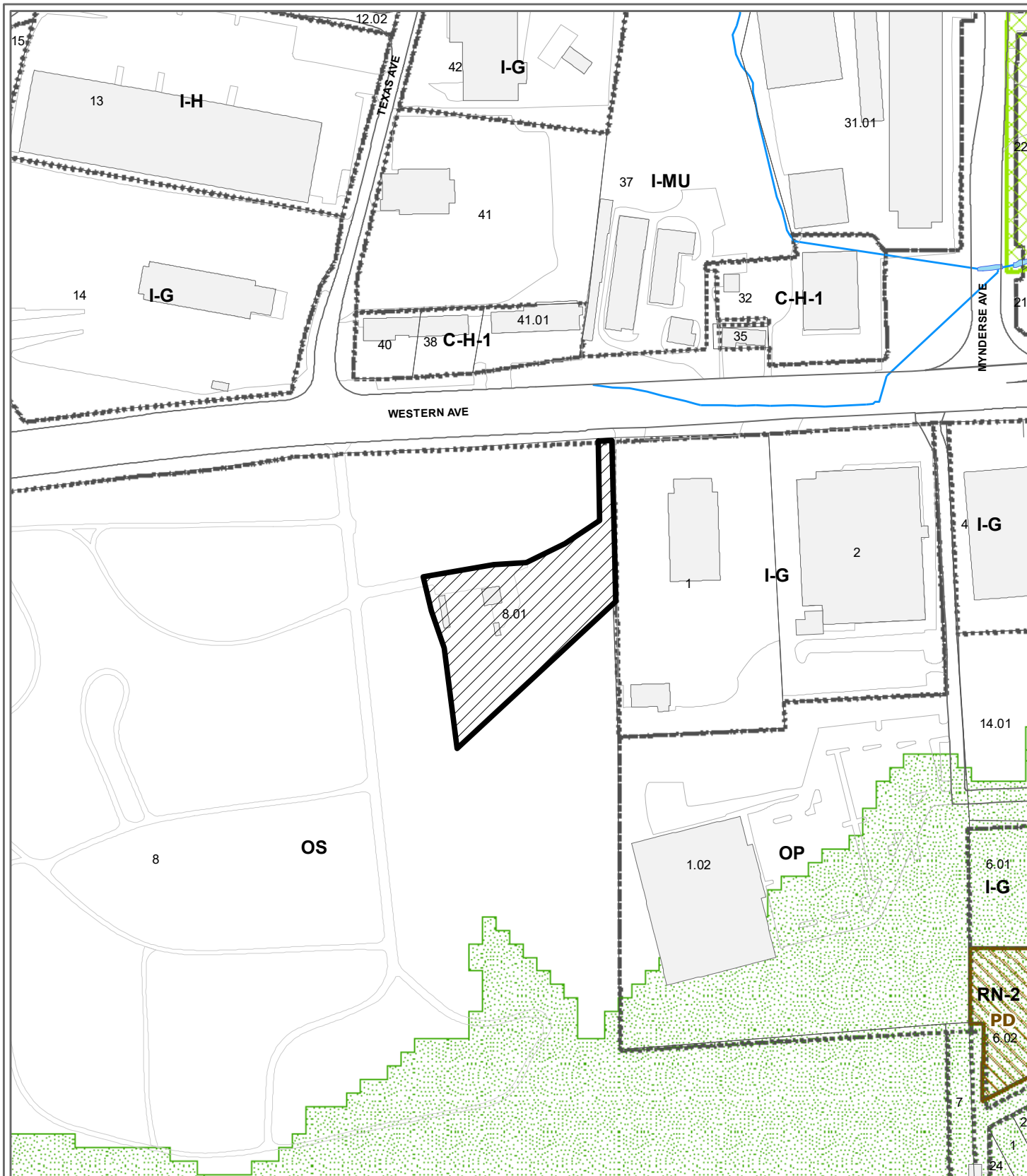
CONFORMITY OF THE PROPOSAL TO ADOPTED PLANS

1. The Central City Sector Plan designates this property for General Commercial (GC) uses. Crematoriums are allowed as a special use within the C-G zones.
2. The site is located within City limits on the Knoxville-Knox County-Farragut Growth Policy Plan map.

ESTIMATED TRAFFIC IMPACT: Not required.

ESTIMATED STUDENT YIELD: Not applicable.

The Planning Commission's approval or denial of this request is final, unless the action is appealed to the Knox County Board of Zoning Appeals. The date of the Knox County Board of Zoning Appeals hearing will depend on when the appeal application is filed. Appellants have 30 days to appeal a Planning Commission decision in the City.



**9-E-20-SU
SPECIAL USE**



Crematorium in C-G-1 (General Commercial) pending

Original Print Date: 8/13/2020
Knoxville - Knox County Planning Commission * City / County Building * Knoxville, TN 37902

Revised:

Petitioner: Lovin / MBI Companies, Wade

Map No: 94

Jurisdiction: City

0 250
Feet





Request to Postpone • Table • Withdraw

Name of Applicant: Wade Lovin / MBI Companies
AS IT APPEARS ON THE CURRENT PLANNING COMMISSION AGENDA

Original File Number(s): 9-E-20-SU

Date Scheduled for Planning Review: 9/10/2020

Date Request Filed: 9/9/2020 Request Accepted by: Michelle Portier

REQUEST

☒ **Postpone**

Please postpone the above application(s) until:

Oct. 8 2020

DATE OF FUTURE PUBLIC MEETING

☐ **Table**

Please table the above application(s).

☐ **Withdraw**

Please withdraw the above application(s).

State reason for request:

City Council Approval is delayed

Eligible for Fee Refund? ☐ Yes ☒ No

Amount: _____

Approved by: _____

Date: _____

APPLICATION AUTHORIZATION

I hereby certify that I am the property owner, applicant, or applicant's authorized representative.

Signature: [Signature]

PLEASE PRINT

Name: Wade Lovin

Address: 299 N Weisgarber Rd.

City: Knoxville State: TN Zip: 37919

Telephone: 865-584-0999

Fax: _____

E-mail: wade@mbicompanies.com

PLEASE NOTE

Consistent with the guidelines set forth in Planning's *Administrative Rules and Procedures*:

POSTPONEMENTS

Any first time (new) Planning application is eligible for one automatic postponement. This request is for 30 days only and does not require Planning approval if received no later than 3:30 p.m. on the Friday prior to the Planning Commission meeting. All other postponement requests must be acted upon by Planning before they can be officially postponed to a future public meeting.

TABLINGS

Any item requested for tabling must be acted upon by the Planning Commission before it can be officially tabled.

WITHDRAWALS

Any item is eligible for automatic withdrawal. A request for withdrawal must be received no later than 3:30p.m. on the Friday prior to the Planning Commission meeting. Withdrawal requests that do not meet these guidelines must be acted upon by Planning Commission before they can be officially withdrawn.

Any new item withdrawn may be eligible for a fee refund according to the following:

Application withdrawal with fee refund will be permitted only if a written request is received prior to public notice. This request must be approved by either the Executive Director, or the Planning Services Manager. Applications may be withdrawn after this time, but without fee refund.



Dori Caron <dori.caron@knoxplanning.org>

[Planning Commission Comment] Fwd: Postponement

Michelle Portier <michelle.portier@knoxplanning.org>

Wed, Sep 9, 2020 at 8:17 AM

Reply-To: michelle.portier@knoxplanning.org

To: Commission <commission@knoxplanning.org>

Commissioners,

The applicant for 9-E-20-SU is requesting postponement for 30 days. It will be moved to the postponement list for your vote.

Michelle



----- Forwarded message -----

From: **Wade Lovin** <wadel@mbicompanies.com>

Date: Tue, Sep 8, 2020 at 8:59 PM

Subject: Postponement

To: Michelle Portier <michelle.portier@knoxplanning.org>**POSTPONEMENT REQUEST: 30 DAYS****File #:** 9-E-20-SU

Michelle,

Meeting Date: 9.10.2020

I would like to postpone 9-E-20-SU for 30 days and have it on the agenda for the October 8th meeting.

Thank you

Wade

H. Wade Lovin, RLS

Principal Land Surveyor

mbi companies inc.

(o)865.584.0999

--

Michelle Portier, AICP

Senior Planner

865.215.3821



- 1 This is not a general property survey in accordance with TCA code 62-18.
- 2 Property is zoned: C-G-1
- 3 Verify current zoning with appropriate government planning agency prior to any site design and/or construction.

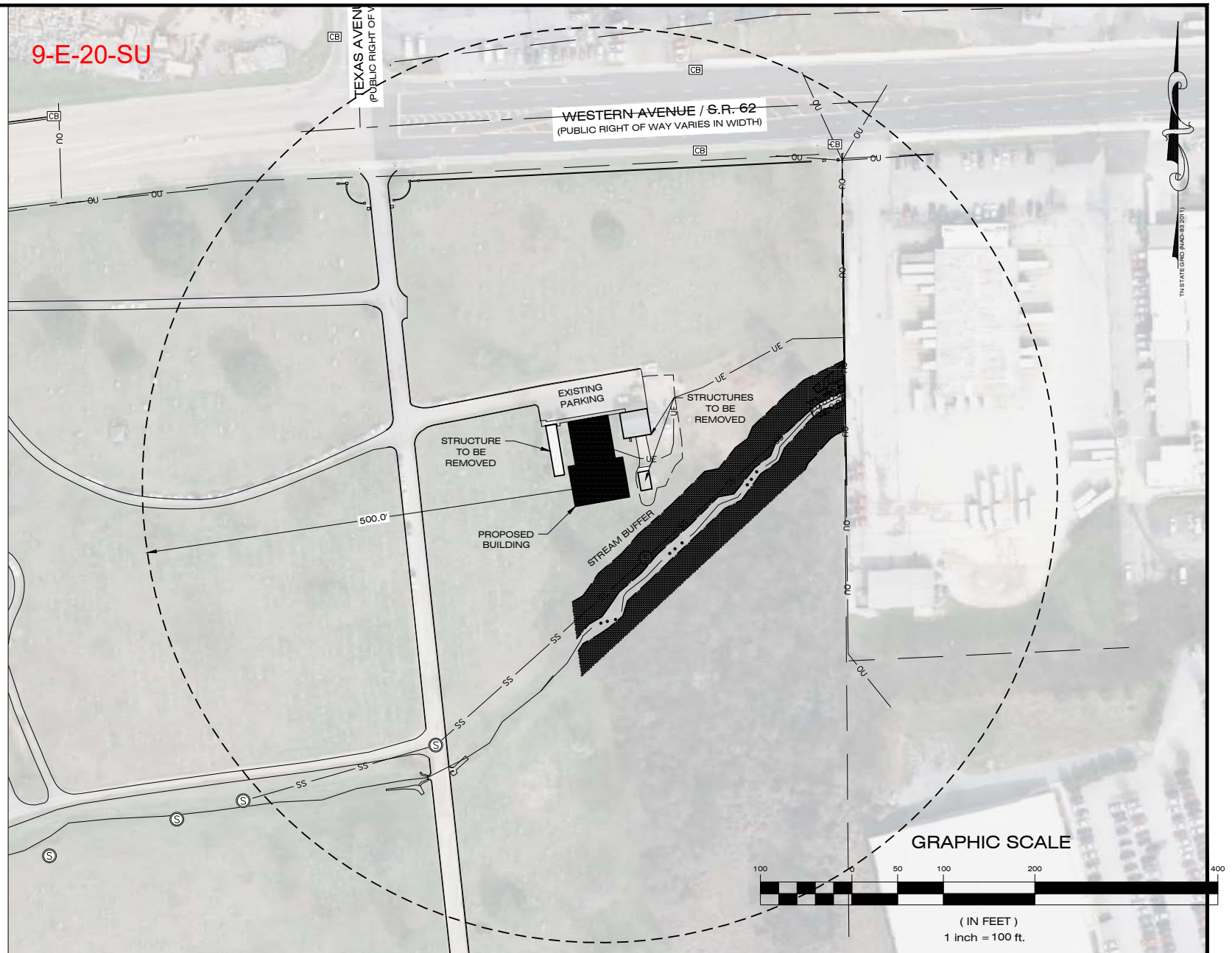
Knox County, Tennessee
City of Knoxville

Street Address: Western Ave

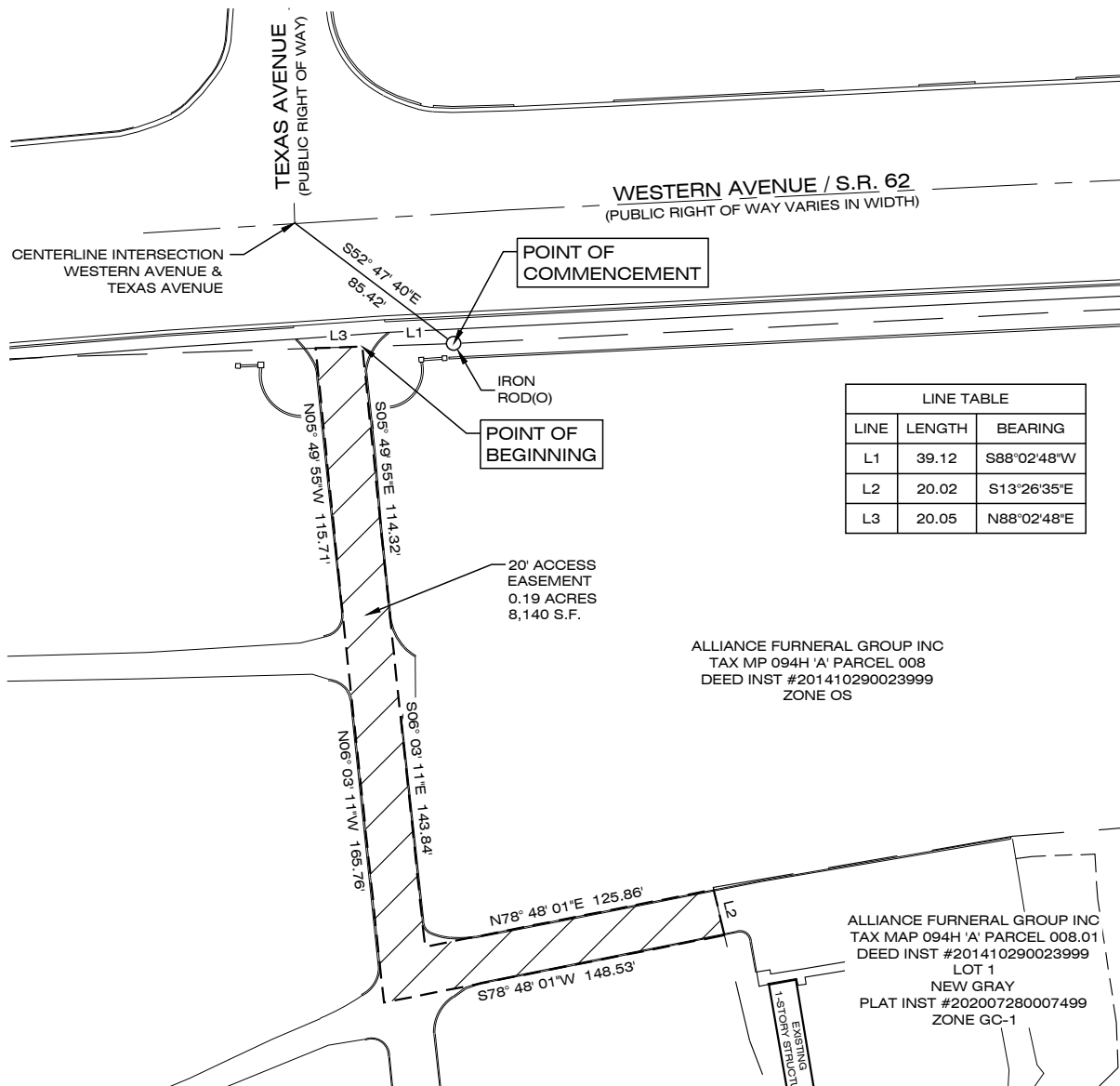
Drawing Date: 7-31-20

MBI COMPANIES INC.
299 N. WEISGARBER ROAD
KNOXVILLE, TN 37919

PHONE:	(865) 584-0999
FAX:	(865) 584-5213
WEB:	mbicompanies.com



R:\Survey\2020 Projects\Knox County\200385 New Gray Crematory\New Gray - Access Easmt Exhibit.dwg 8/17/20

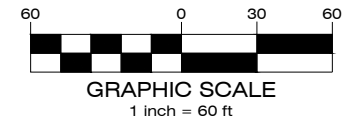
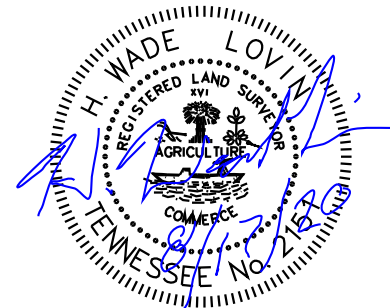


LINE TABLE		
LINE	LENGTH	BEARING
L1	39.12	S88°02'48"W
L2	20.02	S13°26'35"E
L3	20.05	N88°02'48"E

20' ACCESS EASEMENT DESCRIPTION

SITUATED within the 23rd City Ward of the City of Knoxville, Knox County, Tennessee and being a 20Minutes access easement crossing Tax Map 094H 'A' Parcel 008 and being more particularly bounded and described as follows:

COMMENCING at an iron rod on the south right of way line of Western Avenue / S.R. 62, located South 52 Degrees 47 Minutes 40 Seconds East for a distance of 85.42 feet from the centerline intersection of Texas Avenue & Western Avenue, marking a common corner of property now or formerly belonging to Alliance Funeral Group Inc (Deed Inst #201410290023999); thence along the south right of way line of Western Avenue, South 88 Degrees 02 Minutes 48 Seconds West for a distance of 39.12 feet to the **POINT OF BEGINNING**; thence, South 05 Degrees 49 Minutes 55 Seconds East for a distance of 114.32 feet to a point; thence South 06 Degrees 03 Minutes 11 Seconds East for a distance of 143.84 feet to a point; thence North 78 Degrees 48 Minutes 01 Seconds East for a distance of 125.86 feet to a point on the common line of property now or formerly belonging to Alliance Funeral Group Inc (Plat Inst #202007280007499); thence along the line of Alliance Funeral Group, South 13 Degrees 26 Minutes 35 Seconds East for a distance of 20.02 feet to a point; thence leaving the line of Alliance Funeral Group, South 78 Degrees 48 Minutes 01 Seconds West for a distance of 148.53 feet to a point; thence North 06 Degrees 03 Minutes 11 Seconds West for a distance of 165.76 feet to a point; thence North 05 Degrees 49 Minutes 55 Seconds West for a distance of 115.71 feet to a point on the south right of way line of Western Avenue; thence along the south right of way line of Western Avenue, North 88 Degrees 02 Minutes 48 Seconds East a distance of 20.05 feet to the **POINT OF BEGINNING** and containing 0.19 acres / 8,140 s.f.



20' ACCESS EASEMENT EXHIBIT

Knox County, Tennessee
City of Knoxville
City Ward: 23
City Block: 23220

Street Address: 2724 Western Ave

Tax Map 094H 'A' Parcel 008

Deed Ref(s): Inst #201410290023999
Plat Ref(s): N/A

Drawing Date: 8-17-20
Last Rev. Date:
Draftsman: M. Blankenship
Approved By: W. Lovin

MBI

MBI COMPANIES INC.
299 N. WEISGARBER ROAD
KNOXVILLE, TN 37919

PHONE: (865) 584-0999
FAX: (865) 584-5213
WEB: mbicompanies.com



400 Main Street
Suite 403
Knoxville, TN 37902
P: 865.215.2507
F: 865.215.2237

Addressing Department Review and Comments

File #: 9-E-20-SU

Tax Parcel ID: 094HA008

Subdivision:

Owner/Applicant: Alliance Funeral Group

Surveyor: H Wade Lovin

Company: MBI Companies Inc.

Email: wadel@mbicompanies.com

Date Submitted: 7/24/20

Review Type: SU

Unit or Phase:

Phone: 865.803.9526

Office: 865.584.0999

Cell: 865.583.9702

Fax: 865.584.5213

Visit our website: <http://www.knoxplanning.org/addressing> for a list of existing and available street names.

All subdivision and street names must conform to the Knoxville/Knox County Street Uniform Naming and Addressing Ordinance, Subdivision Regulations and the Administrative Rules of the Planning Commission.

Proposed and/or Existing Subdivision or Street Names	Results of Review, Corrections, and Comments (date subdivision or street name reserved)	Approved, Pending, Denied, Revise, Note
	If the use is approved by the Planning Commission, a separate address will be assigned for the new building	Note
	Unresolved addressing issues may delay building permits	Note
	No addressing issues	

Comments may be modified based on new information from updated plans, field reviews or other agencies.

Andrea Kupfer (865.215.3797) andrea.kupfer@knoxplanning.org	1st Review	Donna Hill (865.215.3872) donna.hill@knoxplanning.org	2nd Review
	7/30/2020		8.14.20



DEVELOPMENT REQUEST

DEVELOPMENT

- ☐ Development Plan
☐ Planned Development
☒ Use on Review / Special Use

SUBDIVISION

- ☐ Concept Plan
☐ Final Plat

ZONING

- ☐ Plan Amendment
☐ Rezoning

Wade Lovin - MBI Companies

Surveyor

Applicant Name

Affiliation

July 24, 2020

September 10, 2020

9-E-20-SU

Date Filed

Meeting Date (if applicable)

File Number(s)

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

Wade Lovin

MBI Companies

Name

Company

299 N. Weisgarber Rd

Knoxville

TN

37919

Address

City

State

Zip

865-584-0999

Wadel@mbicompanies.com

Phone

Email

CURRENT PROPERTY INFO

Alliance Funeral Group Incorporated

5430 Rutledge Pike

865-803-9526

Owner Name (if different)

Owner Address

Owner Phone

2724 Western Ave

part of 094HA008

Property Address

Parcel ID

s/s

Western Ave @ Texas Ave

1.80

General Location

Tract Size

3rd District

C-G-1 (pending)

Jurisdiction (specify district above)

☒ City ☐ County

Zoning District

Central City

GC (pending)

w/in City Limits

Planning Sector

Sector Plan Land Use Classification

Growth Policy Plan Designation

cemetery

N

KUB

KUB

Existing Land Use

Septic (Y/N)

Sewer Provider

Water Provider

DEVELOPMENT

- ☒ Other (specify): Crematorium

SUBDIVISION

- ☐
- Attachments / Additional Requirements

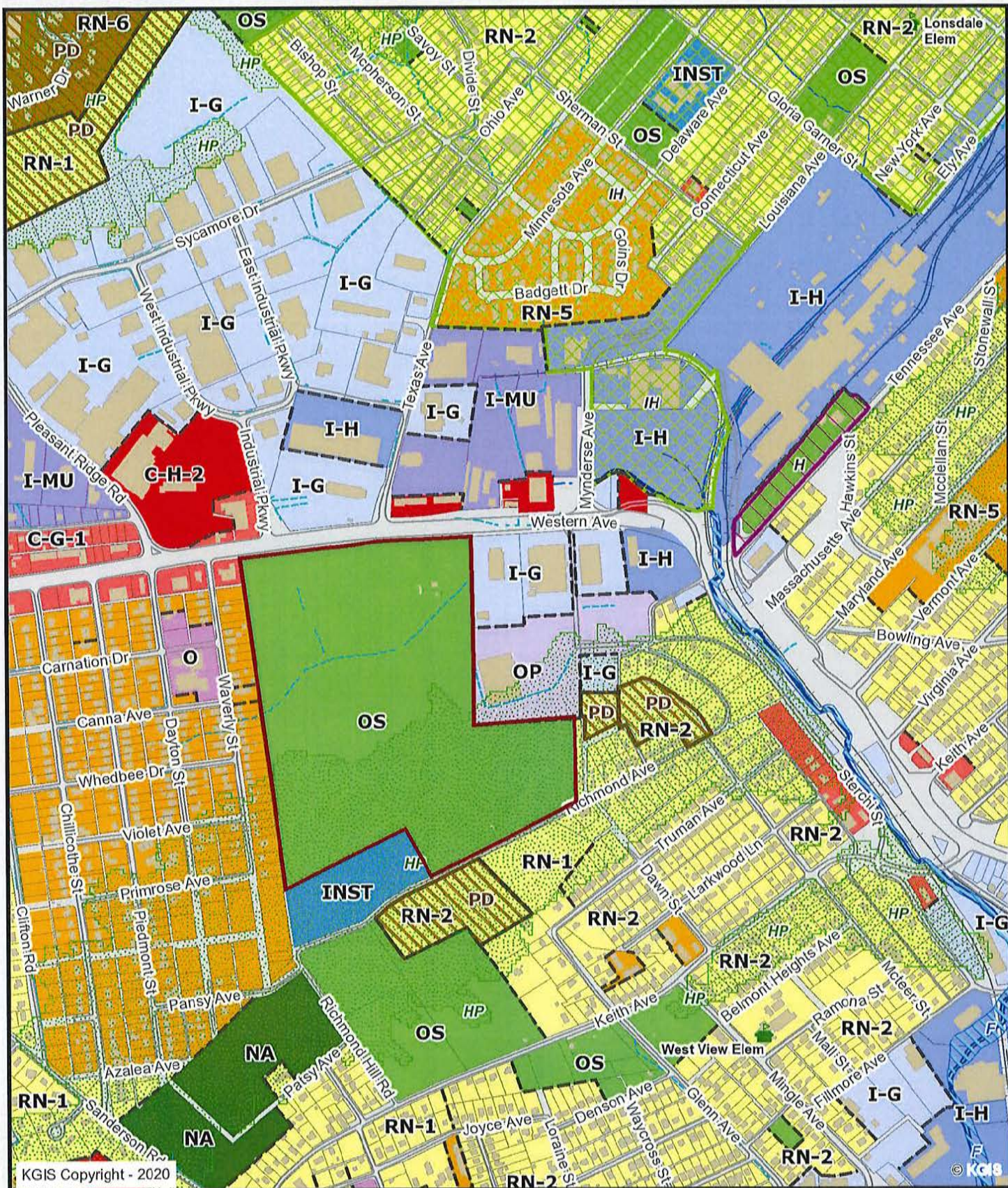
ZONING

- ☐
- Other (specify):

STAFF USE ONLY

\$ 1500.00

Date _____



2724 Western Ave.

Knoxville - Knox County - KUB Geographic Information System

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Printed: 7/27/2020 at 2:30:59 PM





**7-D-20-PA / 7-H-20-RZ
PLAN AMENDMENT**

From: OS (Open Space)



To: GC (General Commercial)

Original Print Date: 6/16/2020 Revised:
Knoxville - Knox County Planning Commission * City / County Building * Knoxville, TN 37902

Petitioner: Lovin OBO Alliance Funeral
Group Inc., Wade

Map No: 94

Jurisdiction: City

0 250
Feet



