



SPECIAL USE REPORT

▶ **FILE #:** 6-B-24-SU

AGENDA ITEM #: 57

AGENDA DATE: 6/13/2024

▶ **APPLICANT:** BRIAN L. BUCKMON

OWNER(S): Brian L Buckmon Patton Funeral Home

TAX ID NUMBER: 82 O N 004, 014

[View map on KGIS](#)

JURISDICTION: City Council District 6

STREET ADDRESS: 2112 E MAGNOLIA AVE, 0 LINDEN AVE

▶ **LOCATION:** Southeast side of E Magnolia Ave, east of N. Kyle St

▶ **APPX. SIZE OF TRACT:** 1 acre combined

SECTOR PLAN: Central City

GROWTH POLICY PLAN: N/A (Within City Limits)

ACCESSIBILITY: Access is via E 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.

UTILITIES: Water Source: Knoxville Utilities Board

Sewer Source: Knoxville Utilities Board

WATERSHED: First Creek

▶ **ZONING:** C-G-2 (General Commercial), RN-4 (General Residential Neighborhood)

▶ **EXISTING LAND USE:** Public/Quasi-Public Land

▶ **PROPOSED USE:** Funeral Home

HISTORY OF ZONING: None noted.

SURROUNDING LAND USE AND ZONING: North: Commercial, office - C-G-2 (General Commercial)

South: Agriculture/forestry vacant land, multifamily residential - RN-4 (General Residential Neighborhood), RN-2 (Single-Family Residential Neighborhood)

East: Office, single family residential - C-G-2 (General Commercial), RN-4 (General Residential Neighborhood)

West: Office, agriculture/forestry/vacant land - C-G-2 (General Commercial), RN-4 (General Residential Neighborhood)

NEIGHBORHOOD CONTEXT: E 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.

STAFF RECOMMENDATION:

▶ **Approve the request for a funeral home, subject to 4 conditions.**

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 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 is allowed. 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 number of parking spaces to 66, which is met by the 80 spaces provided on both lots combined. The parking lots will be re-stripped 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 E 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.

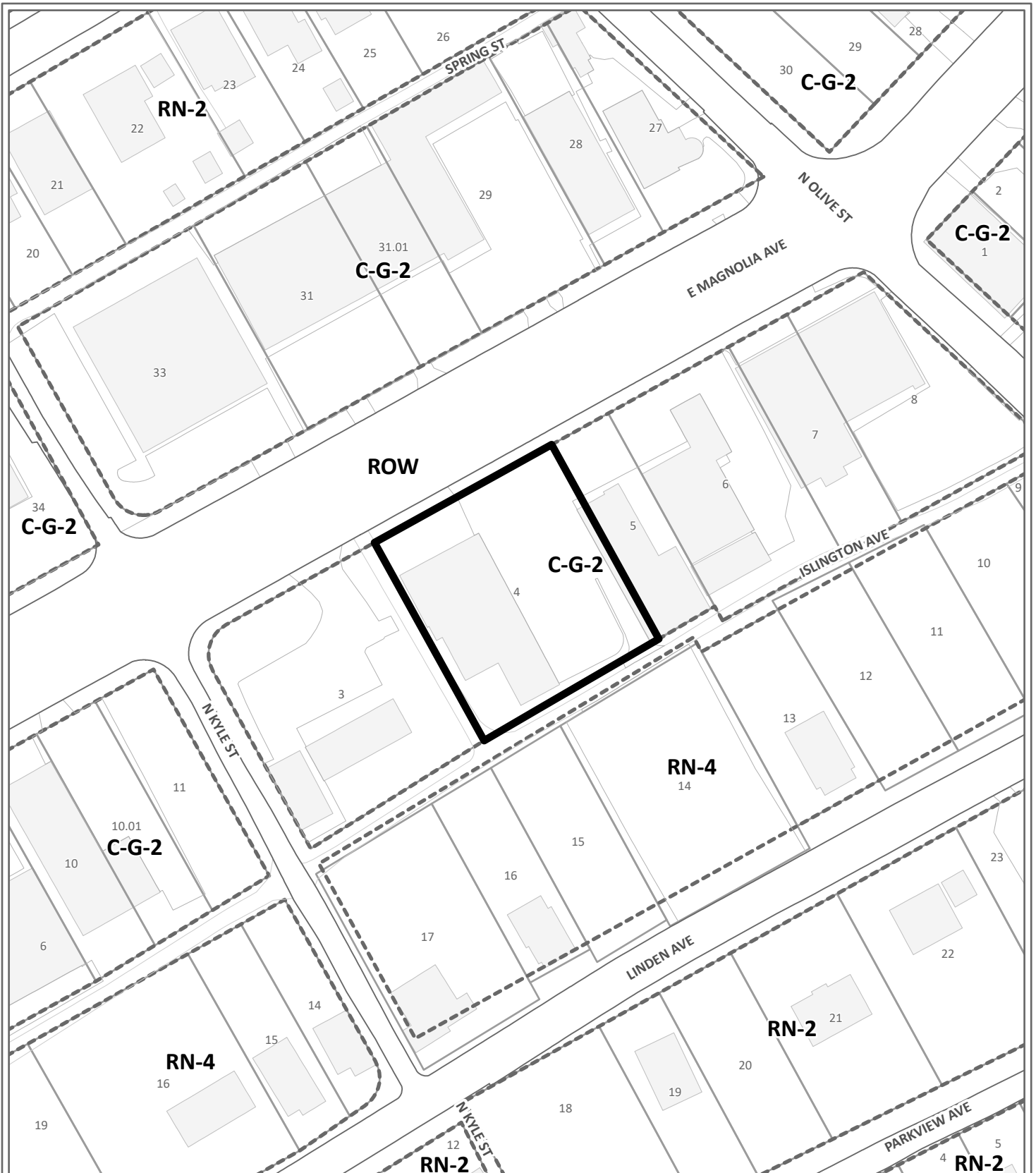
6) THE NATURE OF DEVELOPMENT IN THE SURROUNDING AREA IS NOT SUCH AS TO POSE A POTENTIAL HAZARD TO THE PROPOSED USE OR TO CREATE AN UNDESIRABLE ENVIRONMENT FOR THE PROPOSED USE.

A. There are no adjacent developments, land uses or environmental factors that pose a risk to the proposed use of a funeral home.

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 Knoxville City Council. The date of the Knoxville City Council hearing will depend on when the appeal application is filed.



SPECIAL USE

6-B-24-SU

Petitioner: Brian L. Buckmon



Change use from a Church to a Funeral Home in C-G-2 (General Commercial)

Map No: 82

Jurisdiction: City

Original Print Date: 5/6/2024

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

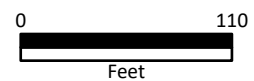
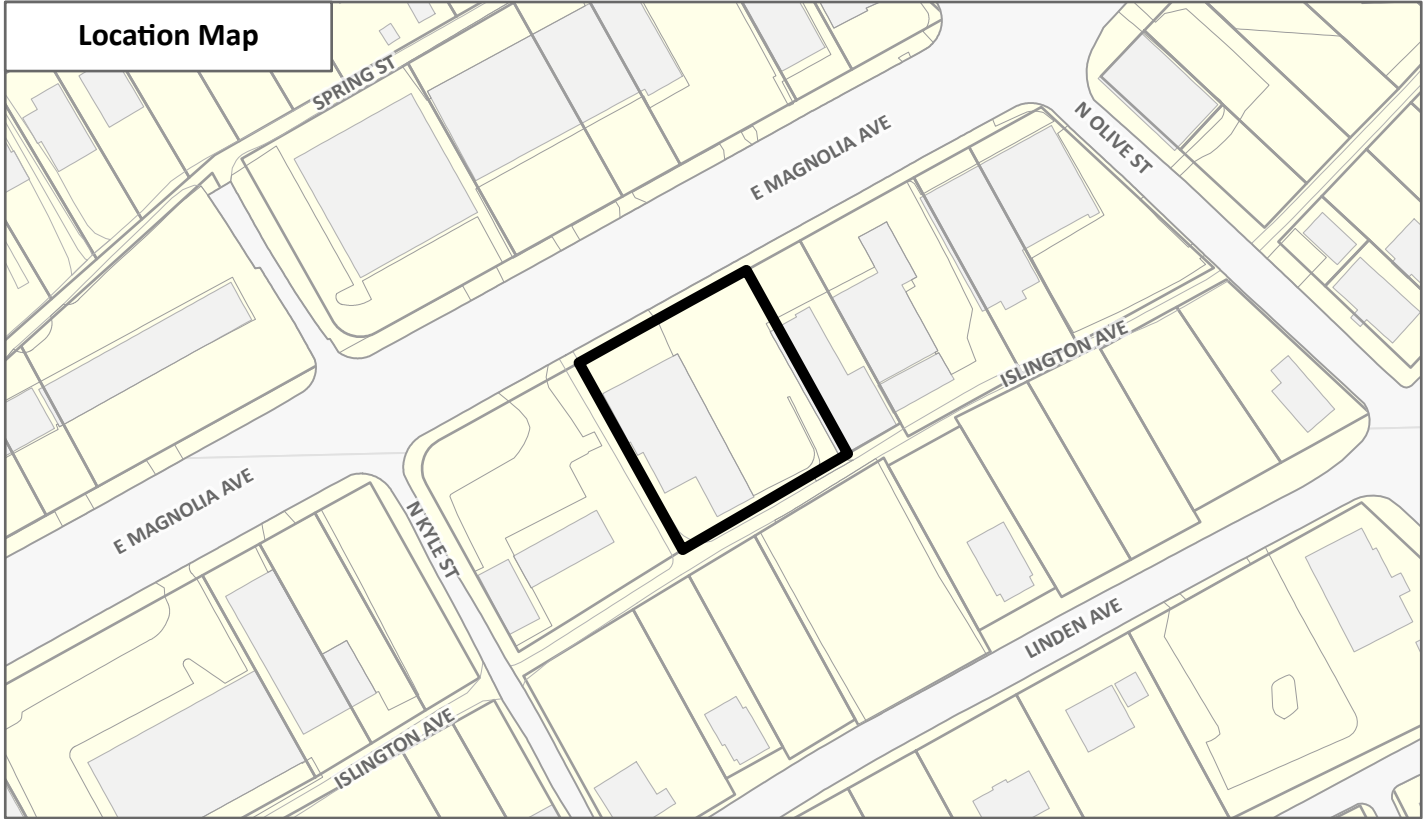


Exhibit A. Contextual Images

Location Map



Aerial Map

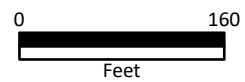


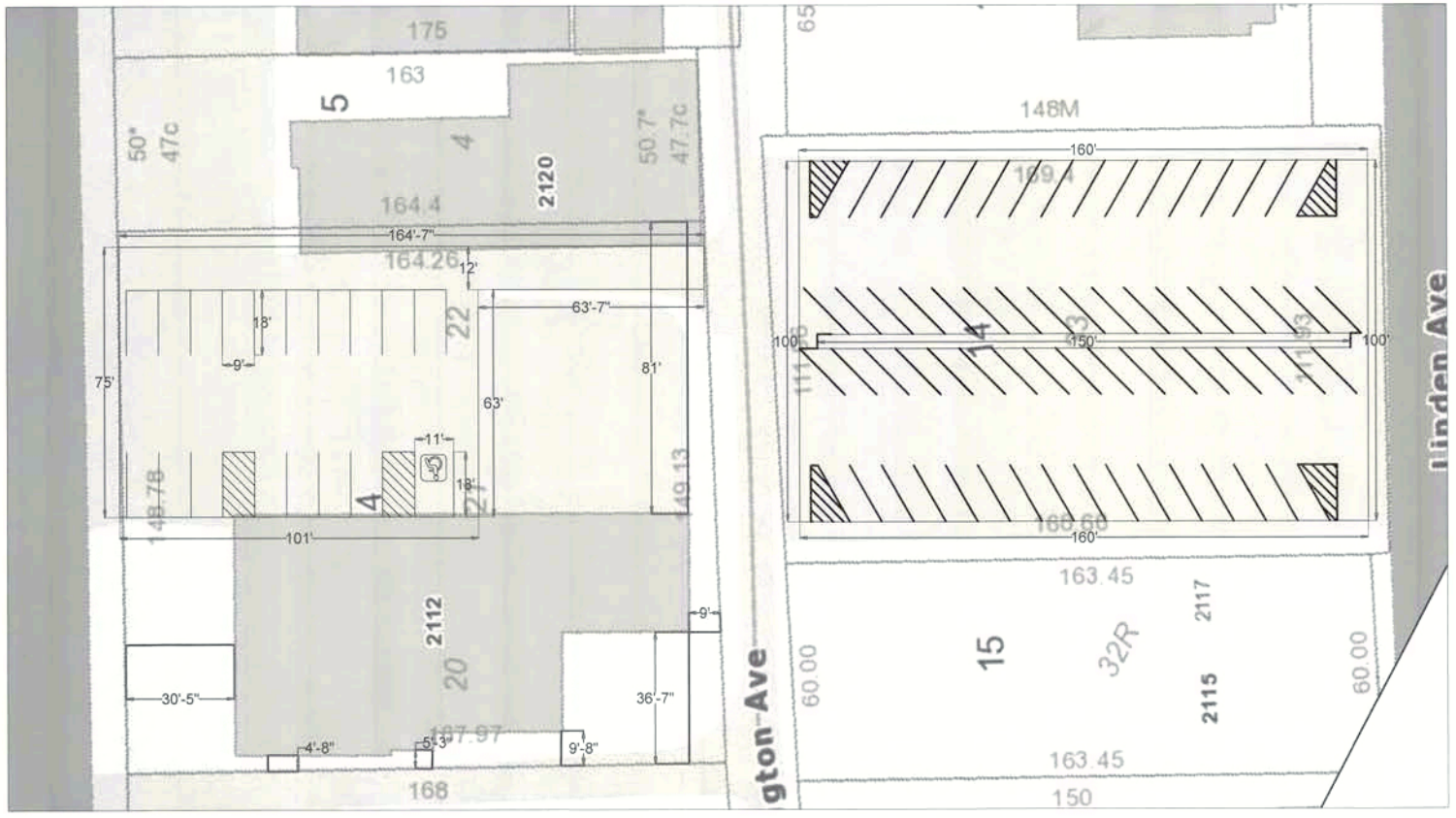
CONTEXTUAL MAPS 1

6-B-24-SU



Case boundary





1 SITE MAP
 SCALE: 1/16" = 1'-0" (DIMENSIONS ARE APPROXIMATE VERIFY IN FIELD)

6-B-24-SU
 5/17/2024



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Project: SITE MAP
 Project # D24002R
 Name: Brian Buckmon
 Address: Patton Funeral Home
 2112 East Magnolia Ave
 Knoxville, Tennessee 37917

Drawn by: RRC
 Checked by: RRC
 Date: MAY 2024

Revision	Date

Drawing No: S-1

Exhibit B. Building Exterior





Development Request

DEVELOPMENT

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

SUBDIVISION

- Concept Plan
- Final Plat

ZONING

- Rezoning
- Plan Amendment
- Sector Plan
- City OYP / County Comp Plan

Brian L. Buckmon

Applicant Name

Affiliation

4/18/2024

Date Filed

6/13/2024

Meeting Date (if applicable)

6-B-24-SU

File Number(s)

CORRESPONDENCE

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

Brian L Buckmon Patton Funeral Home

Name / Company

3521 Selma Ave Knoxville TN 37914

Address

865-254-6914 / buckbl@yahoo.com

Phone / Email

CURRENT PROPERTY INFO

Brian L Buckmon Patton Funeral Home

Owner Name (if different)

3521 Selma Ave Knoxville TN 37914

Owner Address

865-254-6914 / buckbl@yahoo.

Owner Phone / Email

2112 E MAGNOLIA AVE / 0 Linden Ave

Property Address

82 O N 004 082ON014

Parcel ID

0.57 acres

Tract Size

Part of Parcel (Y/N)?

Knoxville Utilities Board

Sewer Provider

Knoxville Utilities Board

Water Provider

Septic (Y/N)

STAFF USE ONLY

Northwest side of Islington Ave, east of N. Kyle St

General Location

City

Council District 6

C-G-2 (General Commercial)

Public/Quasi Public Land

County District

Zoning District

Existing Land Use

Central City

MU-SD (Mixed Use Special District)

N/A (Within City Limits)

Planning Sector

Land Use (City)/Place Type (County)

Growth Policy Plan Designation

DEVELOPMENT REQUEST

<input type="checkbox"/> Development Plan <input type="checkbox"/> Planned Development <input checked="" type="checkbox"/> Use on Review / Special Use	Related City Permit Number(s)
<input type="checkbox"/> Hillside Protection COA <input type="checkbox"/> Residential <input type="checkbox"/> Non-residential	
Home Occupation (specify) _____	
Other (specify) Funeral Home	

SUBDIVISION REQUEST

Proposed Subdivision Name	Related Rezoning File Number
Unit / Phase Number	
Total Number of Lots Created	
Additional Information _____	
<input type="checkbox"/> Attachments / Additional Requirements	

ZONING REQUEST

<input type="checkbox"/> Zoning Change	Proposed Zoning	Pending Plat File Number
<input type="checkbox"/> Plan Amendment	Proposed Plan Designation(s)	
Proposed Density (units/acre) Previous Rezoning Requests		
Additional Information _____		

STAFF USE ONLY

PLAT TYPE

- Staff Review Planning Commission

ATTACHMENTS

- Property Owners / Option Holders Variance Request
 Amendment Request (Comprehensive Plan)

ADDITIONAL REQUIREMENTS

- Use on Review / Special Use (Concept Plan)
 Traffic Impact Study
 COA Checklist (Hillside Protection)

Fee 1	Total
\$1,600.00	
Fee 2	
Fee 3	

AUTHORIZATION

- I declare under penalty of perjury the foregoing is true and correct: 1) He/she/it is the owner of the property, AND 2) the application and all associated materials are being submitted with his/her/its consent.

Applicant Signature	Brian L. Buckmon Please Print	4/18/2024 Date
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Phone / Email		
Property Owner Signature	Brian L Buckmon Patton Funeral Home Please Print	4/18/2024 Date



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

Brian L Buckmon
 Applicant Name Affiliation

04/18/2024 June 13, 2024 File Number(s)
6-B-24-SU
 Date Filed Meeting Date (if applicable)

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

Applicant Property Owner Option Holder Project Surveyor Engineer Architect/Landscape Architect

Brian L Buckmon Patton Funeral Home
 Name Company

3501 Selma Ave Knoxville TN 37914
 Address City State ZIP

865 254 6914 buckBL@yahoo.com
 Phone Email

CURRENT PROPERTY INFO

Brian L Buckmon 3501 Selma Ave 865 254 6914
 Property Owner Name (if different) Property Owner Address Property Owner Phone

2112 Magnolia Ave 082ON004
 Property Address Parcel ID

KUB KUB N
 Sewer Provider Water Provider Septic (Y/N)

STAFF USE ONLY

General Location Tract Size

City County District Zoning District Existing Land Use

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) change Use from Church to funeral Home

SUBDIVISION REQUEST

Proposed Subdivision Name _____
 Unit / Phase Number _____ Combine Parcels Divide Parcel Total Number of Lots Created _____
 Other (specify) _____
 Attachments / Additional Requirements _____

ZONING REQUEST

Zoning Change Proposed Zoning _____
 Plan Amendment Change 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
0405 \$1,600.00	\$1,600.00
Fee 2	
Fee 3	

AUTHORIZATION

I declare under penalty of perjury the foregoing is true and correct:
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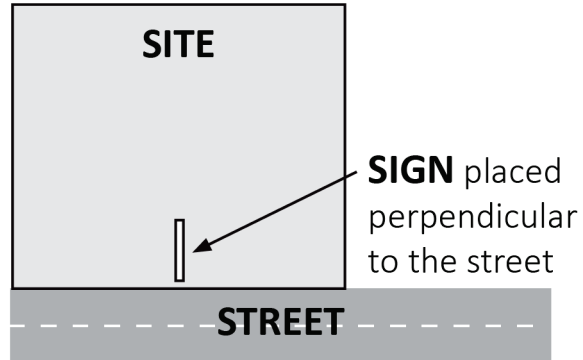
[Signature] Brian L Buckman 4/18/24
 Applicant Signature Please Print Date

865 854 6914 buckbl@yahoo.com
 Phone Number Email

[Signature] Brian L Buckman 4/18/24
 Property Owner Signature Please Print Date Paid

04/19/2024, SG

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:

_____ 05/31/2024 _____ and _____ 06/14/2024 _____
(applicant or staff to post sign) (applicant to remove sign)

Applicant Name: Brian L. Buckmon

Date: 04/18/2024

File Number: 6-B-24-SU

- Sign posted by Staff
- Sign posted by Applicant