

**STAFF REPORT
CORRESPONDENCE ITEM**

#10

CASE NUMBER: P.D. 06-314 CC L.U.C.B. MEETING: July 10, 2008

DEVELOPMENT NAME: Lee Line Farms Planned Development

LOCATION: Northwest corner of Houston Levee Road and Macon Road

APPLICANT: Wal-Mart Stores, Inc.

REPRESENTATIVE: Carlson Consulting Engineers

REQUEST: Site Plan Approval for a Wal-Mart Super Center consisting of 151,908 square feet of floor area

RECOMMENDATION: Rejection

CONCLUSIONS

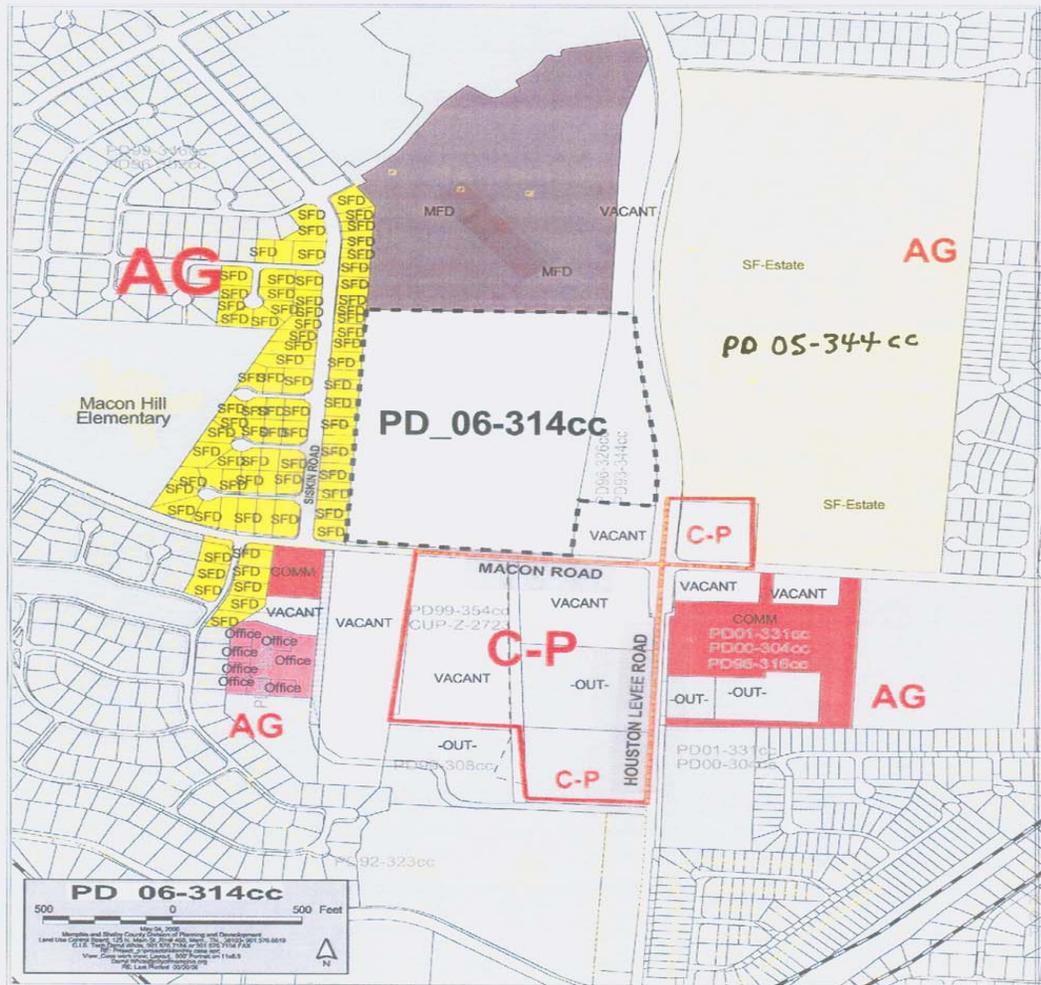
1. Wal-Mart has made several improvements to the proposed site plan in comparison to its prior submittal. These include a smaller structure, greater building setback from the west, more landscaping, reduced parking, and a commitment to provide off-site intersection improvements to all four legs of the Houston Levee/Macon Road intersection. Building elevations and materials have been upgraded and a new logo introduced to address compatibility and aesthetics and eliminate the former “big box” standardized look more akin to a warehouse in appearance and scale.
2. The approved Outline Plan Conditions requiring site plan review by the Land Use Control Board include the review being based on several criteria including adequacy of public facilities. It remains the opinion of the staff that the existing public facilities (namely roads), cannot absorb the impact of introducing a regional-sized retail facility such as this Wal-Mart Super Center.

(Conclusions continue on Page Two)

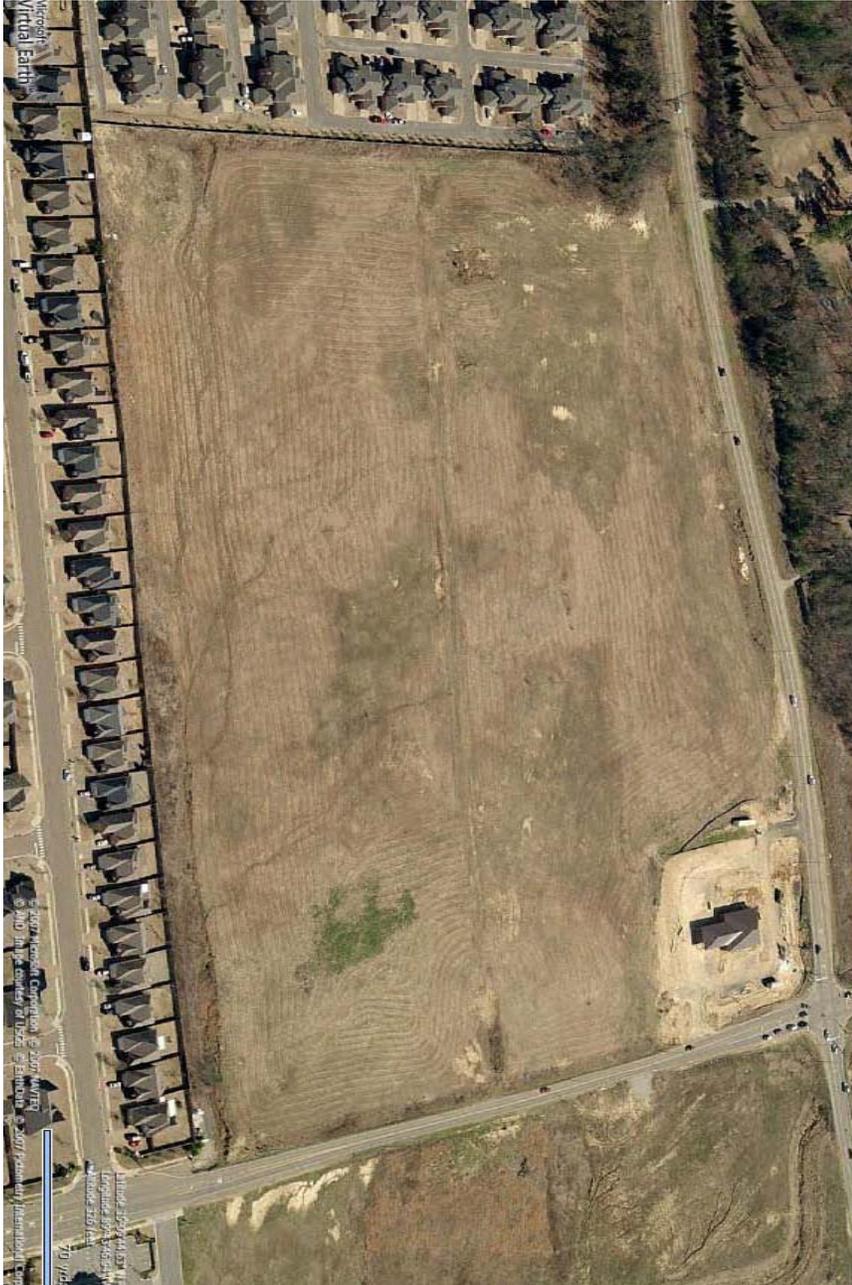
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3. A critical element of infrastructure deficiencies is the unimproved intersection of Houston Levee Road and Macon Road. While it is acknowledged that Wal-Mart is prepared to do off-site improvements including a complete intersection upgrade, the impact of this regional-sized destination facility will be well beyond this intersection. There is not an improved road network in this area to handle its impact, but rather largely unimproved, two-lane roads that serve as regional connectors.
4. While commercial development is authorized for this site, it should be phased or of a smaller scale to permit the construction of public facilities to keep pace with development of the property and surrounding area. More mixed uses in smaller buildings or tenant spaces with varied business hours of operation rather than a dominant single user would better disperse traffic and lessen demand on the transportation infrastructure.
5. Sustainability is becoming a key issue as communities struggle with suburban sprawl and urban deterioration. While the subject property is approved for commercial use, there is concern based on local examples that once large, single-use retail buildings such as the one proposed are vacated, either a second tier use will occupy the space or the building remain vacant which will erode at neighborhood sustainability. It would seem more appropriate that the site develop with a mixture of uses that are neighborhood serving rather than a single regional-serving user in order to lessen the potential neighborhood impact caused by the operation or closing of such a facility.
6. The existing development pattern at the intersection of Houston Levee Road and Macon Road is of more neighborhood serving uses and is reflected in the mixture of uses and scale of the buildings and tenant spaces. The largest single user is Kroger contained in a building with 54,500 square feet of floor area. Even with the latest submittal by Wal-Mart (which is a building size reduction of over 24,000 square feet from their previous submittal), the building size is nearly 100,000 square feet larger in area than that of Kroger.
7. The Grays Creek Plan recommends the Houston Levee/Macon Road intersection be developed as a "Community Commercial Center". While no emphasis is placed on acreage or buildable square footage, the plan emphasizes design features that would encourage mixed uses and buildings that respect the context in which they are located by generally relating in scale and design features to other surrounding buildings and supporting uses. While one could argue that the Wal-Mart site plans have incorporated design elements to mitigate differences in building scale such as greater setback, increased landscaping, and reduced parking, it would appear a better location for the facility might be the "Regional Commercial Center" location identified in the Grays Creek Plan at Highway 64 and Highway 385 where these regional roads are designed to accommodate larger traffic volumes at a location convenient to access and removed from an established area of residential neighborhoods as is the case with proposed location.

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LAND USE AND ZONING



Aerial Photo **Of Site.** To the left are single-family homes along Siskin Drive, at top are the Cameron Grove Apartments, and at the bottom right is an existing bank.

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Existing Single-family Homes Along Siskin Drive.

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View From Site Into The Rear Yards Of Siskin Drive Homes.

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Looking North At The Site Along Houston Levee Road.

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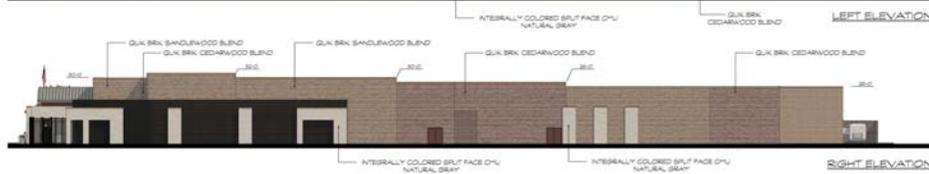
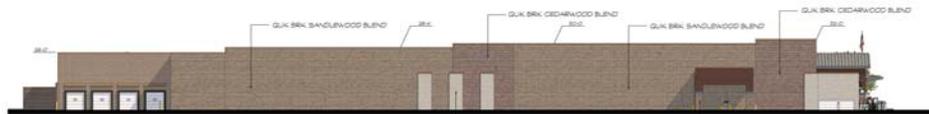


Looking South Along Houston Levee Road To Macon Road



Colored Rendering Of Proposed Site Plan

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Memphis, Tennessee # 5782

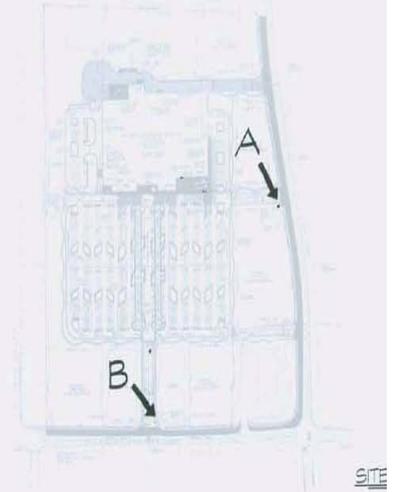
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 750 WEST ROXBOROUGH DRIVE
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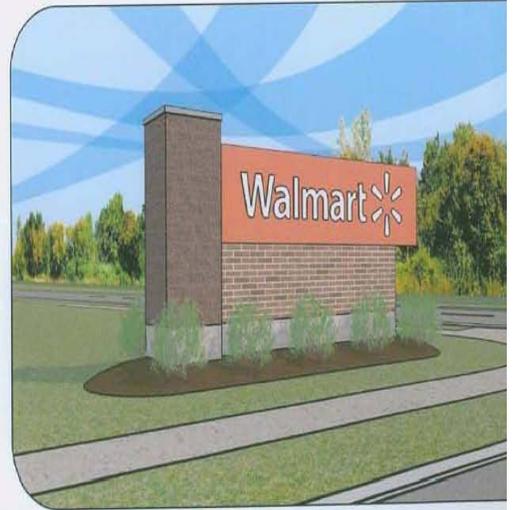
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 Richmond, Missouri 63071
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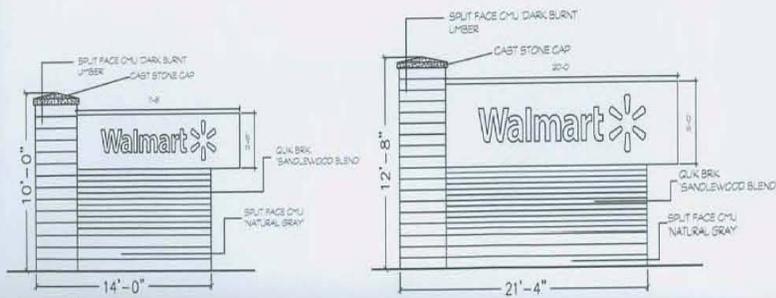
Proposed Building Elevations



A) VIEW LOOKING S.E. ONTO HOUSTON LEVEE ROAD

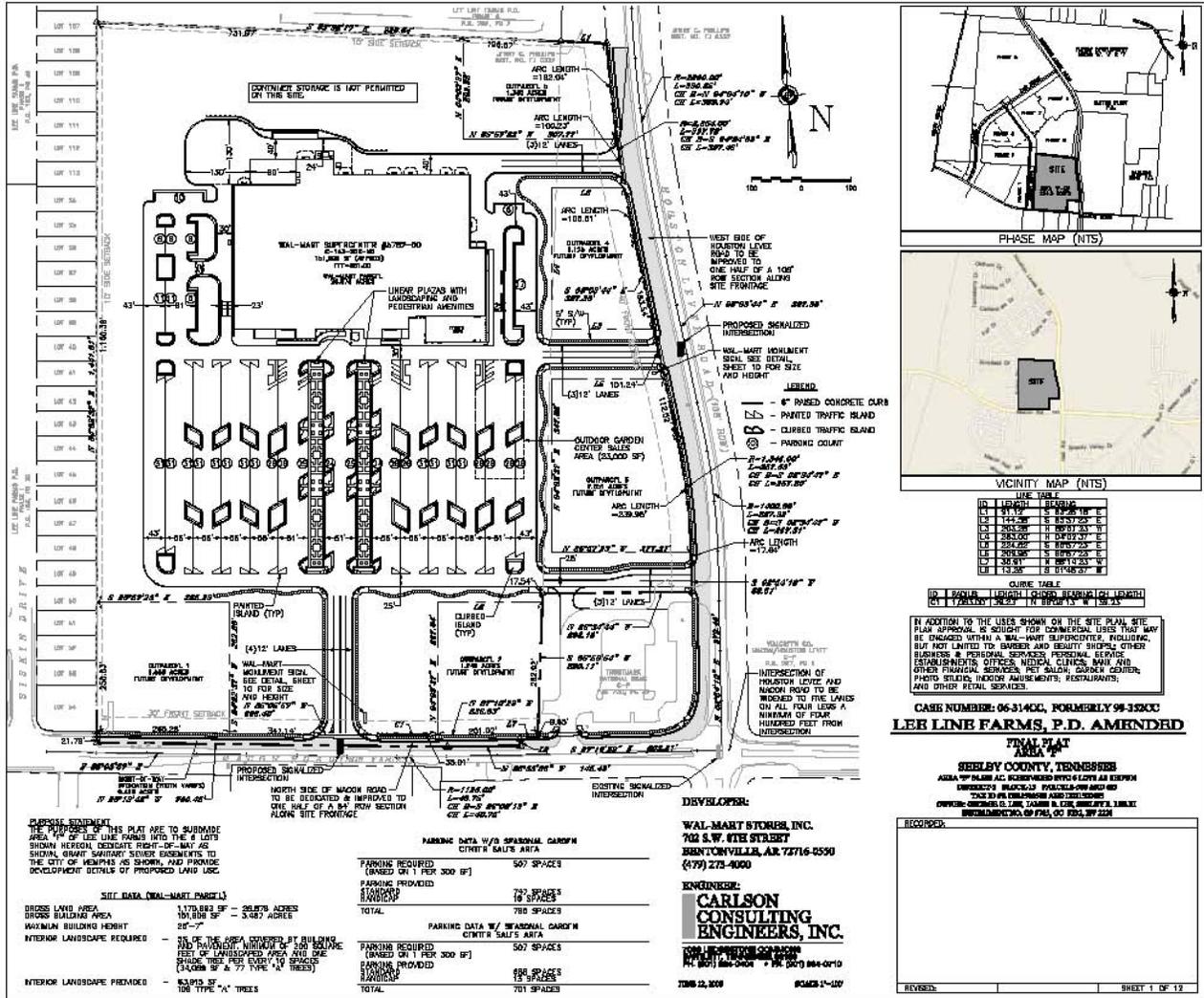


B) VIEW LOOKING S.E. ONTO MACON



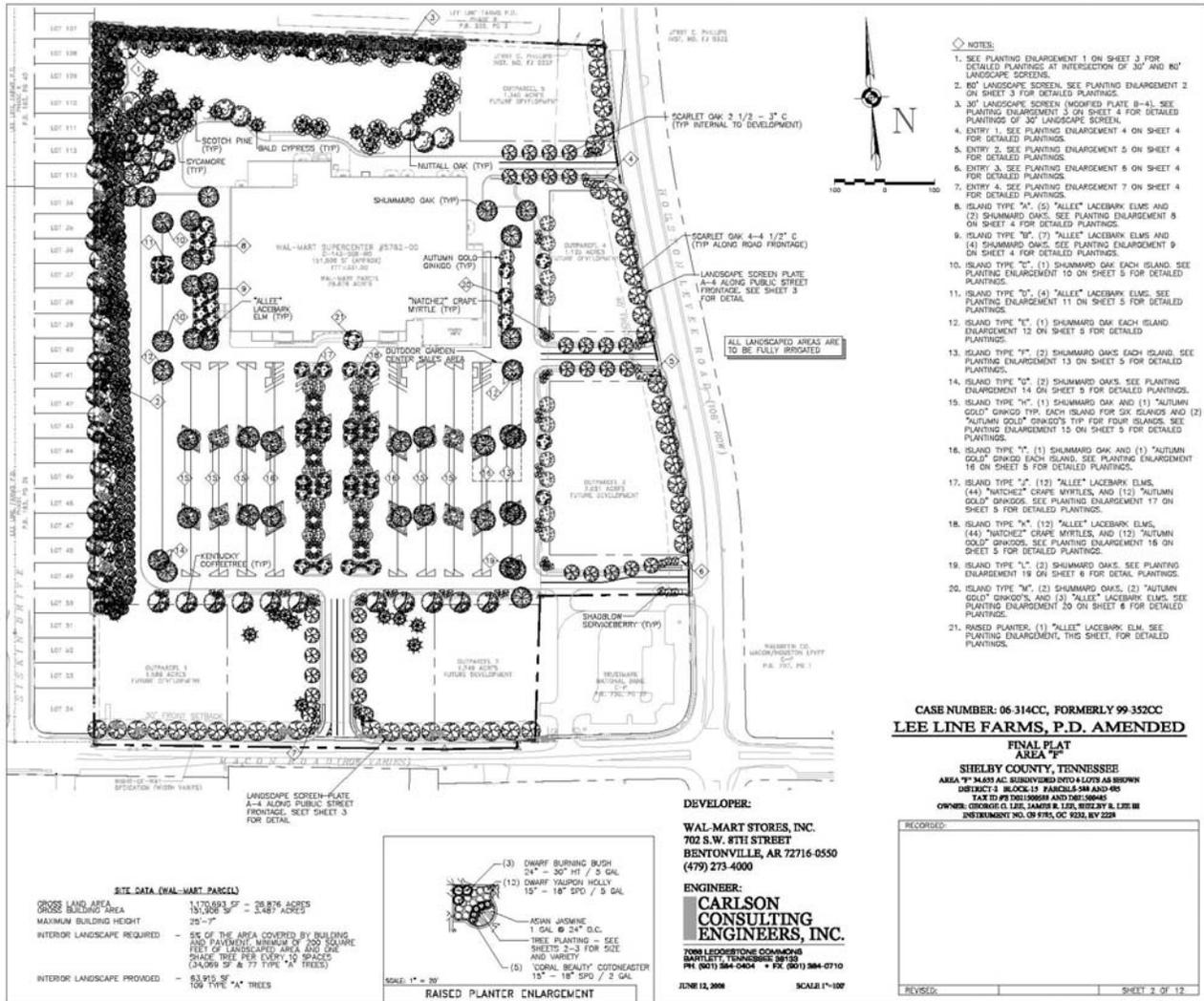
Proposed Detached Signs

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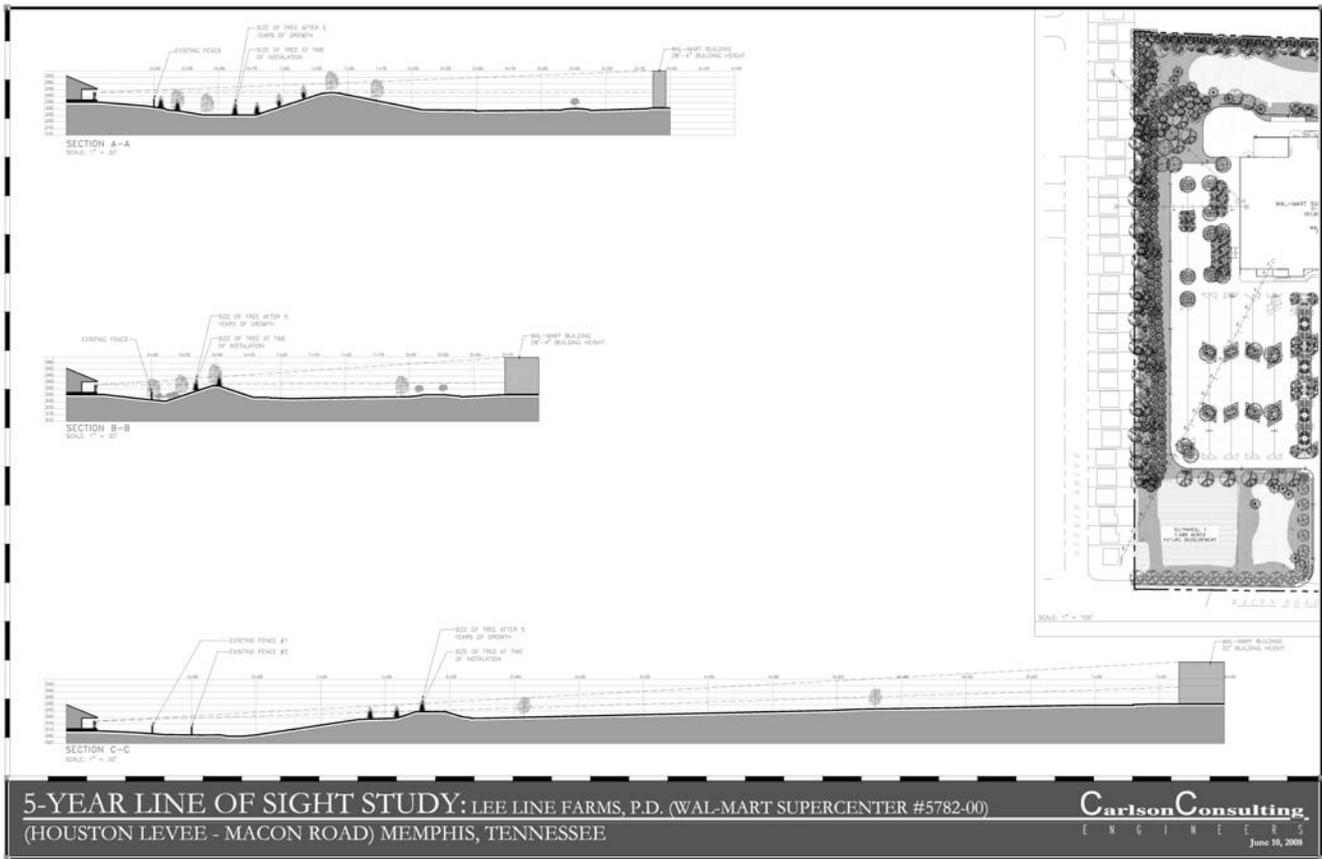
Proposed Detailed Site Plan

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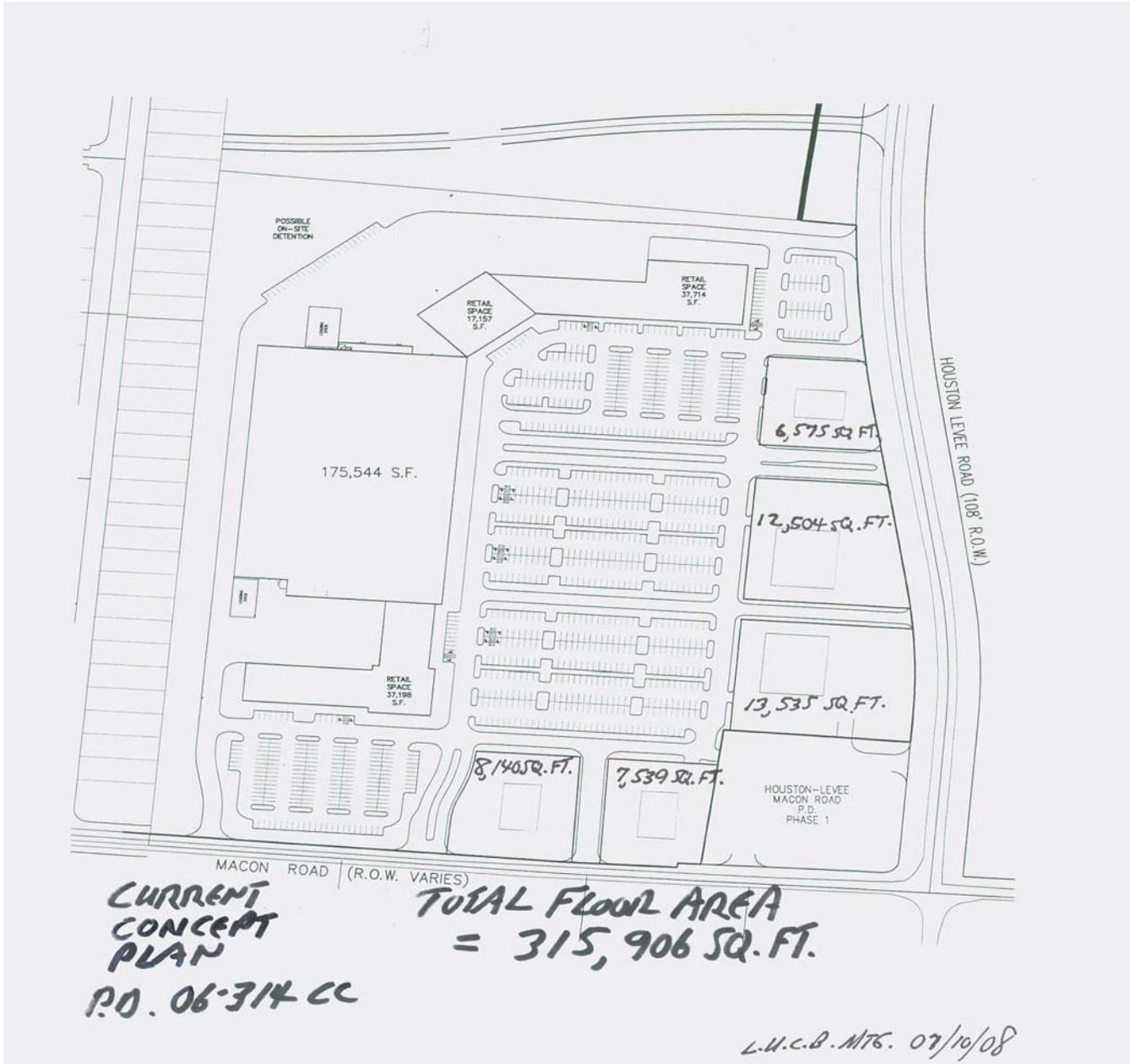
Proposed Detailed Landscaping Plan

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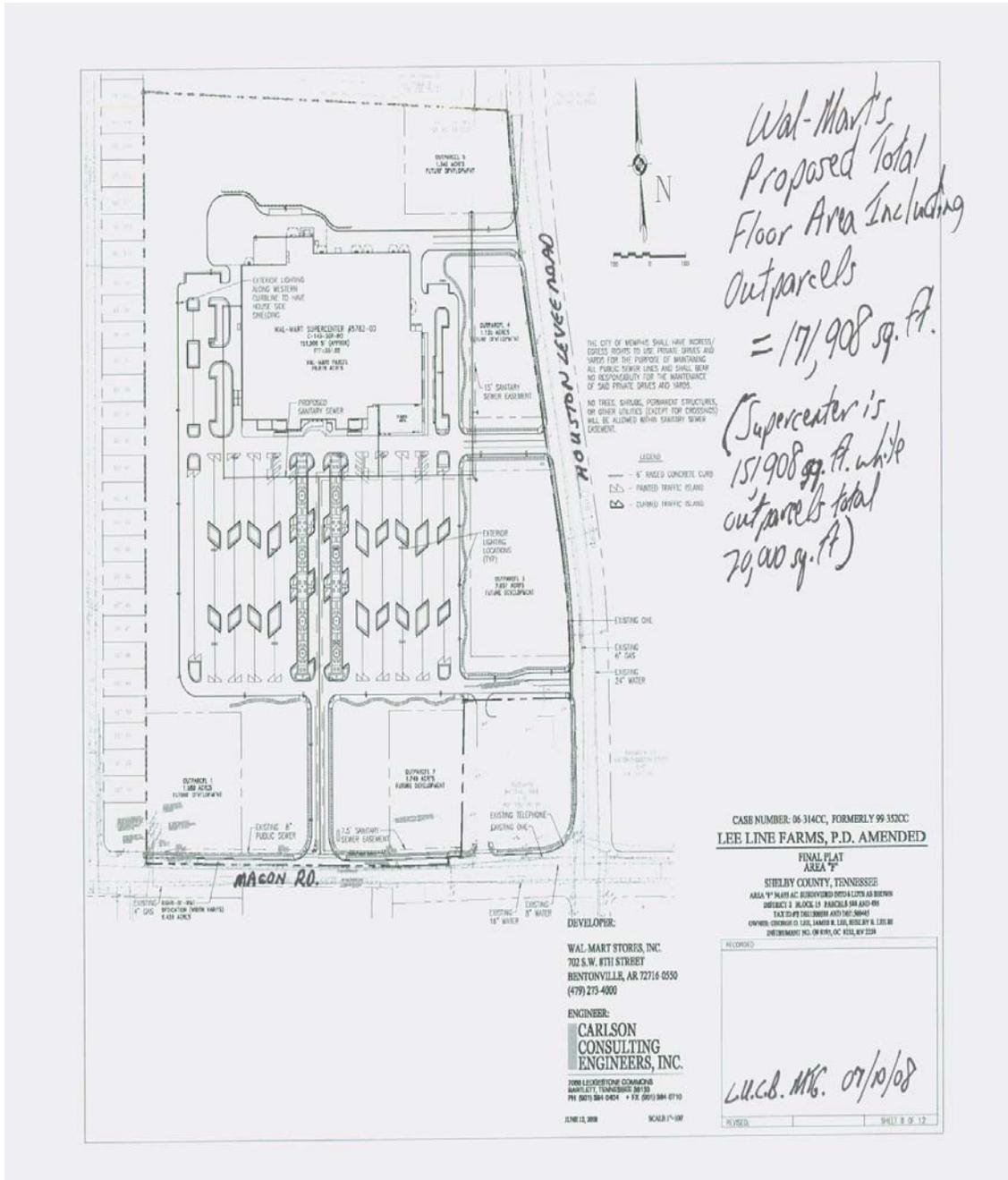
Line Of Sight Study From Rear Yards Of Siskin Homes

Lee Line Farms PD, Area F
PD 06-314 CC



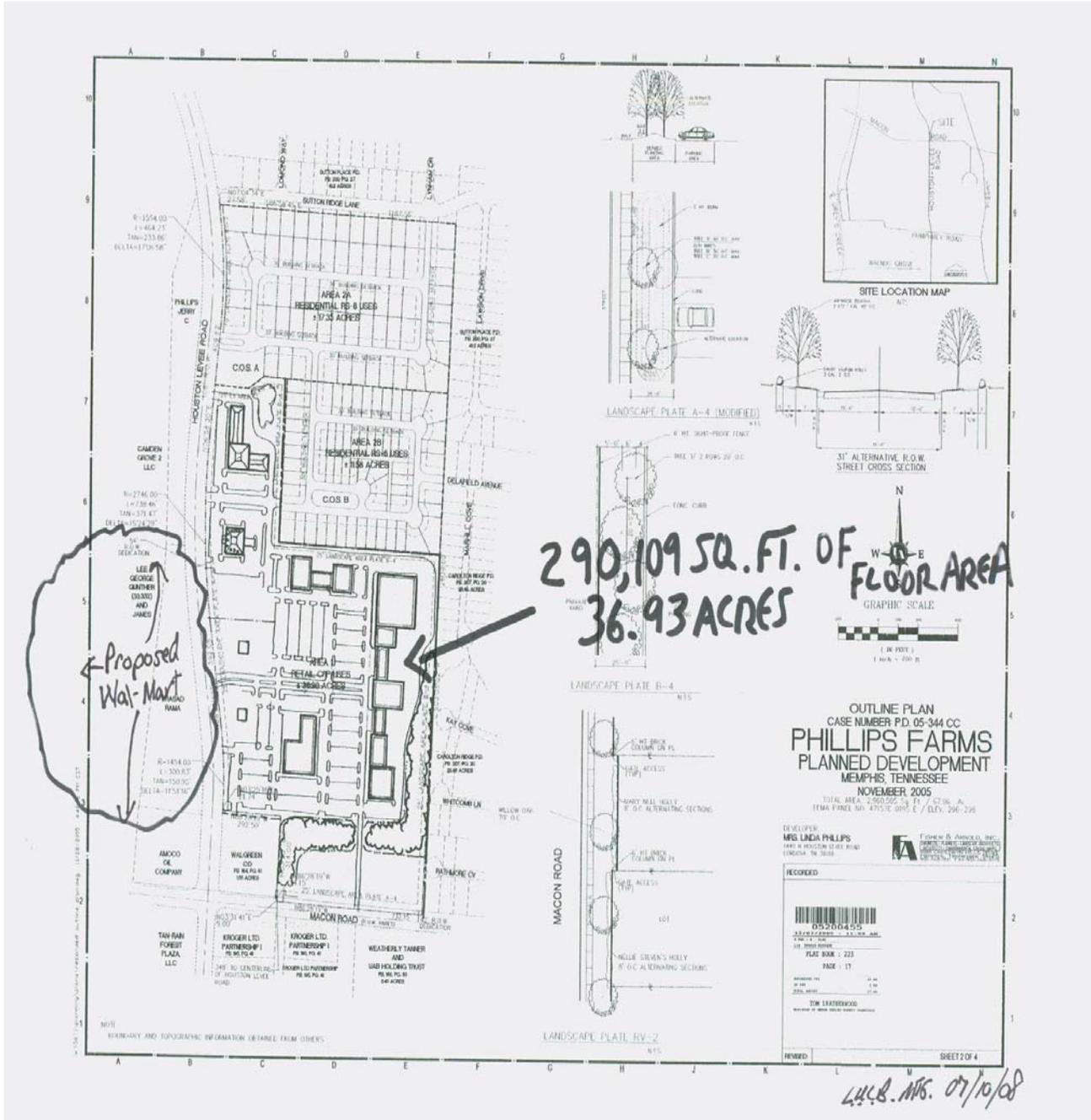
The Concept Plan Currently Approved On The Subject Property Includes Up To 315,906 Square Feet Of Floor Area.

Lee Line Farms PD, Area F
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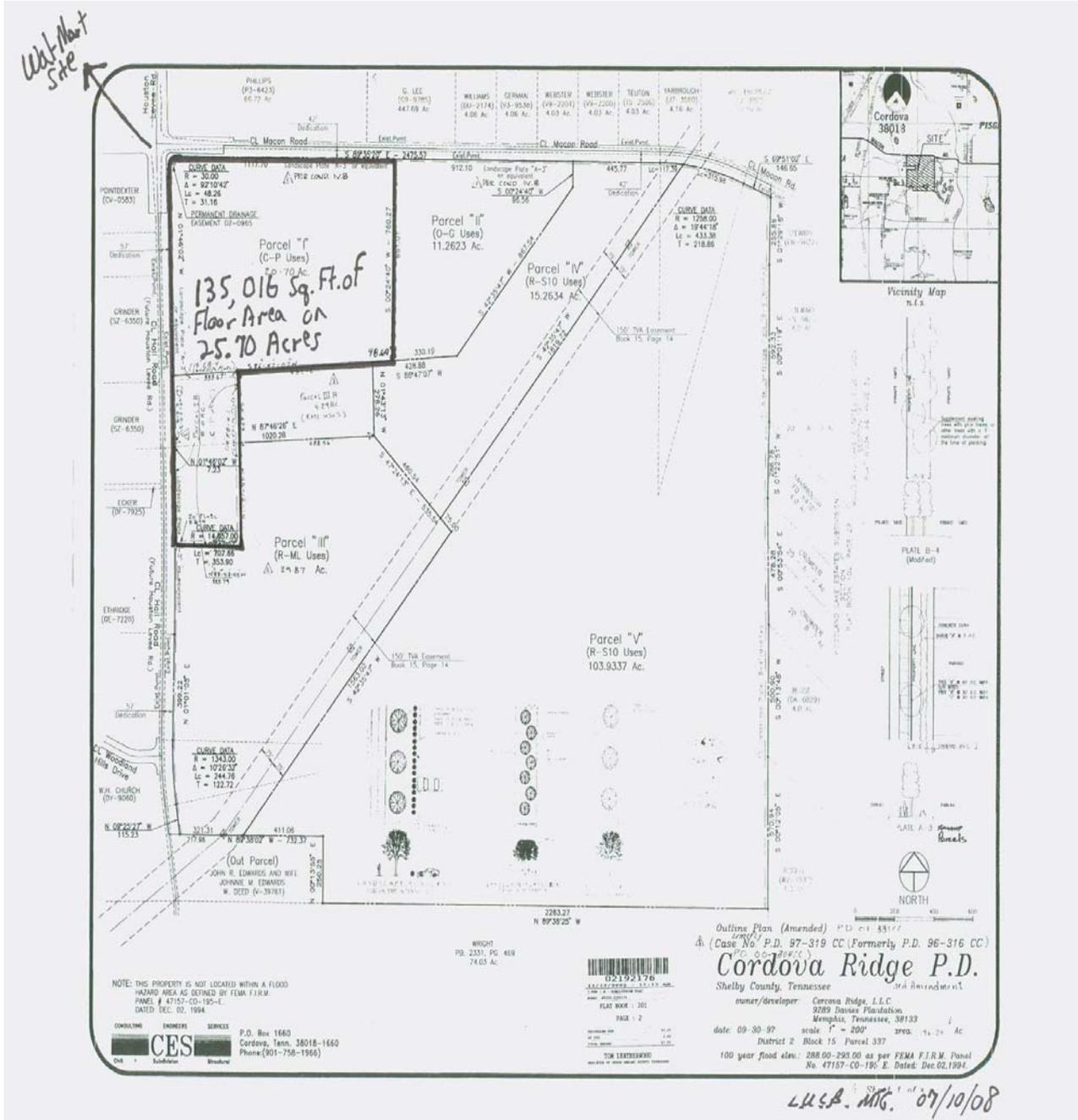


Wal-Mart's Proposed Development Plan Would Consist Of Developing 171,908 Square Feet Of Floor Area Or 143,998 Square Feet Less Of Floor Area Than The Currently Approved Concept Plan

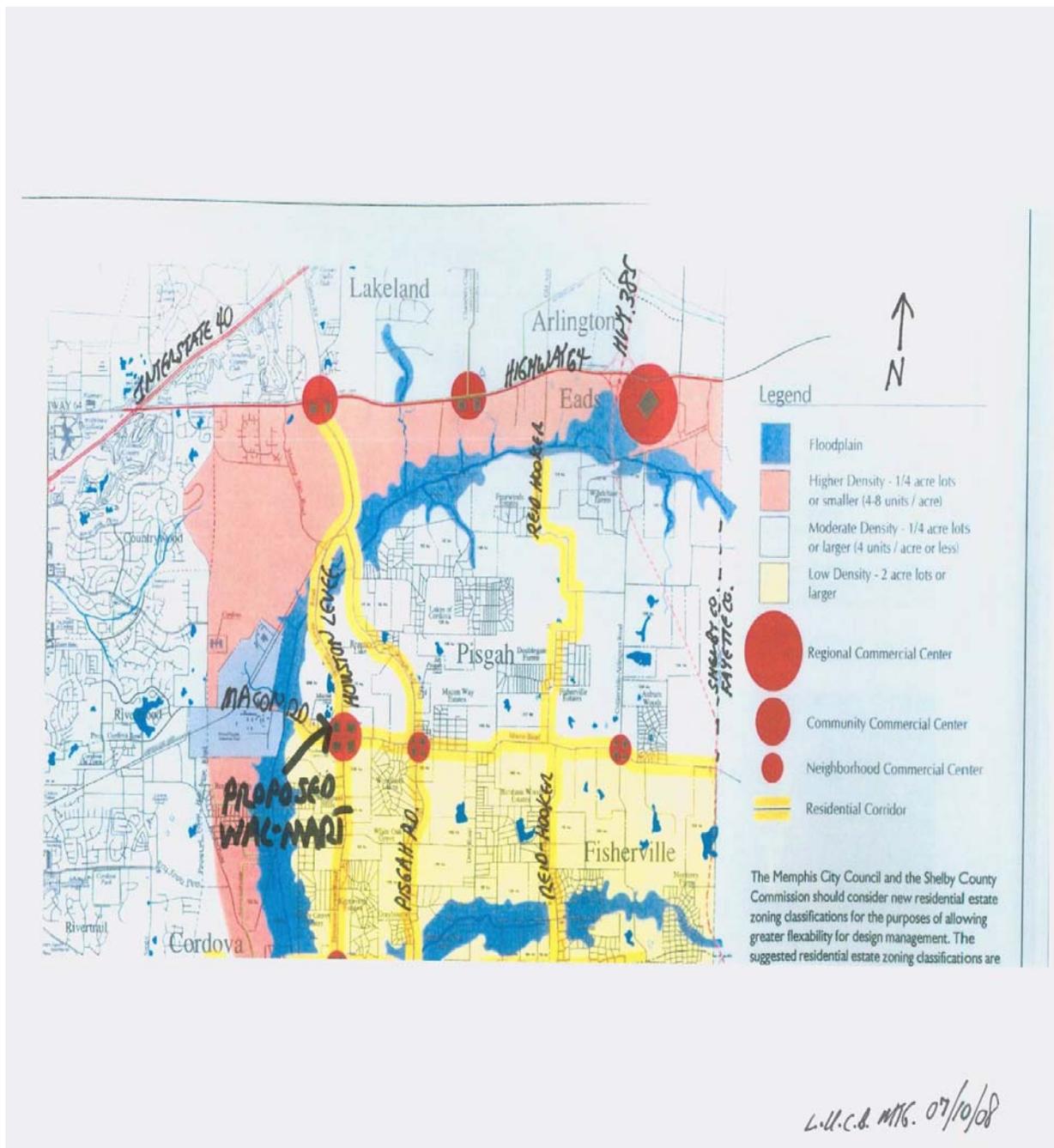
**Lee Line Farms PD, Area F
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Phillips Farms Planned Development Located Directly Opposite The Wal-Mart Site Has An Approved Concept Plan With 290,109 Square Feet Of Floor Area



The Cordova Ridge Planned Development (southeast corner of Houston Levee Road and Macon Road) Contains 135,016 Square Feet Of Floor Area



The Grays Creek Plan Recommends The Location Of Various Commercial Centers. The Wal-Mart Site Is Designated As A “Community Commercial Center”.

STAFF ANALYSIS

Development Overview/Details Of Current Request

Wal-Mart Stores, Incorporated initially filed a request in November 2007 for site plan approval of a Wal-Mart Supercenter containing a total of 176,305 square feet of floor area. The site chosen to locate the store on is known as Parcel F of the Lee Line Farms Planned Development. As with the current submittal as well as the previous submittal, Wal-Mart plans to purchase and control development on the remaining portion of Area F (34.65 acres of which 26.87 acres will be devoted to one lot for the Supercenter and five outparcels rounding out the remaining acreage). Only a very small portion of Area F has been developed, that being a bank directly on the northwest corner of Houston Levee Road and Macon Road.

The previous request filed in November 2007 was never acted on by the Land Use Control Board. Concerns raised by the Office of Planning and Development Staff coupled with a large public outcry led Wal-Mart to withdraw their application. Wal-Mart has now attempted to address these concerns with a re-submittal of a site plan that contains a smaller supercenter, less parking, and more landscaping. Included in the submittal is a new appearance package for Wal-Mart including a new corporate logo that will be affixed to the building and detached signs along Houston Levee and Macon Road.

A comparative analysis of the previous submittal to the current one reveals the following changes.

Off-Site Intersection Improvements To The Houston Levee Road/Macon Road Intersection: This was not offered by Wal-Mart with their first submittal, but became one of the main reasons for objections to the development of the property because of the lack of adequate infrastructure (namely roads) to serve the immediate impact of introducing 176,000 square feet of retail space to the area at once. Wal-Mart has now committed to making improvements to all four legs of the Houston Levee/Macon Road intersection up to 400 feet in all directions so that all legs are at a five-lane section at this intersection.

Buffer Increase Along West Property Line: The Outline Plan Conditions currently require a minimum buffer of 60 feet along the west property line abutting the single-family homes along Siskin Drive. The previous site plan submittal established 80 feet. The newest site plan establishes a minimum buffer area of 92 feet. The OPD Staff has always requested that the proposed supercenter building be moved as far east as possible to lessen the impact on the Siskin residences and increase the buffer area.

Supercenter Building Relocation Further East – The OPD Staff has always requested the supercenter building be re-oriented away from the Siskin Drive residents. The previous submittal was 225 feet from the west property line with the drive-through pharmacy being located 200 feet from the property line. The current site plan locates the building 270 feet from the west property line with the drive-through pharmacy being 245 feet from the western property line. This is 155 feet further away from the Siskin homes than is what is shown on the approved Concept Plan recorded with the Outline Plan for Area F.

Landscaping Island Additions – Large landscaped islands have been added to the western side of the property to enhance screening of the building from the Siskin homes to the west.

Linear Plaza Addition – Two linear plazas have been added the length of the front parking lot along Macon Road. These include pedestrian walkways, benches, planters, and pedestrian-scale lighting.

Building Size Reduction – The supercenter size has decreased 24,000 square feet in floor area from the previous submittal.

Parking Space Reduction – The previous site plan submittal contained 825 parking spaces. The current submittal contains 765 spaces. According to the applicant, the concept plan recorded as part of the Outline Plan contains 1,046 parking spaces.

Green Space Increase – The current proposal allows over 40% of the supercenter site to remain in greenspace (not covered by impervious surfaces such as buildings and parking).

Building Façade Upgrades – The majority of the building exterior is brick. Curvilinear roof lines have been added as well as more subtle signage. Earthtone colors predominate and the detached signs along both Houston Levee Road and Macon Road match this.

Increased Berming – The entirety of the western property line is now being bermed, whereas before it was not. Where berming was shown on the previous plan, its height is now being raised up to 13 feet in height where before it was 7 to 10 feet high.

Site Lighting – Wal-Mart's standard light pole height is 42 feet, but will use a pole not exceeding 30 feet in height which will include house side shielding on lights adjacent to residential properties.

Outparcel Landscaping – Wal-Mart will install streetscape landscaping along all the outparcels including 4 to 4.5 inch caliper trees.

Parking Lot Landscaping and Large Tree Installation – The Outline Plan requires that at least 5% of the parking lot areas be landscaped. The revised plan provides 9.38%. In addition, 40% more large trees are being installed than is required.

For an illustration of the latest plan elements, please see Pages 9-15 of this staff report.

Comparative Analysis Of Existing Wal-Mart Facilities In Memphis & Shelby County

Quite often, it is difficult to grasp the size and impact of a proposed building. For a sense of reference concerning this, the Shelby County Assessor's Office Property Data Base was checked in relation to the building size of Wal-Mart facilities that currently exist in Memphis and Shelby County. The location and existing sizes of area supercenters are provided below as well as two Wal-Mart Neighborhood Markets since the neighborhood market was mentioned by previous opponents as being something that might be more acceptable.

Proposed Lee Line Farms Proposed Supercenter Building Size – 151,908 square feet

Existing 5255 Elvis Presley Boulevard Supercenter – 206,296 square feet

Existing 577 Germantown Parkway Supercenter – 223,023 square feet

Existing 7525 Winchester Road Supercenter – 216,086 square feet

Existing 8400 Highway 64 Supercenter – 203,593 square feet

Existing 3950 Austin Peay Highway Supercenter – 147,932 square feet

Existing 2856 Hickory Hill Road Neighborhood Market – 41,298 square feet

Existing 6520 Memphis Arlington Road Neighborhood Market – 39,898 square feet

Comparative Analysis Of Site Sizes/Permitted Floor Areas Adjacent To Subject Property

Illustrations are provided on Pages 16-19 of the staff report to compare approved developments adjacent to the proposed Wal-Mart site including the currently recorded Concept Plan as part of the approved Outline Plan for Lee Lines Farms Planned Development, Area F. What is meant to be conveyed with these illustrations and their floor area calculations is not only a comparison of what has been developed and could be developed, but also the approved pattern of development from the standpoint of site layout and building sizes.

In looking at the illustration on Page 16, the currently approved concept plan for the subject property is an inverted “L” shape lining of buildings with five outparcels. The floor area square foot numbers on each building site were provided by the applicant requesting a planned development amendment to this site in 2006 to permit a retail development. The outparcels were not tagged with a specific maximum floor area, so it was assumed for purposes of this report that a floor area ratio of .20 could be developed on each. This equates to a grand total of 315,906 square feet of available floor area for development. By comparison, the Wal-Mart development of Parcel F illustrated on Page 17 is 171,908 square feet of floor area or nearly 144,000 square feet less than that of the approved concept plan graphic on Page 16. There are fairly dramatic differences in the site layout as well as the Wal-Mart Supercenter would make up nearly all the floor area to be developed and be one large, stand-alone building of which no comparable-sized building exists in the area. The illustrations and calculations on Pages 18 and 19 in the staff report further illustrate adjoining development approvals and permitted floor areas, but each of these in terms of building mass and function are in the view of the Office of Planning and Development more appropriate to a neighborhood setting such as the one surrounding the Houston Levee Road/Macon Road intersection. For instance, the largest retail building developed at this intersection to date is the Kroger Grocery Store in the Cordova Ridge Planned Development at the southeast corner of Houston Levee Road and Macon Road. Its total floor area is 54,500 square feet compared to the proposed supercenter building which would be nearly 100,000 square feet larger in floor area.

Each plan previously approved and developed at this intersection has resulted in a mixture of uses, mixture of building scale, and mixture of tenant spaces, bringing a variety of neighborhood serving opportunities and development diversity. Large-scale buildings such as the proposed supercenter vary from this important neighborhood mix. While the proposed Wal-Mart plan is a drastic decrease in potential floor area that could be developed on Parcel F, it does bring with it the above-concerns as well as the looming question of inadequate existing infrastructure to support its immediate impact of adding 150,000 square feet of floor area at one time to an overburdened existing road network.

Traffic Study

As recommended, the applicant did submit a traffic study. Its findings are summarized at the end of this report. The applicant acknowledges the impact caused by the supercenter development and recommends signal installation, road upgrades beyond the abutting site frontage to include all four legs of the intersection up to 400 feet in each direction, and the existing traffic signal upgrade at the intersection of Houston Levee Road and Macon Road.

The traffic counts for the study were taken during the time school was not in session for Macon-Hall Elementary which is immediately west of the subject property on Macon Road and is well known to area residents for its back up of traffic in the mornings and afternoons when school is in session. This seems to be a deficiency in the study.

The OPD Staff has recently met with the County Engineer to discuss the traffic study. The conclusion of the County Engineer is that while the offer by Wal-Mart to extend full roadway improvements in all four directions at the intersection for up to 400 feet in each direction is good, the proposed supercenter development will nonetheless create demands on county infrastructure that cannot be met in the foreseeable future. It was suggested by the County Engineer that if the project were approved, conditions be added to assure full 5-lane road improvements in all directions at the intersection up to 800 feet.

Grading and Drainage Plan Analysis

On Page 14 of the staff report, the proposed grading and drainage plan is illustrated. Such information is invaluable in determining compatibility and impact of proposed developments. One could easily question that the applicant should have the right to develop the supercenter simply on the merits that almost 100,000 square feet less of floor area is being provided and the building location is much more removed from the adjoining residences. The concept plan itself is a long-range guide of what can be developed on the site, but depending on how this development is arranged and the landscape physically altered may lead to the concept plan not being workable. It is important to remember that the proposed improvements by Wal-Mart still place the supercenter building at nearly the highest finished grade point on the property, so what might appear to be a much better plan than the approved concept plan could be deceiving depending on the final improvements to the site. For instance, the approved conceptual plan building location might be adequate, if, perhaps the site is graded down to eliminate the substantial ground elevation above the homes along Siskin Drive. This comparison needs to be noted simply because an approved concept plan should not give anyone the right to expect to be able to adhere to it without mitigating adverse impacts first which could result in development that simply cannot match the concept plan.

Gray Creek Plan Commercial Locations

On Page 20 of the staff report is a graphic from the adopted Grays Creek Plan. This graphic illustrates that the intersection development of Houston Levee Road and Macon Road would be appropriate for “Community Commercial Center” development. As alluded to in Conclusion #7 on Page 2 of this report, it would seem perhaps more appropriate for the reasons mentioned here that the “Regional Commercial Center” location be a better one for the supercenter location.

SUMMARY

While pleased with many of the improvements the applicant has made to the supercenter proposal, nagging concerns about inadequate infrastructure remain at the forefront of not being able to support the development at this time as well as the other issues elaborated on in the summary items on Pages 1 and 2. Should the application be approved, a recommended set of conditions is attached.

RECOMMENDATION - Rejection

***Proposed Conditions Of Approval
Lee Line Farms Planned Development, Area F
“Wal-Mart Super Center” Site Plan
PD 06-314 CC
Land Use Control Board Meeting – 07/10/08***

1. A minimum building setback of 270 feet shall be provided along the west property line with the exception that the drive-through canopy for the pharmacy shall be permitted a minimum setback of 245 feet.
2. A minimum building setback of 250 feet shall be provided from the north property line.
3. No outparcel shall have a curb cut to either Macon Road or Houston Levee Road. Each outparcel shall gain access through the internal drive system serving the Wal-Mart Supercenter.
4. All landscaping illustrated on the proposed landscaping plan including those planting areas around each outparcel shall be installed prior to the issuing of a Use and Occupancy Permit for the Wal-Mart Supercenter.
5. The north property line of Outparcel 5 shall be landscaped with the same landscaping pattern proposed along the north property line of the Wal-Mart Supercenter as part of the landscaping plan to be installed prior to the issuing of a Use and Occupancy Permit for the Wal-Mart Supercenter (30 feet wide/Modified Plate B4).
6. A landscaping screen subject to the approval of the Office of Planning and Development shall be installed along the west property line of Outparcel 1 as part of the landscaping plan to be installed prior to the issuing of a Use and Occupancy Permit for the Wal-Mart Supercenter (to be 80 feet in width except where approved for reduction by OPD due to existing utility installation) .
7. Berming shall be used as part of the landscaping screen between the west property line and the Wal-Mart Supercenter Building and parking lot as illustrated by the landscaping plan subject to the approval of the Office of Planning and Development.

8. A detailed landscaping plan including the number, location, species type, and size at planting shall be included as part of the final plat.
9. The attached and detached signs illustrated in the site plan submittal plan set shall be permitted and shall be illustrated on the final plat including their size, color and building material construction.
10. The building elevations illustrated in the site plan submittal plan set shall be permitted and shall be illustrated on the final plat including colors, building materials, and certification of a minimum composition of 50% brick façade coverage.
11. Exterior pole lighting shall not exceed 30 feet in height and shall be a shoe-box design with full cut-off luminaires on all lights with house side shielding on lights adjacent to residential properties.
12. The finished floor elevation of the Wal-Mart Supercenter shall not exceed 331 feet.
13. The Outdoor Garden Center Sales Area as illustrated on the site plan submittal plan set shall be permitted.
14. All traffic signal modifications, including, but not limited to, signalization, fiber optic interconnections, the relocation of poles, cabinets, etc., shall be at the sole expense of the developer and shall be subject to the review and approval of the City and County Engineer.
15. Dedicate and improve Houston Levee Road 54 feet from the centerline along the entire frontage of the site including the outparcels and existing Trustmark National Bank frontage to Macon Road.

16. Dedicate and improve Macon Road 42 feet from the centerline along the entire frontage of the site including the outparcels and existing Trustmark National Bank frontage to Houston Levee Road.
17. Full off-site road improvements to a five-lane cross section shall be provided to all four legs of the Houston Levee Road/Macon Road intersection up to a distance of 800 feet subject to the approval of the County Engineer.
18. The drainage pipe outfall at the southwest corner of Houston Levee Road and Macon Road shall be modified to handle stormwater discharge at the developer's expense.
19. No outside container storage is permitted.
20. All other Outline Plan Conditions remain applicable unless modified by Conditions 1-19 above.

DEPARTMENTAL/NEIGHBORHOOD ASSOCIATION COMMENTS

City Engineering: No comments received.

County Engineering: Premature development that will create demands on County infrastructure that cannot be met for the foreseeable future.

Gray's Creek Neighborhood Association: No comments received.

Cumberland Farms Neighborhood Association: No comments received.

Fisherville Civic Club: No comments received.

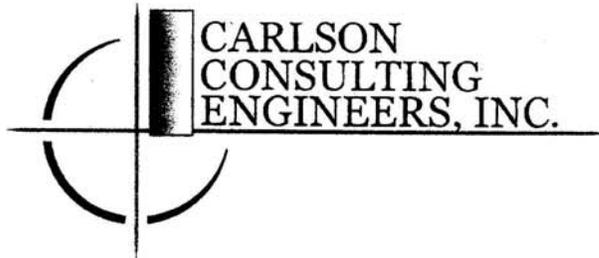
Alliance of Cordova Neighborhoods: No comments received.

Cordova Leadership Council: See attached.

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**REVISED TRAFFIC IMPACT STUDY
WAL-MART SUPERCENTER**

**HOUSTON LEVEE AND
MACON ROAD SITE
MEMPHIS, TN**



EXECUTIVE SUMMARY

Introduction

The purpose of this study is to assess the traffic impacts associated with the development of the Wal-Mart Supercenter project and to identify if any off-site access or traffic control improvements will be required to address those impacts. The current plans are to develop a Wal-Mart Supercenter with approximately 151,908 square feet of space. The site plan also indicates that there will be five out parcels. For the purposes of this study, it was assumed that this development will be completed in approximately two years with the Wal-Mart Supercenter scheduled to open in 2010.

This report identifies potential traffic impacts to the surrounding roadway network based on the proposed development based on: Existing Conditions, Background Conditions, and Total Future Traffic Conditions at Build-out.

Existing Conditions

Traffic counts at the existing intersections were conducted on a typical weekday from 7:00 - 9:00 AM and 4:00 - 6:00 PM. From the traffic counts collected it was determined that the AM peak hour of traffic occurs between 7:15 AM - 8:15 AM and that the PM peak hour of traffic is from 5:00 PM to 6:00 PM.

Background Conditions

The background conditions were developed by increasing the existing traffic volumes by 3% per year for the two year period to account for any unexpected growth in traffic prior to the completion of the proposed Wal-Mart Supercenter development in 2010.

Trip Generation

- Internal Traffic - a 10% internal trip rate was used between the Wal-Mart Supercenter and the five outparcels located within the development.
- Pass-by Traffic - a 15% pass-by trip rate was assumed for the Wal-Mart Supercenter. A 25% pass-by rate was assumed for the outparcels.

For the purposes of the study, the five outparcels for the project were assumed as two Fast Food restaurants, two sit-down restaurants and a bank.

Projected Conditions

The site generated traffic volumes were added to the background peak hour traffic volumes in order to obtain the total projected traffic volumes for the intersections within the study area. Capacity analyses of the projected traffic

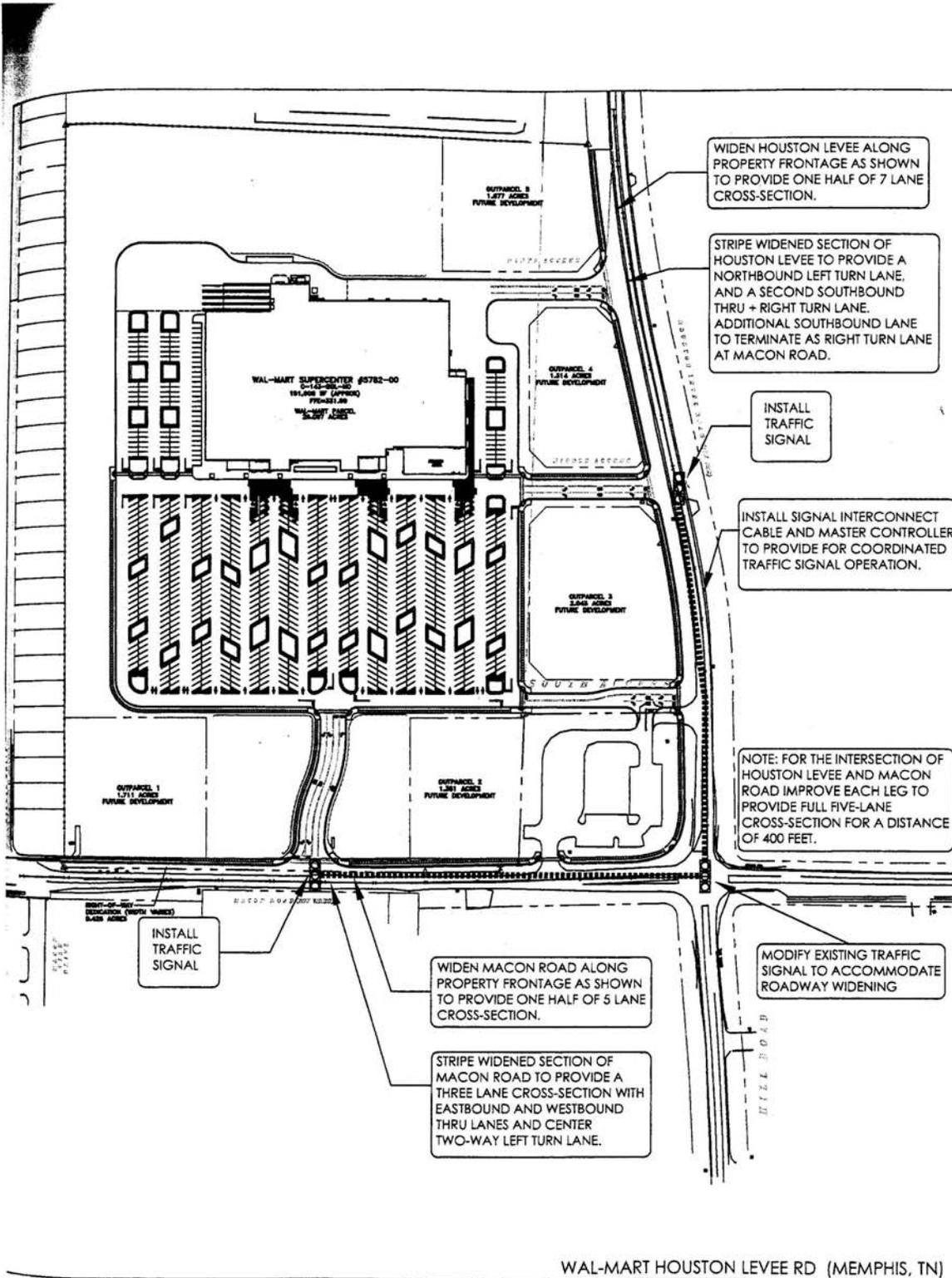
volumes were conducted to determine if any off-site improvements would be needed to accommodate the traffic generated by the project.

CONCLUSIONS AND RECOMMENDATIONS

The analyses presented in this study indicate that the traffic generated by the site can be accommodated with certain traffic control and roadway improvements. These improvements are shown in Figure 8 and are described as follows:

- **Widen Houston Levee Road** - Widen Houston Levee Road along project frontage to provide one half of a seven lane cross-section. The widened section of Houston Levee Road should be stripped to include a northbound left turn lane and a second southbound thru + right turn lane. The additional southbound lane should terminate as a right turn only lane at Macon Road.
- **Install Traffic Signals** - Recommend installation of a traffic signal at the intersection of Houston Levee Road and the middle project access. A traffic signal is also recommended for the intersection of Macon Road and the Wal-Mart driveway access.
- **Install Signal Interconnect Cable** - To provide for coordinated signal operation, fiber-optic communications cable should be installed between the proposed Wal-Mart traffic signals and the existing traffic signal at Macon Road and Houston Levee Road. In addition, a master controller should be provided.
- **Modify Existing Traffic Signal** - The existing traffic signal at the intersection of Macon Road and Houston Levee Road will need to be modified to accommodate the roadway widening.
- **Widen Macon Road** - Widen Macon Road along project frontage to provide one half of a five lane cross-section. The widened section of Macon Road should be marked as three lanes to include eastbound and westbound thru lanes and a center two-way left turn lane.
- **Additional Intersection Widening** - To address County staff concerns, widen the intersection of Houston Levee and Macon Road to a five lane cross-section for 400 feet in all four directions.

In conclusion, implementation of the above recommendations will provide acceptable traffic operations for the roadways and intersections within the study area.



WAL-MART HOUSTON LEVEE RD (MEMPHIS, TN)

FIGURE 8
RECOMMENDED IMPROVEMENTS

Saliba, Norman

From: Gene Bryan [esbryan@bellsouth.net]
Sent: Thursday, July 03, 2008 12:09 AM
To: Saliba, Norman
Subject: Re: Wal-Mart Traffic Study - Houston Levee & Macon



TO: Land Use Control Board
Office of Planning and Development

FROM: Eugene Bryan
President Cordova Leadership Council

Date: July 2, 2008

SUBJECT: Wal-Mart Houston Levee and Macon Road

The Cordova Leadership Council is opposed to the proposed location of Houston Levee Road and Macon Road for a new Wal-Mart Supercenter. This site is not adequately served by public facilities and the latest plans and policies adopted by the Memphis Area Metropolitan Planning Agency shows that future improvements to both of these roadways is not projected until at least the mid 2020's. The Council also finds the traffic study prepared for the site to be particularly deficient in one area. The site is located 1/8th of a mile east of a large County Elementary School, yet the traffic counts taken for the background traffic were done on June 27, 2007 far after the County School year. An accurate time to provide this count is during the school year to assess the true peak traffic times generated throughout the day, not just the traditional to work and from work peak hours. At minimum this application should be delayed until the deficiency of the report be corrected.

For the reason in inadequate public facilities and other reasons to be provided to the Land Use Control Board, County Commission and City Council this application is detrimental the safety and welfare of the City of Memphis and Shelby County and should be rejected.

