

**STAFF REPORT
(ADDENDUM)**

12

CASE NUMBER: P.D. 08-324 CC **L.U.C.B. MEETING:** December 11, 2008
Held from November 13, 2008

DEVELOPMENT: WOODLAND HILLS II PLANNED DEVELOPMENT, AMENDED

LOCATION: North side of Walnut Grove Road; ±2,540 feet west of Houston Levee Road

COUNCIL DISTRICT(S): Unincorporated Shelby County

OWNER / APPLICANT: Coastal Fuels, Inc.

REPRESENTATIVES: Harkavy, Shainberg, Kaplan & Dunstan, PLLC(Ron Harkavy)
Dalhoff-Thomas-Daws(Bob Dalhoff)

REQUEST: Planned development amendment to allow single family homes with minimum lot sizes of 6,000 sq. ft., including independent and assisted living for seniors, licensed health care, nursing home and associated medical facilities.

AREA: 196.89 Acres

On November 13, 2008, the applicant requested and the Land Use Control Board granted a hold of this application for thirty(30) days in order for the applicant to consult with staff regarding a public road connection from Trinity Road to Walnut Grove Road at the south end of the subject property. The project was also held to allow further clarification of alternative land uses in Areas 6A-Alt, 7, 8-Alt and 9-Alt and the inter-connectivity as each phase develops. The development of 6,000 square foot lots proposed in these Areas of the Outline Plan will only develop as private gated senior living single family homes. Otherwise, the development will remain as it was originally approved, but with the following public road connection.

The applicant has submitted and agreed to a revised Outline Plan that provides a public road through the development and provides inter-connection between Walnut Grove Road to the south and the existing street system tying into Woodland View Lane. A condition is attached that requires the dedication and improvement of a thirty-one(31') foot wide alternative design roadway, except adjacent to the lake in Area 2 where it may be a rural cross-section road. However, the proposed alternative pedestrian walkway system should run the entire length of the proposed public road to maintain a walkable senior community. This pedestrian walkway system, including the public road shall also be illustrated on the Outline Plan and recorded. The alignment of this roadway may shift eastward onto the Canale Grove Planned Development; however, a compromise has not been agreed upon regarding the location of this public roadway nor the inter-connection of a public roadway system.

OFFICE OF PLANNING AND DEVELOPMENT RECOMMENDATION:

Approval with Conditions

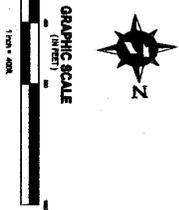
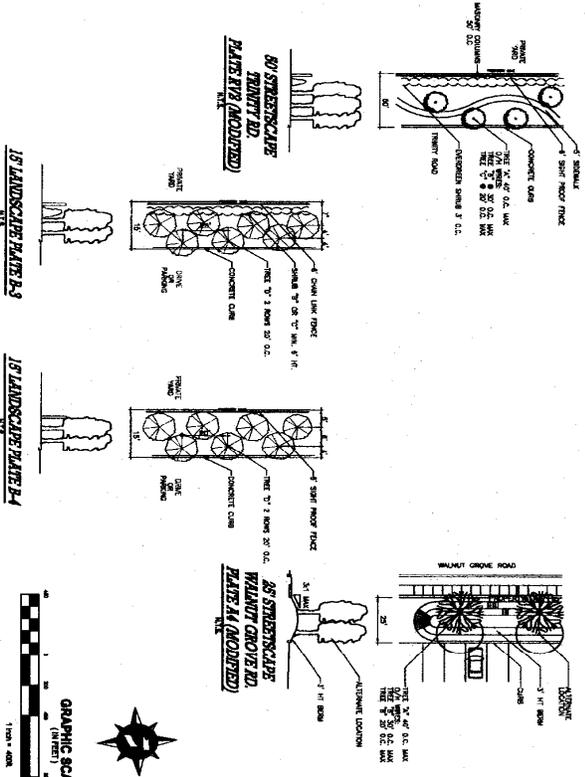
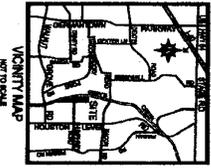
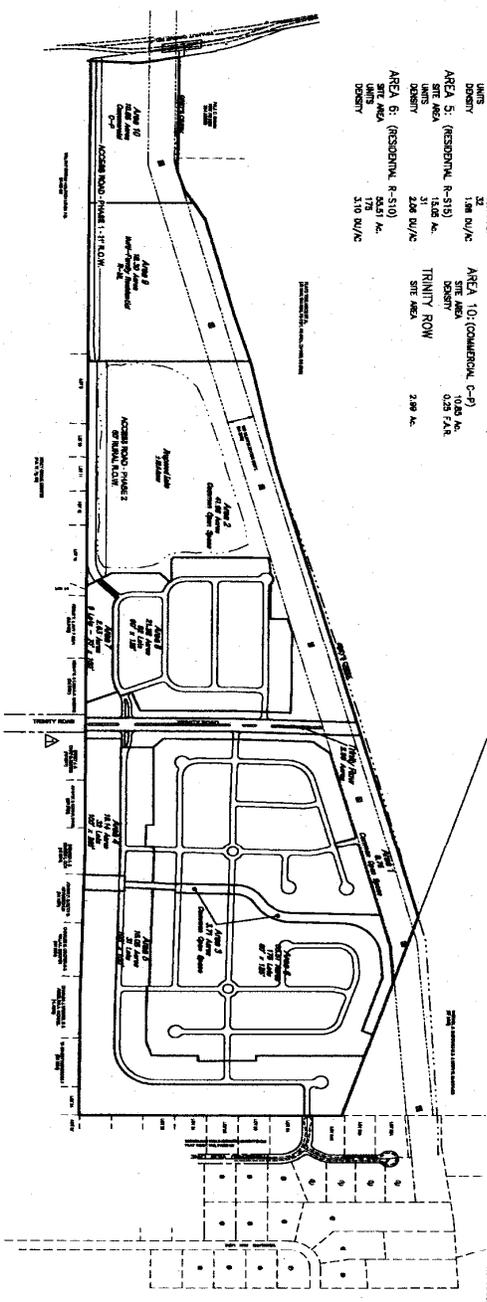
Staff: *Brian Bacchus*

E-mail: brian.bacchus@memphistn.gov

OUTLINE PLAN-REVISED

OUTLINE PLAN DATA

SUBJECT PROPERTY:	AREA 7: (RESIDENTIAL R-510)
TOTAL AREA	184.88 AC.
AREA 1: (Common Open Space)	2.83 AC.
SITE AREA	3.43 DU/AC
AREA 2: (Common Open Space)	8.75 AC.
SITE AREA	AREA 8: (RESIDENTIAL R-510)
AREA 3: (Common Open Space)	11.88 AC.
SITE AREA	11.88 AC.
AREA 4: (RESIDENTIAL R-510)	14.14 AC.
SITE AREA	14.14 AC.
AREA 5: (RESIDENTIAL R-510)	14.58 AC.
SITE AREA	14.58 AC.
AREA 6: (RESIDENTIAL R-510)	2.88 AC.
SITE AREA	2.88 AC.
AREA 9: (RESIDENTIAL R-41)	18.50 AC.
SITE AREA	18.50 AC.
AREA 10: (COMMERCIAL C-2)	10.25 AC.
SITE AREA	10.25 AC.
TRINITY ROW	0.25 FAR
SITE AREA	2.88 AC.
DENSITY	2.88 DU/AC



OUTLINE PLAN
PD 04-343 CC
WOODLAND HILLS II
PLANNED DEVELOPMENT
SHELBY COUNTY, TENNESSEE
DECEMBER, 2008

TOTAL AREA: 184.88 AC.
 A PORTION OF THIS PROPERTY LIES WITHIN A FLOOD HAZARD AREA AS PER FEMA PANEL NO. 071020018 E, DATED DEC. 2, 1994.
 REVISION: 02-15-2008

DESIGNED BY: COASTAL FIELDS, INC.
 P.O. BOX 260
 COVINGTON, TENNESSEE 38003
 SHEET 1 OF 4

RECORDED:

DATE: 12/11/08
 TIME: 10:00 AM
 DRAWN BY: J. L. BROWN
 CHECKED BY: J. L. BROWN
 SCALE: AS SHOWN
 SHEET NO.: 217
 DATE: 12/11/08

330 EAST EXHIBITION
 MEMPHIS, TN 38103
 (901) 527-1100
 WWW.FISHERANDARNOLD.COM

W:\MSR\Submittals\CP13\08\CPVIEW\CP_1.dwg, CP 01, 12/8/2008 11:16:46 AM
 Plotted: NPLS Plot File.plt

December 5, 2008
WOODLAND HILLS II PLANNED DEVELOPMENT, Amended
P.D. 08-324 CC (Formerly P.D. 04-343 CC)
OUTLINE PLAN CONDITIONS-AMENDED

I. USES PERMITTED:

- A. Areas 1, 1A, 2, & 3 - Common Open Space, detention and passive recreational use.
- B. Areas 4 & 5 - Single Family Detached Residential Units and accessory structures and uses in accordance with the R-S15 District regulations except as modified herein.
- C. Areas 6 & 7 - Single Family Detached Residential Units and accessory structures and uses in accordance with the R-S10 District regulations except as modified herein.

Areas 6A & 7 Alternative Use – Single Family Detached Residential improved as a private gated neighborhood that is directed towards Retirement Community living.

- D. Area 8 - Single Family Detached Residential Units and accessory structures and uses in accordance with the R-S6 District regulations except as modified herein.

Area 8 Alternative Use – Single Family Attached or Detached improved as a private gated neighborhood that is directed towards Retirement Community living.

- E. Area 9 - Multi-Dwelling Residential Units and accessory structures and uses in accordance with the R-ML Multiple Dwelling District regulations except as modified herein.

Area 9 Alternative Use – Residential Attached and Detached Retirement Homes, Assisted Living Facility, Licensed Health Care Facility, Nursing Home, and Associated Medical Buildings.

- F. Area 10 - Any use permitted by right or administrative site plan review in the Planned Commercial (CP) District.

II. BULK REGULATIONS:

- A. Maximum Building Setbacks and Lot Sizes
 - 1. Area 4
 - a. Minimum lot area 20,000 square feet
 - b. Minimum front yard setback - 30 feet
 - c. Minimum side yard setback - 5 feet
 - d. Minimum rear yard setback - 25 feet
 - 2. Area 5
 - a. Minimum lot area - 15,000 square feet
 - b. Minimum front yard setback - 30 feet

- c. Minimum side yard setback - 5 feet
 - d. Minimum rear yard setback - 25 feet
3. Area 6
- a. Minimum lot area - 10,000 square feet
 - b. Minimum front yard setback - 30 feet
 - c. Minimum side yard setback - 5 feet
 - d. Minimum rear yard setback - 25 feet

Area 6A – Alternative Use (Retirement Community Only)

- a. Minimum lot area - 6,000 square feet
 - b. Minimum front yard setback - 25 feet
 - c. Minimum side yard setback - 5 feet/3.5 feet with service drive
 - d. Minimum rear yard setback - 25 feet/*18 feet with service drive
- * - Right in garages may be allowed 5 feet from service drive

4. Area 7
- a. Minimum lot areas - 10,500 square feet
 - b. Minimum front yard setback - 30 feet
 - c. Minimum side yard setback - 5 feet
 - d. Minimum rear yard setback - 20 feet

5. Area 8
- a. Minimum lot area - 7,500 square feet
 - b. Minimum front yard setback - 30 feet
 - c. Minimum side yard setback - 5 feet
 - d. Minimum rear yard setback - 25 feet

Area 8 – Alternative Use (Retirement Community Only)

- a. Minimum lot area - 6,000 square feet
 - b. Minimum front yard setback - 25 feet
 - c. Minimum side yard setback - 5 feet/*3.5 feet with service drive
 - d. Minimum rear yard setback - 25 feet/18 feet with service drive
- * - Side yards not required for attached homes but a minimum 20-foot separation between buildings is required.

6. Area 9 - Multiple Family
- a. Maximum density - 15 units per acre
 - b. Minimum front yard setback - 40 feet
 - c. Minimum side yard setback shall be in accordance with the side yard requirements of Chart 2, Bulk Regulations and Permitted Residential Densities of the Memphis and Shelby County Zoning Regulations.
 - d. Minimum rear yard setback shall be In accordance with the rear yard requirements of Chart 2, Bulk Regulations and permitted Residential Densities of the Memphis and Shelby County Zoning Regulations.

Area 9 – Alternative Use (Retirement Community Only)

Non-Residential Uses:

- a. Minimum front yard setback - 40 feet
- b. Minimum side yard setback shall be in accordance with the side yard requirements of Chart 2, Bulk Regulations and Permitted Residential Densities of the Memphis and Shelby County Zoning Regulations based on the O-G District.
- c. Minimum rear yard setback shall be in accordance with the rear yard requirements of Chart 2, Bulk Regulations and Permitted Residential Densities of the Memphis and Shelby County Zoning Regulations based on the O-G District.
- d. Maximum building height – 45 feet.

Residential Uses – Attached and Detached:

- a. Minimum front yard setback at perimeter boundary – 30 feet
- b. Internal side yard setback – N/A.
- c. Minimum distance between buildings – 10 feet
- d. Minimum rear yard setback shall be in accordance with the rear yard requirements of Chart 2, Bulk Regulations and Permitted Residential Densities of the Memphis and Shelby County Zoning Regulations based on the R-ML District.
- e. Maximum building height – 35 feet.
- f. Maximum density for Attached and Detached – 7.3 DU/AC

7. Area 10 -Commercial

- a. Minimum front yard setback - 30 feet
- b. Minimum side yard setback - 10 feet adjacent to residential, otherwise no side yard is required
- c. Minimum rear yard setback- 15 feet
- d. Maximum Height - 35 feet
- e. Maximum Floor Area ratio – 0.25 FAR

III. ACCESS, PARKING, AND CIRCULATION:

- A. Dedicate 57 feet from the centerline of Walnut Grove Road and Improve in accordance with the Subdivision Regulations and Shelby County paving Policy.
- B. Dedicate 84 feet along an alignment of Trinity Road as approved by the County/City engineers and improve in accordance with the Subdivision Regulations and Shelby County paving Policy.
- C. Improve Trinity Road with 24 feet of pavement east of the site across the existing dedicated right-of-way to connect with Woodland Trace Lane concurrent with the development of Phase 3 of Residential Lots.
- D. Trinity Road improvements shall include 2 lanes of pavement and ½ of the median improvement contiguous with residential development to the east line of Woodland Hills II and 24 feet of pavement only from the east line of Woodland Hills II to Woodland Trace Lane.

- E. Dedicate and improve a public road extending from Walnut Grove Road to connect with Woodland View Land on the north. The street cross-section shall be a thirty-one(31) foot wide alternative design through Areas 4,5,7, 9 and 10 and fifty(50) foot wide rural design road through Area 2.
- F. ~~Dedicate and improve Trinity Road with 24 feet of pavement from Woodland Trace Lane eastwardly to connect with Houston Levee Road with the development of Phase 4.~~
- G. ~~Dedicate and improve a minor local (52/36) in accordance with the Subdivision Regulations. This street shall be located south of Trinity Road and extend along the west line of the lake and terminate with a temporary turnaround at the south line of Area 2.~~
- E. ~~The Alternative Use of Area 9 allows connectivity to the adjacent property east of Area 9 as a private drive.~~
- E. Dedicate 31 feet along east property line of Areas 9 and 10 and improve in accordance with the Subdivision Regulations and Shelby County paving Policy as an alternative urban minor local (31/30).
- F. Dedicate 50' along the east property line of Area 2 (rural road cross-section, 24 feet of paving) and improve in accordance with the Subdivision Regulations and Shelby County paving Policy.
- G. Dedicate 31 feet through Areas 7 and/or 8 and improve in accordance with the Subdivision Regulations and Shelby County paving Policy.
- H. Internal public local street widths shall be in accordance with the Subdivision Regulations.
- I. Two curb cuts shall be permitted along Walnut Grove Road.
- J. The design and location of the curb cuts along Walnut Grove Road are subject to the approval of the City/County Engineer.
- K. Pedestrian walkways shall be provided to connect residential neighborhoods to one another and to adjacent roads, common open space, and lake area with appropriate neighborhood ownership.
- L. Internal circulation shall be provided between all phases, sections and lots **where appropriate.**
- M. Dedicate full corner radii at the intersection of alternative design streets with standard design streets.
- N. All construction traffic for development of this site shall enter and exit from Walnut Grove Road.
- O. Parking shall be provided in accordance with Section 28 of the Zoning Ordinance.
- P. **Private Service Drives shall be a minimum of 18-feet in width.**

- Q. The north/south road may be developed in phases contiguous with each phase of development.
- R. Four (4) curb cuts shall be allowed in Area 10.
- S. Three (3) curb cuts shall be allowed in Area 9.

IV. PHASING PLAN:

- A. Phase 1 shall consist of 31 lots, minimum lot size of 15,000 square feet, located at the north end of the site.
- B. Phase 2 shall consist of 29 lots, minimum lot size of 10,000 square feet.
- C. Phase 3 shall contain a maximum of 50 lots and provide the improvements on the existing Trinity Road right-of-way to connect with Woodland Trace Lane. ~~and stub at the end of the existing right-of-way line.~~ May be developed in multiple phases.
- ~~D. Phase 4 shall include the dedication and improvements of Trinity Road eastwardly from Phase 3 to connect with Houston Levee Road.~~

V. LANDSCAPE AND SCREENING:

- A. A minimum 25-foot wide landscape strip, Plate A-4 modified, shall be provided along Walnut Grove Road.
- B. A minimum 15-foot wide landscape screen, Plate B-4, shall be provided along the north line of Area 10.
- C. A minimum 15-foot wide landscape screen, Plate B-3, shall be provided along the north line of Area 9.
- D. Landscape Plate is not required if Areas 6, 7, 8, and 9 are developed as part of the Alternative Land Use Plan.
- E. A minimum 50-foot wide landscape strip, Plate RV-4 Modified, shall be provided along Trinity Road.
- F. A 20-foot landscape conservation easement shall be provided along the north and east property lines of Area 4 and along the east property line of Areas 2 and 7.
- G. Internal landscaping in Area 10 shall be provided at a minimum ratio of 300 square feet of landscaped area and one shade tree (Tree A from the approved plant list of the landscape ordinance) for every 20 parking spaces. Required landscaped areas shall not be less than 200 square feet in any single location.

- H. All required landscaping and screening should not conflict with any easements including overhead wires.
- I. Any common open space areas, streetscape areas designated within Areas 1, 1A, 2, 3, 4, 5, 6, 6A, 7, 8, and 11 shall be deeded to and maintained by a Property Owner's Association.
- J. A Property Owner's Association shall maintain medians, streetscape area and common open space.
- K. All refuse dumpsters shall be completely screened from view from all adjacent residential properties and from any public roads with materials architecturally compatible to the building on the lot.
- L. All heating and air conditioning equipment shall be screened from view by use of landscaping or architectural features.
- M. Lighting standards in Area 10 shall be limited to 20 feet in height and shall be directed away from adjacent residential uses in Area 9. A detail of the light fixture to be used shall be shown on the final plat.
- N. All apartments shall have a minimum of fifty (50) percent of the opaque wall area of brick material.

VI. SIGNS:

- A. Attached and detached signs in Area 10 shall conform to the Planned Commercial (C-P) District regulations with the following exceptions:
 - 1. Maximum area of signs for individual businesses shall be 100 square feet.
 - 2. Materials and design shall be consistent with the design and materials of the commercial buildings.
- B. Attached and detached signs in Area 9 shall conform to the R-ML Multiple Residential District. **The Alternative Land Use Plan shall conform to the O-G Office District.**
- C. Portable and temporary signs and outdoor advertising signs shall be prohibited except for construction signs.
- D. All signs shall be setback a minimum of 15 feet from the right-of-way.

VII. DRAINAGE:

- A. A comprehensive drainage study of the entire site shall be submitted to the City Engineer's office for review and approval prior to development of the site.
- B. Drainage improvements, including possible on-site detention, shall be provided under a Standard Subdivision Contract in accordance with the Subdivision Regulations and the City of Memphis Drainage Design Manual.
- C. Part of this site is within the FLOODWAY of Grey's Creek according to the FEMA maps. No filling or construction shall be permitted within the floodway. The Floodway boundary shall be shown on the final plat and engineering plans.
- D. Part of this site is within the 100-Year floodplain of Grey's Creek according to the FEMA Maps. Appropriate flood protection measures must be taken to prevent flood damage. The 100-year flood elevation shall be reflected on the final plat and engineering plans.
- E. The developer's engineer shall perform the necessary hydraulic studies (HEC-2, etc.) to determine the 100-year flood elevation for the major drainage channel assuming full upstream development at proposed land uses.
- F. The common open space along the major drainage way must be provided consistently with drainage plans approved by the City/County Engineer and an ARAP permit. The width may be equal to 2-1/2 times the top of bank width, measured from the stream centerline in order to protect buildings and accessory structures from bank caving and stream meandering if improvement is not permitted.
- G. The developer should be aware of his obligation under 40 CFR 122.26(b)(14) and TCA 69-3-101 et sec. to submit a Notice of Intent (NOI) to the Tennessee Division of Water Pollution Control to address the discharge of storm-water associated with the clearing and grading activity on this site.
- H. Provide drainage data for assessment of on-site detention requirements by County Engineer's Office for review. Detention pond, if required, should be designed for multiple stage discharges and it is to be inspected by the design engineer when it is built to certify that it is working as designed. Detention pond should be built at the first phase when land is cleared. Drainage improvements must be provided in accordance with the Subdivision Regulations and the City of Memphis Drainage Design Manual. Quantify and provide pre and post development storm-water discharge values. Provide an assessment of any downstream structures impacted by increased runoff.
- I. Detention facilities, if required, are to be fully operational immediately after clearing of the vegetation, silt, and debris connected with early construction shall be removed periodically from the detention area and control structure in order to maintain maximum storage capacity.

- J. The areas denoted by "Reserved for Storm Water Detention" shall not be used as a building site or filled without first obtaining written permission from the City or County Engineer, as applicable. The storm water detention systems located in these areas, except those parts located in a public drainage easement, shall be owned and maintained by the property owner and/or owner's association. Such maintenance shall be performed to ensure that the system operates in accordance with the approved plan located in the City/County Engineer's Office. Such maintenance shall include, but not limited to removal of sedimentation, fallen objects, debris and trash, mowing, outlet cleaning, and repair of drainage structures.
- K. All grading and drainage plans shall show a minimum of 100 feet of off site topography on all sides in order to determine the effect of offsite features on the subdivision under review or its effect on adjacent properties.
- L. The Developer will be expected to enter into a Standard Subdivision Contract, as required in Section 500 of the Subdivision Regulations, for required public Improvements, including paving, under the Shelby County Paving Policy.

VIII. PUBLIC SEWER, WATER, AND EASEMENTS:

- A. Provision of sanitary sewer service approval to this development is the responsibility of the City of Memphis.
- B. A sewer development fee shall be paid to the City of Memphis at the time of each final plan approval.
- C. Off-street sewer easements shall be a minimum of fifteen (15') in width.

IX. The Land Use Control Board may modify the bulk, access, landscaping, screening, signage, and other site improvements if equivalent alternatives are presented; provided, however, any adjacent property owner who is dissatisfied with the modifications of the Land Use Control Board hereunder may, within ten days of such action file a written appeal to the director of the Office of Planning and Development, to have such action reviewed by the appropriate legislative body.

X. SITE PLAN REVIEW:

- A. A Site Plan for Areas 9 and 10 shall be submitted for the review, comment, and recommendation of the Office of Planning and Development (OPD) and appropriate City and County agencies, for approval by the Land Use Control Board, prior to the recording of the Final Plan for Areas 9 and 10.
- B. The site plan shall be filed a minimum of twenty (20) days prior to the regular meeting of the Land Use Control Board, including the following information:
 - 1. The location of all existing and proposed public roadways on or adjacent to the property.

2. The dimensions, area, shape, orientation, and configuration of all buildings and lots, location of service and off-street parking areas.
 3. The location of public streets, internal private drives and the number and general location of curb cuts and utility easements.
 4. The design and type of materials used on building facades, elevations, walls, and entryways.
- C. The site plan shall be reviewed based on the following criteria:
1. Conformance with the Outline Plan Conditions and the standards and criteria for residential planned developments contained in the Zoning Ordinance and Subdivision Regulations.
 2. Adequacy of public facilities (streets, sewers, drainage, etc.).
 3. Elements of site plan design such as building orientations and setbacks, access, parking, internal vehicular and pedestrian circulation, landscaping, and lighting.
 4. Consistency between buildings in regard to general building elevations and materials.

XI. FINAL PLAN:

A final plan shall be filed within five years of the approved outline plan. The Land Use Control Board may grant extensions at the request of the applicant.

Any final plan shall include the following:

- A. The Outline Plan Conditions,
- B. Required landscaping,
- C. Front and rear yard setbacks,
- D. The exterior appearance of proposed buildings and signs,
- E. A standard improvement contract as defined by the Subdivision Regulations for any needed public improvements,
- F. The exact location and dimensions of utility easements, drives and required landscaping, screening areas,
- G. The location and ownership, whether public or private of any easement,
- H. A statement conveying all common facilities and areas to a property owner's association or other entity, for ownership and maintenance purposes,

- I. The final plat shall reflect the appropriate width pedestrian/sidewalk/utility easement along both sides of all alternative design street dedications in accordance with the Subdivision Regulations,
- J. The following note shall be placed on the final plat of any development requiring on-site water detention facilities: The areas denoted by "Reserved for Storm Water Detention" shall not be used as a building site or filled without first obtaining written permission from the City Engineer. The storm-water detention systems located in these areas, except those parts located in a public drainage easement, shall be owned and maintained by the property owner and/or property owner's association. Such maintenance shall be performed so as to ensure that the system operates in accordance with the approved plan on file in the City Engineer's Office. Such maintenance shall include, but not limited to the removal of sedimentation, fallen objects, debris and trash, mowing, outlet cleaning, and repair of drainage structures.
- K. The Outline Plan shall be revised illustrating this plan amendment and re-recorded with the Office of Shelby County Register prior to the approval of any final plan of development.

P.D. 08-324 CC(formerly P.D. 03-343 CC)
Woodland Hills II Planned Development, Amended

STAFF REPORT

CASE NUMBER: P.D. 08-324 CC **L.U.C.B. MEETING:** November 13, 2008

DEVELOPMENT: WOODLAND HILLS II PLANNED DEVELOPMENT, AMENDED

LOCATION: North side of Walnut Grove Road; ±2,540 feet west of Houston Levee Road

COUNCIL DISTRICT(S): Unincorporated Shelby County

OWNER / APPLICANT: Coastal Fuels, Inc.

REPRESENTATIVES: Harkavy, Shainberg, Kaplan & Dunstan, PLLC(Ron Harkavy)
Dalhoff-Thomas-Daws(Bob Dalhoff)

REQUEST: Planned development amendment to allow single family homes with minimum lot sizes of 6,000 sq. ft., including independent and assisted living for seniors, licensed health care, nursing home and associated medical facilities.

AREA: 196.89 Acres

LAND USE & ZONING: Single family homes and vacant land approved for single family(R-S10) and multi-family residential(R-ML) and commercial(C-P) land uses in Woodland Hills II Planned(P.D. 04-343 CC).

SURROUNDING LAND USES AND ZONING:

North: Single family estate homes in Agricultural(AG), Agricultural Flood Plain(AG[FP]) Districts.

East: Single family estate homes and vacant land in Agricultural(AG) and Agricultural Flood Plain(AG[FP]) Districts.

South: Single family homes in Gardens of Gray's Hollow(P.D. 06-352 CC), vacant land, cell tower in Walnut Grove/Hall Road Planned Development(P.D. 01-305 CC).

West: Single family estate homes and vacant land in Agricultural(AG), Agricultural Flood Plain(AG[FP]), and Floodway(FW) Districts.

OFFICE OF PLANNING AND DEVELOPMENT RECOMMENDATION:

Rejection

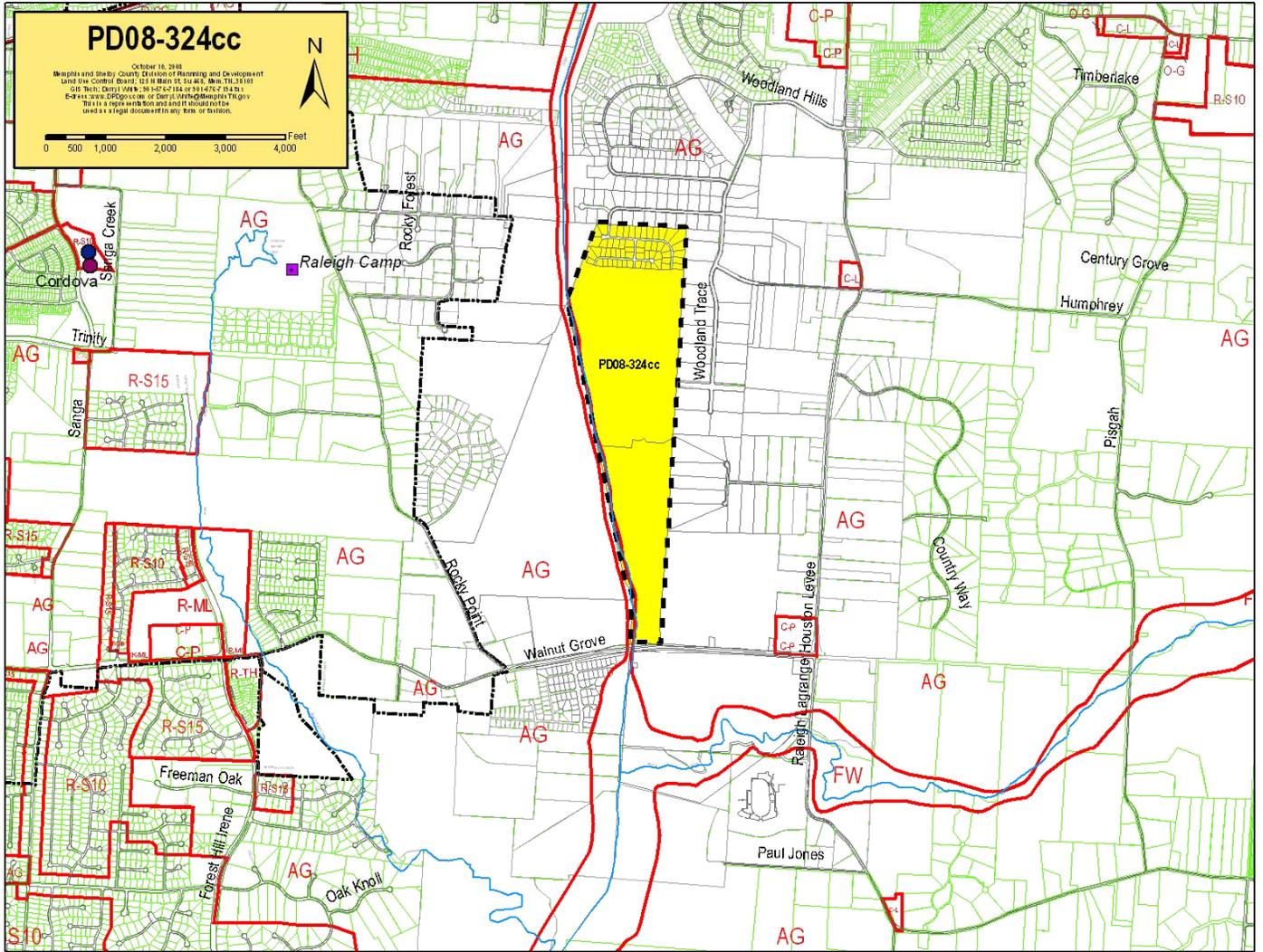
Staff: Brian Bacchus

E-mail: brian.bacchus@memphistn.gov

CONCLUSIONS:

1. The planned development amendment is an elongated tract of land totaling 197 acres of primarily vacant land located in East Central Shelby Planning District at the north side of Walnut Grove Road and adjacent to Gray's Creek.
2. The planned development amendment application seeks to increase the density of the overall development plan from 3.8 dwellings units per acre to 4.43 units per acre. This calculation includes the development of Area 9 for multi-family. This amendment to allow lots 6,000 square feet in area is significantly greater than recommended density in the Gray's Creek Area Plan.
3. Given the increase in density for a total of 336 single family homes with private gated senior living communities within this development, the two points of access as proposed on the site plan will not provide a sufficient circulation system for this residential area.
4. This amendment to reverse the approved north-south public road connection between Trinity Road and Walnut Grove Road does not conform with the residential design principles of the Gray's Creek Plan which require interconnectivity of public roads.
5. All public planning agencies concerned about transportation planning have recommended that the north-south public road connecting Trinity Road and Walnut Grove Road shall remain in place.

ZONING & ROADWAY MAP:



LAND USE & ZONING MAP

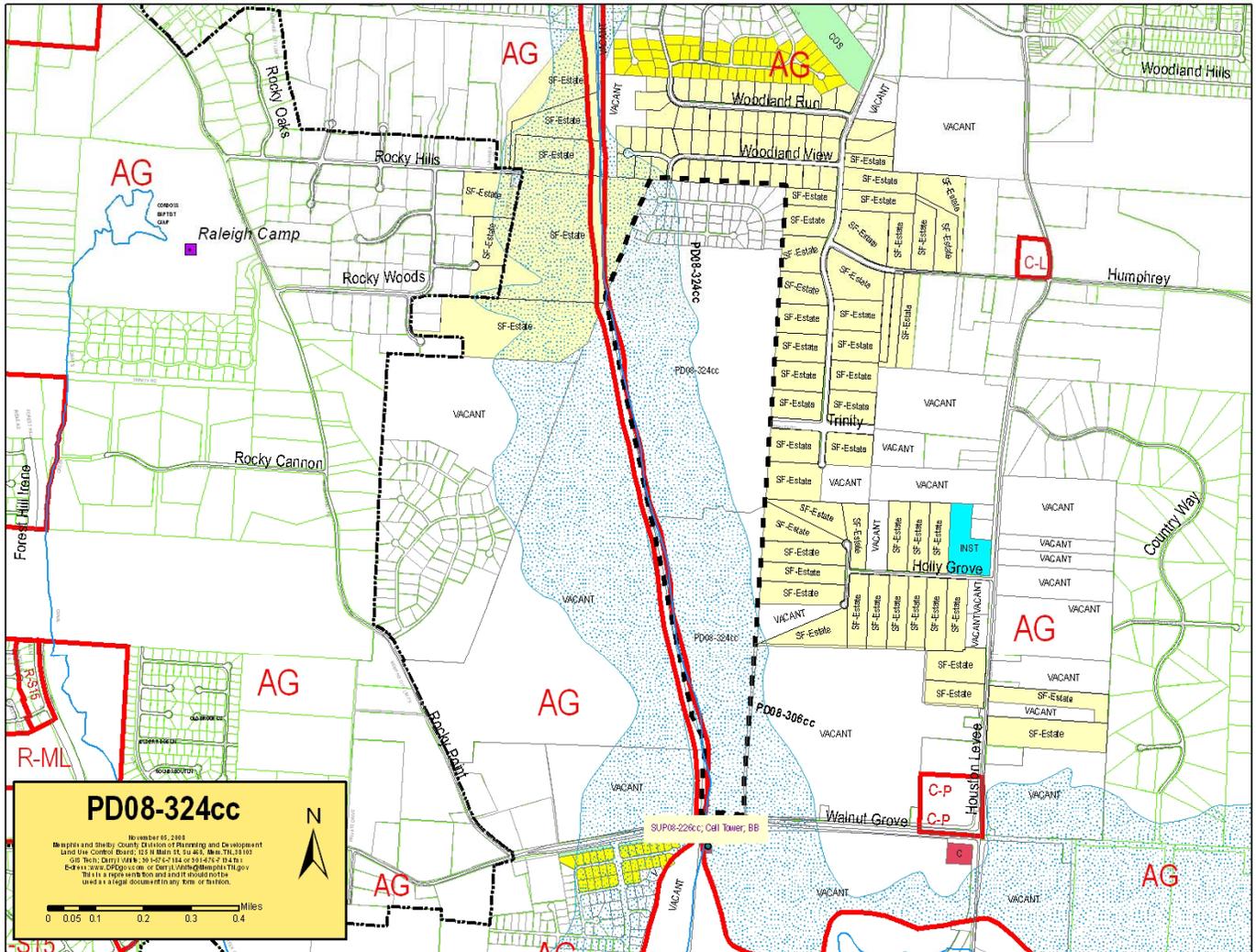
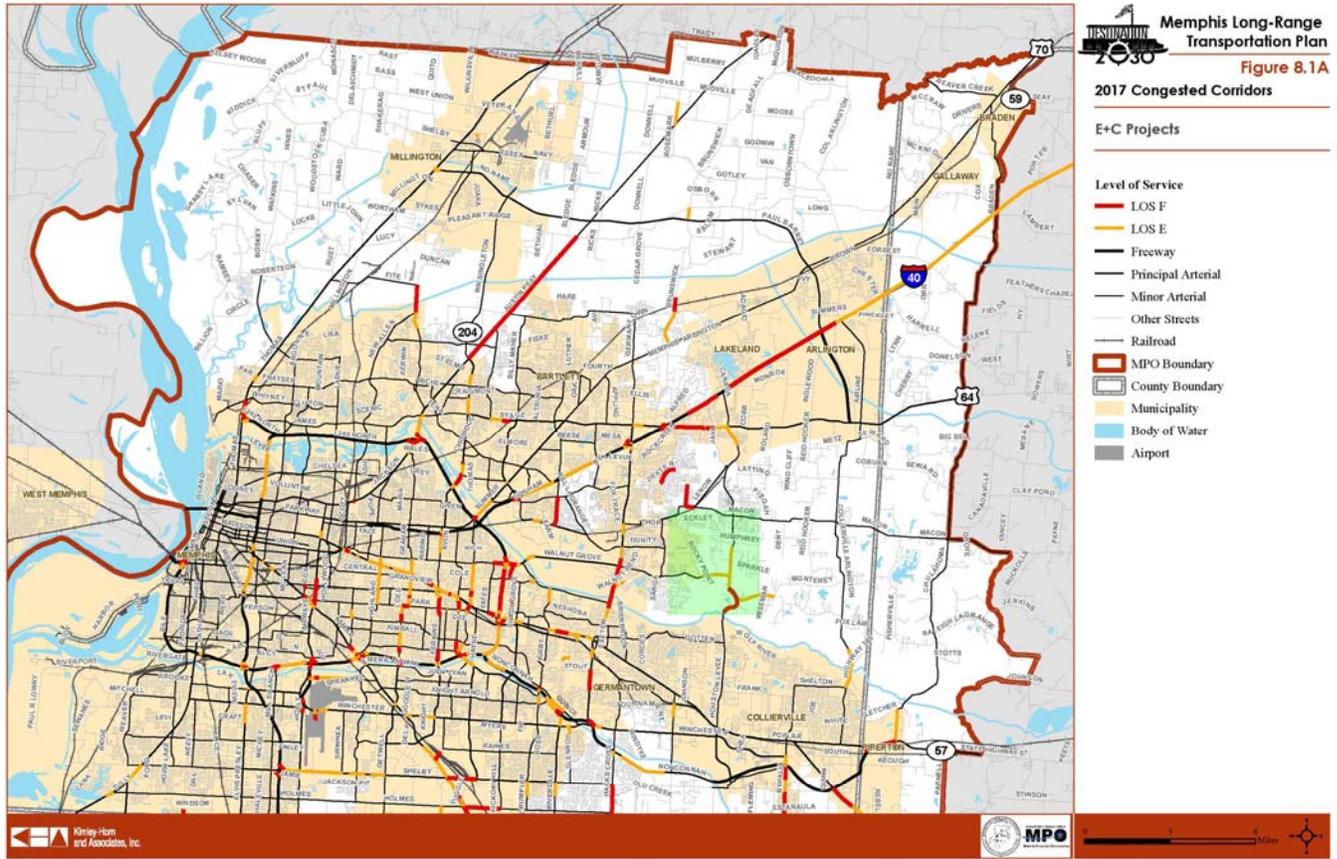
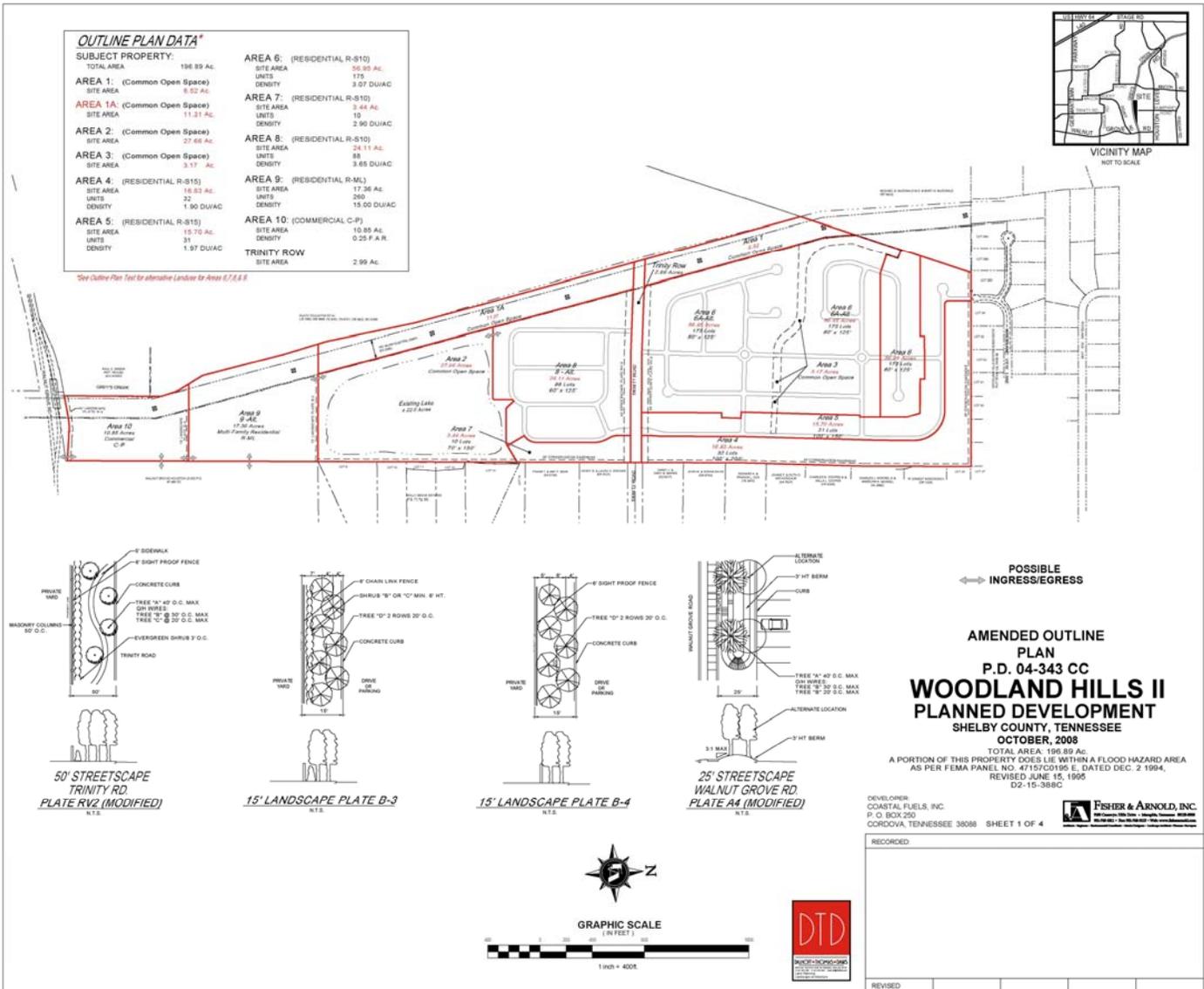


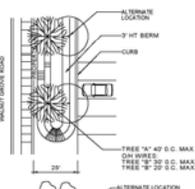
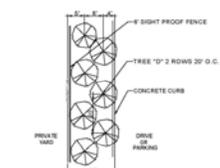
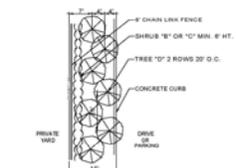
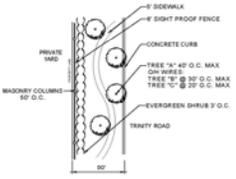
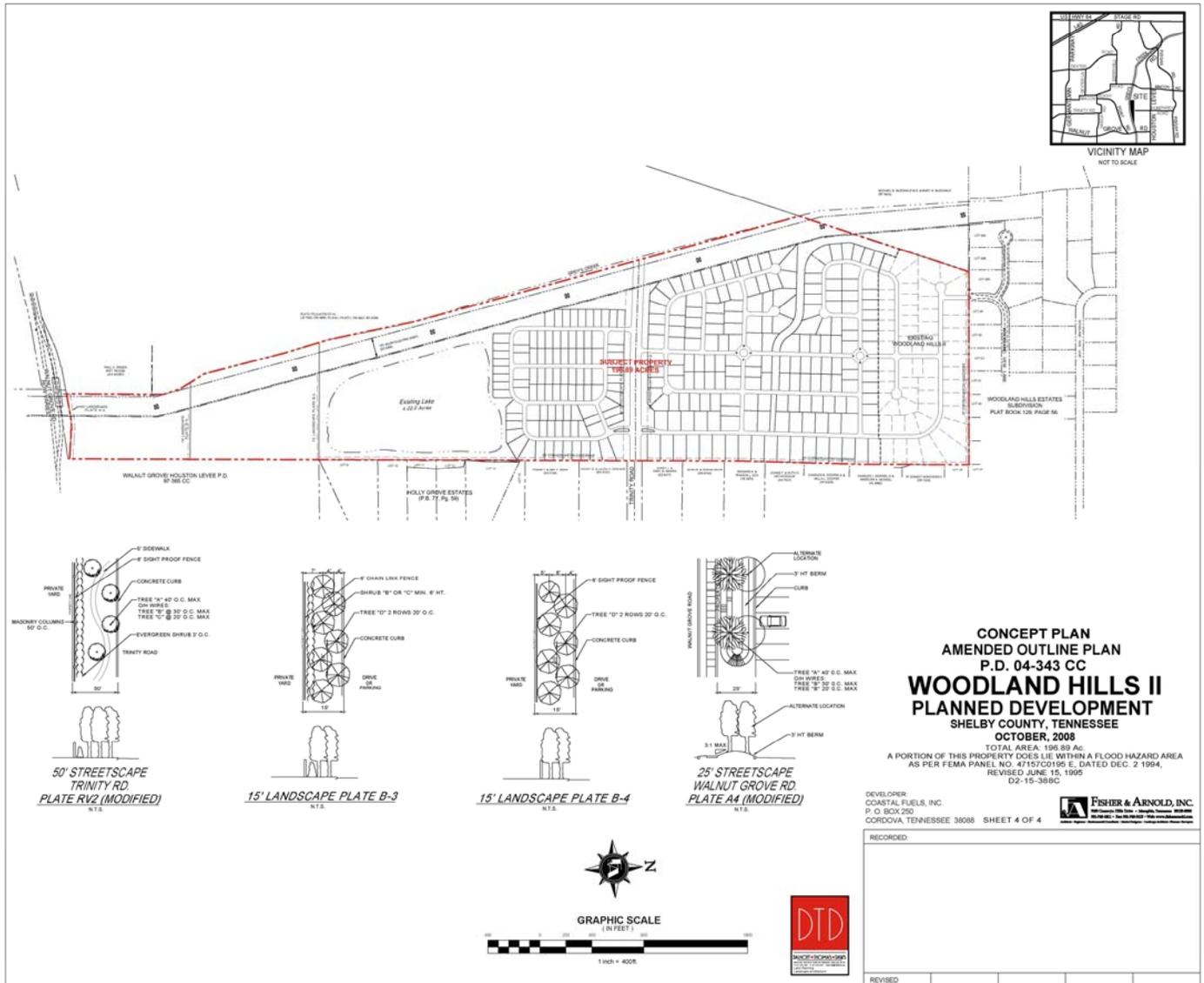
FIGURE-2
2017 CONGESTED CORRIDORS MAP:



OUTLINE PLAN:



CONCEPT PLAN:



**CONCEPT PLAN
AMENDED OUTLINE PLAN
P.D. 04-343 CC
WOODLAND HILLS II
PLANNED DEVELOPMENT
SHELBY COUNTY, TENNESSEE
OCTOBER, 2008**

TOTAL AREA: 196.89 AC.
A PORTION OF THIS PROPERTY DOES LIE WITHIN A FLOOD HAZARD AREA
AS PER FEMA PANEL NO. 47157C0190 E, DATED DEC. 2 1994,
REVISED JUNE 15, 1995
D2-15-388C

DEVELOPER:
COASTAL FUELS, INC.
P.O. BOX 250
CORDOVA, TENNESSEE 38008 SHEET 4 OF 4

FISHER & ARNOLD, INC.
1800 WOODLAND HILLS II
Cordova, TN 38008
901-481-1111 • Fax 901-481-1112 • www.fishern.com



RECORDED			
REVISED			

STAFF ANALYSIS:

Site Description

The planned development amendment is an elongated tract of land totaling 197 acres of primarily vacant land located in East Central Shelby Planning District at the north side of Walnut Grove Road and adjacent to Gray's Creek. The site is one-half(1/2) mile west of the intersection of Houston Levee and Walnut Grove roads. The site has approximately 368 feet of road frontage at the Walnut Grove Road bridge. The site is encumbered by Floodplain(FP) and Floodway(FW) Districts from the Gray's Creek Drainage Basin. There are two(2) public street stubs to the subject property, Woodland View Lane and Trinity Road to the north and east of the tract.

Area Overview

The surrounding land use and zoning is located in the eastern portion of the county within the boundaries of the Gray's Creek Area Plan accepted by the legislative bodies. The area includes single family homes on estate lots of four or more acres and large tracts of vacant agricultural crop and pasture land. Single family homes on suburbanized lots are adjacent to the north line (Woodland Hill Estates P.D) along Woodland View Lane.

The land immediately west and across the drainage canal is vacant land as well as east of the plan for Walnut Grove/Houston Levee P.D.(P.D.97-365 CC), more specifically at the northwest corner of Walnut Grove Road and Houston Levee Road. The area to the south is predominantly vacant land approved for a mixed-use plan, including a cell tower in Walnut Grove/Hall Road Planned Development(P.D. 01-305 CC) and new single family homes in Gardens of Gray's Hollow(P.D. 06-352 CC).

Applicant's Request

The request is for a planned development to permit the creation of a mixed-use planned development consisting of 336 single family detached lots, 260 multi-family units and 10.85 acres of planned commercial property. The proposed Outline Plan reflects single family lots ranging in size from a minimum of 6,000 square feet to a maximum of 20,000 square feet. The gross density of the single family residential portion of the plan is 2.87 dwelling units per acre, not including the cottages in Area 9 of the Outline Plan.

The site plan also reflects 48 acres of common open space dispersed throughout the development plan, including a lake with walking paths, tree lined boulevards and walking paths connecting residential and senior living units and the adjacent Canale Grove Development. This open space is not included in the above density calculation.

Gray's Creek Area Plan

The site is situated within the boundaries of the Gray's Creek Area Plan. "The Goal of the Gray's Creek Plan is to accommodate growth and provide a diversity of housing types, while preserving and enhancing the natural features and rural character of the Gray's Creek area." The Area Plan recommends the area east of Grays Creek develop at a low density of two(2) acre or larger for un-sewered lots or one(1) acre for lots with sanitary sewer. This section of the Area Plan for residential densities also states that residential lots may be less than one(1) acre if the cluster development option is exercised, but this amendment does not utilize that option.

The Area Plan also recommends a number of specific design standards that should be utilized in the design and layout of master plans of development in this area of Shelby County:

- ◆ Inter-connected roads should be provided that limits the width to the minimum needed for movement and access,
- ◆ Reverse frontage lots should be prohibited unless an adequate year-round buffer is provided along the street,
- ◆ Promote small parks, public squares, and the preservation of natural features such as common open space in areas bounded by public streets and not in the rear of the lots or developments,
- ◆ Recommends this segment of Walnut Grove Road be designated as a Residential Corridor with a streetscape that seeks to preserve "rural" character.

Amendment Request vs. Public Road Access

The planned development amendment application seeks to increase the density of the overall development plan from 3.8 dwellings units per acre to 4.43 units per acre. This calculation includes the development of Area 9 for multi-family and not cottages or the senior health center. This amendment to allow lots 6,000 square feet in area is significantly greater than recommended density in the Gray's Creek Area Plan which recommends one(1) dwelling unit per acre with sanitary sewer. Therefore, this proposal for smaller lot development does not conform to the recommended density of the Gray's Creek Area Plan. Furthermore, the street layout and design for single family in the Outline Plan does not coincide with the Concept Plan submitted by the applicant.

Given the increase in density for a total of 336 single family homes with private gated senior living communities within this development, the two points of access as proposed on the site plan will not provide a sufficient circulation system for this residential area. This area is limited with public road access points due primarily to low density development of estate-sized lots in Agricultural(AG) District zoning. This request for no public road access to the south end of this development to Walnut Grove Road is the only opportunity to gain additional traffic circulation in an area with very minimal alternative routes to the major roads.

The Subdivision Regulations require that developments with more 200 lots provide at least three separate points of public road access with at least one being a collector and considered as two points of public road access. Given the rural design of the roads in this area with 24 feet of pavement, it is recommended that a fourth point of access to an existing public road should be provided by a road extension and connection to Walnut Grove Road or the adjacent development for Canale Grove Planned Development.

In November, 2005, a modified Outline Plan was approved for this development to provide for a public road connection to Walnut Grove Road. This amendment is to reverse that plan and eliminate the Walnut Grove Road connection. This change is in violation of the Gray's Creek Plan Residential Design Principles which require connectivity unless natural or man-made features make it prohibitive. To illustrate the loss of this connectivity, **Figure 1-Page 5** shows the extreme length of block face and block perimeter which will result for the elimination of this north-south public street.

All public planning agencies concerned about transportation planning and have recommended that the north-south road connecting Trinity Road and Walnut Grove Road remain in place. The **County Engineer** states: "The Concept Plan road layout is not recommended. A network of public streets is preferred. A collector street to Walnut Grove is recommended." The **City Engineer** recommends rejection of the request to delete any of the public roads within this site—see comments on **Pages 23-27** of this report for more details on their concerns regarding the elimination of this north-south road and the resulting added congestion at Walnut Grove and Houston Levee roads intersection.

The Division of Planning & Development **Transportation Planning** section has projected a worst congestion scenario for Walnut Grove and Houston Levee roads in the future.(See **Figure 2-Page 6**) They are concerned that the size of proposed developments at this intersection will create further traffic congestion and that eliminating the north-south route will exacerbate this problem. The full text of their comments are included on **Page 29** of this Staff Report.

This proposed amendment is not in compliance with recommendations of the Gray's Creek Area Plan. The plan does not meet recommended density for this area of Gray's Creek. The public road connection to Walnut Grove Road is necessary, whether via the adjacent development plan or by direct access to Walnut Grove Road. The plan is not supported by staff in its present form with no public road(s) through this development.

RECOMMENDATION: *Rejection*

Woodland Hills II
Planned Development, Amended
OUTLINE PLAN CONDITIONS:

XII. USES PERMITTED:

- A. Areas 1, 1A, 2, & 3 - Common Open Space, detention and passive recreational use.
- B. Areas 4 & 5 - Single Family Detached Residential Units and accessory structures and uses in accordance with the R-S15 District regulations except as modified herein.
- C. Areas 6 & 7 - Single Family Detached Residential Units and accessory structures and uses in accordance with the R-S10 District regulations except as modified herein.

Areas 6A & 7 Alternative Use – Single Family Detached Residential improved as a private gated neighborhood that is directed towards Retirement Community living.

- D. Area 8 - Single Family Detached Residential Units and accessory structures and uses in accordance with the R-S6 District regulations except as modified herein.

Area 8 Alternative Use – Single Family Attached or Detached improved as a private gated neighborhood that is directed towards Retirement Community living.

- E. Area 9 - Multi-Dwelling Residential Units and accessory structures and uses in accordance with the R-ML Multiple Dwelling District regulations except as modified herein.

Area 9 Alternative Use – Residential Attached and Detached Retirement Homes, Assisted Living Facility, Licensed Health Care Facility, Nursing Home, and Associated Medical Buildings.

- F. Area 10 - Any use permitted by right or administrative site plan review in the Planned Commercial (CP) District.

XIII. BULK REGULATIONS:

- A. Maximum Building Setbacks and Lot Sizes
 - 1. Area 4
 - a. Minimum lot area 20,000 square feet
 - b. Minimum front yard setback - 30 feet
 - c. Minimum side yard setback - 5 feet
 - d. Minimum rear yard setback - 25 feet

2. Area 5
 - a. Minimum lot area - 15,000 square feet
 - b. Minimum front yard setback - 30 feet
 - c. Minimum side yard setback - 5 feet
 - d. Minimum rear yard setback - 25 feet
3. Area 6
 - a. Minimum lot area - 10,000 square feet
 - b. Minimum front yard setback - 30 feet
 - c. Minimum side yard setback - 5 feet
 - d. Minimum rear yard setback - 25 feet

Area 6A – Alternative Use

- a. Minimum lot area - 6,000 square feet
 - b. Minimum front yard setback - 25 feet
 - c. Minimum side yard setback - 5 feet/3.5 feet with service drive
 - d. Minimum rear yard setback - 25 feet/*18 feet with service drive
- * - Right in garages may be allowed 5 feet from service drive

4. Area 7
 - a. Minimum lot areas - 10,500 square feet
 - b. Minimum front yard setback - 30 feet
 - c. Minimum side yard setback - 5 feet
 - d. Minimum rear yard setback - 20 feet
5. Area 8
 - a. Minimum lot area - 7,500 square feet
 - b. Minimum front yard setback - 30 feet
 - c. Minimum side yard setback - 5 feet
 - d. Minimum rear yard setback - 25 feet

Area 8 – Alternative Use

- a. Minimum lot area - 6,000 square feet
 - b. Minimum front yard setback - 25 feet
 - c. Minimum side yard setback - 5 feet/*3.5 feet with service drive
 - d. Minimum rear yard setback - 25 feet/18 feet with service drive
- * - Side yards not required for attached homes but a minimum 20-foot separation between buildings is required.

6. Area 9 - Multiple Family
 - a. Maximum density - 15 units per acre
 - b. Minimum front yard setback - 40 feet
 - c. Minimum side yard setback shall be in accordance with the side yard requirements of Chart 2, Bulk Regulations and Permitted Residential Densities of the Memphis and Shelby County Zoning Regulations.
 - d. Minimum rear yard setback shall be In accordance with the rear yard requirements of Chart 2, Bulk Regulations and permitted Residential Densities of the Memphis and Shelby County Zoning Regulations.

Area 9 – Alternative Use

Non-Residential Uses:

- a. Minimum front yard setback - 40 feet
- b. Minimum side yard setback shall be in accordance with the side yard requirements of Chart 2, Bulk Regulations and Permitted Residential Densities of the Memphis and Shelby County Zoning Regulations based on the O-G District.
- g. Minimum rear yard setback shall be in accordance with the rear yard requirements of Chart 2, Bulk Regulations and Permitted Residential Densities of the Memphis and Shelby County Zoning Regulations based on the O-G District.
- h. Maximum building height – 45 feet.

Residential Uses – Attached and Detached:

- e. Minimum front yard setback at perimeter boundary – 30 feet
- f. Internal side yard setback – N/A.
- g. Minimum distance between buildings – 10 feet
- h. Minimum rear yard setback shall be in accordance with the rear yard requirements of Chart 2, Bulk Regulations and Permitted Residential Densities of the Memphis and Shelby County Zoning Regulations based on the R-ML District.
- i. Maximum building height – 35 feet.
- j. Maximum density for Attached and Detached – 7.3 DU/AC

7. Area 10 -Commercial
 - a. Minimum front yard setback - 30 feet
 - b. Minimum side yard setback - 10 feet adjacent to residential, otherwise no side yard is required
 - c. Minimum rear yard setback- 15 feet
 - d. Maximum Height - 35 feet
 - e. Maximum Floor Area ratio – 0.25 FAR

XIV. ACCESS, PARKING, AND CIRCULATION:

- A. Dedicate 57 feet from the centerline of Walnut Grove Road and Improve in accordance with the Subdivision Regulations and Shelby County paving Policy.
- B. Dedicate 84 feet along an alignment of Trinity Road as approved by the County/City engineers and improve in accordance with the Subdivision Regulations and Shelby County paving Policy.
- C. Improve Trinity Road with 24 feet of pavement east of the site across the existing dedicated right-of-way to connect with Woodland Trace Lane concurrent with the development of Phase 3.
- D. Dedicate and improve Trinity Road with 24 feet of pavement from Woodland Trace Lane eastwardly to connect with Houston Levee Road with the development of Phase 4.
- ~~E. Dedicate and improve a minor local (52/36) in accordance with the Subdivision Regulations. This street shall be located south of Trinity Road and extend along the west line of the lake and terminate with a temporary turnaround at the south line of Area 2.~~
- T. The Alternative Use of Area 9 allows connectivity to the adjacent property east of Area 9 as a private drive.
- U. Internal public local street widths shall be in accordance with the Subdivision Regulations.
- V. One curb cut shall be permitted along Walnut Grove Road.
- W. The design and location of the curb cuts along Walnut Grove Road are subject to the approval of the City/County Engineer.
- X. Pedestrian walkways shall be provided to connect residential neighborhoods to one another and to adjacent roads, common open space, and lake area with appropriate neighborhood ownership.
- Y. Internal circulation shall be provided between all phases, sections and lots where appropriate.
- Z. Dedicate full corner radii at the intersection of alternative design streets with standard design streets.
- AA. All construction traffic for development of this site shall enter and exit from Walnut Grove Road.
- BB. Parking shall be provided in accordance with Section 28 of the Zoning Ordinance.
- CC. Private Service Drives shall be a minimum of 18-feet in width.

XV. PHASING PLAN:

- A. Phase 1 shall consist of 31 lots, minimum lot size of 15,000 square feet, located at the north end of the site.
- B. Phase 2 shall consist of 29 lots, minimum lot size of 10,000 square feet.
- C. Phase 3 shall contain a maximum of 50 lots and provide the improvements on the existing Trinity Road right-of-way to connect with Woodland Trace Lane and stub at the end of the existing right-of-way line.
- D. Phase 4 shall include the dedication and improvements of Trinity Road eastwardly from Phase 3 to connect with Houston Levee Road.

XVI. LANDSCAPE AND SCREENING:

- A. A minimum 25-foot wide landscape strip, Plate A-4 modified, shall be provided along Walnut Grove Road.
- B. A minimum 15-foot wide landscape screen, Plate B-4, shall be provided along the north line of Area 10.
- C. A minimum 15-foot wide landscape screen, Plate B-3, shall be provided along the north line of Area 9.
- D. Landscape Plate is not required if Areas 6, 7, 8, and 9 are developed as part of the Alternative Land Use Plan.
- E. A minimum 50-foot wide landscape strip, Plate RV-4 Modified, shall be provided along Trinity Road.
- F. A 20-foot landscape conservation easement shall be provided along the north and east property lines of Area 4 and along the east property line of Areas 2 and 7.
- G. Internal landscaping in Area 10 shall be provided at a minimum ratio of 300 square feet of landscaped area and one shade tree (Tree A from the approved plant list of the landscape ordinance) for every 20 parking spaces. Required landscaped areas shall not be less than 200 square feet in any single location.
- H. All required landscaping and screening should not conflict with any easements including overhead wires.
- I. Any common open space areas, streetscape areas designated within Areas 1, 1A, 2, 3, 4, 5, 6, 6A, 7, 8, and 11 shall be deeded to and maintained by a Property Owner's Association.

- J. A Property Owner's Association shall maintain medians, streetscape area and common open space.
- K. All refuse dumpsters shall be completely screened from view from all adjacent residential properties and from any public roads with materials architecturally compatible to the building on the lot.
- L. All heating and air conditioning equipment shall be screened from view by use of landscaping or architectural features.
- M. Lighting standards in Area 10 shall be limited to 20 feet in height and shall be directed away from adjacent residential uses in Area 9. A detail of the light fixture to be used shall be shown on the final plat.
- N. All apartments shall have a minimum of fifty (50) percent of the opaque wall area of brick material.

VI. SIGNS:

- A. Attached and detached signs in Area 10 shall conform to the Planned Commercial (C-P) District regulations with the following exceptions:
 - 1. Maximum area of signs for individual businesses shall be 100 square feet.
 - 2. Materials and design shall be consistent with the design and materials of the commercial buildings.
- B. Attached and detached signs in Area 9 shall conform to the R-ML Multiple Residential District. **The Alternative Land Use Plan shall conform to the O-G Office District.**
- C. Portable and temporary signs and outdoor advertising signs shall be prohibited except for construction signs.
- D. All signs shall be setback a minimum of 15 feet from the right-of-way.

VII. DRAINAGE:

- A. A comprehensive drainage study of the entire site shall be submitted to the City Engineer's office for review and approval prior to development of the site.
- B. Drainage improvements, including possible on-site detention, shall be provided under a Standard Subdivision Contract in accordance with the Subdivision Regulations and the City of Memphis Drainage Design Manual.
- C. Part of this site is within the FLOODWAY of Grey's Creek according to the FEMA maps. No filling or construction shall be permitted within the floodway. The Floodway boundary shall be shown on the final plat and engineering plans.

- D. Part of this site is within the 100-Year floodplain of Grey's Creek according to the FEMA Maps. Appropriate flood protection measures must be taken to prevent flood damage. The 100-year flood elevation shall be reflected on the final plat and engineering plans.
- E. The developer's engineer shall perform the necessary hydraulic studies (HEC-2, etc.) to determine the 100-year flood elevation for the major drainage channel assuming full upstream development at proposed land uses.
- F. The common open space along the major drainage way must be provided consistently with drainage plans approved by the City/County Engineer and an ARAP permit. The width may be equal to 2-1/2 times the top of bank width, measured from the stream centerline in order to protect buildings and accessory structures from bank caving and stream meandering if improvement is not permitted.
- G. The developer should be aware of his obligation under 40 CFR 122.26(b)(14) and TCA 69-3-101 et sec. to submit a Notice of Intent (NOI) to the Tennessee Division of Water Pollution Control to address the discharge of storm-water associated with the clearing and grading activity on this site.
- H. Provide drainage data for assessment of on-site detention requirements by County Engineer's Office for review. Detention pond, if required, should be designed for multiple stage discharges and it is to be inspected by the design engineer when it is built to certify that it is working as designed. Detention pond should be built at the first phase when land is cleared. Drainage improvements must be provided in accordance with the Subdivision Regulations and the City of Memphis Drainage Design Manual. Quantify and provide pre and post development storm-water discharge values. Provide an assessment of any downstream structures impacted by increased runoff.
- I. Detention facilities, if required, are to be fully operational immediately after clearing of the vegetation, silt, and debris connected with early construction shall be removed periodically from the detention area and control structure in order to maintain maximum storage capacity.
- J. The areas denoted by "Reserved for Storm Water Detention" shall not be used as a building site or filled without first obtaining written permission from the City or County Engineer, as applicable. The storm water detention systems located in these areas, except those parts located in a public drainage easement, shall be owned and maintained by the property owner and/or owner's association. Such maintenance shall be performed to ensure that the system operates in accordance with the approved plan located in the City/County Engineer's Office. Such maintenance shall include, but not limited to removal of sedimentation, fallen objects, debris and trash, mowing, outlet cleaning, and repair of drainage structures.
- K. All grading and drainage plans shall show a minimum of 100 feet of off site topography on all sides in order to determine the effect of offsite features on the subdivision under review or its effect on adjacent properties.

- L. The Developer will be expected to enter into a Standard Subdivision Contract, as required in Section 500 of the Subdivision Regulations, for required public Improvements, including paving, under the Shelby County Paving Policy.

VIII. PUBLIC SEWER, WATER, AND EASEMENTS

- A. Provision of sanitary sewer service approval to this development is the responsibility of the City of Memphis.
- B. A sewer development fee shall be paid to the City of Memphis at the time of each final plan approval.
- C. Off-street sewer easements shall be a minimum of fifteen (15') in width.

- IX. The Land Use Control Board may modify the bulk, access, landscaping, screening, signage, and other site improvements If equivalent alternatives are presented; provided, however, any adjacent property owner who is dissatisfied with the modifications of the Land Use Control Board hereunder may, within ten days of such action file a written appeal to the director of the Office of Planning and Development, to have such action reviewed by the appropriate legislative body.

X. SITE PLAN REVIEW:

- A. A Site Plan for Areas 9 and 10 shall be submitted for the review, comment, and recommendation of the Office of Planning and Development (OPD) and appropriate City and County agencies, for approval by the Land Use Control Board, prior to the recording of the Final Plan for Areas 9 and 10.
- B. The site plan shall be filed a minimum of twenty (20) days prior to the regular meeting of the Land Use Control Board, including the following information:
 - 1. The location of all existing and proposed public roadways on or adjacent to the property.
 - 2. The dimensions, area, shape, orientation, and configuration of all buildings and lots, location of service and off-street parking areas.
 - 3. The location of public streets, internal private drives and the number and general location of curb cuts and utility easements.
 - 4. The design and type of materials used on building facades, elevations, walls, and entryways.

- C. The site plan shall be reviewed based on the following criteria:
1. Conformance with the Outline Plan Conditions and the standards and criteria for residential planned developments contained in the Zoning Ordinance and Subdivision Regulations.
 2. Adequacy of public facilities (streets, sewers, drainage, etc.).
 3. Elements of site plan design such as building orientations and setbacks, access, parking, internal vehicular and pedestrian circulation, landscaping, and lighting.
 4. Consistency between buildings in regard to general building elevations and materials.

XVII. FINAL PLAN:

A final plan shall be filed within five(5) years of approval of the Outline Plan. The Land Use Control Board may grant extensions at the request of the applicant. Any final plan shall include the following:

- L. The Outline Plan Conditions,
- M. Required landscaping,
- N. Front and rear yard setbacks,
- O. The exterior appearance of proposed buildings and signs,
- P. A standard improvement contract as defined by the Subdivision Regulations for any needed public improvements,
- Q. The exact location and dimensions of utility easements, drives and required landscaping, screening areas,
- R. The location and ownership, whether public or private of any easement,
- S. A statement conveying all common facilities and areas to a property owner's association or other entity, for ownership and maintenance purposes,
- T. The final plat shall reflect the appropriate width pedestrian/sidewalk/utility easement along both sides of all alternative design street dedications in accordance with the Subdivision Regulations,

- U. The following note shall be placed on the final plat of any development requiring on-site water detention facilities: The areas denoted by "Reserved for Storm Water Detention" shall not be used as a building site or filled without first obtaining written permission from the City Engineer. The storm-water detention systems located in these areas, except those parts located in a public drainage easement, shall be owned and maintained by the property owner and/or property owner's association. Such maintenance shall be performed so as to ensure that the system operates in accordance with the approved plan on file in the City Engineer's Office. Such maintenance shall include, but not limited to the removal of sedimentation, fallen objects, debris and trash, mowing, outlet cleaning, and repair of drainage structures.

P.D. 08-324 CC
Woodland Hills II
Planned Development, Amended

GENERAL INFORMATION:

Street Frontage: Walnut Grove Road-----+/-368.45 linear feet.
Trinity Road-----+/-114 feet R.O.W.
Woodland View Drive-----+/-60 feet R.O.W.

Planning District: East Central Shelby

Census Tract: 210.20

Zoning Atlas Page: 2060

Parcel ID: D0215 00686

Zoning History: In November, 2004 a mixed-use planned development(P.D.04-343 CC) was approved for Common Open Spaces, 20,000 sq. ft. lots, R-S10 lots, R-ML multi-family and C-P retail District land uses. Prior to this date, the Agricultural(AG), Floodplain(FP) and Floodway(FW) District zoning dates to the adoption of the Shelby County Comprehensive Zoning-1960.

DEPARTMENTAL COMMENTS:

The following comments were provided by agencies to which this application was referred:

City Engineer:

Roads:

1. The City Engineer recommends rejection of the request to delete any of the public roads within this site. Turning the northern end of the site into a private, gated community will force access in one of two directions. Either the access will have to come through the Woodland Hills Estates Subdivision to the north (which is a rural design, two lane road) or along the as-yet un-built Trinity Road, which the applicant proposes to improve to 24 feet of pavement offsite. Neither of these two options provides safe or adequate access to and from this development.
2. The City opposes deletion of the 36'/52' Local street from the plan as its deletion would preclude alternative access to the area from the south. The importance of connectivity within the roadway system has been increasingly recognized in recent years. The deletion of the proposed street would force residents who want to travel west within the roadway network eastward out to Houston Levee and thence south to the intersection of Houston Levee and Walnut Grove adding to congestion at that intersection. With over three hundred homes planned for this development, the additional traffic generated at the Houston Levee / Walnut Grove intersection will not be insignificant. With the proposed road in place, there is an opportunity to provide alternate access to Walnut Grove as the area develops. This potential connection increases the sustainability of this new development in that the local government (and tax payers) would be less likely to be burdened with the construction of additional laneage or other modifications to the Houston Levee / Walnut Grove intersection in the future.

3. The City does not support the use of private drives to connect two separate planned developments, as is currently proposed.

Curb Cuts/Access:

4. The City/County Engineer shall approve the design, number and location of curb cuts.
5. Any existing nonconforming curb cuts shall be modified to meet current City/County Standards or closed with curb, gutter and sidewalk.

Drainage:

6. Drainage improvements, including on-site detention, shall be provided under a Standard Subdivision contract in accordance with Subdivision Regulations and the City of Memphis Drainage Design Manual.
7. The developer should be aware of his obligation under 40 CFR 122.26(b)(14) and TCA 69-3-101 et. seq. to submit a Notice of Intent (NOI) to the Tennessee Division of Water Pollution Control to address the discharge of storm water associated with the clearing and grading activity on this site.

Site Plan Notes:

8. Provide internal circulation between adjacent phases, lots, and sections. Common ingress/egress easements shall be shown on the final plats.
9. All commons, open areas, lakes, drainage detention facilities, private streets, private sewers and private drainage systems shall be owned and maintained by a Property Owner's Association. A statement to this effect shall appear on the final plat.
10. Required landscaping shall not be placed on sewer or drainage easements. Standard Subdivision Contract as required in Section 500 of Subdivision Regulations.

Sewers:

11. City sanitary sewers are available at developer's expense.
12. The developer shall extend sanitary sewers through the site to serve upstream properties.
13. A sewer extension will be required to serve this development.
14. This site is located within the area served by the Grays Creek Interceptor Special Sewer Service Area. The developer must agree to pay all surcharges assessed upon his project as a part of the Special Sewer Service Area regulations.

County Engineer:

1. Walnut Grove Road is an MPO Major Road shown as Priority 1. Dedicate 57 feet from the County's approved alignment and improve in accordance with Subdivision Regulations and Shelby County Paving Policy.
2. Trinity Road is an MPO Major Road shown as Priority 1. Dedicate 84 feet along an alignment to be approved by the County/ City engineers and improve in accordance with Subdivision Regulations and Shelby County Paving Policy.
3. The concept plan road layout is not recommended. A network of interconnecting streets is preferred. Specifically;
 - A 3rd point of access is required for the planned development. A collector street to Walnut Grove Road is recommended. It should be built with the first phase of development. All construction traffic should be directed to this road.
 - Street A should be a local road (31 feet ROW).
 - A second point of access is recommended for Area 8 and Area 6 to Trinity Road.
 - Area 6 should have a more direct through street connection to Trinity Road.
 - The centerline radius of the street in Area 6 with 2 sharp curves should be a minimum of 100 feet.
 - Trinity Road should be built in the first phase the development with 24 feet of pavement on one side of a future median to Houston Levee Road.
4. All construction traffic should use the collector street to Walnut Grove Road for access.
5. Provide drainage data for assessment of on-site detention requirements by County Engineer's Office. All drainage plans are to be submitted to County Engineer's Office for review. ***Detention pond should be designed for multiple stage discharges and it is to be inspected by the design engineer when it is built to certify that it is working as designed. Detention pond should be built at the first phase when the land is cleared.*** Drainage improvements must be provided in accordance with the Subdivision Regulations and the City of Memphis Drainage Design Manual. Quantify and provide pre and post development storm water discharge values. Provide an assessment of any downstream structures impacted by increased runoff.
6. Any Stub street shall include a barricade and a sign that indicates that "This street is anticipated to extend into the adjoining property at a future date". The barricade and the signage shall be designed in an esthetically pleasing manor.
7. Detention facilities, if required, are to be fully operational immediately after the clearing of the vegetation. Silt and debris connected with early construction shall be removed periodically from the detention area and control structure in order to maintain maximum storage capacity.

8. The areas denoted by "Reserved for Storm Water Detention" shall not be used as a building site or filled without first obtaining written permission from the City or County Engineer, as applicable. The storm water detention systems located in these areas, except for those parts located in a public drainage easement, shall be owned and maintained by the property owner and/or owner's association. Such maintenance shall be performed so to ensure that the system operates in accordance with the approved plan located in the City/County Engineer's Office. Such maintenance shall include, but not be limited to; removal of sedimentation, fallen objects, debris and trash; mowing; outlet cleaning; and repair of drainage structures.
9. Part of this site is within the FLOODWAY according to the FEMA map. No filling or construction shall be permitted within the floodway. The floodway boundary shall be shown on the final plat.
10. Part of this site is within the FLOODPLAIN according to FEMA map. If filling in the floodplain is contemplated, the applicant shall submit completed floodplain questionnaire for approval by the County Engineer's Office. If filling is not planned, the floodplain should be noted as un-buildable on the final plat. The 100 year flood elevation shall be reflected on the final plat and engineering plan.
11. The Developer should be aware that the floodplain is anticipated to increase as a result of future upstream development. A full hydraulic analysis is recommended as a basis for building at least one foot above the 100 year flood produced under full development of the basin.
12. This project must be evaluated by the Tennessee Department of Environment and Conservation regarding their jurisdiction over the watercourses on this site in accordance with the Water Quality Control Act of 1977 as amended (TCA 69-3-101 et sec.). The Developer should be aware that if an ARAP permit is required, he is responsible for any design modifications that result from the requirements of said permit. Substantial modifications of the plans resulting there-from will require re-approval by the Land Use Control Board.
13. The Developer's engineer shall perform the necessary hydraulic studies (HEC-2, etc.) to determine the 100 year flood elevation for the major drainage channel assuming full upstream development at proposed land uses.
14. A common open space along the major drainage way must be provided consistent with drainage plans approved by the City/County Engineer and an ARAP permit. The width may be equal to 2 1/2 times the top of bank width, measured from the stream centerline, in order to protect buildings and accessory structures from bank caving and stream meandering if improvement is not permitted.
15. All grading and drainage plans shall show a minimum of 100 feet of offsite topography on all sides in order to determine the effect of offsite features on the subdivision under review or its effect on adjacent properties.
16. All common open areas shall be owned and maintained by a property owners association. A statement to this effect shall appear on the final plat.
17. Sanitary Sewer to be approved by the City of Memphis.

18. Cash-in-lieu of major roadway construction may be considered if future profile cannot be met. Improvements, including appropriate left turn lanes and transitions, will be required and will be credited against cash-in-lieu of amount. Permanent and temporary construction and slope easements are required if the roadway is not built.
19. The final plat shall reflect the appropriate width pedestrian/sidewalk/utility easement along both sides of all alternative design street dedications in accordance with subdivision Regulations.
20. Provide internal circulation and access between adjacent phases, lots and sections. Common ingress/egress easements shall be shown on the final plat.
21. The Developer will be expected to enter into a Standard Subdivision contract, as required in Section 500 of Subdivision Regulations, for required public improvements, including paving, under the Shelby County Paving Policy.

Shelby County Fire Department:

1. The following maximum length's of dead-end water supply to fire hydrants shall not exceed:

6 inch-	380 feet
8 inch-	1550 feet
10 inch-	4600 feet
12 inch-	11,150 feet
2. The Fire Official shall designate the location and number of hydrants and in no case shall Distances between installed fire hydrants exceed 500.
3. Maximum distance from the nearest fire hydrant to the most remote exterior point of any building shall be 500 feet. The distance shall be measured on a roadway surface meeting the fire department access equipment.
4. Any dead end road more than 300 ft. long shall be provided with a cul-de-sac at 80 ft. in diameter, or a turn around approved by the authority having jurisdiction, at the closed end. Any cul-de-sac less than 90 ft. in diameter shall be posted as a "Fire Lane" in accordance with state law.
5. FPC 602-3 - Every building hereafter constructed shall be accessible to the fire department apparatus by way of access roadways with all-weather driving surfaces of not less than 20 ft. of unobstructed width, with adequate roadway turning radius capable of supporting the imposed load of the fire apparatus and having minimum vertical clearance of 13 ft. 6 in. before combustibles are brought on site. All required fire hydrants shall be installed and operable.

6. FPC 602.3.6 - Automatic gates may be installed for security purposes and shall provide fire department access in accordance with the following:
 - a. Entry space shall be provided for apparatus to pull off the roadway while accessing the property. The length of access driveway shall be determined by the fire official upon inspection of the site.
 - b. A manual override shall be provided in the event of electrical power failure. This may be in the form of a Medico padlock keyed to the Shelby County Fire Department key.
 - c. Electrical override of the gate shall be by Medico switch keyed to the Shelby County Fire Department key.
 - d. The minimum gate width to accommodate the fire apparatus access shall be no less than fourteen feet.

7. The nearest fire station from this location is 3.5 miles away, and the average response time for that fire station to your location is 6 minutes.

Memphis & Shelby County Health Department- No objections.

1. If any monitoring wells were installed as part of an environmental site assessment they must be filled as outlined in Section 6 of the Shelby County Well Construction Code.
2. If any abandoned water wells are present on this site they must be properly filled and abandoned as outlined in Section 9 of the Shelby County Well Construction Code.
3. Since this is a Planned Development that could require the demolition of a structure or structures at this site before any demolition the developer will need to fill out the attached questionnaire.
4. If a Demolition Permit will be required after filling out the questionnaire then the owner, developer, or contractor must contact the Asbestos Branch in the Air Pollution Control Section at (901) 544-7349 in order to secure the appropriate permit.

Memphis Board of Education: No comments received.

Shelby County Board of Education: No comments received.

Construction Code Enforcement: No comments received.

Memphis Light, Gas and Water:

MLGW has reviewed the referenced application, and has no objection, subject to the following comments:

- The subject property is encumbered by an existing utility right of way easement, which may include overhead and underground facilities. MLGW prohibits any development or improvements within the Easement, except as provided by the **MLGW Right of Way Encroachment Policy**.
- **It is the responsibility of the owner/applicant**, prior to any development, to contact **Ronnie Alberson, Land Rights Specialist, with MLGW @ 528-4186** and obtain written approval for any improvements within the Easement.
- **It is the responsibility of the owner/applicant** to pay the cost of any work performed by MLGW to install, remove or relocate any facilities to accommodate the proposed development.

- **It is the responsibility of the owner/applicant** to identify any utility easements, whether dedicated or prescriptive (electric, gas, water, CATV, telephone, sewer, drainage, etc.), which may encumber the subject property, including underground and overhead facilities. No permanent structures will be allowed within any utility easements.
- **It is the responsibility of the owner/applicant** to comply with the **National Electric Safety Code (NESC)** and maintain minimum horizontal/vertical clearances between existing overhead electric facilities and any proposed structures.
- **Landscaping is prohibited** within any MLGW utility easement. No trees, shrubs or permanent structures will be allowed within any MLGW utility easements.
- **It is the responsibility of the owner/applicant** to contact **TN-1-CALL @ 1.800.351.1111**, before digging, and to determine the location of any underground utilities including electric, gas, water, CATV, telephone, etc
- **It is the responsibility of the owner/applicant** to submit a detailed plan to MLGW Engineering for the purposes of determining the availability and capacity of existing utility services to serve any proposed or future development(s).
- **Fire Protection Water Services: It is the responsibility of the owner/applicant** to contact MLGW - **Water Engineering @ 528-4720** to obtain fire protection/water flow information. If water main extensions and/or an increase in existing main sizes are needed to meet the minimum fire flow rate to serve the proposed development, the owner/applicant will be responsible for the cost of these improvements.
 - Please refer to Section 12.1.1 and Appendix A of the **MLGW Water Service Policy Manual**, which is available online at the following MLGW website: http://www.mlgw.com/images/water_manual.pdf
- **It is the responsibility of the owner/applicant** to contact the appropriate MLGW engineering area to determine if system improvements may be required and any related cost:
 - MLGW Engineering - **Residential Development: 528-4858**
 - MLGW Engineering - **Commercial Development: 367-3343**
- **It is the responsibility of the owner/applicant** to pay the cost of any utility system improvements necessary to serve the proposed development with electric, gas or water utilities.

AT&T: AT&T has no comment on this development at this time.

Memphis Area Transit Authority (MATA): No comments received.

OPD-Transportation Planning:

Based on our 2030 LRTP, the extent of Walnut Grove (from Houston Levee to Rocky Point) and Houston levee (from Raleigh LaGrange to Humphrey road), for year 2017, have been identified as reaching the Level of Service (LOS)-F and LOS-E, which is the worst congestion scenario. Based upon the size of the two PD's, this will make the traffic conditions even worse in this area. Additionally, by eliminating the original NS route, it will create further traffic congestion and that too very close to the intersection of Walnut Grove and Houston Levee, which is a very busy intersection, during the peak hours. If the NS route is kept then that will divide and divert the traffic and give the drivers an additional option of accessing a major road. Hence, we recommend to keep the North-South route.

See Figure 2, Congested Corridors Map-Page 6 for our 2030 LRTP that shows the congested network fro 2017 (We have highlighted the Study Area).

OPD-Plans Development:

1. The proposed development is in an area of the Gray's Creek Area Plan proposed for low density residential development, defined as an average of 1-acre lots or greater. It is noted that lot sizes may be less than 1 acre if cluster option exercised, but this proposal does not use that option. Cluster development would provide for more open space and reduce the amount of impervious cover by allowing for smaller networks of streets and utilities.
2. Furthermore, much of the proposed development is in the floodplain. The Gray's Creek Area Plan emphasizes that a lower density be used if development is allowed in environmentally sensitive areas. Also, the Gray's Creek Area Plan states that the floodplain of Gray's Creek should be utilized for a system of open spaces and greenways to serve the future residential population. Only part of floodplain in this proposal is used for open space.
3. The Gray's Creek Area Plan specifies nodes for commercial development located at major intersections. This proposal violates the Gray's Creek Area Plan in proposing commercial development outside of these designated areas and not at a major intersection.
4. Overall, this proposed development does not conform to the specifications or the intent of the Gray's Creek Area Plan.

Neighborhood Associations:

<i>Gray's Creek Association:</i>	<i>See Attachments.</i>
<i>Alliance of Cordova Neighborhoods:</i>	<i>No comments received as of 11/7/08.</i>
<i>Fisherville Civic Club:</i>	<i>" "</i>
<i>Cordova Leadership Council:</i>	<i>No comments received as of 11/7/08.</i>
<i>Hollow Grove Ngh'd Association:</i>	<i>No comments received as of 11/7/08.</i>
<i>Kentwood Estates Ngh'd Association:</i>	<i>" "</i>
<i>Rocky Point Ngh'd Association:</i>	<i>No comments received as of 11/7/08.</i>

Staff: bb

OPPOSITION LETTERS

From: driffe [driffe@comcast.net]
Sent: Sunday, November 02, 2008 8:26 AM
To: Bacchus, Brian
Subject: P.D. 08-324 CC

I would like to see more information on exactly what is planned for the area in question. While I am not in objection to having assisted living/nursing home facilities in this location, I am troubled by the open-ended request for minimum lot sizes of 6,000 square feet. Having a few of these in a nice, planned retirement community is one thing, but packing the whole area with small houses and more traffic than the roads in this area of the county are designed to handle is quite another. The request says nothing about small lots being related to any kind of planned retirement community, so I must assume that this is not part of the plan.

A few years ago, this community went to great lengths to negotiate with a developer and the Office of Planning and Development about the appropriate use of this property. A key point in the final decision in that matter was that Trinity Road would be extended out to Houston-Levee to provide a route out of the area, other than all of those people being routed through our formerly quiet, dead-end neighborhood streets in Woodland Hills and down tiny Humphreys Road, which is not wide enough for two large vehicles to pass without one getting off of the pavement. Houses have been built in the area in question, but the promise to extend Trinity has not been fulfilled. In my opinion, this is the most important aspect of any development of the property in question.

Too much housing density has already been allowed this part of the county for the infrastructure we have to handle traffic. No one in government seems to get it or to care. Instead of looking at each individual development request in isolation, look at the whole area. There is no going around the block when a traffic accident occurs or when you can't turn left onto Houston-Levee because of the nonstop traffic. The area bounded by Houston-Levee, Walnut Grove, Sanga, and Macon has no connectors or alternative traffic routes. All of the traffic in or out of neighborhoods in this large "square" must go on these boundary roads. Please consider improving the infrastructure with some alternative routing before trying to fill up every last piece of open space in this bounded area with additional houses and cars.

Regards,

Don A. Riffe
9685 Woodland Run Lane
Cordova, TN 38018

OPPOSITION LETTERS

From: kenneth a rutherford [kenneth_rutherford@msn.com]

Sent: Friday, November 07, 2008 8:48 AM

To: Bacchus, Brian

Subject: RE: Woodland Hills, Amended P.D. 08-324cc

Brian,

Thank you for the information that you have forwarded. As a property owner in the neighborhood, I am very opposed to this amendment. There has already been an approved plan that many of us relied upon in making life decisions. Such a major alteration now will not only negatively impact property values in the area, but will negatively impact quality of life for those of us trying to make Shelby County our home. This type of amendment if allowed will also go to discredit Shelby County Govt. in their plan for smart and reasoned development of such areas. Please have those voting on this amendment drive over to Walnut Bend and G'Town Road and see all of the doctor offices and such businesses that are vacant and deteriorating. Then have them go see the area near Hillshire and Whitten, where a similiar plan was attempted, only to end in a blight on the neighborhood.

This is a poorly designed plan, as there is already a glut of smaller lot/homes in the neighborhood - drive by any of the newer constrution areas such as Breezy Valley, etc. We have plenty of entry level homes in the area, many of which are recent foreclosures. There is a newer Senior center being developed on Dexter and there are units still for sale in that development. Where is the study to show that such a need for added senior housing is needed, and that the market can support this project?

Thank you,
Ken Rutherford
(901) 626-3116

OPPOSITION LETTERS

Mr. Bacchus:

I would like to reiterate some of the concerns my husband relayed in his original message to you.

1. Traffic that would be generated by putting more houses (i.e. smaller lots) in the area, UNLESS they are strictly for senior citizens. If these are for starter homes, then we would be adding significantly to the already burdened traffic with two car families and young adults headed to work. Senior citizens may have two cars, but the timing of their travel patterns would not necessarily be during the work rush hours.
2. Trinity Road has not been completed through to Houston Levee as PROMISED by the Mr. Eldridge in his original plan that was approved (after much discussion and input from the neighborhood). This must be done before any further development is done.
3. I would also like to ask that Humphries Road be made into a true two lane road as part of this request (should this project plan be approved).

Mr. Eldridge changes his plans often for his financial gain. Even the original plans for Woodland Hills were changed by him once he sold the original lots. He is forever making changes and getting approvals that benefit HIM and not the neighborhood of people who pay the taxes.

Something must be done soon to stop all the development in this area. Even the work in progress on Houston Levee is not adequate to handle the current traffic denseness and here we are looking to put more people into this square mile. Please put the brakes on this or make the developer pay to enhance the roads.

Thank you for your consideration.

Renelda Riffe
9685 Woodland Run Lane
Cordova, TN 38018

LETTER-GRAY'S CREEK ASSOCIATION

November 3, 2008

Mary Baker, Deputy Director
Shelby County Office of Planning and Development
125 North Main Street
Memphis, TN 38103

RE: WOODLAND HILLS II PD; CANALE GROVE PD

Dear Ms. Baker:

The Gray's Creek Association recently met with representatives of both referenced Planned Developments and recommend approval with the following provisions:

Woodland Hills PD

1. Trinity Road dedication east to Houston Levee.
2. No direct roadway connectivity from Trinity Road south to Walnut Grove.
3. Any public roadway shall connect to Canale Grove PD street stub south of lake.
4. N/S street in Area 5 designed for traffic calming element.
5. The Woodland Hills PD may be developed as a private gated development.

Comment [c1]: Requirement for a direct/public

Comment [c2]: ie; the design should minimize long straight streets.

Comment [c3]: Not sure if this would be item 6, but the parcel at the southern end which is not residential in use would have public connection to Walnut Grove and ALSO connect to Canale Grove PD.

Comment [c4]: This is the north/west portion of the site. This area is to also provide connection to Woodland Hills PD if uses are compatible. If uses are not compatible then a connection to and from Woodland Hills PD shall be provided just south of this portion.

Comment [c5]: This connection should be both to the south parcels of Canale Grove and also provide for possible future connection to the north which is not part of this application.

Canale Grove PD

1. Multi-Family or retirement community area may be gated.
2. Connection of the Woodland Hills PD multi-family area and the Canale Grove multi-family area may be developed as a single overall complex as multi-family or retirement-type senior living, if the parties agree.
3. Provide for future driveway connectivity from NE retail to property adjacent to the north, if the parties agree.
4. If possible, relocate MLGW facilities from Walnut Grove.

Comment [c6]: The MLGW parcels are currently only reserve areas for possible pumping stations. These uses along this important roadway could/should be moved to less visual locations to allow Canale Grove PD the opportunity to provide the highest level of streetscape possible.

Thank you,

David Sanders
Gray's Creek Association