

MEMPHIS AND SHELBY COUNTY OFFICE OF PLANNING AND DEVELOPMENT
STAFF REPORT **# 15**

CASE NUMBER: P.D. 08-334 **L.U.C.B. MEETING:** January 8, 2009

DEVELOPMENT NAME: Germantown Storage Planned Development

LOCATION: West side of German Creek Drive; south of Walnut Bend Road

COUNCIL DISTRICT: 2

SUPER DISTRICT: 9

OWNER OF RECORD/APPLICANT: Grace N. Gower Martial Trust

EQUITABLE OWNER: Jack Johnson

REPRESENTATIVE: Prime Development Group, Inc.

REQUEST: The request is for a self-storage facility with outdoor vehicle storage

AREA: 8.783 Acres

EXISTING LAND USE & ZONING: Vacant undeveloped land area ~ Planned Commercial (C-P) District

SURROUNDING LAND USES AND ZONING:

North: Office uses ~ Residential Townhouse (R-TH) District governed by P.D. 84-319 CC

East: Single family dwellings ~ Single Family Residential (R-S10) District

South: Wolf River Floodplain ~ Planned Commercial (C-P) District

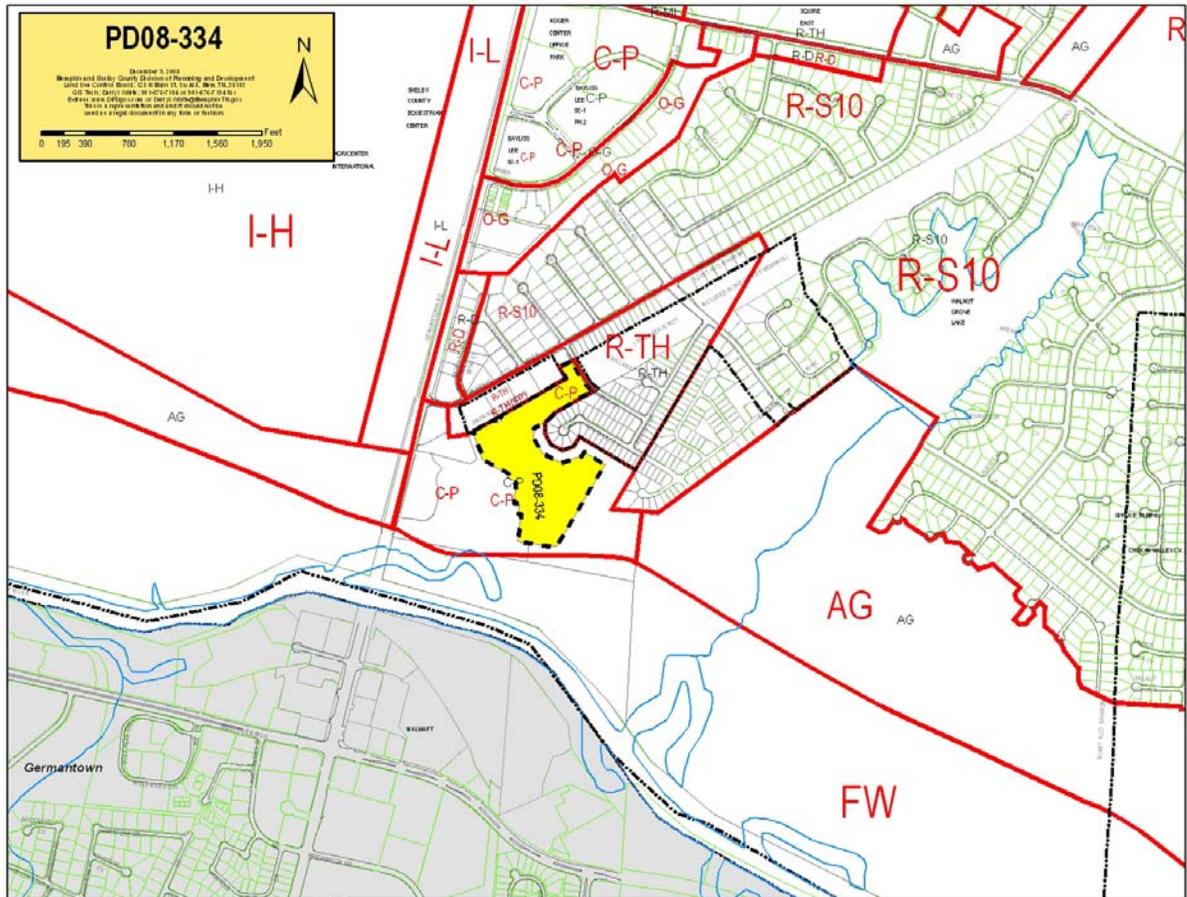
West: Lowe's Home Improvement ~ Planned Commercial (C-P) District

OFFICE OF PLANNING AND DEVELOPMENT RECOMMENDATION:

Approval subject to design modifications and conditions

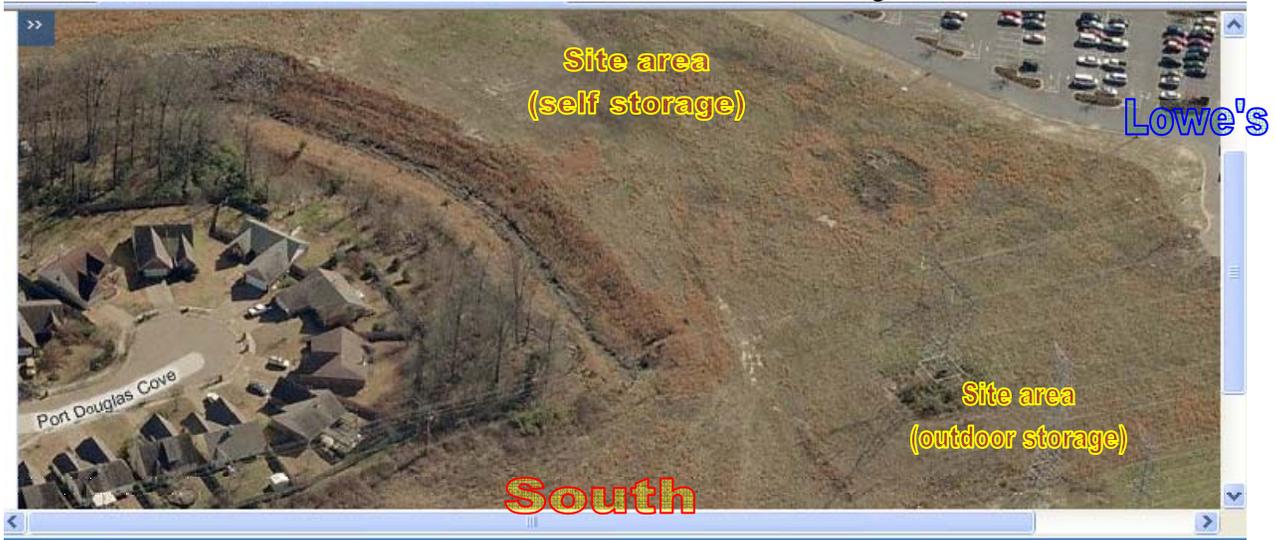
CONCLUSIONS

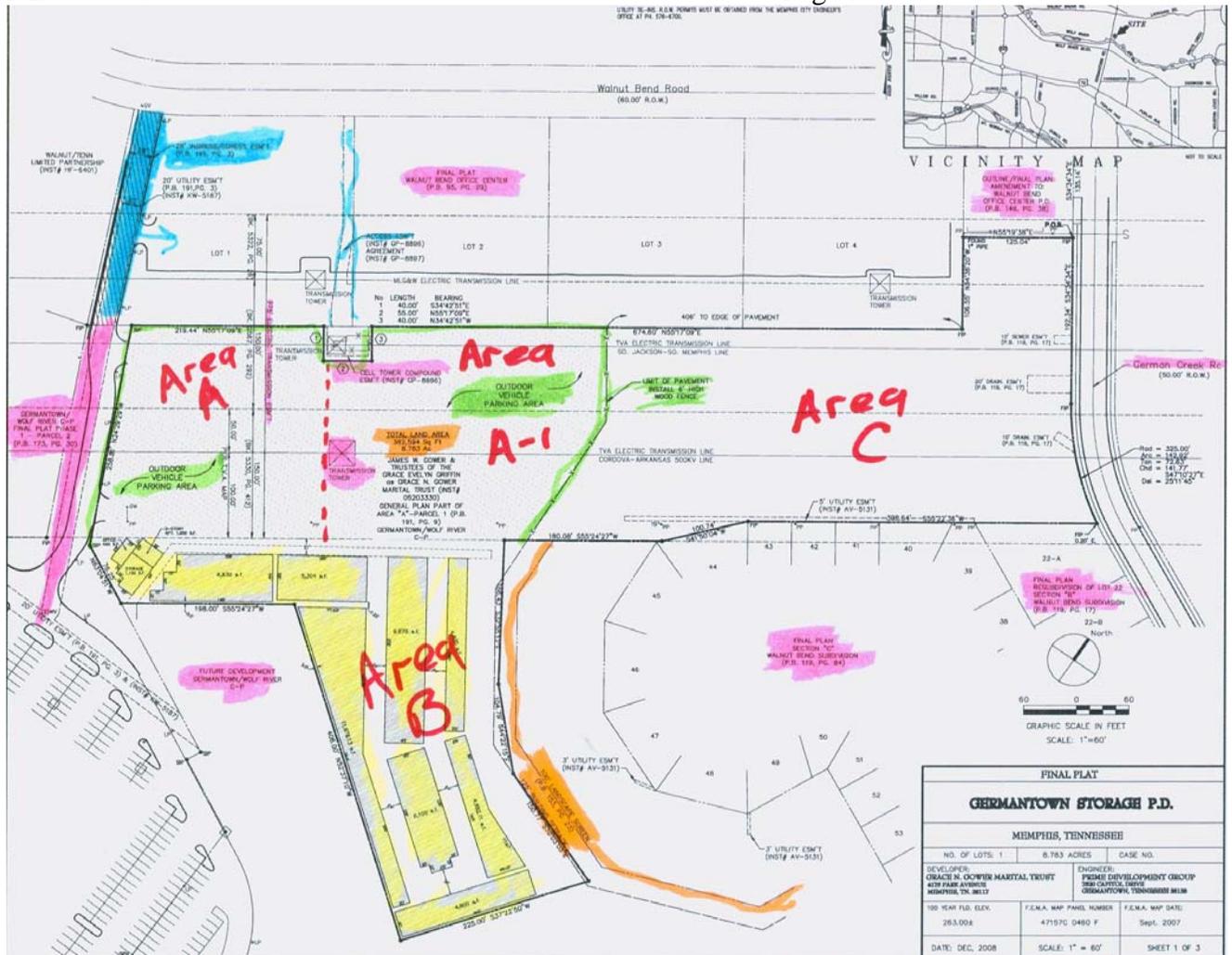
1. The subject property area is a transition area between commercial and residential uses. The request is for a planned development to add a self storage and vehicle storage as a permitted use and approval of a site plan for this phase of the planned development.
2. The proposal is recommended for approval subject to the following requirements to provide adequate screening for the adjacent residential properties.
 - a. **Area "A"** shall allow for the storage of larger recreational vehicles and commercial buses and trucks. **Area "A-1"** shall allow for the storage of smaller vehicles only, any vehicle that exceeds seven (7') feet if prohibited.
 - b. Increase the fence height from six (6') feet to eight (8') feet and extended southwardly along the eastern and southern boundaries of **Area "B"** in an effort to reduce any visual impact from the adjacent residential area. Install a equivalent alternative to Landscape Plate "N-1" along the southern boundary of the landscape buffer area, in an effort to screen any future commercial uses from the adjacent single family residential area.
 - c. ***Any future use of Area "C" shall require site plan approval by the Land Use Control Board.*** It is recommended that service and maintenance of the grass and trash for **Area "C"** be performed on this site at least two (2) times in between the months of May and September. This request will not be will not be unduly detrimental to other properties and will be in reasonable harmony with the character of the area where the property is located.











STAFF ANALYSIS

Area Description:

The subject property is located in the Shelby Farms Germantown Planning District, on the west side of German Creek Drive; south of Walnut Bend Road and east of Germantown Parkway. This site contains eighteen (18.71) acres zoned in the Planned Commercial (C-P) District. Office uses are located to the north of this site along Walnut Bend Road. These offices uses were developed under the 1984 Walnut Bend Office Center Planned Development and the 1990 Amendment to the Walnut Bend Office Center Planned Development. Single family dwellings are also located adjacently to the east of this site in the 1988 Walnut Bend Subdivision Section "C", north of the Wolf River floodplain. Lowe's Home Improvement Center is located to the west of this site. It was developed in 2001 under the 1995 Germantown Wolf River Planned Commercial (C-P) General Plan.

Site Description:

In 1995 this site as well as the Lowe's site was rezoned from the Duplex Residential [R-D(FP)], Townhouse Residential [R-TH (FP)] and Agricultural [AG (FP)] Districts to the Planned Commercial (C-P) District. To date the Lowe's Home Improvement Center has been the only lot developed under the 1995 Germantown Wolf River Planned Commercial (C-P) General Plan. The subject site has over one thousand (1,100') feet of area located between the Lowe's twenty eight (28') foot ingress/egress access easement and German Creek Drive. Memphis Light Gas and Water (MLG& W) has a three hundred and seventy five (375') foot transmission easement located within this area. Although this site contains eighteen (18.71) acres the applicant only plans on developing on eight (8.7) acres.

The eastern half of the subject site area located between Lowe's ingress/egress access easement and German Creek Drive is not planned for development at this time. The Wolf River Floodplain is located to the east and south of this site. The subject site area as well as the floodplain area were originally part of the the 1995 Germantown Wolf River Planned Commercial (C-P) General Plan. The floodplain area was recorded as a one hundred (100') foot Landscape Buffer Area in between the single family dwellings located in the 1988 Walnut Bend Subdivision, Section "C" and the subject site area.

Site Plan Review:

Self-storage facilities as well as outdoor storage areas are not a permitted uses in the Planned Commercial (C-P) District. The applicant is requesting that these uses be allow under this planned development request. This subject site area is bounded by office uses to the north; a retail center with outdoor storage to the west; and single-family dwellings to the east. The subject property area is a transition area between the commercial and residential uses. As shown on *pages 5 and 6* the existing one hundred (100') foot Landscape Buffer Area contains no mature tree coverage for screening. *See page 8*. In an effort to better understand the request and the proposed locations of the uses, staff has labeled each area (*Area "A", Area "A-1", Area "B" and Area "C"*) on the site plan for identification. The applicant is proposing to locate the self storage facility (*Area "B"*) in between the Wolf River Floodplain to the southeast and Lowe's to the west. The outdoor vehicle storage areas are located within *Area "A" and Area "A-1"*. *Area "C"* is not planned for development at this time.

Chart 2: Bulk Regulations and Permitted Residential Densities does not require that uses located within the Planned Commercial (C-P) District have a minimum lot area nor lot width requirement. However, they are required to have a minimum front yard setback of thirty (30'); side yard setback of ten (10') feet (if not located next to a residential use or zone the side yard setback is zero) and a rear yard setback of fifteen (15') feet. There is no maximum density per acre, floor area ratio, nor minimum Living Space Ratio (LSR) or Open Space Ratio (OSR).

Access and Parking:

The subject site area is accessed through a twenty eight (28') foot ingress/egress access easement, that also provides access to Lowe's. The site plan illustrates two (2) curb cut access points from the access easement. No access is proposed from German Creek Drive. Approximately three (3) acres of this site area is proposed for vehicle storage. A typical vehicle storage facility allows for the storage of cars, sport utility vehicles and boats as well as recreational vehicles (RV'S), commercial buses and trucks. It is recommended that smaller vehicles and boats be stored along the eastern most portion of the site (*Area "A-1"*) adjacent to the residential area and the larger vehicles be stored at the front of the site (*Area "A"*). This will reduce the visual impact the larger vehicles would have on the adjacent residential area. ***No vehicle storage shall be allowed in Area "B" nor Area "C"***.

According to Chart 4: Required Parking and Queuing Spaces by Uses, a self-storage facility requires one (1) space for each one thousand (1,000) feet of floor area or five (5) spaces, whichever is greater. The office building for this self-storage facility contains approximately two thousand seven hundred and fifty (2,750) square feet, which would require a minimum of two (2) parking spaces. The required parking spaces for this area would be five (5) spaces. There is no visitor parking shown. Any design modifications to the site plan shall require the illustration of any five (5) spaces.

Landscaping and Screening:

The 1995 Germantown Wolf River Planned Commercial (C-P) General Plan required a one hundred (100') foot Landscape Buffer Area in between this site area which is zoned for commercial uses and the adjacent single family dwellings located in the Walnut Bend Subdivision Section "C". As shown on **pages 5 and 6** the existing one hundred (100') foot Landscape Buffer Area contains no mature tree coverage for screening. It is recommended that the applicant install an equivalent alternative to Landscape Plate "N-1" along the southern boundary of the landscape buffer area, in an effort to screen any future commercial uses from the adjacent single family residential area. Staff has received several complaints that the area located underneath the transmission easement (grass area and trash) located adjacent to the German Creek Drive right-of-way has not been properly maintained. It is recommended that service and maintenance of the grass and trash be performed on this site at least two (2) times in between the months of May and September.

The site plan illustrates that a six (6') foot high wood fence be installed north of the one hundred (100') foot Landscape Buffer Area in between the three hundred and seventy five (375') foot transmission easement. It is recommended that the fence height be increased from six (6') feet to eight (8') feet in an effort to reduce any visual impact. The site plan does not illustrate any screening of the self storage facilities located in **Area "B"**.

It is recommended that the eight (8') foot high wood fence be extended southwardly along the eastern and southern boundaries of **Area "B"** to screen the storage buildings from the residential areas.

Drainage:

Drainage improvements are to be provided under contract in accordance with Subdivision Regulations. The area added to the planned development through this amendment shall be governed by the requirements of the City of Memphis Drainage Design Manual. The areas where the Drainage Manual applies shall be shown graphically on the outline plan.

Conclusions:

The request is for a planned development to add self-storage and vehicle storage as a permitted use and for approval of a site plan is recommended for approval, subject to design modifications and the following outline plan conditions. **Area "A"** shall allow for the storage of larger recreational vehicles and commercial buses and trucks. **Area "A-1"** shall allow for the storage of smaller vehicles only, any vehicle that exceeds seven (7') feet is prohibited. Increase the fence height from six (6') feet to eight (8') feet and extended southwardly along the eastern and southern boundaries of **Area "B"** in an effort to reduce any visual impact from the adjacent residential area. Install an equivalent alternative to Landscape Plate "N-1" along the southern boundary of the landscape buffer area, in an effort to screen any future commercial uses from the adjacent single family residential area. ***Any future use of Area "C" shall require site plan approval by the Land Use Control Board.*** It is recommended that service and maintenance of the grass and trash for **Area "C"** be performed on this site at least two (2) times in between the months of May and September. This request will not be unduly detrimental to other properties and will be in reasonable harmony with the character of the area where the property is located.

OUTLINE PLAN CONDITIONS

- I. Uses Permitted:
 - A. **Area "A"** ~ recreational vehicles (RV'S), commercial buses and trucks, etc (motor vehicles that exceed seven (7') feet in height).
 - B. **Area "A-1"** small vehicles and boats (motor vehicles less than eight (8') feet in height).
 - C. **Area "B"** ~ self-storage facilities.
 - D. **Area "C"** ~ **Any future use of this area shall require site plan approval by the Land Use Control Board.**

- II. Bulk Regulations:
 - A. The bulk regulations of the Planned Commercial (C-P) District apply.

- III. Access Parking and Circulation:
 - A. Drives within **Area "A"** and **Area "B"** shall be private and shall provide access to twenty eight (28') foot ingress/egress access easement.
 - B. **Area "B"** shall have a minimum of five (5) parking spaces.
 - C. Parking shall comply with Section 28 of the Zoning Regulations.
 - D. Private drives widths shall be a minimum of 22 feet wide except for one-way traffic, which may be 14'-0" minimum and shall be governed by the City Fire Department.

- IV. Landscaping and Screening:
 - A. ***Install additional evergreen plantings to fill gaps of existing plant materials along the one hundred landscape buffer area, subject to the approval of the Office of Planning and Development.***
 - B. Install a eight (8') foot wood fence along the eastern boundary of Area "A-1" ~~and along the eastern and southern boundaries of Area "B."~~
 - C. Service and maintenance of the grass and trash for **Area "C"** be performed on this site at least two (2) times in between the months of May and September.

V. Lighting:

A. Lighting for *Area "A"* and *Area "B"* shall be subject to the following additional standards:

1. Lighting shall be arranged to prevent direct glare onto any public or private property or streets.
2. Outdoor lighting, including parking areas shall utilize a cut-off type light at the edge of the parking areas, so that cast beyond the cut-off does not exceed one (1) foot candle.
3. No light shields shall be visible from adjacent residential districts.
4. All pole-mounted light fixtures shall be shielded and positioned to prevent the pole from being illuminated by either direct or reflective light.
5. A lighting plan shall be submitted with the final plat-illustrating conformance with the requirements in V.1 through 4 above.

VI. Drainage:

- A. Drainage improvements to be provided under contract in accordance with Subdivision Regulations. The area added to the planned development through this amendment shall be governed by the requirements of the City of Memphis Drainage Design Manual. The areas where the Drainage Manual applies shall be shown graphically on the outline plan.
- B. In the area governed by the requirements of the Drainage Manual design of the storm water conveyance and management facilities' for this project shall be in accordance with the "City of Memphis Drainage Design Manual". The manual requires on-site detention of storm water run-off, generated from this project, which exceeds the capacity of the downstream system. Drainage calculations performed in accordance with this manual shall be submitted verifying that adequate non-buildable areas have been provided for storm water detention facilities. For information concerning this requirement, please contact the City/County Engineer's Office.
- C. The following note shall be placed on the final plat of any development requiring on-site storm water detention. 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 property owners' 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/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.

- D. This project must be evaluated by the Tennessee Department of Health and Environment 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.).

VII. Signage:

- A. A maximum of two detached ground mounted signs are permitted with a maximum surface area of 50 square feet each.

VIII. Site Plan Review:

The area of expansion of the planned development shall be governed by the following site plan review requirements.

- A. A final plan for each phase shall be submitted to the Office of Planning and Development for administrative site plan review. The final plan shall include proposed improvements, a landscape plan and other information as requested by OPD. The staff shall consider the following factors.
 - 1. Compatibility with land uses in the surrounding area and between proposed uses with the planned development.
 - 2. Adequacy of facilities (streets, schools, parks, sewers, drainage, etc) and conformance to the Zoning Regulations and standards.
 - 3. Landscaping and adequacy of screening from residential areas.
 - 4. Building orientation and setback.
 - 5. Access and circulation
 - 6. Parking spaces and design
 - 7. Outline plan conditions
- IX. The Office of Planning Development reserves the right to require site plan review by the Land Use Control Board if deemed necessary. If the site plan review is rejected by The Office of Planning Development the applicant can appeal the decision to the Land Use Control Board. The Board may approve, approve with conditions, or reject the site plan. The decision of the Board may be appealed to the legislative bodies.
- X. The Land Use Control Board may modify the landscape, parking, signs and bulk requirements if suitable alternatives are presented.

XI. Any final plan shall include the following:

- A. The outline plan conditions.
- B. The exact location and dimensions including height, of all buildings, parking areas, drives, required landscaping, and signs.
- C. The number of parking spaces.
- D. The location and ownership, whether public or private, of any easement.
- E. A statement conveying all common facilities and areas to a property owners' association, or other entity, for ownership and maintenance.
- F. The 100 year flood elevation.

GENERAL INFORMATION

Street Frontage:	German Creek Drive ~ 192'
Planning District:	Shelby Farms - Germantown
Census Tract:	213
Zoning Atlas Page:	2155
Parcel ID:	09112 00019
Zoning History:	This area has been zoned for commercial uses since 1995.

DEPARTMENTAL COMMENTS

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

City Engineer:

1. Standard Subdivision Contract as required in Section 500 of Subdivision Regulations.

Sewers:

2. City sanitary sewers are available at developer's expense.
3. The developer shall extend sanitary sewers through the site to serve upstream properties.

Private Drives:

4. All private drives/rear service drives shall be constructed to meet pavement requirements of the Subdivision Regulations, applicable City Standards, and provide a minimum width of twenty-two feet (22')
5. Easements for sanitary sewers, drainage, and other required services as indicated on the final recorded plat may be located and utilized within private drives. The City shall not be responsible for street repairs within the private drives, even though the pavement and base may have to be removed to work on sewers or drainage. The responsibility of repairing the private drives shall be that of the owners and/or Property Owners' Association.

Curb Cuts/Access:

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

Drainage:

8. 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.

9. Drainage data for assessment of on-site detention requirements shall be submitted to and approved by the City Engineer.
10. 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:

11. Provide internal circulation between adjacent phases, lots, and sections. Common ingress/egress easements shall be shown on the final plats.

General Notes:

12. The width of all existing off-street sewer easements shall be widened to meet current city standards.
13. 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.
14. Required landscaping shall not be placed on sewer or drainage easements.

City Fire Division: No comments.

City Real Estate: None.

City/County Health Department: No objections.

City Board of Education:

The subject property does not appear to be adjacent to any property which has been identified as belonging to Memphis City Schools (MCS). No identifiable impact on MCS' school-aged population nor MCS' property interests.

Construction Code Enforcement: No comments received.

Center City Commission: No comments received.

Memphis Light, Gas and Water:

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

- 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.
- **It Landscaping is prohibited** within any MLGW utility easement, without prior approval.
- **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).

- **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/Bell South:

AT&T Tennessee has no comment regarding this new development.

Memphis Area Transit Authority (MATA):

No comments received.

OPD-Regional Services:

This application was reviewed by the MPO staff/Department of Regional Services on December 11, 2008. The MPO staff has determined that the proposed actions as submitted in this application will have no affect on the MPO Long Range Transportation Plan, Transportation Improvement Program, or any other plan, document, program or initiative of this department/organization.

OPD-Plans Development:

This planned development is within the *Germantown Parkway Area Study* boundaries. It is recommended that the area develop as an Employment Center. The Employment Center designation is for properties along Germantown Parkway. The Germantown Parkway-Walnut Grove Employment Center is to be primarily and office center with limited retail support activities. Development of a storage facility would not be in compliance with the plan.

Furthermore the Walnut Bend Subdivision is immediately to the north of the site. The construction of a storage facility at this site would not be compatible with the residential neighborhood to the north nor would the massive amounts of paving for outdoor vehicle parking.

Landmarks Commission:

No comments received.

Cordova Leadership:

Cordova Community Watch:

Staff Writer: C. Mc