

**MEMPHIS AND SHELBY COUNTY OFFICE OF PLANNING AND DEVELOPMENT
STAFF REPORT #17**

CASE NUMBER: Z 08-118

L.U.C.B. MEETING: January 8, 2009

LOCATION:

South side of Macon Road; opposite Dexter Lane intersection.

City Council Districts:

2 & 9

OWNERS/APPLICANTS:

David E. Bazemore Family Trust & Cordova Properties,

REPRESENTATIVE:

Eugene S. Bryan

REQUEST:

Local Commercial (C-L) District

AREA:

5.44 acres

EXISTING LAND USE & ZONING:

Two single-family residences and a vacant area of about three acres in the Single-Family Residential (R-S6) and General Office (O-G) Districts.

SURROUNDING USES AND ZONING:

- North:** Across Macon Road a single-family residence in the Single-Family Residential (R-S6) District, a strip shopping center regulated by the Villages Of Cordova Phase 6 Final Plan for (PD 92-339) and a boutique retail establishment in an 80-year old two story residence regulated by the Outline Plan in Phase 1, Parcel A of PD 92-339.
- East:** An office and a retail strip center in the Local Commercial (C-L) District
- South:** Across the abandoned railroad right-of-way, single family residences fronting on Thor Road in the R-S6 District and Duomo Cove in the Montebello Planned Development (PD 00-353)
- West:** A 256-unit apartment complex regulated by the Cordova Park Planned Development (PD 95-322)

OFFICE OF PLANNING AND DEVELOPMENT RECOMMENDATION
Drop this zoning application and refile as a planned development

CONCLUSIONS

- 1. The subject property occupies a strategic location with respect to the road network in the Cordova area.**
- 2. Considering the adjoining uses, some type of commercial development could be a reasonable use of the subject property.**
- 3. Without an advance plan, design standards and design review commercial development on the subject property could conflict with the development on the north side of Macon Road and undermine the distinctive sense of place that is evolving for the vicinity of Old Town Cordova.**

Staff Planner: Dave Adams

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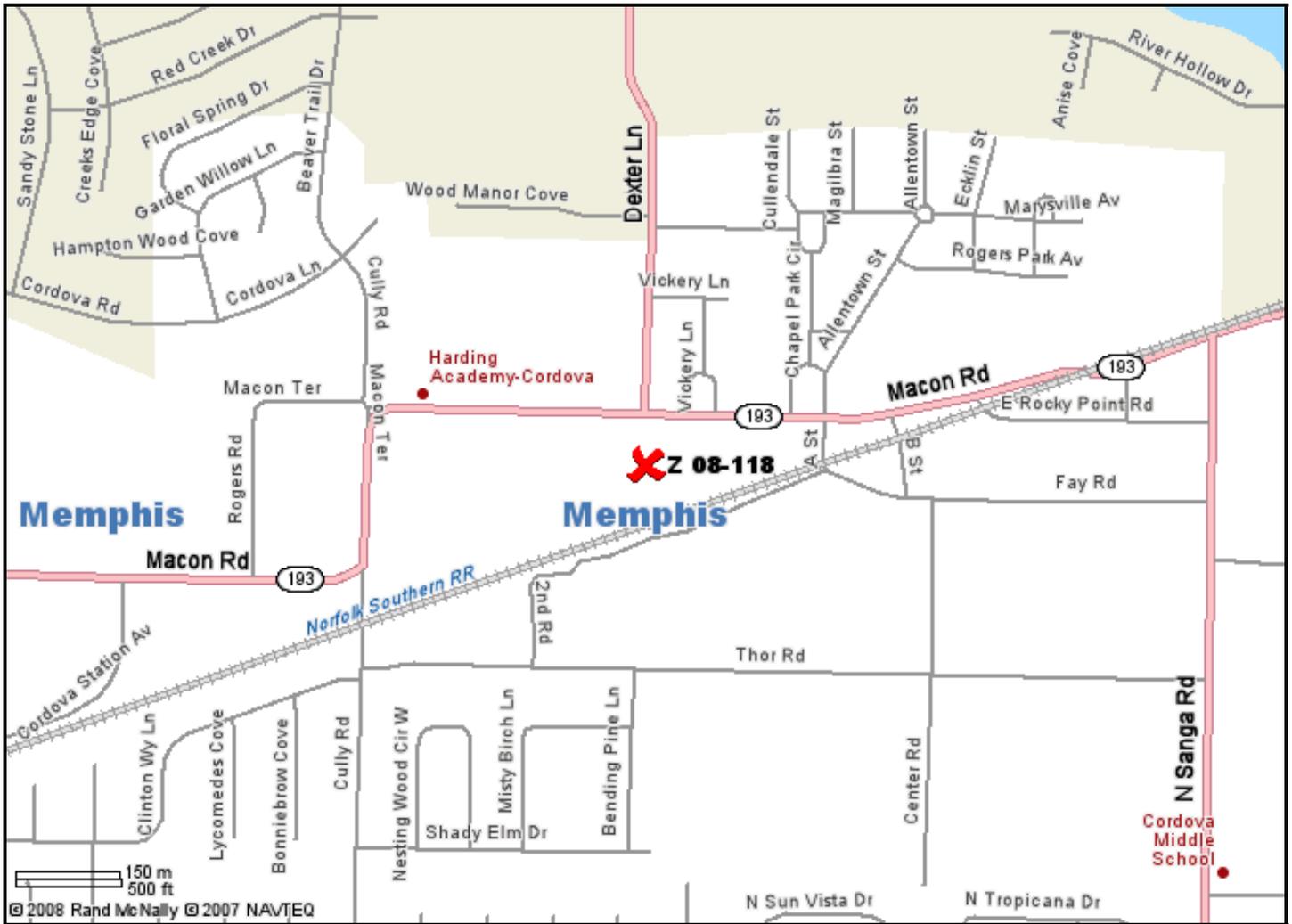


Figure 1: LOCATION OF SUBJECT PROPERTY
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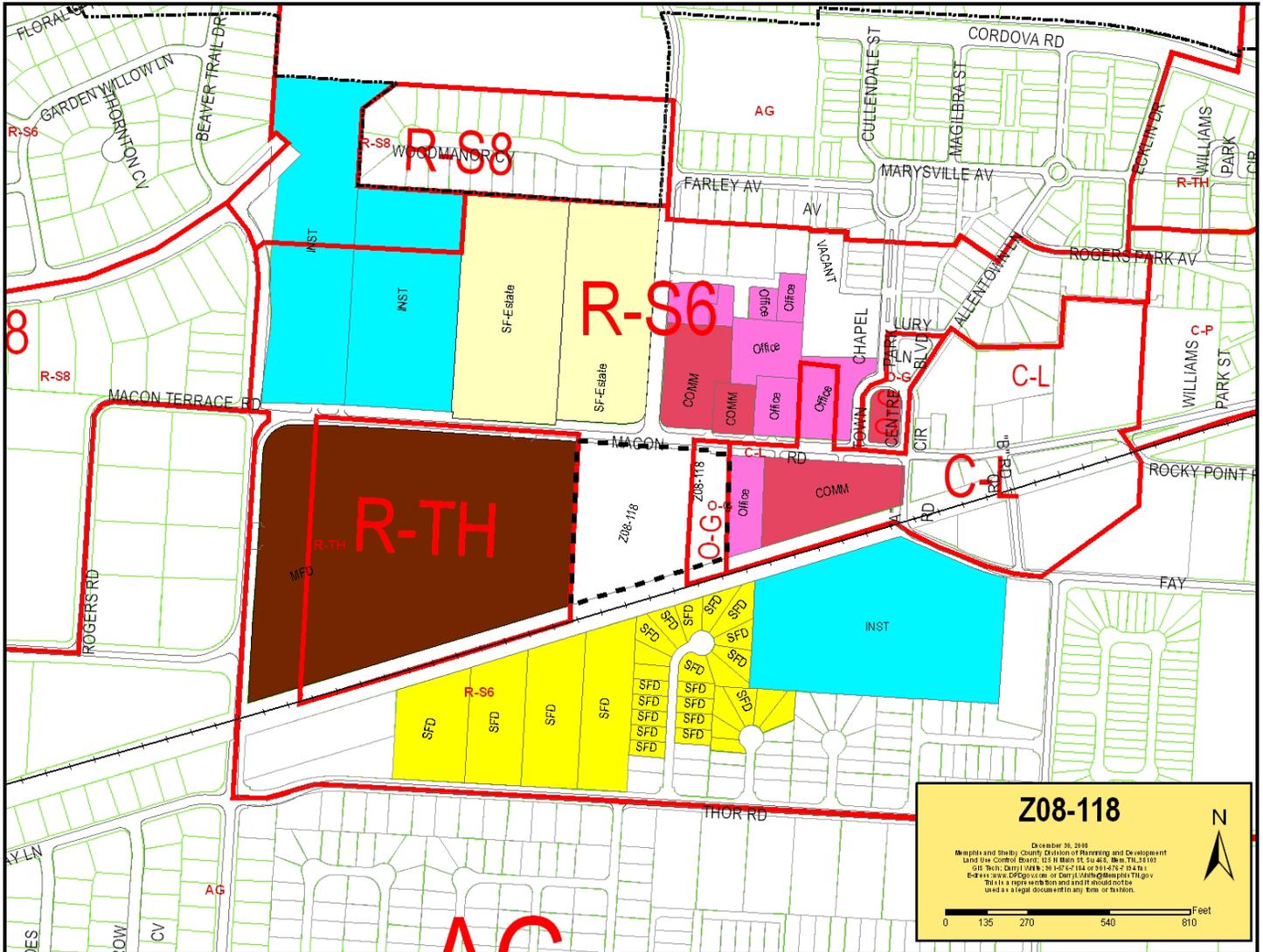


Figure 2:
Zoning and Land Use Map



Figure 4: Overhead View of Site

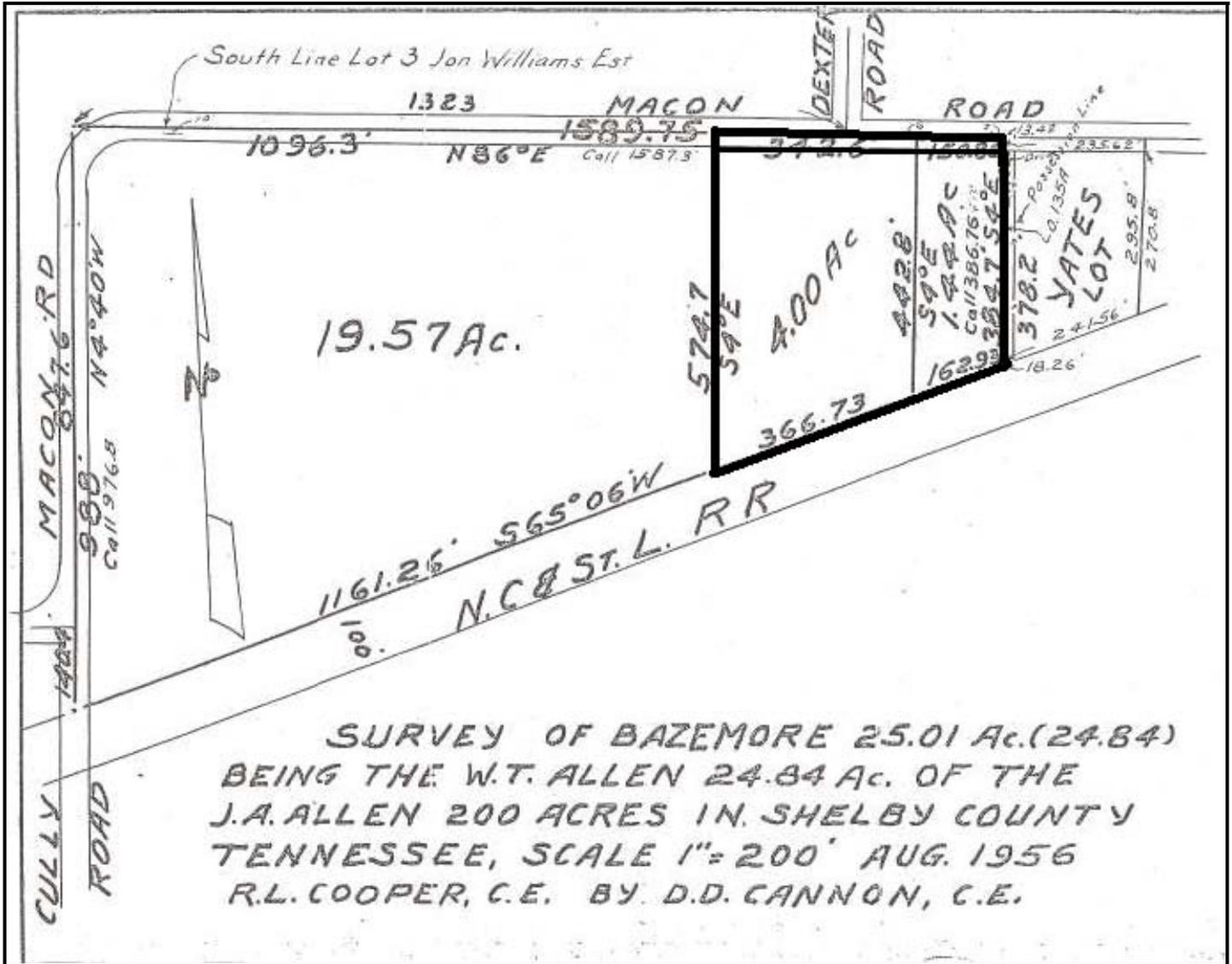


Figure 5: Plot Plan



Figure 6a: Subject property – Office / former residence at 8501 Macon Road



Figure 6b: Subject property – House at 8485 Macon Road



Figure 6c: Subject property – Vacant area adjoining the apartment complex located immediately to the west.



Figure 7: Well-designed shopping center on the northeast corner of Macon Road and Dexter Land --- opposite the subject property in Villages of Cordova Planned Development



Figure 8: A home furnishings boutique occupies this historic building at 8504 Macon Road, opposite the subject property



Figure 9: A short distance east of the subject property, this commercial center was developed in 1990 under the regulations of the Local Commercial (C-L) District.

STAFF ANALYSIS

Site Characteristics

The subject property consists of two adjacent tracts of land with 494 feet of frontage along the south side of Macon Road in Cordova. They extend southward across level terrain to the abandoned right-of-way of the old Nashville, Chattanooga and St. Louis Railway, which has in recent years been under the ownership of the CSX railroad system. Since the railroad right-of-way ran in an ENE-WSW direction, the subject property is in the shape of a trapezoid. Along its east border, the property is 443 feet deep on the east side and 575 feet deep on the west side.

The total area of the subject property is 5.44 acres, including a one-acre tract on the east side that is occupied by 100-year old house, now used as an office, at 8501 Macon Road. Adjacent to this building is a 50-year old single-family residence at 8485 Macon Road on the east side of the 4.4 tract. The balance of the subject property is vacant and covered with recently mowed grass.

Requested Zoning Change

The eastern 106 feet of the subject property is in the General Office (O-G) District. The balance is in the Single-Family Residential (R-S6) District. The applicant is requesting that the entire property be rezoned to the Local Commercial (C-L) District that would permit retail sales and other types of commercial typical of strip center commercial development.

Community and Neighborhood Context

The subject property is located on Macon Road which is currently a primary arterial street for east-west access through the historic Cordova community. Extending eastward from Germantown Parkway, Macon Road follows a somewhat winding course to Houston Levee Road, the next major north-south arterial. In doing so, it intersects a number of collector streets and minor arterials including Cully Road, Dexter Lane, Sanga Road, and Berryhill Road. Among these secondary intersections, Dexter Lane is the most promising location to take advantage of the accessibility with appropriate development.

The subject property is located immediately opposite the T-intersection of Dexter Lane. On the northeast corner of that intersection is an attractive commercial development down under the aegis of the planned development procedures --- in this case the Villages of Cordova Planned Development, with design standards to promote its attractiveness and compatibility in the context of the nearby Cordova the Town development and the historic village of Cordova. Farther east, on the north side of Macon, low intensity commercial and offices uses were approved through the same planned development process so as to complement the distinctive environment and help maintain a unique sense of place for this community.

Across from the subject property on the northwest corner of Macon Road and Dexter Lane is a single family residence on a 4-acre lot in the R-S6 District. This lot and a similar property to

west separates Dexter Lane from the campus of the Harding Academy (PreK-9) private school, which is about 430 feet west of the subject property on the north side of Macon Road.

The subject property is sandwiched between Local Commercial (C-L) to the west, where the very ordinary strip commercial center in Figure 9 is located. To the west is a large multi-family residential development. Some type of commercial use would not be inappropriate on the subject property. However, OPD staff believes that the most suitable development can only be achieved through a process involving appropriate design standards and design review.

RECOMMENDATION: Drop this application and refile as a planned development

GENERAL INFORMATION:

Coordinates: 35° 09' 49"N, 89° 47' 47"W

Parcel Number: 091010 00002C, 091010 00004

Street Address: 8485 Macon Road, 38018

Street Frontage: Macon Road --- 493 feet

Planning District: Shelby Farms-Germantown (Germantown Parkway Area Study)

Census Tract: 211.37

Annexation Status: Annexed by Memphis in 1990.

Zoning Atlas Page: 2055

Zoning History: *1961- In 1st County zoning ordinance: "R-2" Single Family Dwelling and "RC" Transitional Districts*
<1977- "RC" District reclassified as "O-2" Office District
1981 - Converted to Single Family Residential (R-S6) and General Office (O-G) District under the current ordinance
1994 - Comprehensively rezoned to Cordova Town Center (CTC) Special Distict
2000 - CTC District revoked; On this site, the 1981 zoning districts were restored --- Single Family Residential (R-S6) and General Office (O-G) District

DEPARTMENTAL COMMENTS:

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

City Engineer: City sanitary sewers are available at developer's expense.

City Fire Division: No comments.

City Real Estate: No comments received.

City/County Health Department: No comments received.

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.

Memphis Light, Gas and Water:

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

- **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 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 MLGW engineering 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:

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: No comment

Neighborhood Associations:

Alliance of Cordova: No comments received.
Cordova Leadership Council: No comments received.
Cordova Community Watch: No comments received.

Also contacted: *Cordova The Town Homeowners, Cordova Town Center*