

STAFF REPORT

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CASE NUMBER: P.D. 07-321 **L.U.C.B. MEETING:** August 9, 2007

DEVELOPMENT NAME: Central & Haynes Planned Development

LOCATION: Southeast corner of Central Avenue and Haynes Road

OWNER OF RECORD/APPLICANT: Johnson & Emily Phillips

REPRESENTATIVE: W.H. Porter Consultants, PLLC

REQUEST: Two additional lots (approximately 50' x 100')

AREA: 1.13 Acres

EXISTING LAND USE & ZONING: One residential dwelling and accessory structures in the Single Family Residential (R-S6) District

SURROUNDING LAND USES AND ZONING:

North: A residential structure and open space in the Single Family Residential (R-S6) District

East: Estate sized residential lots along Central Avenue, generally ¼ acre sized lots and larger along Frances Place in the Single Family Residential R-S6 District

South: A residential dwelling immediately south in the Single Family Residential (R-S6) District

West: Residential dwellings on lots of various sizes in the Single Family Residential (R-S6) District

OFFICE OF PLANNING AND DEVELOPMENT RECOMMENDATION:

APPROVAL WITH CONDITONS

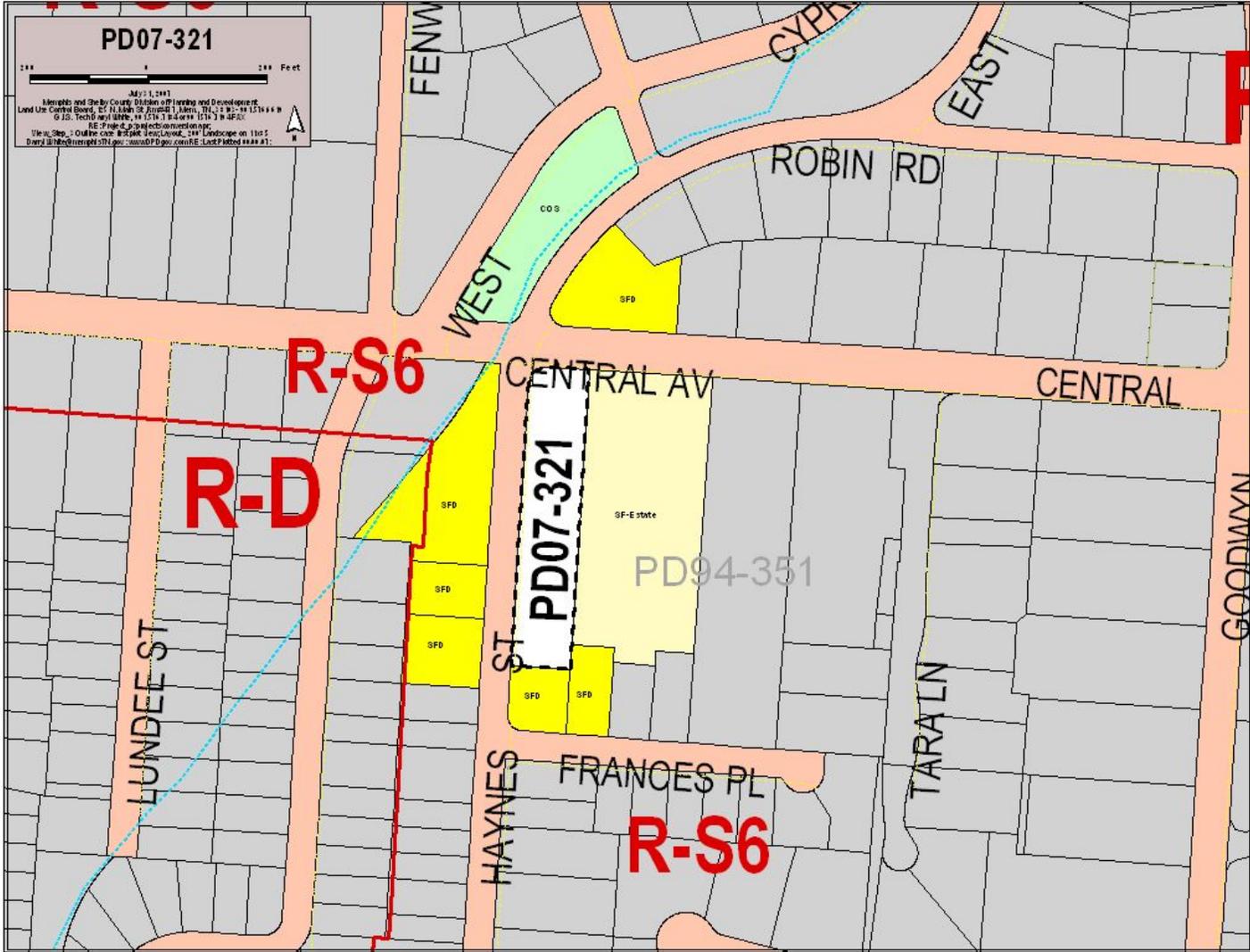
Staff Reviewer: Donald Jones

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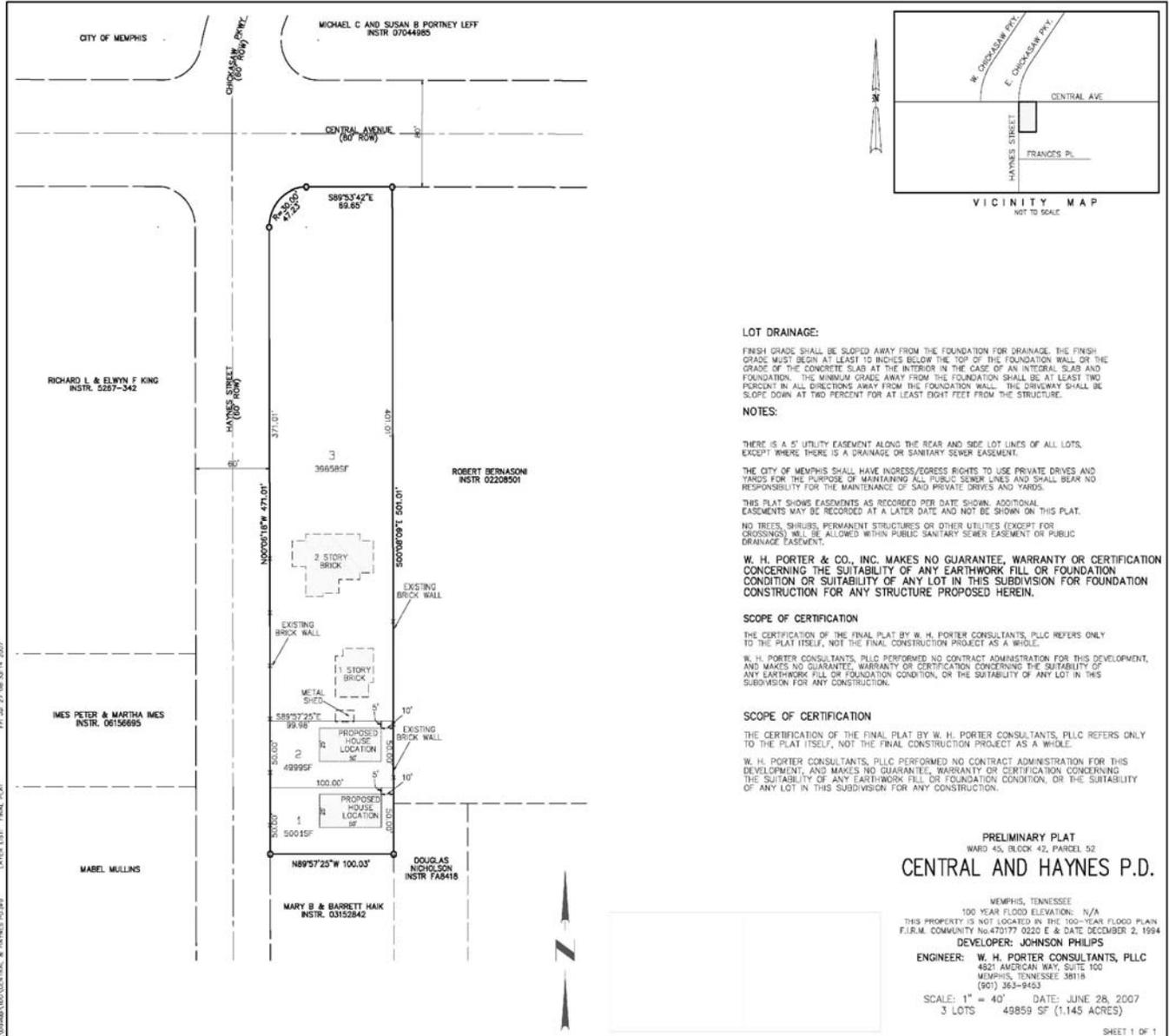
CONCLUSIONS

1. The biggest change associated with this request is the size of the proposed lots, and to a lesser extent the width of the lots.
2. The depth of the lots (measuring west to east) at 100 feet places a restriction on the ultimate lot size. In the R-S6 District the minimum lot size is 6,000 square feet. To meet this requirement, the frontage or width of each of these lots needs to be 60 feet. Unfortunately there is not 120 feet of frontage in the back yard of the existing lot without taking off part of the existing garage which is a significant structure.
3. The other option available under current zoning is to restrict this re-development to one additional lot.
4. If this proposal were for two lots that not only front on Haynes Street but also offer an unobstructed view into the new lots, then such a recommendation may be forthcoming. However, in this instance, the plan is to retain the existing brick wall with the exception of cut ins for the drive ways. This will keep the existing character of this site in tact as it already incorporates the existing house to the south. Any differences in lot sizes and lot width are masked by the wall.
5. In this instance, the proposed lots will accommodate a building foot print that will yield a house size that is compatible with the minimum square footages of the surrounding residential lots. The height of the proposed new units will be compatible with the newer residential units. If the mature vegetation is retained or replaced where needed with a fast growing species, the new structures should blend in with their surroundings.

Zoning and Land Use Map



Site Plan



Existing House on Central Avenue



Existing house facing south from Central Avenue

Existing house facing east from Haynes Street





Existing wall along the subject property's west property line



Proposed driveway treatment

STAFF ANALYSIS

General Location:

The subject property includes property that is located at the southeast corner of Central Avenue and Haynes Street immediately across from Chickasaw Gardens. The Planned Development includes the entire 1.15 acres currently owned by Mr. and Mrs. Johnson Phillips.

Site Characteristics:

The subject property is a long and relatively narrow tract of land which is characteristic of the existing lots that have frontage along the south side of this section Central Avenue. The total width of this property is approximately 100 feet.

The deep setback from Central Avenue, approximately 260 feet, and the large home are two of the most striking characteristics of this property. Other features include a brick wall that begins behind the front face of the house and extends southward to enclose not only this property but the abutting property at Haynes Street and Francis Place as well. There is some mature vegetation on the site. Photos submitted by the applicant show that the majority of this vegetative cover exists in close proximity to the east and west lot lines.

Request:

The plan divides this 1+ acre site into three lots, which includes the existing house facing Central Avenue and two new lots which are located within the southernmost 100 feet of the property.

Lot 3 will retain the existing setbacks from Central Avenue and Haynes Street and the existing home and accessory buildings (garage and shed).

The two new lots, lots 1 & 2, will be oriented to Haynes Street and contain a minimum of 50 feet of frontage. The lot depths vary slightly so that Lot 1 is just over 5,000 square feet and Lot 2 is just under 5,000 square feet. Building footprints submitted with this application indicate a ground floor area of 1,250 square feet. The applicant has also presented an illustration of the type of house that would fit on this footprint. That illustration being a two-story building, thus the total square footage of the proposed houses would be approximately 2,500 square feet in area. He has also indicated that there will not be a garage associated with these houses.

Other submittals associated with this request include a picture of the driveway which includes pavers that are designed to lessen the amount and impact of continuous impervious surface.

Surrounding Area Characteristics:

Properties to the east of the subject are large estate sized lots. The lots to the west include atypical lot at the northwest corner of Central Avenue and Haynes Street with 330 feet of frontage on Haynes Street. Moving south the lot frontages are 90 feet and 120 feet respectively. Continuing to move southward along Haynes Street, the lot widths continue to decrease. The first five lots along the west side of Haynes and south of Central Avenue include buildings that were built between in the mid to late 1930's to early 1940's. The houses on these lots range in size from the largest one at 3,500 square feet to the smallest at 1,228 square feet. Similarly, the lot sizes range from approximately $\frac{3}{4}$ of an acre in size to approximately 5,600 square feet (0.13 acs) in area.

Immediately to the south, along the north side of Francis Place, are four new lots that were created by either subdivision or planned development. These lots contain four houses that have been constructed since 1982. The lots are typically $\frac{1}{4}$ of an acre in area and the homes are typically $1\frac{1}{2}$ stories with at least 2,000 square feet of living area.

Recent Development Activity:

The Frances Gardens Subdivision was recorded in February of 1982. This subdivision plat divided the current subject property into two lots. Lot 2 is located at the northeast corner of Haynes Street and Frances Place or the southernmost 108 feet of the current subject property. Lot 2 contains approximately $\frac{1}{4}$ of an acre in land area with $1\frac{1}{2}$ story house of some 2,200 square feet.

P.D. 94-351 – This development plan included the property immediately to the east of the subject property. The plan created a total of four lots with three of these lots facing Frances Place and the fourth lot containing the existing home that faces Central Avenue. The smallest of the three lots contains approximately 9,300 square feet with standard front, rear, and side yard setbacks.

Review of Request:

The biggest change associated with this request is the size of the proposed lots, and to a lesser extent a smaller lot width. The depth of the lots (measuring west to east) at 100 feet places a natural restriction on the ultimate lot size. In the R-S6 District the minimum lot size is 6,000 square feet. To meet this requirement, the frontage or width of each of these lots needs to be 60 feet. Unfortunately there is not 120 feet of frontage in the back yard of the existing lot without taking off part of the existing garage which is a significant structure. The other option available under current zoning is to restrict this re-development to one additional lot.

If this proposal were for two lots that not only front on Haynes Street but also offer a direct view into the lots from Haynes Street, then such a recommendation may be forthcoming. However, in this instance, the plan is for the existing brick wall to remain in tact, with the exception of cut outs for the drive ways. This will keep the existing character of this site in tact as it already incorporates the

existing house to the south. Any differences in lot sizes and lot width is masked by the wall.

The concept of incorporating smaller lots in close proximity to larger lots has been successfully demonstrated with the zero lot line development in Chickasaw Gardens. In that development, zero lot line style homes are situated between Poplar Avenue and the larger single family detached lots to form a buffer without a loss in property value.

In this instance, the proposed lots will accommodate a building foot print that will accommodate a house size that is compatible with the minimum square footages of the surrounding residential lots and a building type that is compatible with the newer residential units. If the mature vegetation is retained or replaced where needed with a fast growing species, the new structures should blend in with their surroundings.

Design Suggestions:

Short of making these recommendations, the staff suggests that the developer/designer consider replacing the wood siding on the top 1/2 of the brick wall with brick. The existing wood has a worn appearance that does not project well on a public street frontage. Even new brick or A brick pattern would improve the aesthetics.

The developer/designer should also consider consolidating the two drives into one. This reduces the number of intrusions into the brick wall and the visibility from the street into the lots. The common lot line could run down the center of the entry drive or the drive could be set up as a common lot with an agreement for mutual ownership and maintenance.

RECOMMENDATION: APPROVAL WITH CONDITONS

OUTLINE PLAN CONDITIONS
Central and Haynes Planned Development
P.D. 07-321

- I. Uses Permitted
 - A. Single Family Residential Detached Dwelling Units (one per lot).
 - B. Accessory uses as regulated by the R-S Districts.
- II. Bulk Regulations:
 - A. As regulated by the R-S District except where noted below
 - B. Lot 3 includes the existing house and existing accessory structures. No additional structures or changes to the existing setbacks are anticipated as a part of the submittal and review of this lot in the planned development.
 - C. Lots 1 & 2
 - 1. Lot Size: – As depicted on the Outline Plan submitted with this application.
 - 2. Rear Yard Setback – Minimum of 10 Feet
- III. Access and Circulation:
 - A. The City Engineer shall approve the design, number and location of curb cuts.
 - B. Any existing nonconforming curb cuts shall be modified to meet current City Standards or closed with curb, gutter and sidewalk.
 - C. The existing wall (check pictures of existing gate placement) shall establish the setback line for any gate. A card reader or similar device may be located in the area between the sidewalk and the wall.
 - D. The new gate(s) shall be designed to meet the requirements of the Memphis Fire Department with a trip mechanism or crash gate feature to allow access in the event of an emergency.
 - E. Any new drive openings shall meet the requirements of the American with Disabilities Act.

IV. Drainage

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

V. Design Elements

- A. The applicant shall provide typical building elevations for the houses on the final plat.
- B. An elevation of the brick wall and the entry gate shall be included on the final plat. The brick wall may be modified to replace the wooden portion with brick.
- C. The fence surrounding the front yard of Lot 3 shall include wrought iron, brick, or stone, or combinations of these elements but in no event shall include wood or chain link. An elevation shall be included on the final plat.

VI. Landscaping and Screening:

- A. The applicant shall submit a tree survey showing the location and species of any tree that is 10 inches or greater in caliper prior to the removal of any tree of that size or with the submittal of the Final Plat which ever occurs first.
- B. The final plat shall demonstrate conformance with the Tree Ordinance. The preservation of existing trees may be taken into account in this evaluation.
- C. A detailed landscaping plan that takes into account any and all required easements shall be submitted with the Final Plat.
- D. The materials used to screen these two lots from their neighbors to the east, south, and north are subject to the review and approval of the Office of Planning and Development. The OPD reserves the right to require the replacement of existing fences (not the brick wall along the frontage) and specify the type of fence used.

VII. The Land Use Control Board may modify the bulk, access, paring, landscaping and sign requirements 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 b the City Council.

VIII.. A Final Plat shall be filed within 5 years from the date of approval by the Memphis City Council. The Land Use Control Board may grant extensions to that time limit with the filing of a Correspondence Item.

IX. Final Plat Requirements:

Any Final Plan shall include the following:

- A. The Outline Plan Conditions,
- B. A standard subdivision contract as defined by the Subdivision Regulations,
- C. The location and ownership, whether public or private of any easement,
- D. The exact location and dimensions including height, of all buildings or buildable areas, parking areas, drives, pedestrian and utility easements, service drives, and access easements, trash receptacles, loading facilities, and identification of plant materials in required landscaping areas, as well as a rendering of the appearance of all proposed buildings and signs including labeling of predominate construction materials,
- E. The number of parking spaces being provide versus required by the Zoning Ordinance,
- F. The developer shall 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.
- G. The following note shall be placed on the final plat of any development requiring on-site storm water 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 for 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 be limited to, removal of sedimentation; fallen objects; debris; trash; mowing; outlet cleaning; and repair of drainage structures.

GENERAL INFORMATION

| | |
|---------------------------|---|
| Street Frontage: | Haynes (60' wide – minor collector) – 100 Feet |
| Planning District: | University |
| Census Tract: | 71 |
| Zoning Atlas Page: | 2035 |
| Zoning History: | The current R-S6 and its predecessor date back to 1954. |

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.
4. The width of all existing off-street sewer easements shall be widened to meet current city standards.

Curb Cuts/Access:

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

Drainage:

7. 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.
8. Drainage data for assessment of on-site detention requirements shall be submitted to and approved by the City Engineer.

9. 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.

City Fire Division: No comments received.

City/County Health Department: No objections.

1. If any monitoring wells were installed as part of an environmental site assessment they must be properly filled and abandoned as outlined in Section 6 of the Shelby County Well Construction Code.

City Board of Education: This case has no significant impact on Memphis City Schools.

Construction Code Enforcement: No comments received.

Memphis Light, Gas and Water: No comments received

Bell South: No comments received.

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

OPD-Regional Services: No comments received.

OPD-Comprehensive Planning: No comments.

Neighborhood Associations Notified:

Orange Mound Concerned Citizens: **No comments received as of Aug 3, 2007**

Lundee Neighborhood Watch “ ”

Fenwick Road Neighborhood Association “ ”

Chickasaw Gardens “ ”

