

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

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CASE NUMBER: SUP 09-207 **L.U.C.B. MEETING:** May 14, 2009

LOCATION: Southeast corner of W. Shelby Drive and Jonetta Street

COUNCIL DISTRICT: 6 **SUPER DISTRICT:** 8

OWNER OF RECORD / APPLICANT: David Grayson Ministries, Inc.

REPRESENTATIVE: Bishop David Grayson

REQUEST: Group Home to serve Adult Women(Maximum 11 occupants plus at least one on-site caretaker)

AREA: 1.01 Acres

EXISTING LAND USE & ZONING: A Church in the Single Family Residential (RS-10) District

SURROUNDING USES AND ZONING:

**North, South
East, and West:** Single Family Dwellings and Vacant Land in the Single Family Residential (R-S6) District

OFFICE OF PLANNING AND DEVELOPMENT RECOMMENDATION

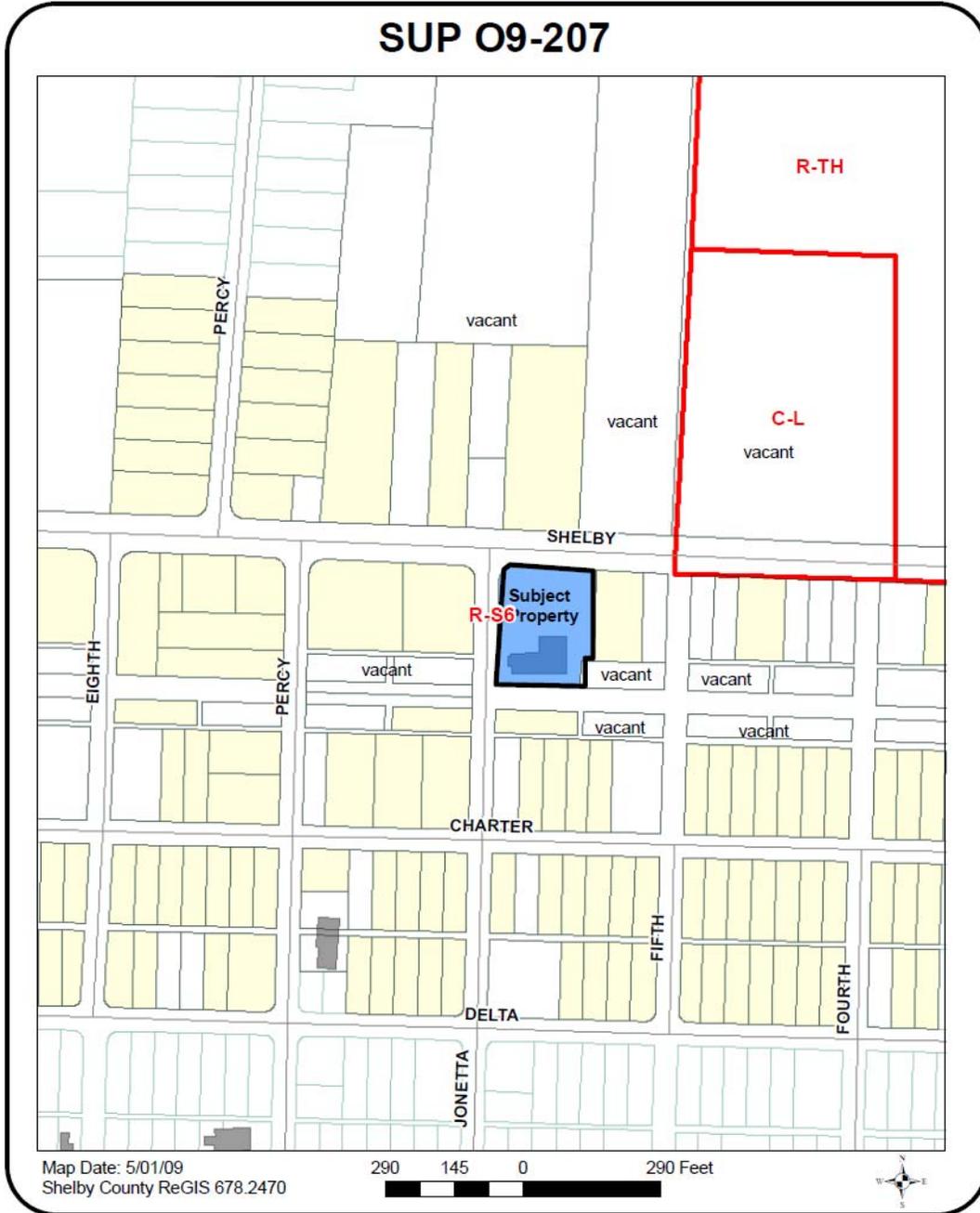
APPROVAL WITH CONDITIONS

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CONCLUSIONS

1. Churches and other institutional uses of land such as schools are permitted by right in any zoning district, including the Single Family Districts, with the understanding that these uses play a vital role in the social and economic health of a community.
2. A vacant church or school can be a difficult site to redevelop since these are specialty purpose buildings on large sites. A vacant institutional building can also send a negative message about the relative economic health of the immediate community.
3. This site which is large in comparison to the majority of the residential lots in the area and has frontage on a major road seems to be a good location for this type of facility.
4. Maintaining the building in its existing footprint with no exterior changes contributes to the stability of the area especially in comparison to allowing the building to remain vacant. Also the size of the building adds a limit to the number of persons that can be housed at this facility.
5. The conditions attached to this review will stipulate that no changes other than the striping of the parking lot and the addition of some landscaping are permitted.



Zoning and Land Use



Aerial View



Partial view of building and site from Jonetta Street



View of Building and Site from W. Shelby Drive

STAFF ANALYSIS

General Location and Site Characteristics:

The subject tract is a 1 acre parcel that is located at the southeast corner of W. Shelby Drive and Jonetta Street located in the Levi area of the Whitehaven-Levi Planning District in Southwest Memphis.

The site sits above the street levels of Shelby Drive and Jonetta Street. This corner lot contains about 170 linear feet along W. Shelby Drive and some 218 feet along Jonetta. The site also includes frontage along Parkwood Drive (+/- 175 feet) however this is an unimproved street. The applicant currently takes some access from this unimproved strip. The church building faces Jonetta Street.

The site is currently developed with a Church, fellowship hall and sanctuary, a paved parking area, and a small playground area with playground equipment. Access to the site is gained via the driveway that connects to the unimproved Parkwood Drive. There is a second point of access to Shelby Drive that is conveyed via a driveway that is located on the adjacent lot to the east that is owned by this applicant.

Request:

The applicant's request is to renovate the interior of the Church for the purpose of converting it to a Group Shelter that will accommodate up to a maximum of 11 women. The renovation is limited to the inside of the structure and no other changes are requested as a part of this application other than the stripping of the parking for 24 spaces and three handicapped spaces and the addition of landscaping along the perimeter of the site.

The Group Shelter which is an extension of the applicant's outreach services will offer lodging and meals to its occupants on a 24 hour a day, seven day a week basis. This Group Shelter will offer a range of services including job counseling and re-introduction of basic skills as well as transportation to job interviews and doctors appointments for women who need assistance in reconnecting with society.

Review of Request:

Churches and other institutional uses of land such as schools are permitted by right in any zoning district, including the Single Family Districts, with the understanding that these uses play a vital role in the social and economic health of a community. Many times such institutional uses provide recreation space, social gathering space for neighborhood meetings and often times polling places for voting.

A vacant church or school can be a difficult site to redevelop since these are specialty purpose

buildings on large sites. A vacant institutional building can also send a negative message about the relative economic health of the immediate community.

Many State Agencies that are involved with the licensing of uses such as Group Shelters are requiring their applicants to find locations that are within or at the edge of stable neighborhoods so as to impart the benefits of that neighborhood on the client.

This site which is large in comparison to the majority of the residential lots in the area and has frontage on a major road seems to be a good location for this type of facility. Maintaining the building in its existing footprint with no exterior changes contributes to the stability of the area especially in comparison to allowing the building to remain vacant. Also the size of the building adds a limit to the number of persons that can be housed at this facility.

The conditions attached to this review will stipulate that no changes other than the striping of the parking lot and the addition of some landscaping are permitted. Any building additions shall require consultation with the Office of Planning and Development who will determine what kind of additional application may be needed.

During the site visit, a member of the shelter staff mentioned that a sign was being repaired. While the OPD Staff is recommending Approval of this request, we encourage the applicant to fully consider whether a sign is truly needed for this use. When these uses are requested for residential buildings, the staff will typically restrict any signage to a small sign that is attached to the building. Depending on the content of the sign, a detached sign could invite unwarranted concern about the use of this site.

RECOMMENDATION: APPROVAL WITH CONDITIONS

SITE PLAN CONDITIONS

A Special Use Permit is hereby authorized to *David Grayson Ministries Inc.* to allow a *Group Shelter for Women* on the property located at the southeast corner of W. Shelby Drive and Jonetta Street (Parcel ID 07518300001) in accordance with the approved site plan and the following supplemental conditions:

1. No changes to the exterior of the church, other than ordinary repair and maintenance shall be permitted.
2. Changes to the site shall include the striping of the parking lot and the installation of landscaping as indicated below.
3. The Shelby Drive and Jonetta Street frontages shall be planted with an A-1 Plate, a Tree A (Oak, Maple, or Ginkgo (m) preferred) placed 40 feet on center.
4. An evergreen shrub (planted 3 feet on center, 1 gallon size at planting) of the Holly Species (Dwarf Burford or Nellie Stevens) shall be planted along the outside edge of the parking lot (parallel to W. Shelby Drive and Jonetta Street). Shrubs shall be maintained at a minimum height of 3 feet but may be taller if desired by applicant.
5. Dumpsters and HVAC equipment shall be screened from public view through use of landscaping or fencing.
6. Signs shall be regulated by the R-S6 District, one sign attached or detached, maximum size 12 square feet in area. A detached sign shall be internally illuminated and shall not include a message board or create the illusion of continuous movement.

GENERAL INFORMATION

Street Frontage: W. Shelby Drive.....+/- 169.55 Feet
Jonetta Street.....+/- 218.97 Feet
Parkwood Drive (unimproved) +/- 175 Feet

Planning District: Whitehaven-Levi

Census Tract: 224.10

Parcel ID: 075183 00001

Zoning History: The current R-S6 District on this site was reaffirmed with the approval of the Whitehaven-Levi Comprehensive Plan and Comprehensive Rezoning which dates to 2003.

DEPARTMENTAL COMMENTS

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

City Engineer:

City Fire Division: No comments.

City Real Estate: None.

City/County Health Department: No comment by the Water Quality Branch.

City 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 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 comply with Memphis/Shelby County Zoning Ordinance - Landscape and Screening Regulations.
- **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).

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 - All residential developers must contact MLGW's Residential Engineer at 528-4855 for application of utility services.
 - All commercial developers must contact MLGW's Builder Services line at 367-3343 to initiate the utility installation process.
- **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.

Bell South: No comments received.

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

OPD-Regional Services: No comments received.

OPD-Plans Development:

Memphis Park Commission: No comments received.

Neighborhood Associations: No comments received

Westhaven Homeowners Association:
South Memphis Neighborhood Inc.:
Cummings Street CDC:
Memphis Airport Area Development Corpora:
Whiteville-Alice Neighborhood Watch:

