

STAFF REPORT

8

CASE NUMBER: P. D. 09-302 CC **L.U.C.B. MEETING:** July 9, 2009
Held from May 14, 2009

DEVELOPMENT: CORDOVA RIDGE PLANNED DEVELOPMENT, 4TH Amendment

LOCATION: South side of Macon Road; +/-1,117 feet east of Houston Levee Road

COUNCIL DISTRICT(S): Unincorporated Shelby County

OWNERS/APPLICANTS: Community Bank N.A.

REPRESENTATIVE: Solomito Land Planning

REQUEST: Plan amendment to create Parcel 1-B to allow self-service mini-storage warehouses in Parcel 1 of the Outline Plan.

AREA: 8.45 Acres

EXISTING LAND USE & ZONING: Vacant land currently governed by Cordova Ridge Planned Development, 3rd Amendment(P.D. 01-331 CC).

SURROUNDING LAND USES AND ZONING:

North: Single family homes in Carlton Ridge Planned Development(P.D. 01-338 CC) and single family estate and vacant, wooded land approved for single family, office and Planned Commercial(C-P) District land use in Phillips Farm Planned Development(PD. 05-344 CC).

East: Single family homes with rear access alley-ways in Cordova Ridge Planned Development(P.D. 01-331 CC).

South: Single family homes in Cordova Ridge Planned Development(P.D. 01-331 CC)

West: Kroger grocery store, including gasoline sales, small restaurant and retail shops in Cordova Ridge Planned Development(P.D.01-331 CC).

OFFICE OF PLANNING AND DEVELOPMENT RECOMMENDATION:

Rejection

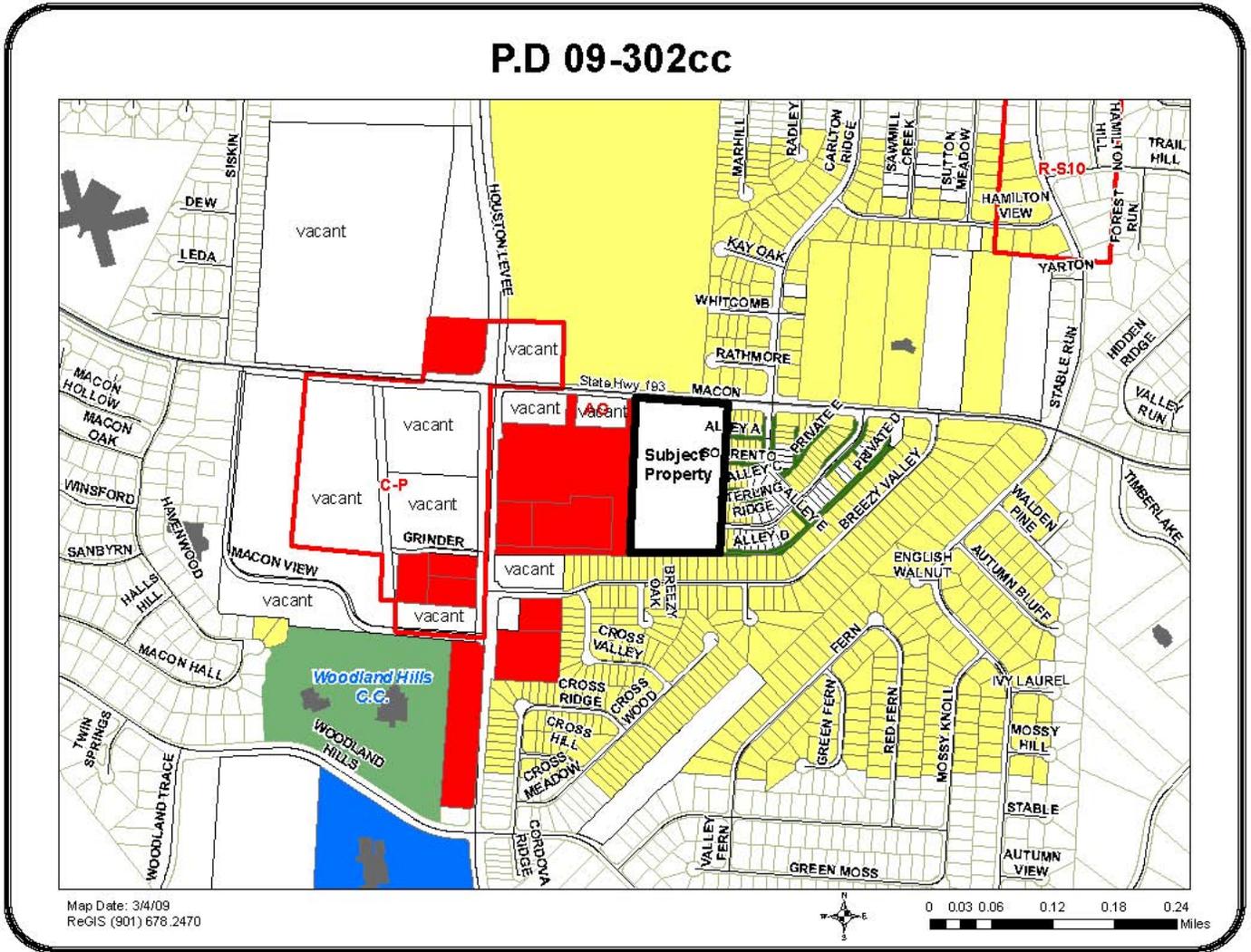
Staff: *Brian Bacchus*

E-mail: brian.bacchus@memphistn.gov

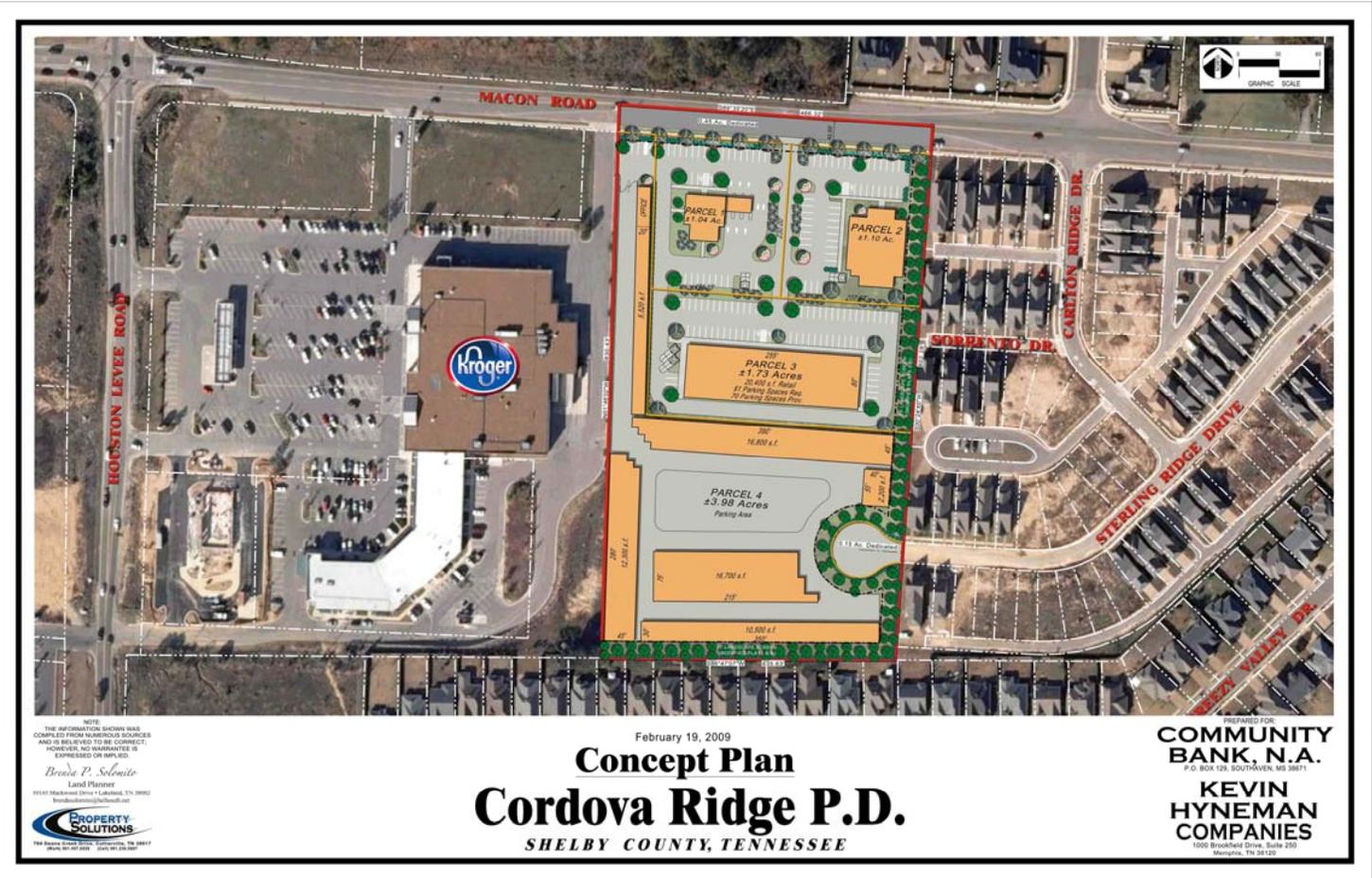
CONCLUSIONS:

- 1. The requested amendment to Parcel 1 of the Outline Plan is to allow self-service mini-storage warehouses to be located to the rear of a large retail building in the center of the parcel, including a bank and a small retail building along Macon Road as depicted on the Concept Plan.**
- 2. This amendment proposes to create Parcel 1-B to also allow outdoor storage for recreation vehicles located to the interior of the storage buildings. The original plan approved in 1996 allowed office development in Parcel 2 as a transitional buffer zone between commercial at the major road intersection and single family residential development.**
- 3. The site meets the minimum standard for site selection for mini-storage warehouses adjacent to residential for a lot between one(1) and four(4) acres by zoning ordinance, including additional standards regarding the treatment of outdoor storage. This zoning change would be an acceptable alternative to C-P District land use if elevation plans illustrating residential-style architecture, pitch roof lines with asphalt singles and brick exterior walls are included in the Concept Plan.**
- 4. Furthermore, Sterling Ridge Drive should be considered as an extension to 'Cordova Ridge Shops' to maintain interconnectivity within this development. The total block perimeter measured from the intersection of Breezy Valley Drive and Macon Road is 6,000 feet which far exceeds the recommended maximum block length of 3,000 feet.**
- 5. The single family residential development within this plan is within walking distance of a neighborhood center. This development plan should be more compatible with residential development and provide pedestrian walkways and street connections. This amendment to allow a modification to a land use plan should incorporate recommendations of staff and the Gray's Creek Association in the Concept Plan.**

ZONING & LAND USE MAP:



OUTLINE/CONCEPT PLAN:

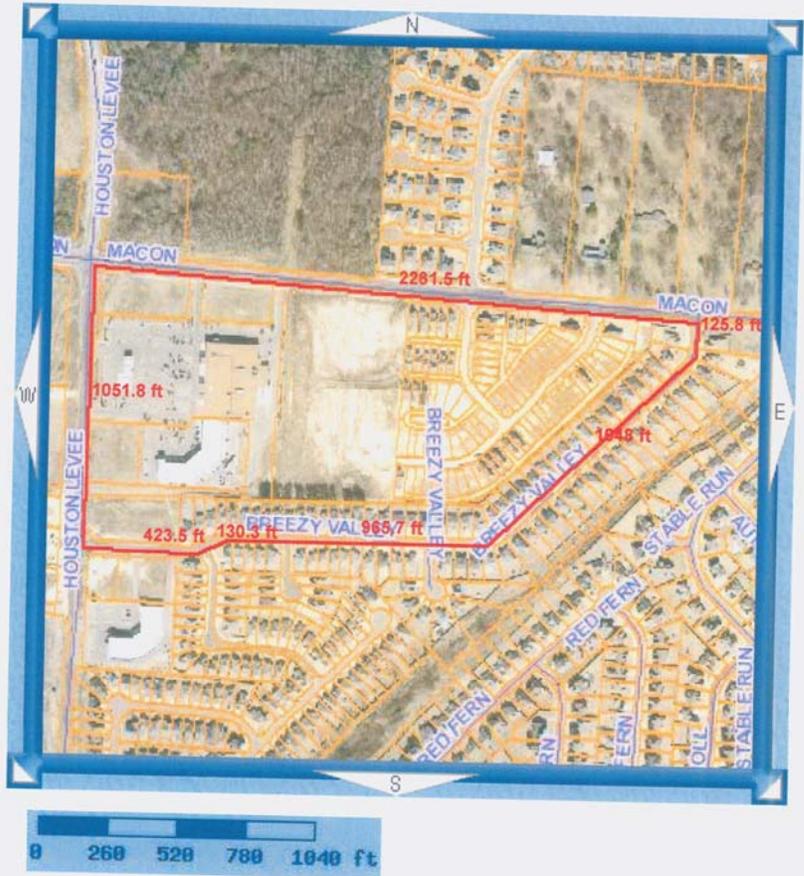


TOTAL BLOCK PERIMETER MAP:

Measurements

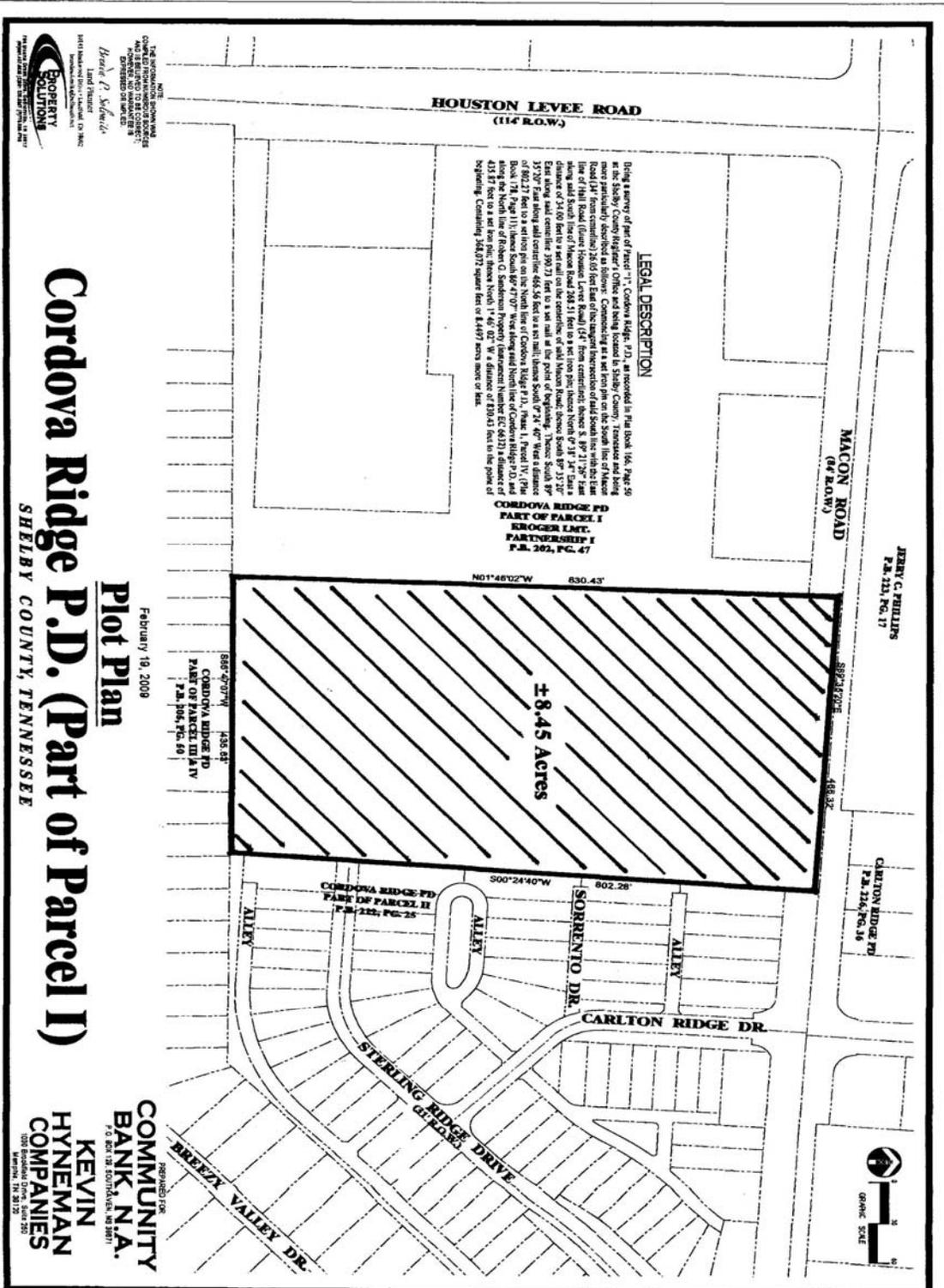
Perimeter: 6006.7 ft (1.1 mi)
Area: 1848987.09 sq ft (42.45 acres)

Note: All measurements are approximate. They are based on tax maps and do not reflect accurate survey information or exact legal ownership boundaries but are only provided for general information purposes.



VICINITY & OWNERSHIP MAP:

O.P.D. Case Number P.D. 09-302 CC



STAFF ANALYSIS:

Site Description

The subject property is a vacant parcel of land containing 8.45 acres and designated Parcel 1 in the Outline Plan for Cordova Ridge Planned Development. The parcel is located at the south side of a major road, Macon Road, just east of Houston Levee Road in the Gray's Creek Area within the Memphis Reserve. The site primarily fronts on Macon Road with no curb, gutter or sidewalk along the roadway. This parcel has remained vacant since the original Outline Plan was approved in 1996 as part of a much larger tract of 196.24 acres approved and developed as primarily single family residential and retail commercial land uses.

This parcel currently allows Planned Commercial(C-P) District land uses which are primarily neighborhood services such as such as a bank, drycleaners, beauty/barber, photo and retail shops. The site is located in close proximity to single family neighborhoods, apartment communities and places of worship. The immediate area began to develop as residential in the early 1990's for Cordova Ridge and Lee Line Farms Planned Developments.

Area Overview

The surrounding land use and zoning was primarily approved by planned developments. The properties north began to develop in late 1990's with single family homes in Carlton Ridge Planned Development as well as single family homes south and within this development plan named Cordova Ridge Planned Development. There are single family homes farther north and east and single family homes on estate lots in the Agricultural(AG) District at the north side of Macon Road. The land use west is primarily a neighborhood center consisting of a major grocery store, including gasoline sales, small restaurant and retail shops of neighborhood services.

The land farther west at the southwest corner of the major road intersection is vacant approved for Planned Commercial(C-P) District land use, including office, retail and restaurants. The neighborhoods farther west are single family homes in Woodland Hills Planned Development, including some office, retail shops and institutional land use for day care and a church. The development at the northwest corner of the major road intersection is Lee Line Farms Planned Development approved and developed primarily single family residential, including a public school. A bank office building is located at the immediate corner with a large tract that has remained undeveloped and approved for Planned Commercial(C-P) District land use.

Amendment vs. Concept Plan

The requested amendment to Parcel 1 of the Outline Plan is for development of self-service mini-storage warehouses to be located to the rear of a large retail building in the center of the parcel, including a bank and a small retail building along the front at the south side of Macon Road as depicted on the Concept Plan. The site is located directly adjacent to and in close proximity to single family homes in a subdivision with buildable and available lots within this planned development.

This amendment proposes to create Parcel 1-B to also allow outdoor storage for recreation vehicles located interior to the storage buildings. The original plan approved in 1996 allowed office development in Parcel 2 as a transitional buffer between commercial at the major road intersection and single family residential development. An amendment was approved in 2002 that changed zoning of Parcel 2 to single family residential and has developed as such with rear access alleyways.

The planned development concept has been that of a mixed-use development with neighborhood services within walking distance of single family homes. The area has developed in this manner with a variety of housing types, including long time residents at the north side on 2 acre estate lots in AG District zoning. The area has and continues to promote interconnectivity with a network of streets and sidewalks, except along the front of this parcel and yet to be dedicated and improved with curb, gutter and sidewalk. This amendment for self-service mini-storage warehouse should seek to maintain consistency in concept planning of the area with existing development patterns conforming to planning and development standards.

The request for self-service mini-storage warehouse is a land use with minimal outdoor activity in close proximity to single family homes in need of additional storage space. The single family homes within this development have limited rear yard and back yard area to allow sizeable accessory storage building. This facility consisting of 64,020 sq. ft. of storage space is an acceptable land use alternative if constructed of residential style architecture to blend with adjacent single family homes. The parcel is small enough to maintain consistency in residential-style architecture, but not large enough for outdoor storage of recreational vehicles.

The minimum standard for mini-storage warehouses adjacent to residential is a lot between one(1) and four(4) acres by zoning ordinance, including additional standards regarding the treatment of outdoor storage. This zoning change would be an acceptable alternative to C-P District land use directly adjacent to single family homes if elevation plans illustrating residential-style architecture, pitch roof lines with asphalt singles, including brick exterior walls are included in the Concept Plan review. This development of self-service mini-storage warehouses should be residential in appearance, including the bank building and retail shops.

Furthermore, Sterling Ridge Drive should be considered as an extension to the ‘Cordova Ridge Shops’ to maintain interconnectivity within this development. The total block perimeter measured from the intersection of Breezy Valley Drive and Macon Road is 6,006 feet which far exceeds the recommended maximum block length of 3,000 feet. The extension of Sterling Ridge Drive through Parcel 1-A will reduce the maximum block length by one-half or 2,846 feet and allow neighborhood residents access to the commercial services without traveling on the major road, Macon Road. Because this application does not address these concerns, staff is recommending rejection of this application until possible solutions concerning the road extension and the type of architecture of the buildings within this development have been addressed and more importantly, the relationship with adjacent single family homes.

The Memphis and Shelby County Transportation Plan explains that: “ In cities like Memphis and the region immediately surrounding it, the physical distance between complementary land uses (e.g. between home and work, home and school, or home and shopping) and a lack of overall street connectivity leads to unintended consequences—increased vehicle miles traveled and energy consumption, longer commute times, increased air pollution, heightened infrastructure costs and decreased resource lands.” The aerial photograph on **Page 6** of this Staff Report illustrates the extremely long block perimeter in this area and the significant need to interconnect Sterling Ridge Drive to Macon Road.

Although this parcel is not large enough to allow outdoor storage at this location, the development should maintain a more compatible relationship with adjacent residential properties to be consistent with the neighborhood center concept. The single family residential development within this plan is within walking distance of a neighborhood center. This development should be more compatible with residential development and buffer the remaining residential from the large grocery building to the west. This amendment to allow a modification to a land use plan should incorporate recommendations of staff and the Gray’s Creek Association in the Concept Plan. Additionally, a greater setback should be along the east property line and a wider landscape screen along Macon Road to at least the setback of homes along the roadway to not have adjacent homes looking directly into a parking lot.

RECOMMENDATION: ***Rejection***

Site Plan Review

The project review is for construction of a 64,020 square feet of self-service mini-storage buildings on 3.98 acres of land at a floor area ration of .37 F.A.R or 37% of lot area. This ratio, including access, circulation and landscaping is below the maximum floor area of .50 recommended by the zoning ordinance. Furthermore, the parcel for mini-storage warehouses meet the site selection criteria for being adjacent to residential areas on a lot of 3.98 acres. However, the architecture of all buildings should be residential in character with pitch roofs and asphalt singles this close in proximity to single family homes. The setback along the east property line should be greater to allow more horizontal green space, including the landscape screen. The parking along Macon Road should be setback to at least building line of single family homes that front this major roadway.

The access to the building is one(1) curb-cut to Macon Road with internal access to the adjacent parcel to the west via a private drive that extends to the rear of the grocery store. The development maintains internal circulation to remaining parcels by ingress/egress easements with the primary access to the center of the Concept Plan. The parking areas will have tree islands with one(1) street tree to meet the Landscape Ordinance, including required landscape screens along the front, side and rear property lines. The building separation along the east property line prevents any outdoor activity, including traffic circulation, but a larger setback and horizontal building separation should be considered along this side yard. This plan should be a continuation of the neighborhood center envisioned at this intersection and a greater benefit to adjacent neighborhoods. This Concept Plan designates Parcels and in order to remain consistent in project review—all parcels within this plan shall be labeled as Areas A, B, C, etc....

OUTLINE PLAN CONDITIONS: *[Amendments: **Bold-Italic-Underlined**]*

- I. Uses Permitted
 - A. Parcel I – Uses permitted in the Planned Commercial (C-P) District.
 - B. Parcel I-A – Uses permitted in the Planned Commercial (C-P) District with the following exceptions:
 - 1. Hotel or Motel
 - 2. Drive-in or fast food restaurant with a drive thru window is prohibited south of the collector street and no closer than 200 feet from the west line of Area IIA.
 - 3. Pawn shop.
 - 4. Used goods, second hand sales.
 - 5. Vehicle Wash.
 - 6. Retail sales – outdoor.
 - 7. Gasoline sales.
 - 8. Auto sales or service.
 - 9. Amusement, commercial outdoor.
 - 10. Lawn, tree, or garden service.
 - 11. Tavern, cocktail lounge, nightclub.
 - 12. Undertaking establishment.
 - C. *Parcel I B - Uses permitted in the Planned Commercial (C-P) District including a self storage facility but excluding the following:*
 - 1. *Hotel or Motel*
 - 2. *Drive-in or fast food restaurant with a drive thru window*
 - 3. *Pawn shop.*
 - 4. *Used goods, second hand sales.*
 - 5. *Vehicle Wash.*
 - 6. *Retail sales – outdoor.*
 - 7. *Gasoline sales.*
 - 8. *Auto sales or service.*
 - 9. *Amusement, commercial outdoor.*
 - 10. *Lawn, tree, or garden service.*
 - 11. *Tavern, cocktail lounge, nightclub.*
 - 12. *Undertaking establishment.*
 - D. Parcel II – Uses permitted in the General Office (O-G) District.
 - E. Parcel III – Uses permitted in the Multiple Dwelling (R-ML) District.
 - F. Parcel III A – Single family detached dwelling units.
 - G. Parcels IV and V – Uses permitted in the Single Family Residential (R-S10) District.

II. Bulk Regulations

- A. Parcel I – In accordance with the C-P District.
- B. Parcel I A – In accordance with the Planned Commercial (C-P) District with the following exception:
 - 1. Side and Rear Yard Setbacks – as required by the C-P District except when the non-residential use abuts or is adjacent to an existing or proposed residential use then the minimum setback from the residential use shall be 40 feet.
- C. *Parcel I B – The Bulk Regulations shall be in accordance with the Planned Commercial (C-P) District Regulations where applicable and in accordance with the regulations set forth in Section 14 E. 6. Standards and Criteria for Self-Storage Facilities.*
- D. Parcel II – In accordance with the General Office (O-G) District except the maximum height shall be 35 feet.
- E. Parcel III – In accordance with the Multiple Dwelling (R-ML) District.
- F. Parcel III A – In accordance with the Multiple Dwelling (R-ML) with the following exceptions:
 - 1. The total number of lots and the lot dimensions shall be as shown on the attached site plan.
 - 2. The minimum Front Yard Setback for a residential dwelling shall be 20 feet; however, the minimum front yard set back for a garage shall be 27 feet. If no garage is anticipated, the driveway shall extend a minimum of 27 feet from the curb.
 - 3. Side Yard Setback – 3.5 feet.
 - 4. The required minimum Rear Yard shall be 20 feet.
- G. Parcels IV and V – In accordance with the R-S10 District; variations from the R-S10 requirements may be approved at the time of site plan review as long as the overall density is in accordance with the R-S10 District.

III. Access, Parking and Circulation

- A. Dedicate Macon Road 42 feet from the centerline. Improvement will be required if Macon Road is classified as a Priority 1 at the time a final plan is submitted.
- B. Dedicate future Houston Levee Road 57 feet from the centerline. Improvement will be required if Houston Levee Road is classified as a Priority 1 at the time a final plan is submitted.
- C. The design and location of the curb cuts is to be approved by the City / County Engineer. Curb Cuts:
- D. Parcel I (C-P): Three (3) curb cuts along the Houston Levee Road frontage will be permitted.
- E. Parcel I A (C-P): The number, design, and location of curb cuts shall be determined by the City/County Engineer as applicable.

F. *Parcel I B (C-P): The number, design, and location of curb cuts shall be determined by the City/County Engineer as applicable or as generally illustrated on the Concept Plan.*

- G. Parcel III (R-ML): Four (4) curb cuts along the Houston Levee Road frontage will be permitted.
- H. Any curb cut along the Houston Levee Road frontage beginning closer than 300 feet from the centerline of Macon Road will be limited to right in / right out access only.
- I. All streets shall meet the sight distance and geometric requirements of the Subdivision Regulations.
- J. Dedicate a three-centered corner radius at the intersection of North Houston Levee Road and Macon Road.
- K. Valley curb and gutter on streets within the proposed subdivision is acceptable.
- L. A 6-30 curb and gutter is required on the portion of the street connecting the subdivision to Houston Levee Road through the commercial area.
- M. Said street, in H. above, that serves the commercial portion, shall be designed as a major local with a 37 / 36 alternative design with a transition to a 31 foot alternative design major local to serve residential uses in Parcel III A. The transition shall occur on the commercial property subject to the review and approval of the City / County Engineer as applicable.

N. *Parcel I B - Dedicate and improve a turn around as illustrated on the Concept Plan*

IV. Landscaping

- A. Internal landscaping for Parcels I, II, and III shall be provided in an amount equivalent to five percent of the area covered by buildings and pavement exclusive of streetscape or perimeter landscape area.
- B. *Internal Landscaping for Parcel I B, specifically the area designated for self-service mini-storage warehouses shall be in conformance with the criteria outlined in Section 14 E. 6. Standards and Criteria for Self-Storage Facilities.*
- C. Plate A-3 or an equivalent is required where applicable as per the Landscaping Ordinance streetscape chart (Section 32.D.4.a.-e.).
- D. Along the eastern property line Modified Plate B-4, a 15 foot wide planting screen shall be provided which excludes the fence and supplements existing trees with pine trees or other trees with a minimum one-inch diameter at the time of planting; subject to site plan review by the Land Use Control Board.
- E. Alternative landscaping may be substituted for that required above subject to the approval of the Office of Planning and Development.
- F. Landscaping shall not conflict with any easement.
- G. Lighting shall be directed so as not to glare onto residential property.
- H. Refuse containers shall be completely screened from view from adjacent property.

- I. Existing trees shall be retained wherever feasible.
- J. Parcels IA and IIIA are subject to the Tree Ordinance.
- K. Where Parcel I A abuts an existing or proposed residential use, the landscaping and screening plan shall contain a wooden shadow box fence with a cap six feet in height. The landscape plate shall be the B-4 modified to 20 feet in width from the south property line.
- L. If overhead power lines are present or proposed along the Houston Levee frontage of Parcel I A, then an A-5 plate or suitable equivalent shall be required.

V. Signs

- A. Attached and detached signs shall conform to the regulations of the R-S10 District for Parcels IV and V.
- B. Attached and detached signs shall conform to the regulations of the O-G District for Parcel II.
- C. Attached and detached signs shall conform to the regulations of the C-P District for Parcel I.
- D. Attached and detached signs shall conform to the regulations of the R-ML District for Parcel III.
- E. Detached and attached signs in Parcel I A and Parcel I B shall be regulated by the Planned Commercial (C-P) District.
- F. No detached sign in Parcel IA shall be located any closer to existing or proposed residential lots of Parcels III and IIIA than 140 feet. Any detached signs shall be monument in style and composed of materials that are consistent with the buildings and other signs within this Parcel.
- G. The location, size and number of signs shall be determined at the time of site plan review.
- H. No temporary or portable outdoor advertising signs are permitted.
- I. All signs shall have a minimum setback of 15 feet from street right-of-way.

VI. Drainage

- A. Design and construction of the storm water conveyance and management facilities for this project shall be in accordance with the Subdivision Regulations and the City of Memphis Drainage Design Manual.
- B. All drainage plans shall be submitted to the City or County Engineer for review.
- C. This project must be evaluated by the Tennessee Department of Health and Environment regarding the jurisdiction over the water course on this site in accordance with the Water Quality Control Act of 1977. (TCA 69-3-101 et. seq.).

- VII. The Land Use Control Board may modify the building setback, building height, parking, landscaping, and sign requirements if equivalent alternatives are presented.

VIII. Site Plan Review

- A. A site plan shall be submitted for the review and approval of the Land Use Control Board prior to the approval of any final plan. The plan shall be filed a minimum of 21 days prior to the regular meeting of the Board. For Parcels IA and IIIA, site plan review will be administrative in nature with the Office of Planning and Development and other appropriate governmental agencies. However, either the applicant or OPD may file an appeal to the Land Use Control Board and legislative bodies if the applicant and the OPD cannot agree on the meaning of any of the above conditions.
- B. The site plan shall include the following:
 - 1. The location of all existing and proposed public roadways on or adjacent to the property.
 - 2. The location, dimensions, and floor area of all buildings, structures, and parking areas.
 - 3. The location of internal streets and private drives and the number and general location of curb cuts and utility easements.
 - 4. The location of pedestrian systems.
 - 5. The location and use of open space.
 - 6. Internal and perimeter landscaping.
 - 7. The location, diameter, and species name of all trees and plants, the identification of plants to be preserved, and methods intended to be used to plants during construction.
- C. The site plan shall be revised based upon the following criteria:
 - 1. Conformance with the outline plan conditions.
 - 2. Conformance to the standards and criteria for commercial planned developments contained in Sections 14C., 14D., 14E., and 14F. of the Zoning Regulations.

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

X. Any final plan shall include the following:

- A. The Outline Plan Conditions.
- B. A Standard Subdivision Contract as defined by the Subdivision Regulations for any needed public improvements.
- C. The exact location and dimensions, including height, of all buildings or buildable areas, parking areas, drives, and required landscaping.
- D. The number of parking spaces.
- E. The location and ownership, whether public or private, of any easement.

- F. A statement conveying all common facilities and areas to a property owner's association or other entity, for ownership and maintenance purposes.
- G. The location of the floodway boundary.
- H. The 100 year flood elevation.
- I. An overall sewer plan for the entire site shall be submitted to the City Engineer or County Engineer prior to the approval of the first final plat. The sewage treatment system is to be built at the developer's expense and such treatment shall be made available to the Mt. Pisgah School and to be operated and maintained by Shelby County.
- J. It should be understood by this applicant/developer that the approval of this application by the Memphis City Council is in no way contradictory to the Resolution passed by the Council. The resolution, adopted July 15, 1997, denies sanitary sewer service to any areas which are proposed for incorporation into municipalities other than the City of Memphis, within the City of Memphis Annexation Reserve Area.
- K. *The Outline Plan for Cordova Ridge Planned Development, 3rd Amendment shall be recorded with the Office of Shelby County Register reflecting the 4th Amendment prior to filing any final plan of development.***

**P.D. 09-302 CC (formerly P.D. 01-331 CC
Cordova Ridge Planned Development, 4th Amendment**

GENERAL INFORMATION:

Street Frontage: Macon Road-----+/-466.32 linear feet.

Planning District: Shelby Farms-Germantown

Census Tract: 210.20

Zoning Atlas Page: 1960/2060

Parcel ID: D021500579

Zoning History: In 1996, this Planned Development was approved for a mixed-use Outline Plan with amendments approved in 1997, 2000 and 2001. Prior to these dates, the Agricultural(AG) District zoning of the site date to the adoption of the 1960 Shelby County Comprehensive Zoning and the 1980 zoning map amendments.

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.
2. This site is located in the Memphis Reserve Area.

Sewers:

3. City sanitary sewers are available at developer's expense.
4. 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.

Curb Cuts/Access:

5. The City/County Engineer shall approve the design, number and location of curb cuts.
6. The City Engineer will support the construction of a permanent cul-de-sac at the end of Sterling Ridge Drive as requested by the applicant.

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. 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:

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

General Notes:

10. The width of all existing off-street sewer easements shall be widened to meet current city standards.
11. 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.
12. Required landscaping shall not be placed on sewer or drainage easements.

Shelby County Engineer:

Recommend that as part of the LUCB condition that we ask the developer to make the temporary turnaround at the end of the Sterling Ridge as shown on plat book 216 page 25 permanent and improve it with pavement, curb/gutter and sidewalk if there is no plan for continuing the Sterling Ridge road westward.

Shelby County Fire Department:

No comments received.

City Fire Division:

No comments.

Memphis & Shelby County Health Department:

If any monitoring wells were installed as part of an environmental site assessment they must be properly filled as outlined in Section 6 & 9 of the Shelby County Well Construction Code.

Shelby County Board of Education:

No comments.

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).
- **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: No comments received.

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

OPD-Regional Services:

Currently this section of Macon Road is a two (2) lane roadway with forty(40') feet of right-of-way and twenty four (24') feet of pavement. According to the Memphis Urban Area 2030 Long-Range Transportation Plan, this section of Macon Road is classified as a "Rural Minor Arterial" roadway on the "Functional Classification" map. The "Existing Plus Committed Network" illustrates that there are no improvements programmed for this section Macon Road. The "Congested Roadway Network" illustrates that there is no congested along this section of Macon Road.

OPD-Regional Services: (continued)

The traffic stations below reflect traffic counts east of the subject site near Reed Hooker. This is the nearest traffic station to the subject site.

| Traffic Stations | | | | | | |
|------------------|--------|----------|-----------------|------|----------------|-------|
| Rec Number | County | Station | | Year | Annual Average | Route |
| | | Location | Daily Count | | | |
| 1 | 000418 | Shelby | EAST OF MEMPHIS | 2008 | 3613 | 01458 |
| 2 | 000418 | Shelby | EAST OF MEMPHIS | 2007 | 4054 | 01458 |
| 3 | 000418 | Shelby | EAST OF MEMPHIS | 2006 | 3664 | 01458 |
| 4 | 000418 | Shelby | EAST OF MEMPHIS | 2005 | 3556 | 01458 |
| 5 | 000418 | Shelby | EAST OF MEMPHIS | 2004 | 4200 | 01458 |
| 6 | 000418 | Shelby | EAST OF MEMPHIS | 2003 | 3890 | 01458 |
| 7 | 000418 | Shelby | EAST OF MEMPHIS | 2002 | 3426 | 01458 |
| 8 | 000418 | Shelby | EAST OF MEMPHIS | 2001 | 3297 | 01458 |
| 9 | 000418 | Shelby | EAST OF MEMPHIS | 2000 | 2671 | 01458 |
| 10 | 000418 | Shelby | EAST OF MEMPHIS | 1999 | 3172 | 01458 |
| 11 | 000418 | Shelby | EAST OF MEMPHIS | 1998 | 3430 | 01458 |
| 12 | 000418 | Shelby | EAST OF MEMPHIS | 1997 | 2758 | 01458 |
| 13 | 000418 | Shelby | EAST OF MEMPHIS | 1996 | 2819 | 01458 |
| 14 | 000418 | Shelby | EAST OF MEMPHIS | 1995 | 2658 | 01458 |
| 15 | 000418 | Shelby | EAST OF MEMPHIS | 1994 | 2330 | 01458 |
| 16 | 000418 | Shelby | EAST OF MEMPHIS | 1993 | 1758 | 01458 |
| 17 | 000418 | Shelby | EAST OF MEMPHIS | 1992 | 2361 | 01458 |
| 18 | 000418 | Shelby | EAST OF MEMPHIS | 1991 | 2012 | 01458 |
| 19 | 000418 | Shelby | EAST OF MEMPHIS | 1990 | 2208 | 01458 |
| 20 | 000418 | Shelby | EAST OF MEMPHIS | 1989 | 2197 | 01458 |
| 21 | 000418 | Shelby | EAST OF MEMPHIS | 1988 | 1942 | 01458 |
| 22 | 000418 | Shelby | EAST OF MEMPHIS | 1987 | 1521 | 01458 |
| 23 | 000418 | Shelby | EAST OF MEMPHIS | 1986 | 1703 | 01458 |

OPD-Plans Development:

South and east parcel boundaries abut residential development. There should be some type of landscaping buffer created along these two borders to reduce any potential negative effect of the new use with the residential neighborhoods.

Neighborhood Associations/Organizations:

| | |
|--|--|
| <i>Cordova Ridge Neighborhood Association:</i> | <i>No additional comments as of 7/2/'09.</i> |
| <i>Cordova Leadership Council:</i> | “ “ “ |
| <i>Alliance of Cordova Neighborhoods:</i> | <i>No additional comments as of 7/2/'09.</i> |
| <i>Cumberland Farms Ngh'd Association:</i> | “ “ “ |
| <i>Fisherville Civic Club:</i> | <i>No additional comments as of 7/2/'09.</i> |
| <i>Gray's Creek Association:</i> | <i>See Attachments.</i> |

Applicant Response:

Staff: bb

See Attachments.

Opposition Letter:

From: Regina Billings [regina.billings.ikk0@statefarm.com]

Sent: Wednesday, April 01, 2009 10:37 AM

To: brian.burcchus@memphistn.gov

Subject: Case # P.D.09-302 CC CORDOVA RIDGE PLANNED DEVELOPMENT

Brian,

**I am apposed to any zoning that would allow a mini storage facility
On the referenced property. I feel it would hurt home values.**

**Regina Billings
1407 Radley Cv.
Cordova, TN 38016**

901.833.7951

Gray's Creek Association:

From: Carson Looney

Sent: Friday, May 08, 2009 2:28 PM

To: 'Brian Stephens'

Cc: jreed@marx-bensdorf.com; 'Doug Dickens'; blarschan@comcast.net; ewojack@comcast.net; David Sanders; 'Carson Looney'

Subject: FW: Cordova Ridge

Importance: High

Attached are the mark-ups for the Cordova Ridge application located along Macon Rd.

The first drawing identifies the issues and the second provides one solution which addresses the issues. I had about four different concepts but once I read thru the application and figured out the original plan allows CP uses on this site it seemed like a far reach to ask them to do Residential and given that there are many vacant residential lots adjacent I don't believe this approach would gain us any traction. So with short time available I focused on showing how their basic desires could be achieved with min. changes to their plan.

In this regard I kept looking for what are the critical items and secondary items, at this point I'd say everything pointed out needs to be appropriately addressed since the transition from CP commercial use directly to Residential use requires a combination of multiple items to pull it off successfully.

Of course there are many ways to solve the issues, this was the best first stab for a freebee.

Brain, I tried to keep comments to design issues but here's a couple more items you could point out. They are requesting the change to allow the mini-warehouse (self storage)... This leads me to believe they desire to build this sooner than later. In their "design" the storage structures extend almost to Macon Rd. without any landscape or screening. This is horrible in that it would appear negative in total but Horrible until all the other structures were built. I've shown this set-back not to exceed the front of the structure in parcel 3 and feel pretty strong about this and that it should be a condition of approval.

The landscape area along Macon in front of the proposed bank is called out to be 11ft., this is way too narrow to establish the hardwood street trees we've requested/required of any application.

The parking lot in front of parcel 2 which is adjacent to the existing residential area will create a negative situation for these homes. The revised concept plan addresses this and should be a requirement of approval.

Both of the two items above create a negative situation for the undeveloped property across Macon along with the residential area across the street.

The existing homes have min. side yard setbacks, the 40ft. setback and landscape screen I've shown is not excessive due to the difference in uses and the issues the homeowners will face. I believe I read in the orig. application that a 40ft. setback was required on another abutting residential parcel.

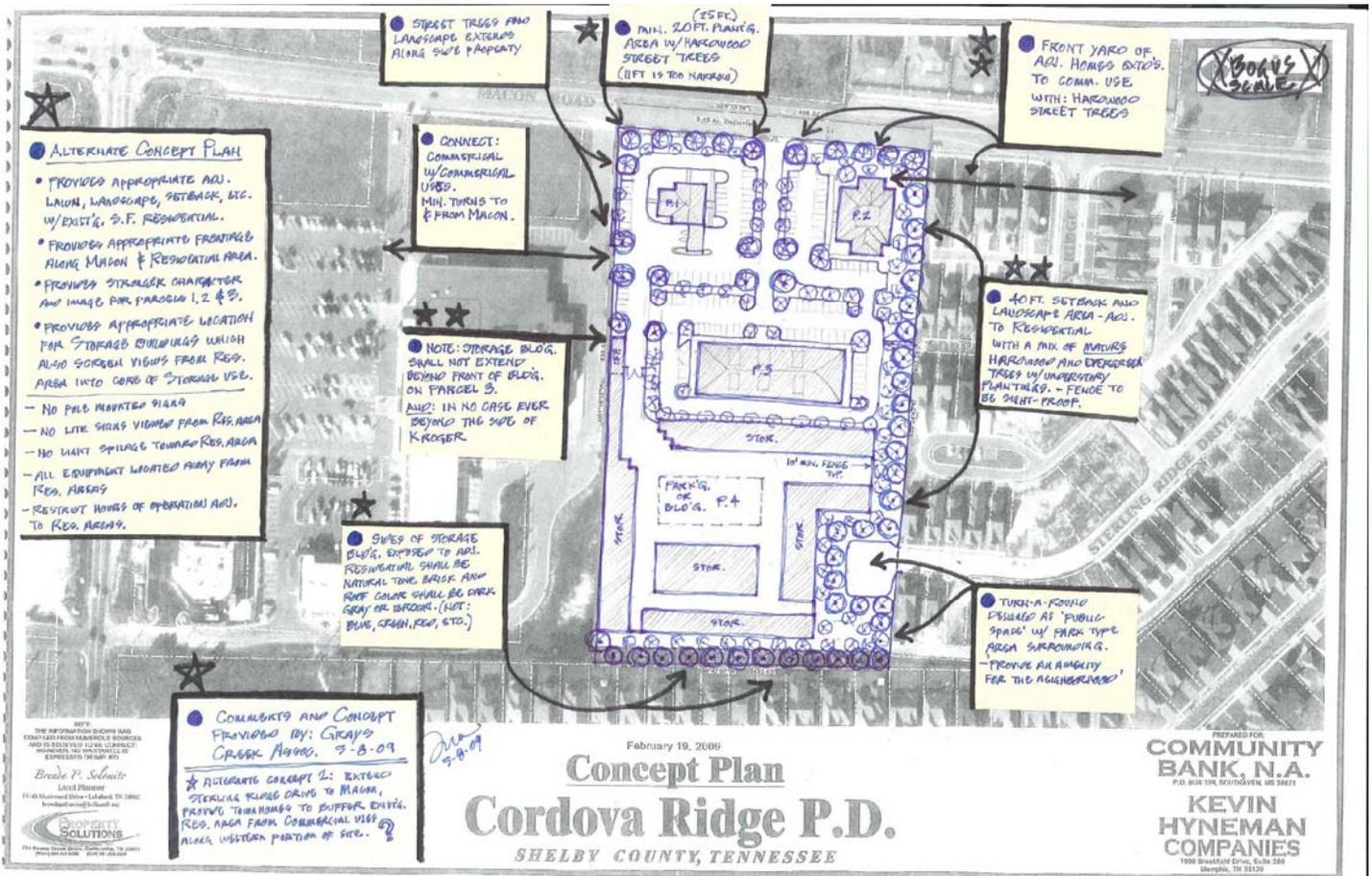
One major issue is doing whatever is responsible and right to try and assure Values near this area maintained. The existing residential area to the east has many vacant lots (3-4 years vacant) and the values of these homes are some of the lowest in the area. This development can either at a min. stabilize this neighborhood but at worst could create such a negative situation that these homes are greatly devalued, rented, etc. and this area becomes a place to stay away from. We can't allow this "one shot" gig to create an unsustainable situation. That's why I feel strongly that each and every issue and idea must be addressed and incorporated should this application be approved.

Thanks,

Carson

J. Carson Looney, FAIA
Looney Ricks Kiss Architects

Gray's Creek Association Mark-Up 2 of 2:



From: Zack Randolph [zrandolph@kevinhyneman.com]
Sent: Monday, June 29, 2009 9:23 AM
To: Bacchus, Brian
Cc: brendasolomito@bellsouth.net; stephensgroup@gmail.com
Subject: Cordova Ridge P.D. Outline Plan Modificiation - July 9th, 2009 LUCB Meeting
Brian B.,

I think Brenda has already called you but just to be sure I wanted to let you know that we'll be moving forward with our request to add the mini-warehouse use to 3.98 acres of the 8.45 acre Community Bank site as previously submitted. The conceptual site plan meets or exceeds the specifics of the mini-warehouse ordinance and, after meeting / communicating with all of the affected neighborhood associations, I don't believe that there will be any organized opposition.

Thank you,

Zack

Cordova Ridge P.D. Outline Plan Modification
Response to LRK's comments dated 05-07-09

(1) Comment: *Open view to storage with no landscape screen (traveling east on Macon Road).*

Response: First, the concept plan is sensitive to the surrounding area by using a very narrow entrance on Macon Road. The entry is only 55 feet wide when most mini-warehouse developments use 100 feet or more.

Second, it is not typical to install heavy landscape screening between adjacent commercial uses. Once the vacant out parcels in front of Kroger along Macon Road develop, the sight lines as sketched will be blocked. It would be very short sighted to impose the burden of a commercial-to-commercial landscape screen to address a temporary aesthetic sight line concern.

Third, the proposed architecture for the mini-warehouse buildings calls for all masonry construction and will be more attractive than the existing commercial construction.

Fourth, All of the proposed landscaping and the Macon Road streetscape shown on the concept plan meet or exceed the requirements set forth in the approved planned development and ZTA 96-002CC(ordinance specifically addressing mini-warehouse developments).

(2) Comment: *Negative view traveling west on Macon Road.*

Response: Again, the proposed architecture for the mini-warehouse building elevations will be all masonry so the view while traveling west on Macon will effectively be a brick wall with an eight-foot evergreen screen in front. This would not create a negative view looking west into the site.

(3) Comment: *Site Plan locates commercial use parking lot adjacent to residential homes and yards.*

Response: Parcels 1, 2, and 3 are not a part of this application and are shown on the concept plan for illustrative purposes only. Parcel 4 is the only portion of the property for which the additional mini-warehouse use is being added. The balance of the property (Parcels 1, 2, and 3) will remain as previously approved. It should be noted that the 25-foot landscape screen (with sight proof fence) shown along the east boundary of Parcels 2 and 3 is 10-feet wider than the 15-foot screen required by the approved planned development and meets the specifically referenced landscape requirement in ZTA 96-002CC.

(4) Comment: *25-foot landscaping screen (along east line of parcel) is not adequate for such conflicting uses. Suggest a 40-foot screen.*

Response: See response to Comment (3). The applicant is opposed to a 40-foot landscape screen along the east line.

(5) Comment: *No connection commercial use to commercial use. Burdens Macon Road.*

Response: The concept plan absolutely does connect the subject parcel with the commercial parcel adjacent to the west (Kroger). The existing drive located on Macon at Kroger's east line will be shared with and provide access to the site.

It should be noted that the other driveway to the site is located between Parcels 1 and 2 carefully avoiding the east line nearest to the existing residential.

(6) Comment: *Minimum 20-foot wide planting area for street scape along Macon Road. 11-feet is too narrow to sustain hardwood street trees.*

Response: Standard plate A-3 is required by the approved P.D. and has been the typical requirement for many years. The applicant is opposed to the placement of arbitrary requirements or conditions on its property.

Again, Parcels 1, 2 and 3 are not a part of this application.

(7) Comment: *Extend the front yard setback dimension of the adjacent residential homes into Parcel 2 as a landscape area and plant with hardwoods.*

Response: The applicant is opposed to this 'taking' of its property.

Parcel 2 is not a part of this application.

(8) Comment: *Outdoor R.V. parking area is exposed to residential street creating a negative view.*

Response: The fully developed cul-de-sac shown on the concept plan is superior to the undersized patch of asphalt that currently exists. The residents currently have a view of the rear of the Kroger store.

The concept plan proposes the planting of a 25-foot wide landscape screen completely around the head of the cove. The screen will include a sight proof fence. This plan represents a dramatic improvement of the existing condition.

(9) Comment: *Why cul-de-sac if street was designed to connect? Obvious intent was to connect Sterling Ridge Drive.*

Response: The adjacent neighborhood (Cordova Ridge P.D. Phase 7) is only 11.2 acres in size and was originally designated for office uses. When it became apparent that the demand for office along this portion of the Macon corridor was low the County allowed this property to be rezoned for residential uses. Please note that this subdivision has no connectivity to any of the surrounding neighborhoods and has two points of access to Macon Road.

Any extension of Sterling Ridge Drive through the subject commercial property would damage and potentially destroy its viability for commercial uses without accomplishing any meaningful connection to the Kroger site. Due to the location of Kroger's detention pond Sterling Ridge Drive cannot be extended to the west and creating another public street intersection in Macon Road east of the Kroger site would be expensive, effectively pointless and extremely disruptive to the orderly development of the applicant's site.

Both the applicant and the residents of Cordova Ridge P.D. Phase 7 are opposed to any extension of Sterling Ridge Drive into or through the commercial site.

- (10) Comment: *Storage buildings shall not extend (northward) beyond front of building on parcel 3 and in no case ever beyond the side of Kroger.*

Response: This condition is unacceptable because it provides no presence along Macon Road for the mini-warehouse site. Additionally, the alternate site configuration presented is not practical because it does not allow for ingress and egress of moving vehicles into and out of the storage facility without driving through parking lots designated for service to the retail component of the development. The alternate site plan does not appear to provide proper turning radii to accommodate typical moving vehicles.

The applicant is opposed to this or any similar condition.

- (11) Comment: *Does not add value to the area. Creates negative value to adjacent residential single family homes and surrounding area.*

Response: This comment seems short sighted. If this commercial parcel is allowed to develop as submitted with appropriately designed architectural elements it will enhance rather than detract from the overall neighborhood.

- The south side of Macon Road will finally be completed from the residential subdivisions west to Houston Levee Road.
- The mini-warehouse site will have attractive masonry elevations and a generous 25-foot maintained landscape screen as a buffer for the existing residences as opposed to the open view of the back of the Kroger building / strip center that they currently enjoy.
- The temporary turn-around at the west terminus of Sterling Ridge Drive will become a fully developed, landscaped cove head.
- The mini-warehouse site will conveniently provide a much needed service to the area residents and is a lower impact use of the property than what is already currently approved.
- Comparatively narrow mini-warehouse frontage along Macon Road.
- This plan offers an additional 10-feet of landscaping width along the east line of the development above what is currently approved for the commercial component.

Brian,

If we were starting a new development in 2009 with a blank slate in a growing economy then it would be appropriate to incorporate many of LRK's proposed ideas; but this is effectively the last piece (4.3%) of an existing planned development and we're in the middle of an economic depression. It is not appropriate to impose 2009 master planning criteria onto the final piece of a puzzle that was started in 1996.

I would enjoy the opportunity to further discuss this project with you and Carson. Please call me at your earliest convenience at 849-7067.