

**MEMPHIS AND SHELBY COUNTY OFFICE OF PLANNING AND DEVELOPMENT  
STAFF REPORT #12**

**CASE NUMBER:** Z 09-104

**L.U.C.B. MEETING:** October 8, 2009  
redacted 10/16/09

**LOCATION:** South side of Frayser Boulevard 150 ft. west of Thomas Street

**City Council District - Regular:** 7  
**City Council Super District:** 8.

**OWNER:** Frayser Manor, Inc.

**APPLICANT:** Christ Community Health Services, Inc.

**REQUEST:** General Office (O-G) District

**AREA:** 3.5 acres

**EXISTING LAND USE & ZONING:** Vacant tract in the Multiple Dwelling Residential (R-MM) District

**SURROUNDING USES AND ZONING:**

**North:** Across Frayser Blvd. are two single-family residences on a large lot in the R-MM District; apartment building in the R-MM District

**East:** Gas station convenience stores and SW & SE comers of Frayser & Watkins and motor vehicle sales along east side of Watkins in the Highway Commercial (C-H) Across Walnut Street, in the Local Commercial (C-L) District.

**South:** Single-family residences fronting on Frayser Circle in the Single-Family Residential (R-S6) District

**West:** Apartment complex in the Multiple Dwelling Residential (R-MM) District

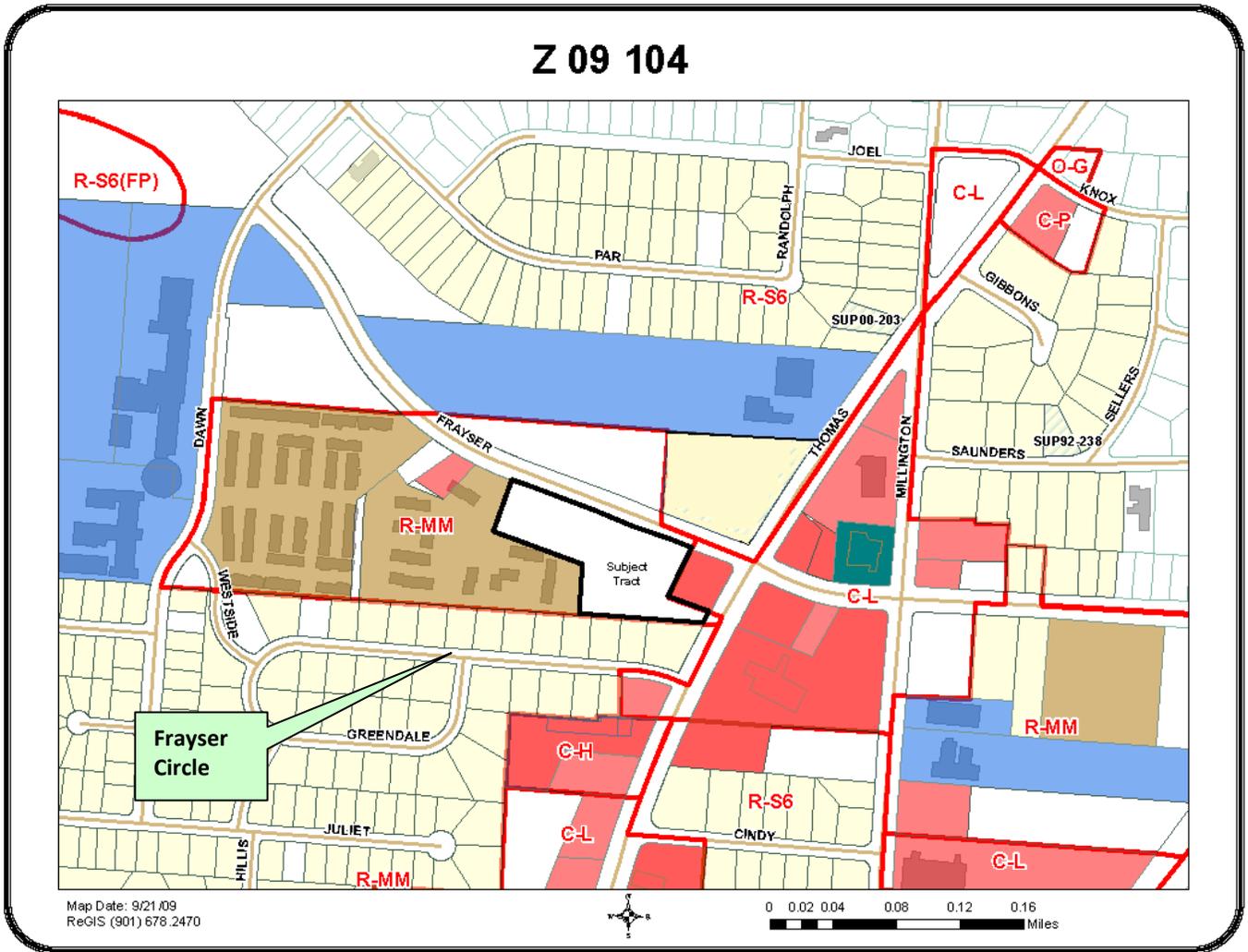
**OFFICE OF PLANNING AND DEVELOPMENT RECOMMENDATION  
Approval**

**CONCLUSIONS**

- 1. The subject property is an excellent location for offices, with ample street capacity, good accessibility, but relatively low traffic volume.**
- 2. Office use would be relatively compatible with the adjoining apartment use and the single family residences located behind the subject property frontage on a local, residential street. Under the circumstances, it is appropriate to delete the Highway Multiple Dwelling Residential designation on the subject property to permit the proposed restoration project under a uniformly appropriate zoning classification. At this transitional location, the proposed use seems acceptable.**



Figure 1: LOCATION OF SUBJECT PROPERTY  
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**Figure 2:**  
**Zoning and Land Use**

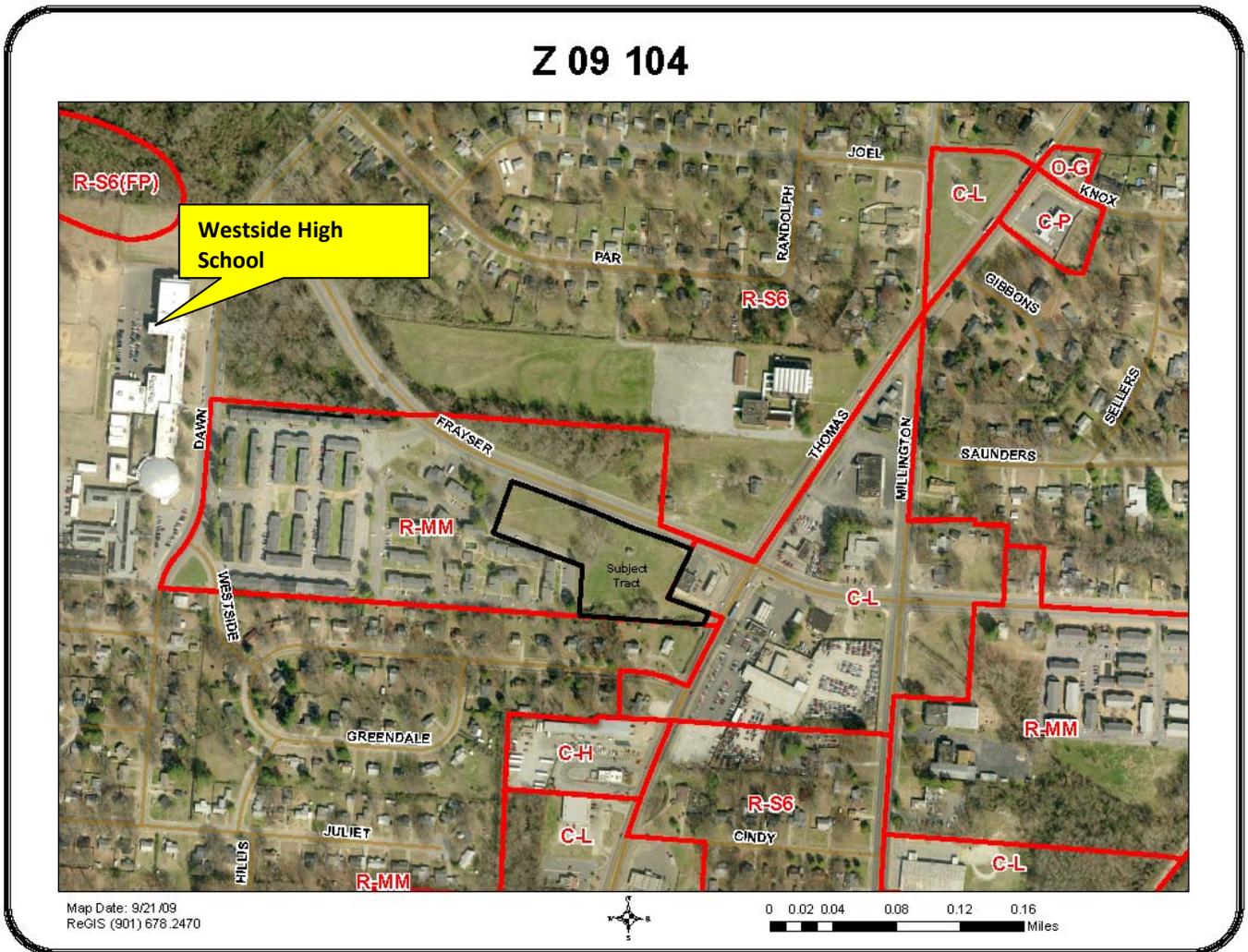


Figure 3: Overhead View of Vicinity



Figure 4: Overhead View of Site

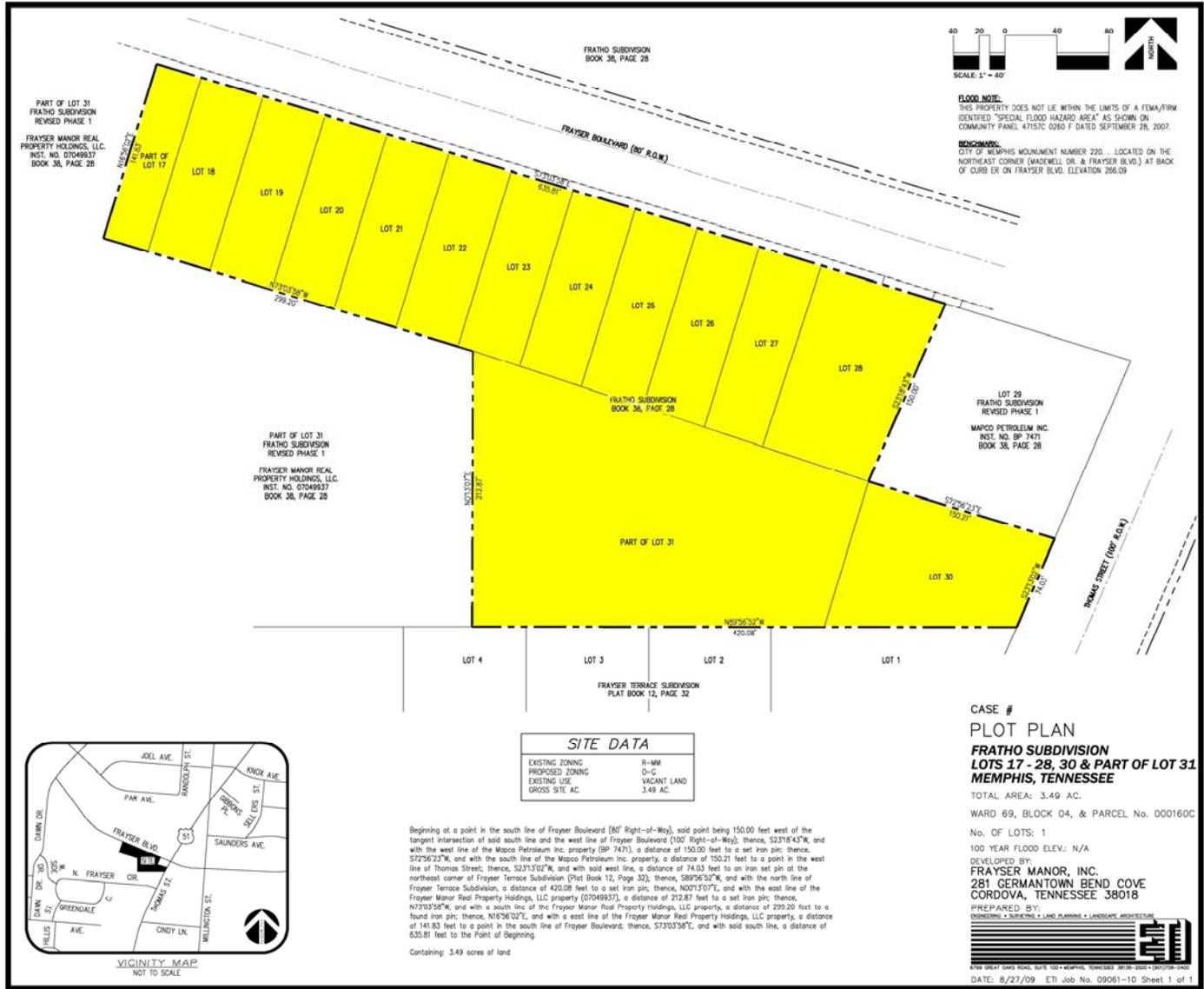


Figure 5: Plot Plan  
(Shading added by OPD)



**Figure 6: Subject property – View looking eastward from the west end of the property**



**Figure 7: View looking from Frayser Boulevard southeast across the east end of the subject property. The white building is the back of a gas station / convenience store at the corner of Frayser and Watkins. A small storage building on this site is visible just beyond the tree.**



**Figure 8: View of eastern end of subject property's frontage on Thomas Street. The gas station / convenience store is immediately to the right in this view.**



**Figure 9: The house at 3313 N Watkins St., immediately south of the subject property in the Frayser Terrace Subdivision, is in the R-S6 District and has direct access to Frayser Circle.**



Figure 10: One of two billboards and one of two old houses on the north side of Frayser Blvd., on the tract opposite the subject property. The second house (visible in the distance at the right of this photo) is definitely occupied. A 1997 special use permit (SUP 97-218) authorized a day care center on this site that was apparently never built



Figure 11: At the southwest corner of the subject property are the Forest Park Apartments, formerly known as Frayser Manor



**Figure 12: West of the Forest Park Apartments frontage is this convenience store at 921 Frayser Blvd. built in the C-H District prior to the comprehensive rezoning in 2004.**



**Figure 13: Adjacent to the convenience store at 921 Frayser Blvd. is this rear access drive to the Riverwood Apartments that front on Dawn Drive opposite Westside High School. This rear drive is closed with a locked gate in a chain link fence.**

## **STAFF ANALYSIS**

### Site Characteristics

The subject property is an irregularly shaped tract extending about 780 feet westward from Thomas Street. It includes all or part of twelve 50-foot commercial lots fronting on the south side of Frayser Boulevard with a total frontage of 630 feet. Omitted from the subject property is the corner lot with 150 of frontage on Frayser Boulevard and 150 feet on Thomas. Between these commercial lots and the Frayser Terrace residential subdivision to the south is a wedge of vacant land --- part of the subject property --- with 74 feet of frontage on Thomas. The site is vacant except for a small storage building as shown in Figure 7. The Frayser Boulevard frontage is relatively level with an impressive row of mature trees in the center, as seen in Figure 6, and a scrubby growth of weeds and young trees in the southeast corner of the subject property, which appears to be lower than the rest of the site.

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### Access

The subject property wraps around a corner of a relatively strategic intersection with US Highway 51 (Thomas Street) which connects the city of Millington and the suburban Woodstock area to the heart of the Frayser community and I-40. The planned construction of an interstate highway, I-69, around the western edge of the Frayser community would siphon off some of the through traffic on US 51.). The center for commercial activity in the western third of the Frayser community has been just ½ mile south of the subject property on Thomas Street around the intersection of Whitney Avenue.

Intersecting Thomas near the subject property is Frayser Boulevard, which is part of an important east-west alignment of roads, including Raleigh-Frayser Road, Yale Road and Brother Boulevard that provide a northern connection across most of the urbanized area. This alignment extends eastward all the way to Germantown Road. However, going westward from the 636 feet of frontage of the subject property, Frayser Boulevard ends in less than ¼ mile at Dawn Drive, just north off Westside High School. The major road plan, due for an update, shows Frayser Boulevard extending westward to the north-south alignment now under study for the I-69 expressway. A Frayser Boulevard interchange on I-69 seems to be theoretically feasible in the long run, although the current TDOT Environmental Study for I-69 does not include an interchange there. .

### Proposed Development

Amending the zoning map is an action that must be considered independently from specific developments. Developments of land are not necessarily permanent. All the uses permitted by a particular zoning district will continue to be available for subsequent developers even if the original development should pass away.

In this case, an applicant is proposing to amend the zoning map designation for the subject property which currently permits apartments in the R-MM District. The request is to permit General Office (O-G) uses. The equitable owner is shown as Christ Community Health Services, described on its

web site (<http://www.christcommunityhealth.org/> ) as a “non-profit organization focused on fulfilling the physical, spiritual, and emotional needs of the underserved through health centers and outreach programs”.

A zoning map amendment does not involve the approval of any specific site plan; and there would be no mechanism for holding the applicant accountable for providing any special development features or limits for the sake of compatibility with the existing neighborhood. The application would simply have the general rules and requirements for development as specified in the applicable zoning district.

Although the O-G District does permit buildings as tall as 125 feet, the applicant’s consultant feels that a building approaching that height would be infeasible due to the size of the site.

### Planning Context

To the west of the site are two apartment complexes in the R-MM District. This designation extends to the underutilized semi-vacant property on the north side of Frayser Boulevard opposite the subject property. To the east, the uses and the zoning are commercial; to south are single-family residences in the R-S6 District.

Until 2004, the subject property was actually in the Highway Commercial (C-H) District, which would have permitted the uses proposed in this application. However, the *Frayser Futures* comprehensive planning process led a comprehensive rezoning in which this Highway Commercial (C-H) area was downzoned to Multiple Dwelling Residential (R-MM). The comprehensive plan document gives no specific rationale for the change except the intension to promote commercial use in West Frayser at just two particular nodes --- Thomas at Whitney, which was mentioned above, and Thomas at Watkins, about 1¾ miles northeast of the Frayser Boulevard intersection.

The apartments formerly known as Frayser Manor, adjacent to the subject property, had been in the C-H District, which (since 1981) does not permit the residential use. Therefore, the 2004 change from C-H to R-MM had the effect of putting the zoning into conformance with that existing use and eliminating some of the inventory of vacant commercial land in a relatively low-traffic location where commercial revitalization was not being emphasized.

### Analysis

In this case, the equitable owner operates health clinics. This exemplifies the type of office use that does not need to pay a premium price for direct access to relatively high traffic volumes but which does need good accessibility. The subject property is on a major road segment that comes to an abrupt end nearby. The site has good pedestrian access to Thomas Street, where local bus service is available. It is therefore a location well suited to medical offices. In general, office use is relatively compatible as a type of use adjoining residential areas.



<b>City Fire Division:</b>	No comments
<b>OPD-Regional Services:</b>	No comments
<b>Memphis Light, Gas and Water:</b>	No comments received
<b>AT&amp;T/Bell South:</b>	No comments received
<b>Construction Code Enforcement:</b>	No comments received
<b>Memphis Area Transit Authority (MATA):</b>	No comments received
<b>OPD-Comprehensive Planning:</b>	No comments received

**Neighborhood Associations:**

**Frayser Community Development Corp:**

Frayser CDC has reviewed the Zoning District Reclassification Application for the 3.5 acre parcel located near the southwest corner of Frayser Boulevard and U.S. Highway 51. Upon our review we could not identify or foresee any objections to the rezoning of this parcel from R-MM to O-G.

<b>Frayser Community Association:</b>	No comments received
<b>Alta Vista Stage Community Association</b>	No comments received
<b>Frayser Environmental Committee:</b>	No comments received



**PRINCIPALS**  
Ralph B. Smith  
Mark E. Lindstrom  
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**ASSOCIATES**  
Douglas M. Baker

August 26, 2009

Ms. Mary Baker, Deputy Director  
Land Use Controls  
Office of Planning and Development  
125 N. Main Street, Room 468  
Memphis, TN 38103

Re: **Frayser Boulevard & Hwy 51**  
**Application for Zoning District Reclassification Approval**  
ETI Project No.: **09061-10**

Dear Mary:

On behalf of the applicant, Frayser Manor, Incorporated, please find enclosed a Zoning District Reclassification Application. The application request is for rezoning of a 3.5-acre parcel located near the southwest corner of Frayser Boulevard and U. S. Highway 51 (Thomas Street). The property is vacant and currently zoned R-MM by the Frayser Comprehensive Plan (Ordinance No. 5078).

Rezoning of the property to the O-G General Office District will be compatible with the existing development and zoning in the area. Immediately to the west is R-MM zoning that is developed with an apartment complex. To the east is a gasoline service station in the C-H Highway Commercial District, and properties along the east side of Thomas Street are also zoned C-H and developed with use car sales and other automobile service facilities.

The R-MM zoning on the property and to the west permits heights up to 125 feet as does the proposed O-G zoning. However, given the small size of the property and surrounding uses, a multi-story building on the property is not feasible or practical.

We respectfully request your favorable recommendation. All required information is attached (i.e. Application, Plot Plan, Notification, and supporting documentation). If you have any questions or concerns regarding the application, please do not hesitate to contact me.

Sincerely,

**ETI Corporation**



Ralph B. Smith  
Principal

RBS:gp

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