

**MEMPHIS AND SHELBY COUNTY OFFICE OF PLANNING AND DEVELOPMENT
STAFF REPORT #19**

CASE NUMBER: SUP 10-201 **L.U.C.B. MEETING:** February 11, 2010

LOCATION: Southeast side of Channel Avenue, +/-960.12 feet south of Jack Carley Causeway

COUNCIL DISTRICT: 6

SUPER DISTRICT: 8

OWNER OF RECORD/APPLICANT: Progress Rail Services

REPRESENTATIVE: Todd Jones

REQUEST: Scrap Metal Processing Yard

AREA: 4 Acres

EXISTING LAND USE & ZONING: Industrial Heavy (I-H) District

SURROUNDING USES AND ZONING:

North: Transwood Carriers, Inc. in the Industrial Heavy (I-H) District

East: T & B Trucking in the Industrial Heavy (I-H) District

South: Kinder Morgan, Terminal and Rail Spur lines in the Industrial Heavy (I-H) District

West: Kinder Morgan Terminal and Rail Spur lines in the Industrial Heavy (I-H) District

**OFFICE OF PLANNING AND DEVELOPMENT RECOMMENDATION
APPROVAL**

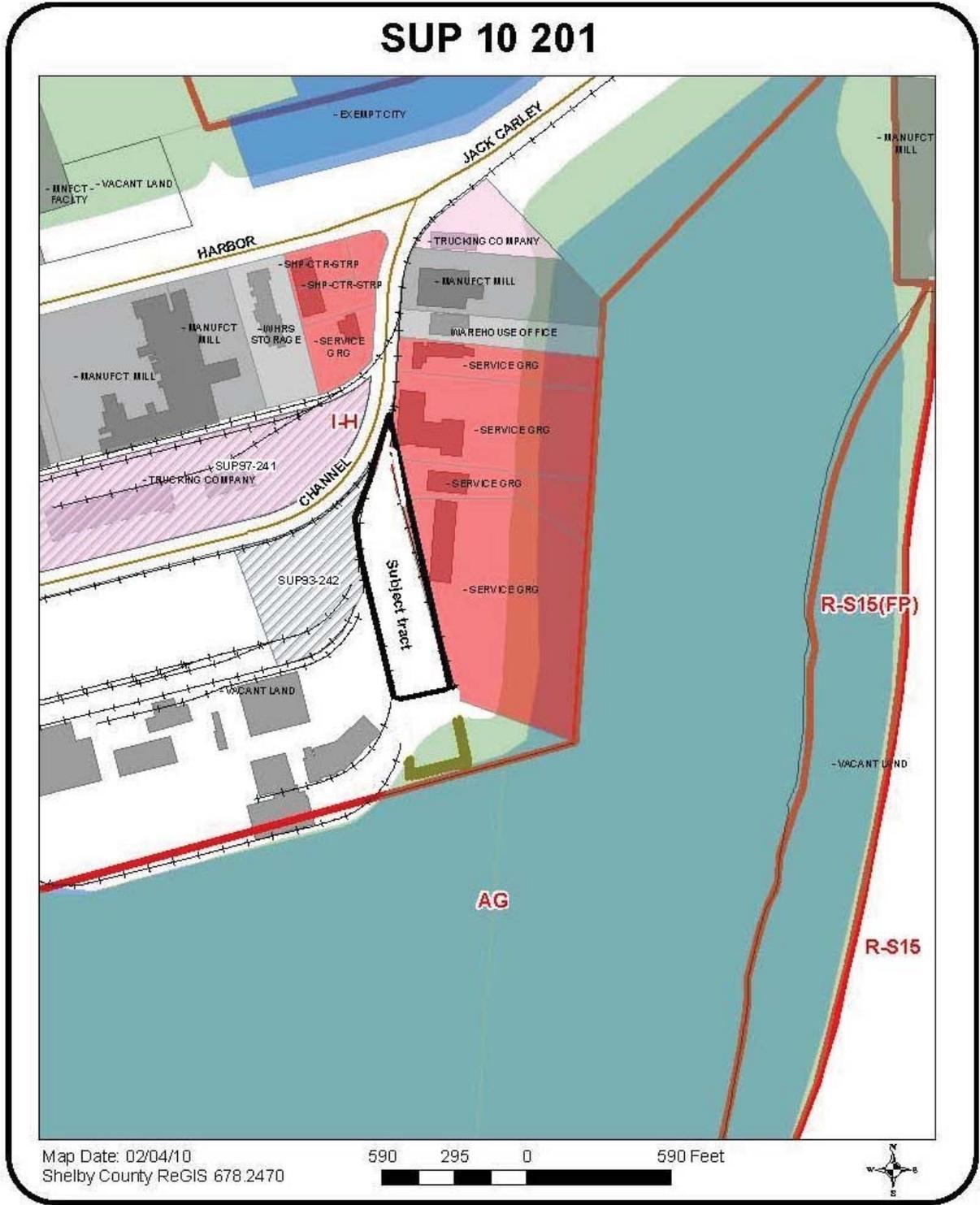
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CONCLUSIONS:

1. The proposed scrap metal processing yard on this site will include an office trailer, restrooms, and storage yard.
2. The proposed use of the site for a scrap metal yard meets the required general standards of Section 9 of the Zoning Ordinance for a Special Use Permit and is identical to other SUPs that have already been granted on property located directly west of the subject tract on property owned by Kinder Morgan Terminals.
3. The properties surrounding this site are zoned and are being used for various industrial uses. Consequently, there is no objection to the extension of this use onto the adjacent site.

ZONING AND LAND USE MAP



AERIAL VIEW OF SITE

SUP 10 201



Subject site along Channel Avenue



Interior of site (rail lines south of the site)



Site frontage along Channel Avenue
Looking west along Channel Avenue



Looking east along Channel Avenue



Drive entrance along Channel Avenue



Views along western line of site



Views of northern portions of site



STAFF ANALYSIS:

Location and Description of Subject Property

The subject property is a vacant 3.9 acre site located on the southeastern side of Channel Avenue approximately 960 feet south of Jack Carley Causeway, within the Presidents Island Industrial Area of Memphis. This site currently lies within the Heavy Industrial (I-H) District. The I-H zoning of this site dates back to adoption of Ordinance 354 in 1955. The site is surrounded by various industrial uses including other scrap metal processing companies (Kinder Morgan, Terminals).

The Applicant's Request

The site is part of property leased by Kinder Morgan Terminal from the Memphis Port Commission. Kinder Morgan will sublease the site to Progress Rail Services, the applicant, who is requesting approval of a special use permit for scrap metal processing on the subject property.

The proposed site plan reflects one point of access via Channel Avenue. The applicant's operation will include the location of an office trailer, restrooms, and storage yard on this site. The entire site is currently fenced and the proposed buildings & storage areas are to be set back approximately 400 feet from Channel Avenue and 40 feet from an internal private drive located west of the western property line.

Request Analysis

Section of 9 of the Zoning Ordinance provides a number of general standards for special use permits. The proposed use of the site for scrap metal processing meets the required general standards. Special Use Permits (SUP 97-241 & SUP 93-242) have already been granted on property located directly west of the subject tract on property owned by Kinder Morgan Terminals. The properties surrounding this site are zoned and being used for various industrial uses.

The one concern about this site is the proposed outdoor storage of materials awaiting transportation by barge to end uses of the products. In most cases, some sort of screening would be needed to reduce the visual impact of the storage on adjacent properties and create an aesthetically pleasing site. However, given that this site is in the interior of an established industrial park with similar uses, requiring a landscape screen or site proof fencing to screen the storage yard is not necessary. Consequently, approval of the site plan as proposed is recommended by staff.

The one item still missing from the site plan is detailed information concerning the parking for this site. Prior to this site plan being presented to the Memphis City Council, the site plan must be revised to reflect this information.

RECOMMENDATION: APPROVAL SUBJECT TO ONE (1) CONDITION

SITE PLAN CONDITION:

A Special Use Permit is hereby authorized for the operation of a scrap metal processing facility on the property located at 1070 Channel Avenue-Presidents Island in accordance with the approved site plan subject to the following condition.

1. Prior to a site plan being forwarded to the Memphis City Council, the site plan must be revised to reflect detailed parking information for the use of the site.

GENERAL INFORMATION:

Street Frontage: feet along Channel Avenue

Planning District: McKellar Lake

Census Tract: 77

Zoning Atlas Page: 2125

Parcel ID: 050107 00004

Zoning History: The current I-H (M3 equivalent) zoning on this site dates back to the adoption of Ordinance #374 in 1955 by the governing bodies.

DEPARTMENTAL COMMENTS:

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

City Engineer:

This site has no road access.

When a suitable site plan has been submitted and approved, the following comments will be applicable:

1. Standard Subdivision Contract as required in Section 500 of Subdivision Regulations.

Sewers:

2. City sanitary sewers are available at developer's expense.

Curb Cuts/Access:

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

Drainage:

5. 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.
6. Drainage data for assessment of on-site detention requirements shall be submitted to and approved by the City Engineer.

7. 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.
8. Adequate queuing spaces in accordance with the current ordinance shall be provided between the street right-of-way line and any proposed gate/guardhouse/card reader.
9. Adequate maneuvering room shall be provided between the right-of-way and the gate/guardhouse/card reader for vehicles to exit by forward motion.

General Notes:

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

City Fire Division: No comments received.

City Real Estate: None.

City/County Health Department:

1. Before the start up of the dismantling operation of rail cars and scrap processing operation at this location a series of monitoring wells could be installed around the property boundaries and samples collected to be analyzed for priority metals, diesel fuel and total petroleum hydrocarbons gasoline range only (TPH/GRO) in order to determine the groundwater quality at the site prior to commencement of the metal salvaging operation.
2. The Memphis & Shelby County Health Department must permit any monitoring wells that are installed at the site.
3. Sample analysis could then be done annually from the monitoring wells in order to determine what effect, if any, this operation could have on the groundwater quality at this location in the future.
4. If any abandoned water wells are present on this site they must be properly filled and abandoned as outlined in Section 9 of the Shelby County Well Construction Code.

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 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 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 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 MLGW 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 901-528-4855 for application of utility services.
 - All commercial developers must contact MLGW's Builder Services at 901-367-3343 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.

AT&T/Bell South:

AT&T Tennessee has no comment.

Memphis Area Transit Authority (MATA):

No comments received.

OPD-Regional Services:

No comments received.

OPD-Plans Development:

No comments received.

South Memphis Neighborhood Inc.:

No comments received.