

MEMPHIS AND SHELBY COUNTY OFFICE OF PLANNING AND DEVELOPMENT
STAFF REPORT # 11

CASE NUMBER: UV 10-08 **L.U.C.B. MEETING: June 10, 2010**

(converted from SUP10-217)

LOCATION: Northeast corner of Mississippi Boulevard and S. Parkway East

COUNCIL DISTRICT: 6

SUPER DISTRICT: 8

OWNER OF RECORD / APPLICANT: St. Andrews AME Church

REPRESENTATIVE: Rev. Dr. Kenneth Robinson

REQUEST: Farmers Market

AREA: 0.50 Acres

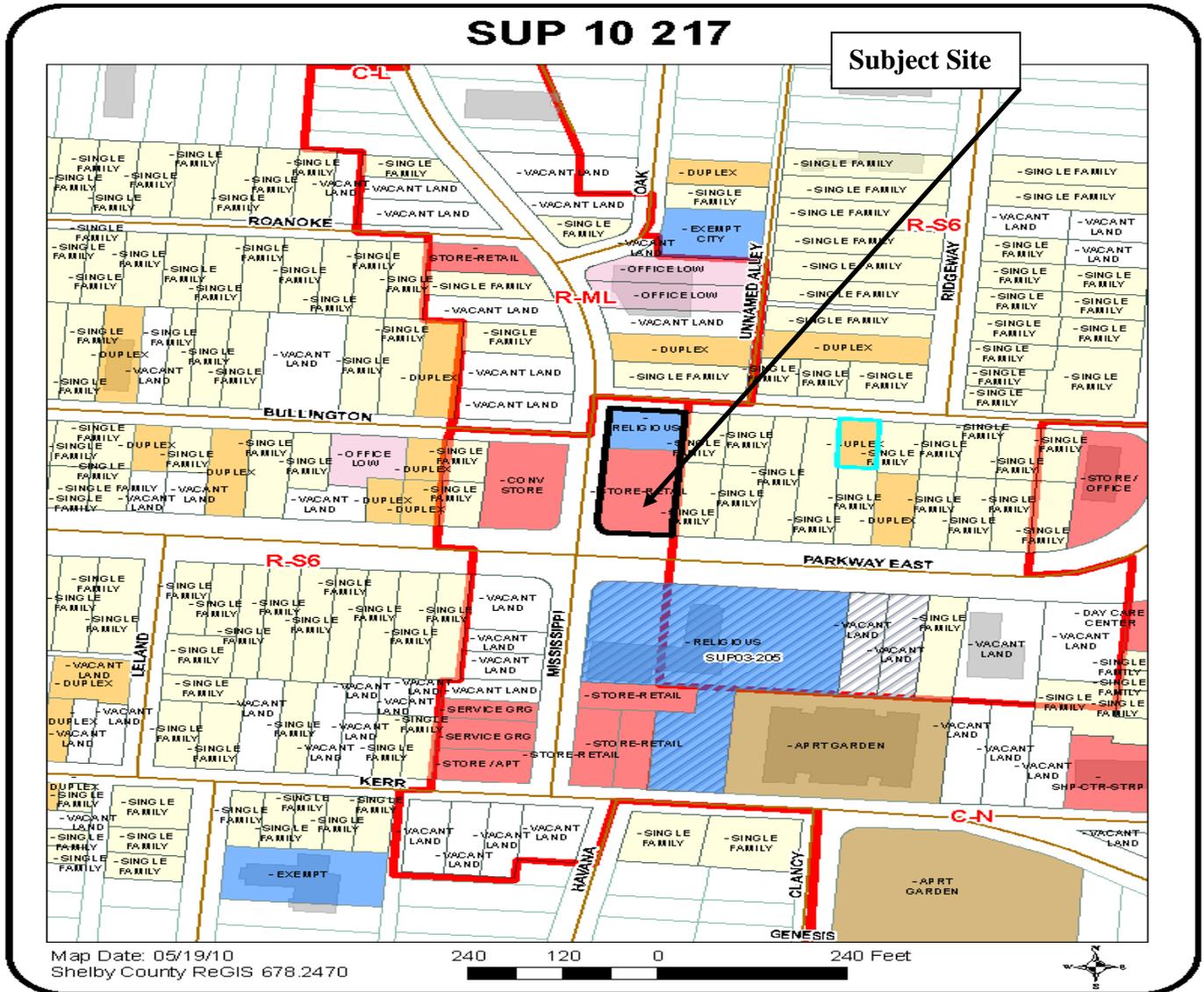
EXISTING LAND USE & ZONING: Gas Station Neighborhood Commercial (C-N) District

OFFICE OF PLANNING AND DEVELOPMENT RECOMMENDATION
Approval with conditions

CONCLUSIONS

1. The current zoning for the subject site is C-N (Neighborhood Commercial), rezoned from C-L in 2000 as a result of the South Memphis District Plan. The C-N District does not allow an "Open Air Farmers Market" by right. As a result the applicant is requesting a Use Variation.
2. The surrounding properties at the corners of Mississippi and South Parkway East all have uses that are commercial in character and would benefit from the proposed use.
3. The South Memphis Farmers Market intends to offer the community fresh produce and other grocery items. This neighborhood is underserved particularly considering fresh food items, this effort will fill an existing gap in goods and services provided to the South Memphis area without detracting from the character and theme of this commercial intersection and the abutting residential land uses.
4. The South Memphis Farmers Market fits within the character of the existing neighborhood and will help to bring locally grown and healthy food to the South Memphis Community. This Use Variation should be approved with conditions.
5. Approval of a Use Variation requires a finding of hardship making the property unfeasible for uses permitted in its designated zoning district. Other uses are unfeasible because the cost of reclaiming this brownfield site outweigh the benefits of redevelopment without incentives. The farmers market offers a means of using the site for retail without the costs of developing a new building. This use has only recently become a popular approach for reclaiming neighborhood centers and providing access to fresh, healthy fruits and vegetables so it was not contemplated as a use permitted in the C-N (Neighborhood Commercial) District.

LAND USE & ZONING MAP

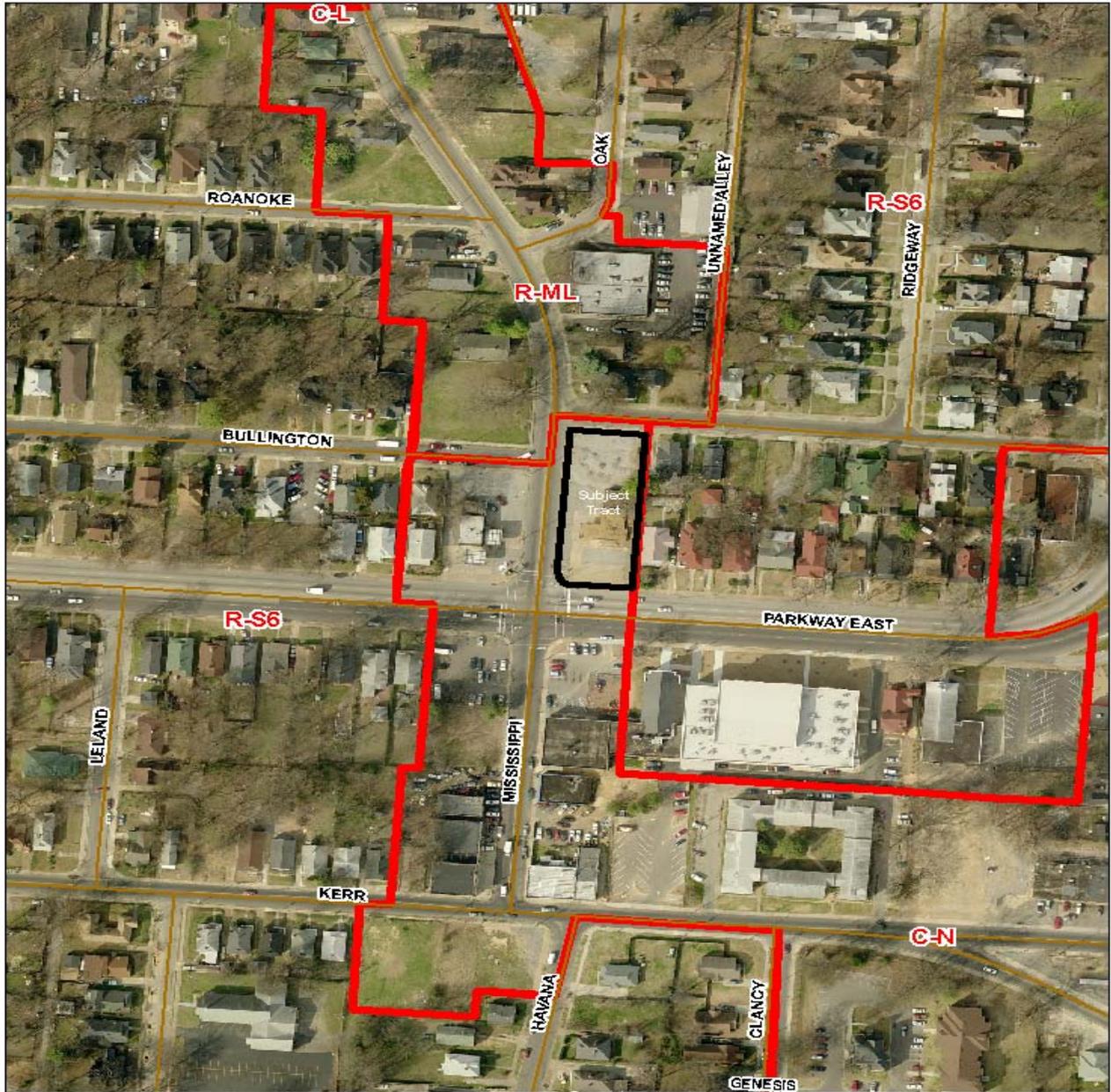


SURROUNDING USES AND ZONING:

- North:** A mixture of Single Family Homes and other uses within the R-ML (Multiple Family Residential) District
- East:** Single Family Homes within the R-S6 (Single Family Residential) District
- South:** Church (St. Andrews Baptist Church) within the C-N (Neighborhood Commercial) District
- West:** Gas station within the C-N (Neighborhood Commercial) District

AERIAL MAP

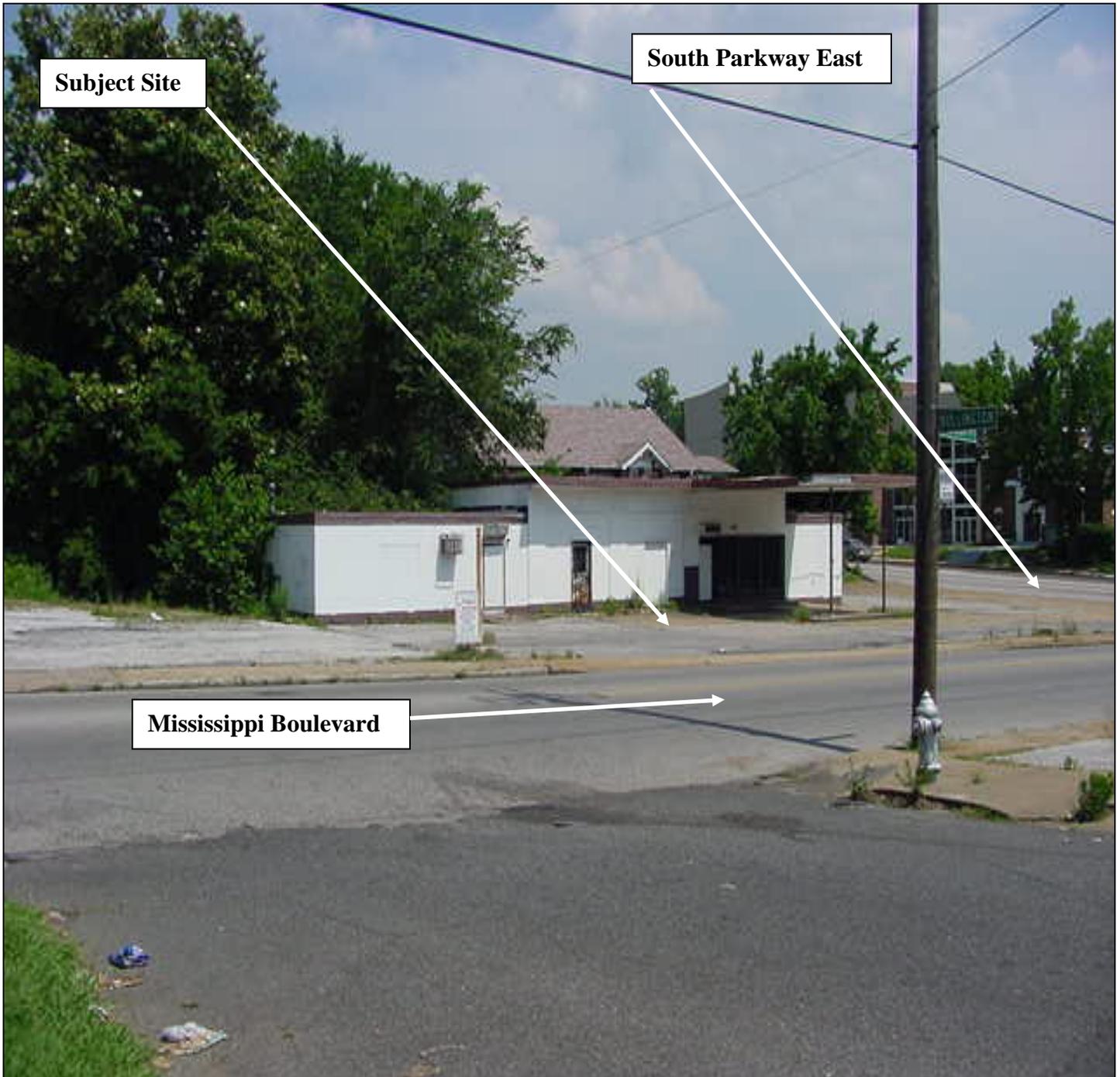
SUP 10 217

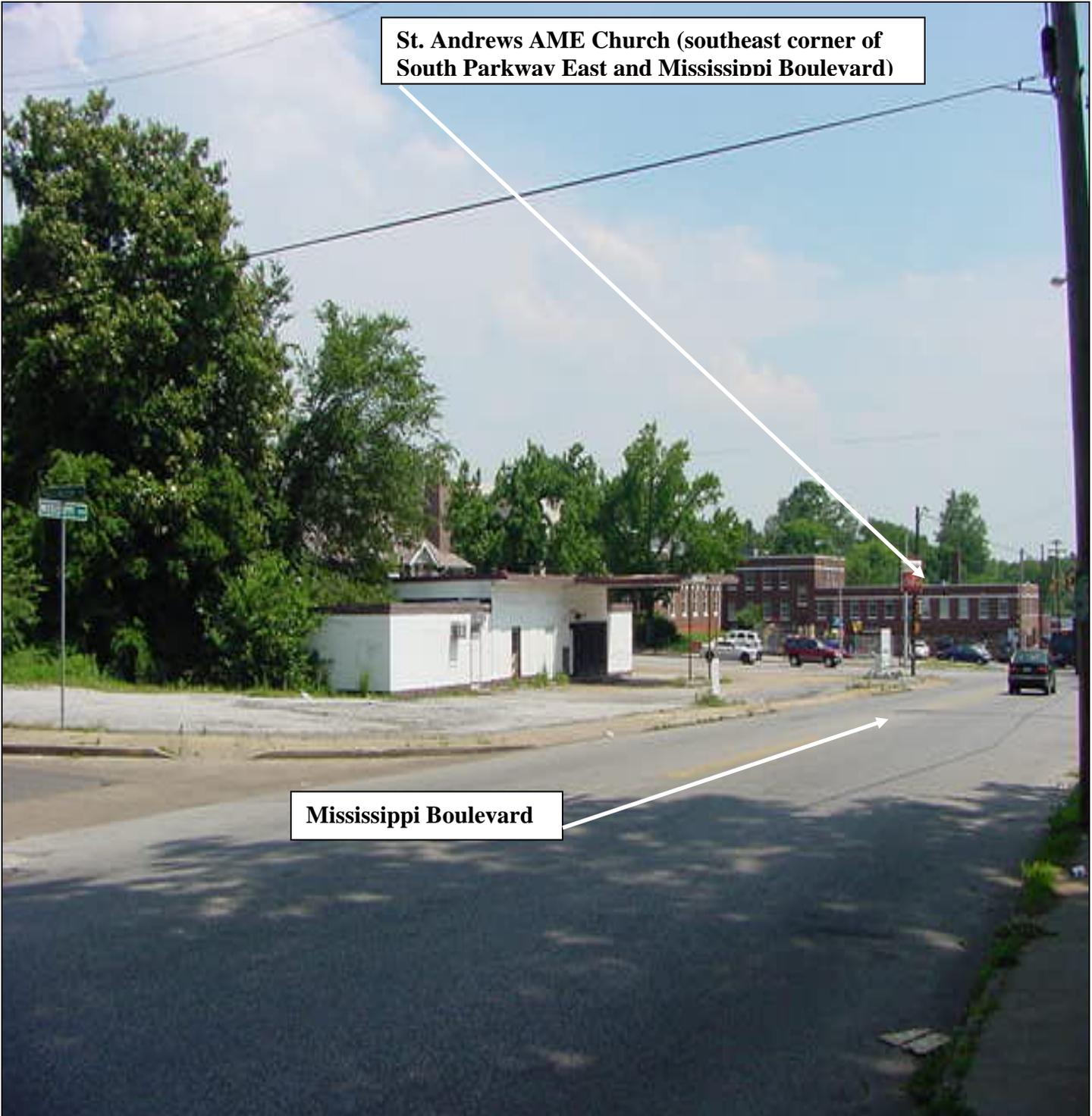


Map Date: 05/19/10
Shelby County ReGIS 678.2470

240 120 0 240 Feet





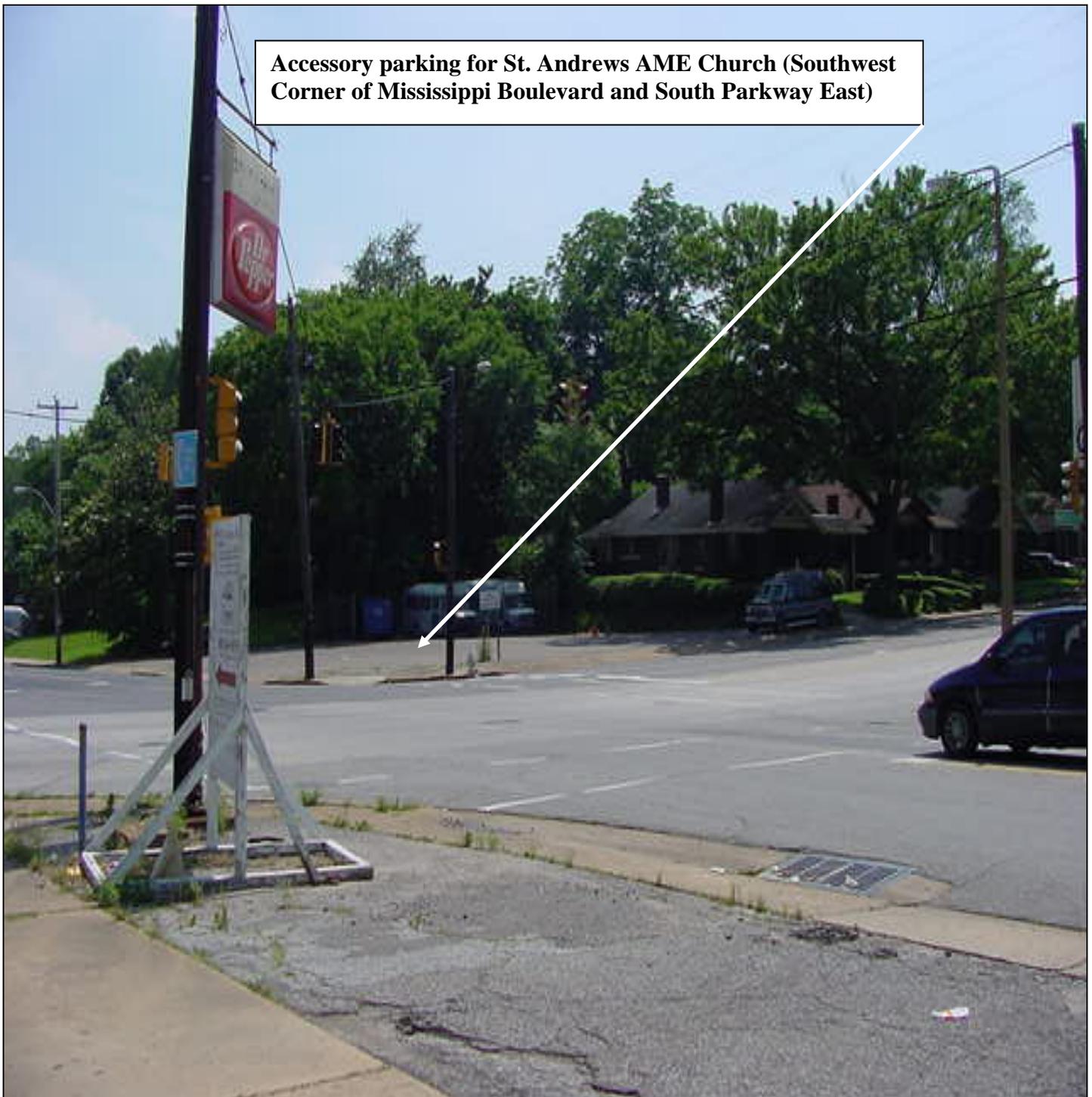


St. Andrews AME Church (southeast corner of South Parkway East and Mississinni Boulevard)

Mississippi Boulevard

**St. Andrews AME Church (Southeast Corner of
Mississippi Boulevard and South Parkway East)**

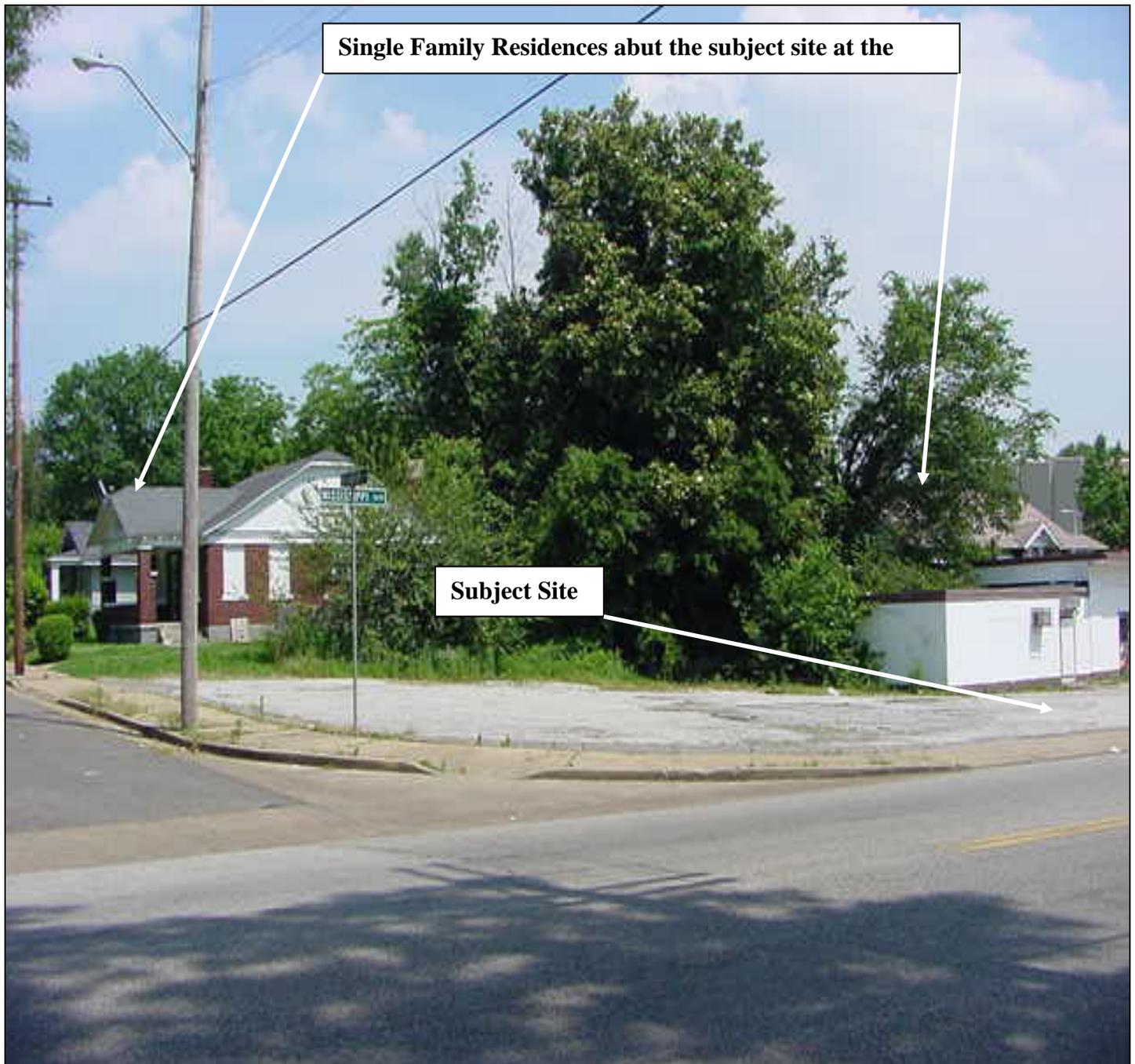




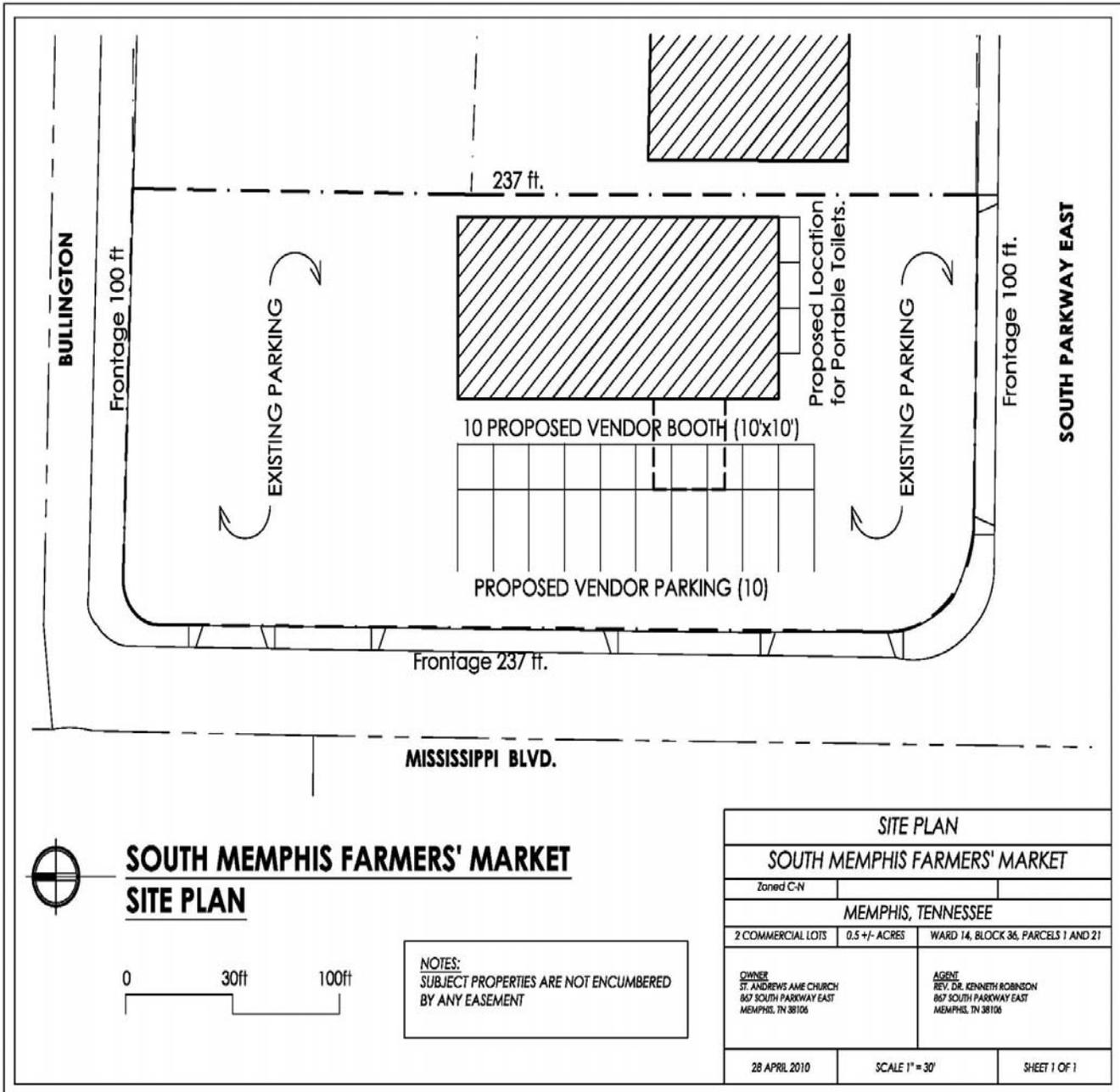
Accessory parking for St. Andrews AME Church (Southwest Corner of Mississippi Boulevard and South Parkway East)

**BP Gasline Sales (Northwest Corner of
Mississippi Boulevard and South Parkwav East)**

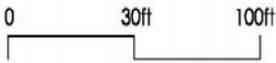




Site Plan



**SOUTH MEMPHIS FARMERS' MARKET
 SITE PLAN**



NOTES:
 SUBJECT PROPERTIES ARE NOT ENCUMBERED
 BY ANY EASEMENT

SITE PLAN		
SOUTH MEMPHIS FARMERS' MARKET		
<small>Zoned C-N</small>		
MEMPHIS, TENNESSEE		
<small>2 COMMERCIAL LOTS</small>	<small>0.5 +/- ACRES</small>	<small>WARD 14, BLOCK 36, PARCELS 1 AND 21</small>
<small>OWNER: ST. ANDREW'S A.M.E. CHURCH 867 SOUTH PARKWAY EAST MEMPHIS, TN 38106</small>	<small>AGENT: REV. DR. KENNETH ROBINSON 867 SOUTH PARKWAY EAST MEMPHIS, TN 38106</small>	
<small>28 APRIL 2010</small>	<small>SCALE 1" = 30'</small>	<small>SHEET 1 OF 1</small>

STAFF ANALYSIS

Site Description

The subject site comprises two parcels which account for an estimated half acre of land. The site is located at the northeast corner of Mississippi and South Parkway East, within the South Memphis Planning District. The property was rezoned C-N from C-L in 2000 by the South Memphis District Plan. Currently a cinder block structure occupies the most eastern portion of the lot, this building will not be a part of the “Open Air Farmers Market. The Market vendors will operate from vendor booths, in front of the building, along Mississippi Boulevard.

Applicant’s Request

An “Open Air Farmers Market” or Outdoor Retail Sales, is not allowed within the C-N (Neighborhood Commercial) District necessitating the requested Use Variance. This request is reasonable and fits within the context of the surrounding land uses. St. Andrew’s AME Church currently owns the subject property and is the applicant, this is a feasible use for this site and will help to bring vitality to this commercial node and the surrounding neighborhood.

Review of Request

Many Churches and Neighborhood Groups are taking greater responsibility of satisfying the needs of the neighborhoods that they serve. Many retailers and grocery stores just do not make the mark in regard to the selection and quality of the goods and services that they are willing to offer in various communities. In fact, some retailers and or grocery stores will not serve some neighborhoods at all. As a result, grass roots organizations are starting to develop farmers markets and other opportunities to build commerce and trade and address the demand for grocery items and agricultural base products within their communities.

Farmers Markets can be true economic development engines for communities with various direct and indirect benefits. Farmers Markets have been proven to be places where neighborhood residents and business owners interact which helps to build communication and networks throughout the community. There are also quantifiable economic and business development benefits. Recent studies suggest that 60% of farmers market shoppers also visited neighboring businesses which helps to strengthen the neighborhoods retail network and ultimately to strengthen the neighborhood and incentivize other potential businesses.

Finally, Farmers Markets also offer healthy and nutritious options for neighborhoods which will promote healthier eating opportunities and promote better health. Farmers markets also help to promote a sustainable food system that provides locally grown food in the place of food items brought in from outside of the region that are costly to the environment.

Approval of a Use Variation requires a finding of hardship making the property unfeasible for uses permitted in its designated zoning district. Other uses are unfeasible because the cost of reclaiming this brownfield site outweigh the benefits of redevelopment without incentives.

The farmers market offers a means of using the site for retail without the costs of developing a new or existing building.

This use has only recently become a popular approach for reclaiming neighborhood centers and providing access to fresh, healthy fruits and vegetables so it was not contemplated as a use permitted in the C-N (Neighborhood Commercial) District.

RECOMMENDATION

Approval with Conditions

SITE PLAN CONDITIONS

A Use Variation is hereby authorized to *St. Andrews AME Church* to allow a Farmers Market on the property located at the Northeast corner of Mississippi Boulevard and South Parkway East in accordance with the approved site plan and the following supplemental conditions:

1. Outdoor sales shall be limited to fruits, vegetables, arts and crafts and general agricultural products. The hours of operation for the South Memphis Farmers Market shall be 9:00am-7:00pm on Thursdays. This time frame shall include time for setup and disassembling of market stands and fixtures.
2. A minimum of 50 percent of the sales area shall be devoted to the sale of fresh fruit and vegetables.
3. No overhead lighting is permitted to be used on this site during the operation of the farmer's market.
4. The operator of such facility shall provide an agreement signed by the owner of the parcel or lot to provide the support facilities, including parking, sanitary and trash facilities.
5. All temporary accessory structures and uses pertaining to the operation of the farmer's market shall be maintained in a manner consistent with the safe and efficient circulation of pedestrians and vehicular traffic. Access and circulation shall be illustrated on the site plan.
6. Signs shall be governed by the Temporary Sign Regulations in Section 29 of the Zoning Ordinance. No advertising device shall be permitted to emit or broadcast any sound, noise or outcry.
7. Ancillary activities (entertainment, cooked food vending, or education facility may be located under the canopy, within a building, or on site but shall not block the drive aisles. No curb side sales shall be permitted). The vendor shall maintain the area around the vending facility in a clean and orderly fashion. The stacking and inventory of produce and similar products shall not exceed five (5') feet.
8. All outdoor retail vending facilities shall display in a manner legible and visible to its clientele the name and phone number of the vendor operating the facility.

GENERAL INFORMATION

Street Frontage: 237 feet

Planning District: South Memphis

Census Tract: 59

Zoning Atlas Page: 2130

Parcel ID: 014036 00001, 014036 00021

Zoning History: C-H to C-N (zoning change occurred with South Memphis Comprehensive Rezoning in 2000)

DEPARTMENTAL COMMENTS

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

City Engineer:

Sewers:

1. City sanitary sewers are available at developer's expense.
2. The City Engineer shall approve the design, number and location of curb cuts.
3. Any existing nonconforming curb cuts shall be modified to meet current City Standards or closed with curb, gutter and sidewalk.

All existing sidewalks and curb openings along the frontage of this site shall be inspected for ADA compliance. The developer shall be responsible for any reconstruction or repair necessary to meet City standards.

City Fire Division: No comment.

City Real Estate: No comments received.

City/County Health Department: The Water Quality Branch & Septic Talk Program has no comments.

City Board of Education: No comment.

Construction Code Enforcement: No comments received.

- Memphis Light, Gas and Water:** MLGW has no objection to this Special Use Permit Application.
- 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:

A Farmers Market is a recommendation of the South Memphis Revitalization Action Plan. “The plan proposes the conversion of an abandoned car wash, long an eyesore on South Parkway East, into a seasonal food market offering high quality, low cost, and culturally appropriate fresh fruits, vegetables, breads, desserts and other prepared foods. The market will provide South Memphis residents with a much needed healthy foods outlet. A unique aspect of the market would be an area reserved for health vans from the region’s major health centers. While doing their weekly shopping families will be able to take advantage of health screening, education, and primary care services offered by these mobile facilities.”

Although this proposal is for a market at a different location, it is consistent with the intent of the plan.

- Memphis Park Commission:** No comments received.
- South Memphis Neighborhood Inc.:** No comments received.
- Glenview Community Development Partners:** No comments received.
- Destiny Unlimited:** No comments received.
- South Memphis Alliance & Regrowth Team:** No comments received.
- Victor-Kerr Neighborhood Association:** No comments received.

