

**STAFF REPORT**

**CASE NUMBER:** P.D. 10-306

**L.U.C.B. MEETING:** June 10, 2010

**DEVELOPMENT NAME:** Meadow Trail Planned Development, Phase I Amendment

**LOCATION:** West side of Germantown Pkwy; 225' south of Meadow Trail Dr.

**COUNCIL DISTRICT:** 2

**SUPER DISTRICT:** 9

**APPLICANT:** American Properties Co. GP

**REPRESENTATIVE:** SR Consulting LLC - Cindy Reaves

**REQUEST:** A planned development amendment to permit C-P uses within the outline plan

**AREA:** 1.96 Acres

**EXISTING LAND USE & ZONING:** Retail/Commercial uses in the Meadow Trail Planned Development, Phase 1, (P.D. 95-351), Plat Book 202, Page 25

**OFFICE OF PLANNING AND DEVELOPMENT RECOMMENDATION  
APPROVAL, subject to the attached amended conditions**

*Staff Planner: Sheila Pounder*

*E-mail Address: [sheila.pounder@memphistn.gov](mailto:sheila.pounder@memphistn.gov)*

**CONCLUSIONS:**

- 1. This application is the second amendment to the outline plan of the existing Meadow Trails Planned Development (P.D. 95-351) to add several limited Planned Commercial (C-P) uses as permitted uses on the subject site, restaurant with carry out (excluding drive thru), bakery, and grocery with less than 5,000 square feet of area.**
- 2. Since the property is directly across Macon Road from single family dwellings in the Hunter's Hollow Subdivision to the west, the previously approved planned development limited the commercial uses allowed on the site. Any changes to the currently approved development will impact the adjacent neighborhood.**
- 3. Due to concerns raised by residents in the adjacent neighborhood and staff's concern about the array of uses permitted by right in the C-P District that may have a negative impact on the residential neighborhood, the application was amended to add only the three specifically requested uses.**
- 4. The applicant's amended request is acceptable since the uses are to be located within the existing commercial building on site and are similar to other retail commercial uses currently permitted by the current planned development.**

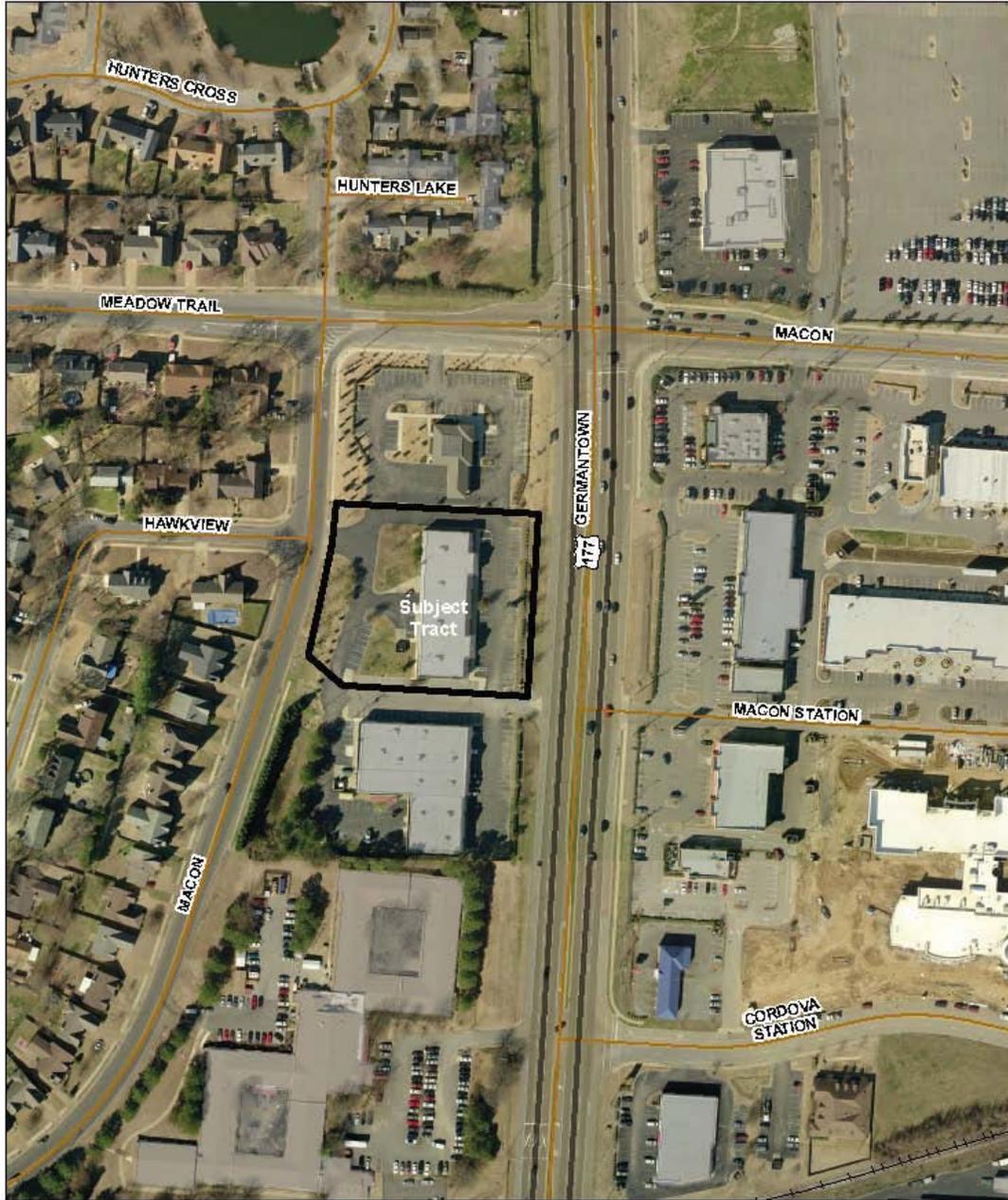
### LAND USE AND ZONING MAP



#### SURROUNDING LAND USES AND ZONING:

- North:** Various commercial/retail uses within the Meadow Trail P.D., Ph. 4 Amendment, PB. 191, Page 18 (P.D. 95-351)
- East:** Various commercial/retail uses within the Cordova Station P.D., PB. 241, Page 28 (P.D. 06-360)
- South:** Various commercial/retail uses within the Meadow Trail P.D., Ph. 2 Amendment, PB. 155, Page 32 & Ph. 3 Amendment, PB. 155, Page 33 (P.D. 94-344)
- West:** Single family homes in the Single Family Residential (R-S8) District

# PD 10 306



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

250 125 0 250 Feet



**SUBJECT SITE  
(Along Germantown Parkway)**



**Rear of Subject Site along Macon Road**



**East side of Germantown Parkway across from site**



**Hunter's Hollows Neighborhood behind site on Macon Road**



## **STAFF ANALYSIS:**

### *Applicant's Request*

This application is the second amendment to the outline plan of the existing Meadow Trails Planned Development (P.D. 95-351) to add several limited Planned Commercial (C-P) uses as permitted uses on the subject site. The additional uses requested for this site are restaurant with carry out (excluding drive thru), bakery, and grocery with less than 5,000 square feet of area. The previously approved uses and conditions would for the most part remain unchanged from the currently recorded Outline Plan, except where additional restrictions may be imposed.

### *Review of Request*

The Meadow Trails Planned Development is a commercial use planned development located along the Germantown Parkway corridor of Cordova in northeastern Shelby County. The applicant wishes to amend the outline plan to permit three additional commercial uses to operate in an existing building which is currently occupied by only two tenants, Natalie Liquor and Hollywood Feed. The currently permitted uses on this site are offices, bank or financial services, dry cleaning establishment, retail shop, art or photo studio or gallery, barber or beauty shop, and veterinarian clinic.

The applicant's requested uses are compatible with the other approved commercial developments in the generally surrounding area. The site is located near the intersection of two major roads and on a high traffic thoroughfare, Germantown Parkway, a 7 lane major road. However, the property is also directly across Macon Road from single family dwellings in the Hunter's Hollow Subdivision to the west. Because of the property's location between Germantown Parkway and the edge of the single family residential neighborhood, commercial uses allowed on the site were limited by the planned development. Any changes to the currently approved development will impact the adjacent neighborhood.

A number of concerned citizens from the neighborhood have called or written letters addressing opposition to the initial application which requested that C-P uses as a whole be permitted in this planned development. After meeting with the applicant and making them aware of the opposition as well as staff's concern about the array of uses permitted by right in the C-P District that may have a negative impact on the residential neighborhood, the applicant has amended their request to add only three specific uses by this amendment. Those uses are restaurant with carry out (excluding drive thru), bakery, and grocery with less than 5,000 square feet of area, to be located within an already constructed building. The applicant's amended request is acceptable since the uses are similar to other retail commercial uses currently permitted by the current planned development.

There is one item that should be addressed as part of this amendment review concerning the landscape screen of this site from the residential neighborhood. Extensive planting screens were required along the Macon Road frontage of the planned development to screen the view of the rear of commercial buildings, loading and trash facilities and parking lots from single family residential properties to the west. However, based on staff's site visit there needs to be some additional plantings along the Macon Road frontage installed to supplement the existing planting screen. A landscape screen similar to the property adjacent to the south of the site, Meadow Trails P.D. Phase 3 would be acceptable and provide the necessary visible separation of this commercial use from the residential neighborhood. The applicant should submit to OPD for approval a revised landscape plan for Macon Road along with the outline plan and final plat for review and re-recording. A condition should be added that no new Use and Occupancy Permit may be obtained until all supplemental landscaping has been installed as required by this amendment.

**RECOMMENDATION:**            **Approval, subject to the attached amended conditions**

**OUTLINE PLAN CONDITIONS:**

**(Changes to the Conditions that are Specific to this Application are shown in BOLD Type)**

I. Uses Permitted

Offices, Bank  
Financial Services  
Flower or Plant Store  
Dry Cleaning Establishment  
Retail Shop  
Art or Photo Studio or Gallery  
Barber or Beauty Shop  
Veterinarian Clinic  
**Restaurant with carry out (excluding drive thru)**  
**Bakery**  
**Grocery with less than 5,000 square feet of area.**

II. Bulk Regulations

- A. A maximum floor area of 47,000 square feet shall be permitted on the overall site excluding dedicated right-of-way.
- B. Maximum Height: 35 feet
- C. Minimum Setback: The requirements of the O-L District will apply with the following exceptions:  
Minimum setback from Meadow Trail Drive and Macon Road -- 50 feet.  
The minimum side yard requirement shall apply only if the property abuts or is adjacent to property zoned or used for residential purposes or the residential portion of an approved planned development. Otherwise, no side yard is required.

III. Access and Circulation

- A. Permit one right in/right out only access with a deceleration lane on to Germantown Parkway. This access shall be located a minimum of 525 feet south of the centerline of Meadow Trail Drive.
- B. There shall be no median opening on Germantown Parkway.
- C. Allow one curb cut on Meadow Trail Drive and one curb cut on Macon Road.
- D. Dedicate 45 feet from the centerline of Meadow Trail Drive and improve in accordance with the Subdivision Regulations and the Shelby County paving policy.
- E. All private drives shall be constructed to meet City Standards and provide a minimum pavement width of 22 feet exclusive of curb and gutter.

- F. Internal circulation shall be provided between all adjacent phases/sections of the development.
- G. Construct a right turn traffic channelizing island at the southeast corner and the southwest corner of Meadow Trail Drive and Macon Road as part of the required improvements on Meadow Trail Drive.

IV. Landscaping and Screening

- A. Perimeter landscaping shall be provided as follows:
  - 1. North and west property lines -- Plate B-5, 25 feet in width.
  - 2. South property lines -- B-3, 15 feet in width.
  - 3. East property lines -- Plate A-3.
- B. Internal landscaping shall be provided at a ratio of 300 square feet of landscaped area and one shade tree per every 20 parking spaces and shall generally conform with internal landscaping area shown on the conceptual plan.
- C. Maximum height of light standards -- 14 feet
- D. Equivalent landscaping may be substituted for that required above, subject to the approval of the Office of Planning and Development.
- E. Lighting shall be directed so as to not glare onto residential property.
- F. Refuse containers shall be completely screened from view from adjacent residential property.
- G. All heating and air conditioning equipment including that located on the roof shall be hidden from view through the use of architectural features.
- H. Utility features such as electrical wiring and meters shall also be screened using architectural features or landscaping.
- I. A detailed landscape and site lighting plan shall be approved by the Office of Planning and Development prior to the issue of any building permit. Further, no final use and occupancy permit shall be issued without the express written certification by the Office of Planning and Development that the development is in conformance with the approved landscaping and site lighting plan.
- J. A revised landscape plan for Macon Road shall be submitted to OPD for approval along with the outline plan and final plat for review and re-recording.**

- K. No new Use and Occupancy Permit shall be issued on Phase 1 until all supplemental landscaping has been installed as required by this amendment (P.D. 10-306).**
- V. Signs
  - A. Signs shall be regulated in accordance with the Limited Office (O-L) District.
  - B. The minimum sign setback shall be 15 feet from street rights-of-way.
- VI. Drainage:
  - A. Drainage improvements including possible on-site detention to be provided under contract in accordance with the Subdivision Regulations and the City of Memphis Drainage Design Manual.
  - B. This project must be evaluated by the Tennessee Department of Health and Environment regarding their jurisdiction over the watercourses on this site in accordance with the Water Quality Control Act of 1977 as amended (TCA 69-3-101 et seq.).
- VII. The Land Use Control Board may modify the bulk, access, parking, landscaping, loading, screening, signage, and other site requirements if equivalent alternatives are presented; provided, however, any adjacent property owner who is dissatisfied with the modifications of the Land Use Control Board hereunder may, within ten days of such action file a written appeal to the director of Office of Planning and Development, to have such action reviewed by the Appropriate Governing Bodies.
- VIII. Design and Other
  - A. All buildings, signs and other structures shall be constructed in a consistent architectural style and use consistent building materials. The rear of buildings shall be constructed with similar materials as building facades and shall be articulated using architectural features such as pilasters subject to approval by the Office of Planning and Development.
  - B. Buildings of metal or concrete block siding shall be prohibited.
  - C. A rendering of all elevations of the exterior appearance of proposed buildings and signs with proposed siding and roof materials labeled shall be provided on any final plan subject to the approval of the Office of Planning and Development.

- IX. Site Plan Review by the Land Use Control Board:
- A. A site plan shall be submitted for the review, comment and recommendation of the Office of Planning and Development (OPD) and appropriate City and County agencies and the approval of the Land Use Control Board prior to approval of any final plan.
  - B. The site plan shall be submitted at least 35 days prior to a Land Use Control Board meeting and shall include the following information:
    - 1. The location, dimensions, floor area and height of all buildings, structures, signs and parking areas.
    - 2. Specific plans for internal and perimeter landscaping and screening including plant material types and sizes.
    - 3. The proposed exterior appearance of buildings and signs.
    - 4. The location of loading facilities and trash receptacles.
    - 5. Proposed means of access and circulation of automobile and pedestrian traffic.
  - C. The site plan shall be reviewed 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 14.C. and 14. E. of the Zoning Ordinance.
    - 3. Compatibility with adjacent properties as judged from the final elements of site development.
- X. A final plan shall be filed within five years of the approval of the outline plan. The Land Use Control Board may grant extensions at the request of the applicant.
- XI. 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 buildings, parking areas, utility easements, drives, trash receptacles, loading facilities, and required landscaping and screening areas.
- D. The content of all landscaping and screening to be provided.
- E. The number of parking spaces.
- F. The location and ownership, whether public or private of any easement,
- G. If applicable, a statement conveying all common facilities and areas to a property owners' association or other entity, for ownership and maintenance purposes,
- H. Building and sign illustrations as required by condition VIII D.
- I. The following note shall be placed on the final plat of any development requiring on-site storm water detention facilities: The areas denoted by "Reserved for Storm Water Detention" shall not be used as a building site or filled without first obtaining written permission from the City or County Engineer, as applicable. The storm water detention systems located in these areas, except for those parts located in a public drainage easement, shall be owned and maintained by the property owner and/or property owners' association. Such maintenance shall be performed so as to ensure that the system operates in accordance with the approved plan on file in the City/County Engineer's Office. Such maintenance shall include, but not be limited to: removal of sedimentation, fallen objects, debris and trash; mowing; outlet cleaning; and repair of drainage structures.

**GENERAL INFORMATION:**

**Street Frontage:** 276.03 feet along Germantown Road  
230.10 feet along Macon Road

**Planning District:** Shelby Farms Germantown

**Census Tract:** 211.23

**Zoning Atlas Page:** 2055

**Parcel ID:** 091007 00022

**Zoning History:** The Meadow Trail Planned Development was approved in 1988 with adoption of P.D. 87-366 and amended in 1994 with adoption of P.D. 94-344 and 1995 with the adoption of P.D. 95-351.

**DEPARTMENTAL COMMENTS:**

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

**City Engineer:** No comments received.

**City Fire Division:** No comment.

**City Real Estate:** No comments received.

**City/County Health Department:**

1. If any monitoring wells were installed as part of an environmental site assessment they must be filled as outlined in Section 6 of the Shelby County Well Construction Code.
2. 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.
3. Since this is a Planned Development that could require the demolition of a structure or structures at this site before starting any demolition the developer will need to fill out the attached questionnaire.
4. If a Demolition Permit will be required after filling out the questionnaire then the owner, developer, or contractor must contact the Asbestos Branch in the Air Pollution Control Section at (901) 544-7349 in order to secure the appropriate permit.
5. Please complete the attached form/questionnaire on the second page.

**City Board of Education:** No comments received.

**Construction Code Enforcement:** No comments received.

**Memphis Light, Gas and Water:** No objection.

<b>AT&amp;T/Bell South:</b>	No comment.
<b>Memphis Area Transit Authority (MATA):</b>	No comments received.
<b>OPD-Regional Services:</b>	No comments received.
<b>OPD-Plans Development:</b>	No comments received.
<b>Memphis Park Commission:</b>	No comments received.
<b>Neighborhood Associations:</b>	
<i>Hunters Hollow South</i>	No comments received.
<i>Cordova Leadership Council</i>	No comments received.
<i>Cordova Community Watch, Inc.:</i>	No comments received.
<i>Alliance of Cordova Neighborhoods:</i>	No comments received.