

**STAFF REPORT**

**10**

**CASE NUMBER:** P. D. 10-308 CC      **L.U.C.B. MEETING:** July 8, 2010

**DEVELOPMENT:** MID-SOUTH CHRISTIAN COLLEGE PLANNED DEVELOPMENT

**LOCATION:** South side of E. Shelby Drive; +/-482 feet east of Wemberley Drive

**COMMISSION DISTRICT:** District 4

**OWNERS OF RECORD:** John W. Cromwell

**APPLICANTS:** Mid-South Christian College

**REPRESENTATIVE:** McCaskill & Associates, Inc.

**REQUEST:** Planned development to allow a seminary, including offices, chapel, library, classrooms, student center and dormitories

**AREA:** 9.05 Acres

**EXISTING LAND USE & ZONING:** Single family home with attached garage, office/shop and small lake, including associated accessory structures and uses

**CONCLUSIONS:**

1. The development request includes a conversion in land use from a single family home with accessory structures and uses to a seminary college with associated accessory structures and uses.
2. The zoning of this tract is Agricultural(AG) District zoning and the request for a planned development should allow College & University(CU) District land uses within the Outline Plan.
3. A campus plan for the balance of the property should be developed and recorded as part of the Outline Plan before any new principal buildings are constructed on the balance of the property.
4. This planned development to allow an alternative land use for a seminary college on a large tract of land is similar to other land use in the area. The request for a seminary college is supported; however, any future development should be limited in height.

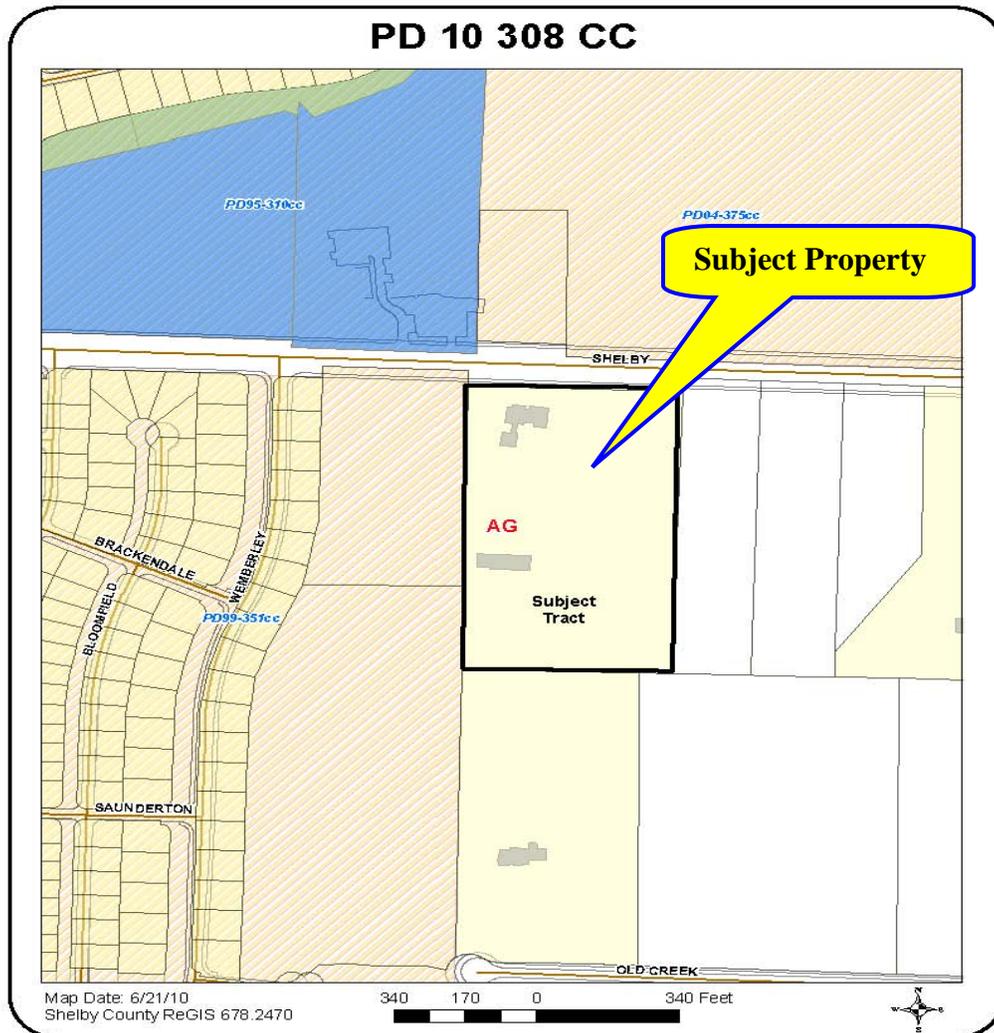
**OFFICE OF PLANNING AND DEVELOPMENT RECOMMENDATION:**

*Approval with Conditions*

**Staff:** *Brian Bacchus*

**E-mail:** [brian.bacchus@memphistn.gov](mailto:brian.bacchus@memphistn.gov)

Zoning-Land Use



**SURROUNDING LAND USES AND ZONING:**

**North:** Amazing Grace Lutheran Church in 'Buckingham Farms' P.D. 95-310CC, Polks Chapel M.E. Church and vacant tracts of land in Agricultural(AG) District.

**East:** Vacant tracts of land and single family home on estate tract in 'Old Creek Estates' subdivision in Agricultural(AG) District.

**South:** Vacant tracts of land and single family home on estate tract in 'Old Creek Estates' subdivision in Agricultural(AG) District.

**West:** Large vacant tracts of land in Agricultural(AG) District and single family homes in 'Mid-Sumer Commons' P.D. 99-351 CC.

Zoning-Aerial View

**PD 10 308 CC**

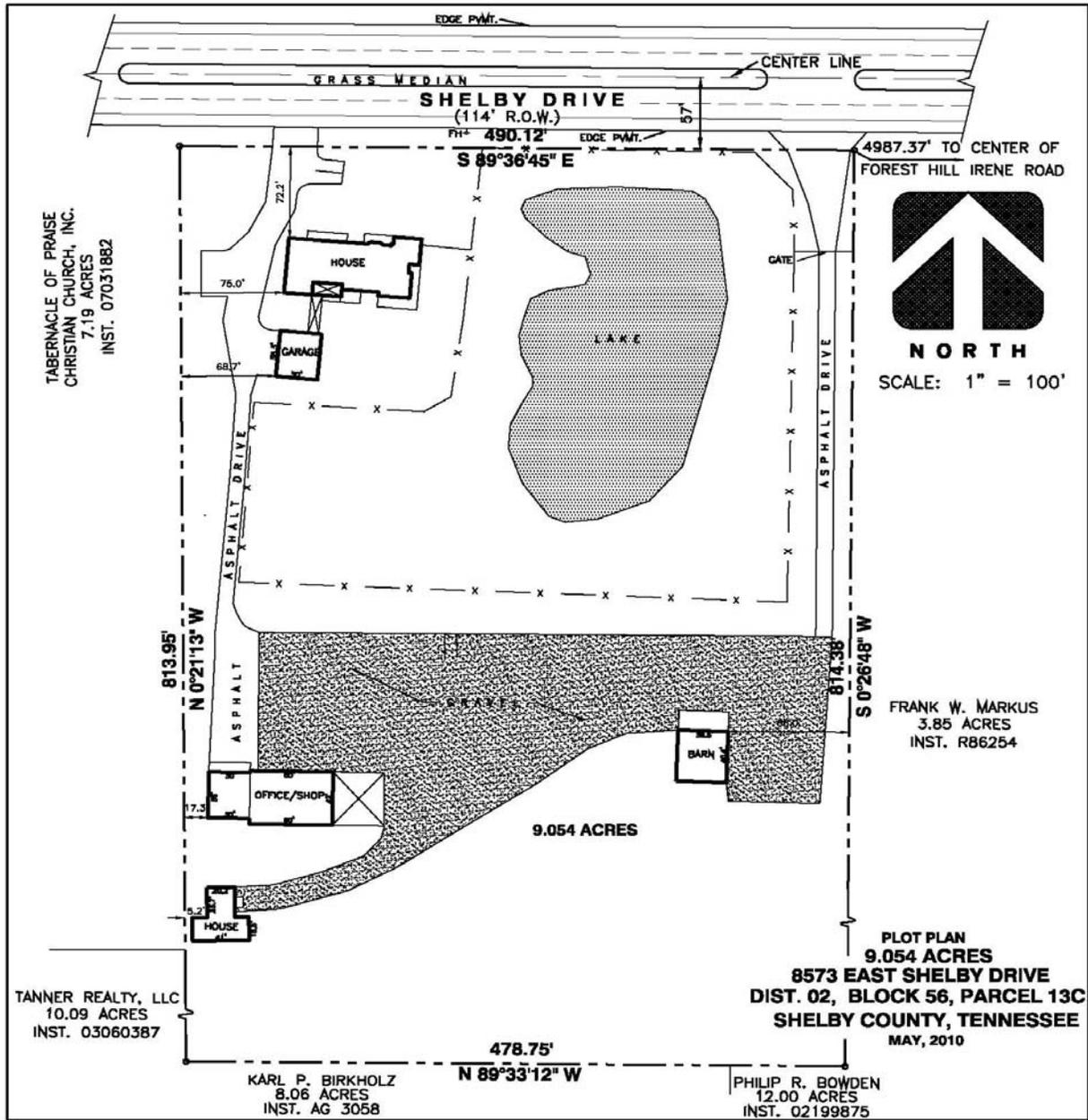


Map Date: 6/21/10  
Shelby County ReGIS 678.2470

340 170 0 340 Feet

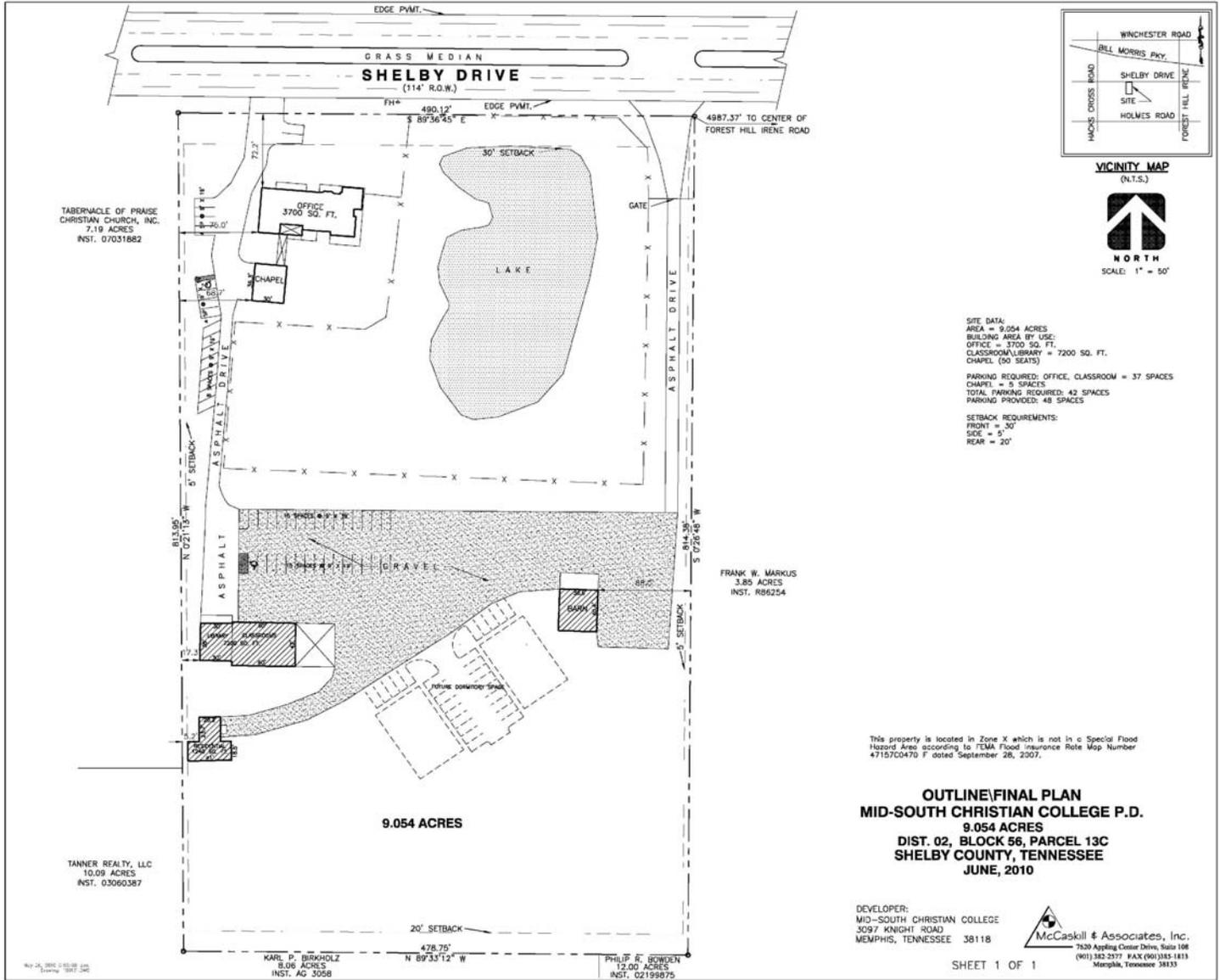


Plot Plan  
Existing Conditions



 <p>McCaskill &amp; Associates, Inc.</p>	<p>7620 Appling Center Drive, Suite 108 Memphis, Tennessee 38133 E-Mail address: temccaskill@AOL.com (901) 382-2577 FAX (901)385-1813</p>
	<p>Land Surveying    Civil Design    Mapping</p>

Outline Plan  
Mid-South Christian College



SITE DATA:  
 AREA = 9.054 ACRES  
 BUILDING AREA BY USE:  
 OFFICE = 3700 SQ. FT.  
 CLASSROOM/LIBRARY = 7200 SQ. FT.  
 CHAPEL (50 SEATS)  
 PARKING REQUIRED: OFFICE, CLASSROOM = 37 SPACES  
 CHAPEL = 5 SPACES  
 TOTAL PARKING REQUIRED: 42 SPACES  
 PARKING PROVIDED: 48 SPACES  
 SETBACK REQUIREMENTS:  
 FRONT = 30'  
 SIDE = 5'  
 REAR = 20'

This property is located in Zone X which is not in a Special Flood Hazard Area according to FEMA Flood Insurance Rate Map Number 47157C0470 F dated September 28, 2007.

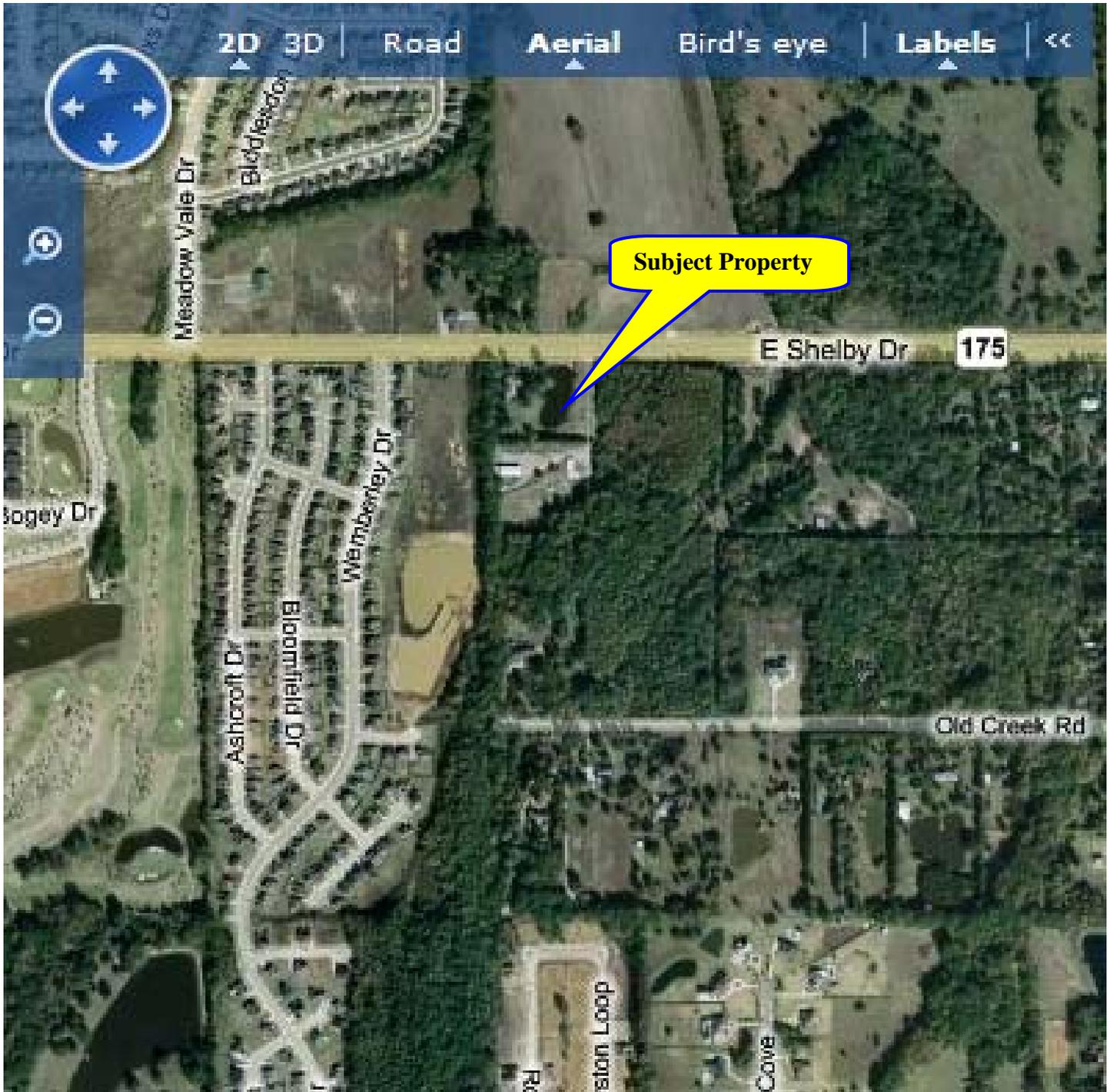
**OUTLINE/FINAL PLAN**  
**MID-SOUTH CHRISTIAN COLLEGE P.D.**  
**9.054 ACRES**  
**DIST. 02, BLOCK 56, PARCEL 13C**  
**SHELBY COUNTY, TENNESSEE**  
**JUNE, 2010**

DEVELOPER:  
 MID-SOUTH CHRISTIAN COLLEGE  
 3097 KNIGHT ROAD  
 MEMPHIS, TENNESSEE 38118

**McCaskill & Associates, Inc.**  
 7820 Appaling Center Drive, Suite 108  
 Memphis, Tennessee 38133  
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SHEET 1 OF 1

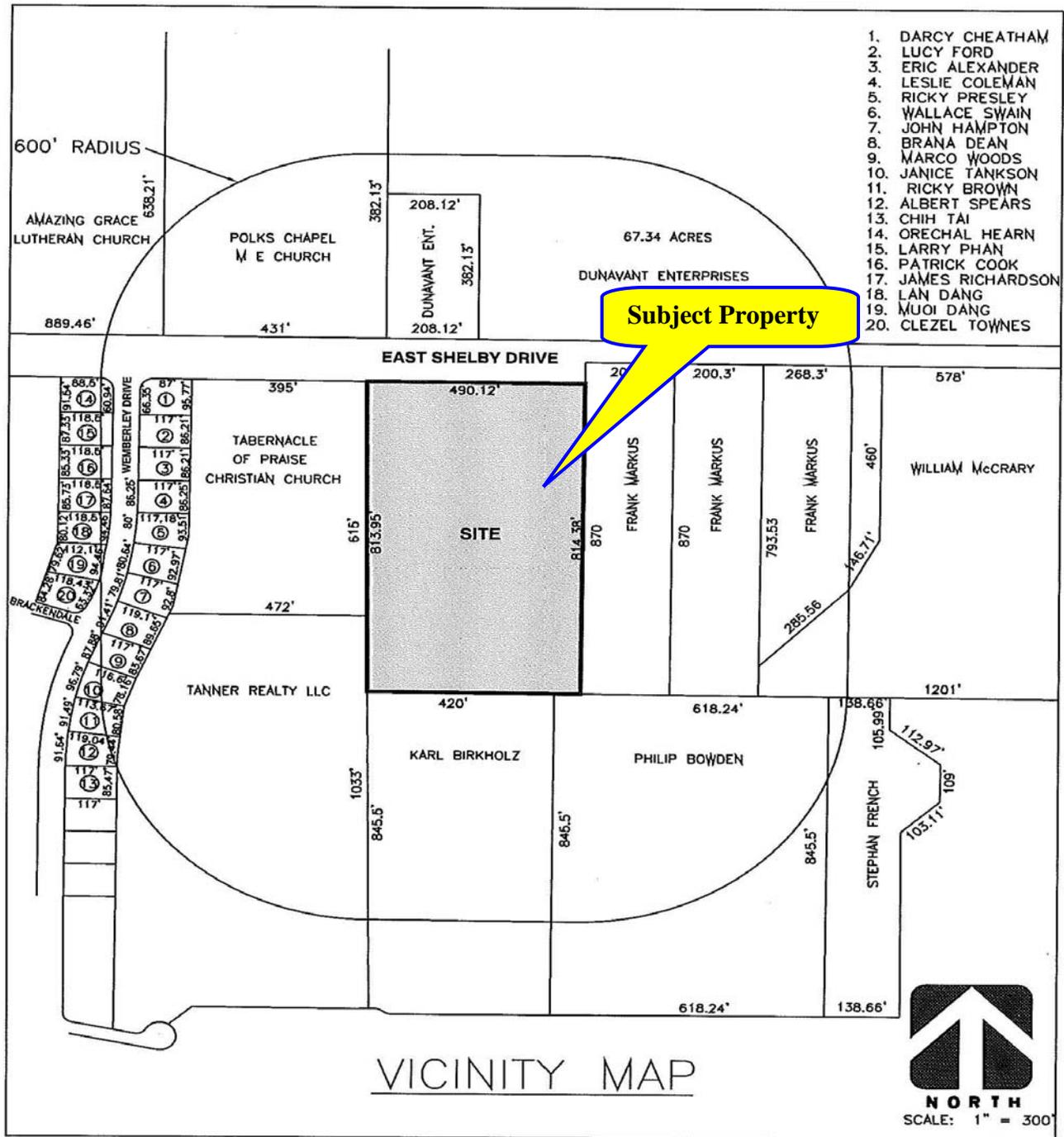
8573 E. Shelby Drive  
(Aerial View)



8573 E. Shelby Drive  
(Bird's Eye View)



Vicinity & Ownership



***STAFF ANALYSIS:***

**Site Description**

The subject property is 9.05 acres located at the south side of E. Shelby Drive, approximately 500 feet east of Wemberley Drive and one(1) mile west of Forest Hill-Irene Road in southeast Shelby County within the Memphis Annexation Reserve Area. The site is occupied by a single family home with an attached garage with associated accessory structures and uses for an office/shop, swimming pool and barn, including a small lake and guest house. The small lake on the property is enclosed in a fence with mature evergreen trees along its southern border.

A natural drainage creek runs across the property near the rear property line from the northeast to southwest with mature trees and underbrush on the balance of the property. Along the front of this property at E. Shelby Drive is no curb, gutter or sidewalk and a grass median at the center of the major road. The west drive has limited access because of the median, but a median opening at the east private drive has full-movement for ingress and egress to the property. The site has two points of private drive access from the major road at each end of the property and connects at the rear of the property with a gravel parking area. The drives have asphalt pavement up to the rear yard gravel parking area and extends to the office/shop building.

**Area Overview**

The surrounding area is located in the southeastern portion of the county, miles west of the Town of Collierville. The site is in the Memphis Reserve Area, north of vacant tracts and single family homes on estate tracts in the Irene Neighborhood and east of single family homes in Mid-Summer Commons Planned Development(P.D. 99-351 CC). The majority of land that immediately surrounds the subject property are large vacant tracts of land in Agricultural(AG) District, except a single family home east of the site on a large tract in 'Old Creek Estates' subdivision.

Large vacant tracts of land in Agricultural(AG) District are located along the north side of E. Shelby Drive, including Polks Chapel M. E. Church and Amazing Grace Lutheran Church in Buckingham Farms Planned Development(P.D. 95-310 CC). The land uses in the area are primarily single family homes and institutional for places of worship, including a community college campus farther east at the north side of E. Shelby Drive. Farther east are land uses including a fire station and recreational fields for Mike Rose Soccer Complex.

**Request vs. Similar Alternative**

This development request is for a planned development to allow a seminary college, including offices, chapel, library, classrooms, student center and dormitories on a 9.05 acre tract in southeast Shelby County. The plan includes a conversion in land use from a single family home with accessory structures and uses to a seminary college with associated accessory structures and uses. The zoning of this tract is Agricultural(AG) District zoning and the request for a planned development should allow College & University(CU) District land uses within the Outline Plan.

A campus plan for the balance of the property should be developed and recorded as part of the Outline Plan before any new principal buildings are constructed on the balance of the property. Any additional planned structures, including accessory uses should be included without having to file a new application for an amendment to the Outline Plan. For example, new classrooms, faculty offices and outdoor recreational areas should be planned and incorporated into an overall campus plan. The Outline Plan request land uses associated with a college or university campus—utilizing existing structures and uses, including the construction and placement of future student dormitories to the rear of the property.

The development will be located in close proximity to similar institutional land uses and places of worship, including the Maxine Smith Southwest Community College satellite campus. This planned development to allow an alternative land use for a seminary college on a large tract of land is similar to other land use in the area. The request for a seminary college is supported with associated uses; however any future development for student dormitories or any other structures should be limited to a maximum of 35 feet in height and constructed of similar building materials to coincide with existing buildings on the property.

***RECOMMENDATION:           Approval with Conditions***

***OUTLINE PLAN CONDITIONS:***

- I. Uses Permitted:
  - A. A seminary college, including offices, chapel, library, classrooms, student center, dormitories and associated accessory structures and uses for a college campus.
  - B. Additional accessory structures shall comply with College & University(CU) District zoning.
  - C. A campus plan shall be developed and recorded as part of the Outline Plan before any new principal buildings are constructed on the balance of the property.
- II. Bulk Regulations: The bulk regulations of the College & University(CU) District shall apply, except the maximum building height shall be thirty-five(35) feet.
- III. Access, Circulation and Parking:
  - A. Dedicate and improve E. Shelby Drive fifty-seven(57) feet from centerline in accordance with Subdivision Regulations. The developer shall install ADA compliant access ramps.
  - B. The two(2) existing curb-cuts on E. Shelby Drive shall remain and reconstructed to meet ADA cross slope requirements.
  - C. Any existing nonconforming curb-cuts, including sidewalks shall be modified to meet current City of Memphis and ADA Standards.
  - D. The design, location and number of curb cuts shall be subject to review and approval by the City and County Engineer.
  - E. All school signs and crosswalks for direction and flow of pedestrians and traffic shall be installed in accordance with City of Memphis standards.
  - F. Provide internal circulation between adjacent phases, lots, and sections. Common ingress/egress easements shall be shown on final plans.
  - G. All common 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 final plans.
  - H. Parking requirements shall be in accordance with the Zoning Ordinance-Regulations and all required parking shall be asphalt pavement material.

**IV. Landscaping and Screening:**

- A. All mature shrubs and trees on the interior of the property shall be preserved and maintained to the extent possible. The removal of any mature trees shall require a Notice of Intent(NOI), subject to review and approval by the Office of Planning & Development.
- B. Landscaping shall be provided along E. Shelby Drive to supplement the existing landscaping. The fence surrounding the lake shall remain and maintained in good condition.
- C. All mature shrubs and trees shall be preserved and maintained on the perimeter of the property. The removal of any mature trees shall require a Notice of Intent(NOI), subject to review and approval by the Office of Planning & Development.
- D. All existing landscape screens and requirements shall be in compliance prior to issuance of the final Certificate of Occupancy for the seminary building.
- E. A detailed 'Landscape Plan' illustrating specific plant materials shall be provided on the final plan for any new development, subject to review and approval by the Office of Planning & Development.
- F. Any required landscaping shall not be placed on any sewer or drainage easements.

**V. Signs: Signs shall be in accordance with the College & University(CU) District.**

**VI. Drainage & Other:**

- A. 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.
- B. The Land Use Control Board may modify the bulk, access, parking, circulation, signage, lighting, landscaping, and other site design 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(10) days of such action, file a written appeal to the Director of Office of Planning and Development, to have such action reviewed by the legislative body.

**VII. A final plan shall be filed within five(5) years of approval of the Outline Plan. The Land Use Control Board may grant extensions at the request of the applicant.**

VIII. 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 identification of plant materials for required landscaping and screening.
- D. The number of parking spaces.
- E. The location and ownership, whether public or private of any easement(s).
- F. The one-hundred(100) year flood elevation.

**P.D. 10-308 CC**  
**Mid-South Christian College Planned Development**

**GENERAL INFORMATION:**

**Street Frontage:** East Shelby Drive-----+/-490.12 linear feet.  
**Planning District:** Collierville  
**Census Tract:** 215.10  
**Zoning Atlas Page:** 2455/2555  
**Parcel ID:** D0256 00013C  
**Zoning History:** The Agricultural(AG) District zoning of the site dated to adoption of 1980 zoning map amendments.

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**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.

**Sewers:**

2. City sanitary sewers are available at developer's expense.
3. The developer shall extend sanitary sewers through the site to serve upstream properties.
4. A sewer extension will be required to serve this development.

**Roads:**

5. Shelby Drive, east of Hacks Cross Road, is designated as a Priority 1 on the MPO Major Road Plan. Dedicate 57 feet from centerline and improve in accordance with Subdivision Regulations.

**Curb Cuts/Access:**

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

**Drainage:**

8. 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.

Site Plan Notes:

9. Provide internal circulation between adjacent phases, lots, and sections. Common ingress/egress easements shall be shown on the final plats.
  
10. 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.
  
11. Required landscaping shall not be placed on sewer or drainage easements.

**Shelby County Engineer:** No comments.

**Shelby County Fire Department:** No comments received as of 7/2/10.

**Memphis & Shelby 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. Should a water well be in use at this site it must be permitted as well as sampled annually by the Water Quality Branch & Septic Tank Program.
4. Any subsurface sewage disposal system in use at this site must be an engineer-designed system to assure that it will function efficiently for sewage disposal at the site.
5. 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.
6. 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.
7. Please complete the attached form/questionnaire on the second page.

**Shelby County Board of Education:** No comments received as of 7/2/10.

**Memphis Board of Education:** No comment.

**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:*

**Street Name Correction: EAST Shelby Drive**

- **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). Application for utility service is necessary before plats can be recorded.
  - 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:**

AT&T Tennessee has no comment.

**Memphis Area Transit Authority (MATA):**

No comments received.

**OPD-Regional Services:**

No comments received as of 7/2/10.

**OPD-Plans Development:**

No comments.

**Neighborhood Association/Organizations:**

*Irene Ngh'd Association:*

*No comments received as of 7/2/10.*

*Buckingham Farms Ngh'd Assoc:*

“ “

*Lakes of Forest Hill Ngh'd Assoc:*

*No comments received as of 7/2/10.*

*Southeast Shelby Coalition:*

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*Southwind Homeowners' Assoc:*

*No comments received as of 7/2/10.*

**Staff: bb**