

STAFF REPORT

CASE NUMBER: SUP 10-222 & MO 10-03 **L.U.C.B. MEETING:** August 12, 2010

LOCATION: East side of Claybrook Street; +/-100 feet south of Court Avenue

COUNCIL DISTRICT: 7

SUPER DISTRICT: 8

APPLICANT: Friends for Life Corporation

REPRESENTATIVE: Parker, Estes & Associates, Inc.

REQUEST: Group Shelter

AREA: 0.2296 Acres

EXISTING LAND USE & ZONING: Vacant land in the Multiple Dwelling Residential (R-MH) District

**OFFICE OF PLANNING AND DEVELOPMENT RECOMMENDATION
APPROVAL WITH CONDITIONS**

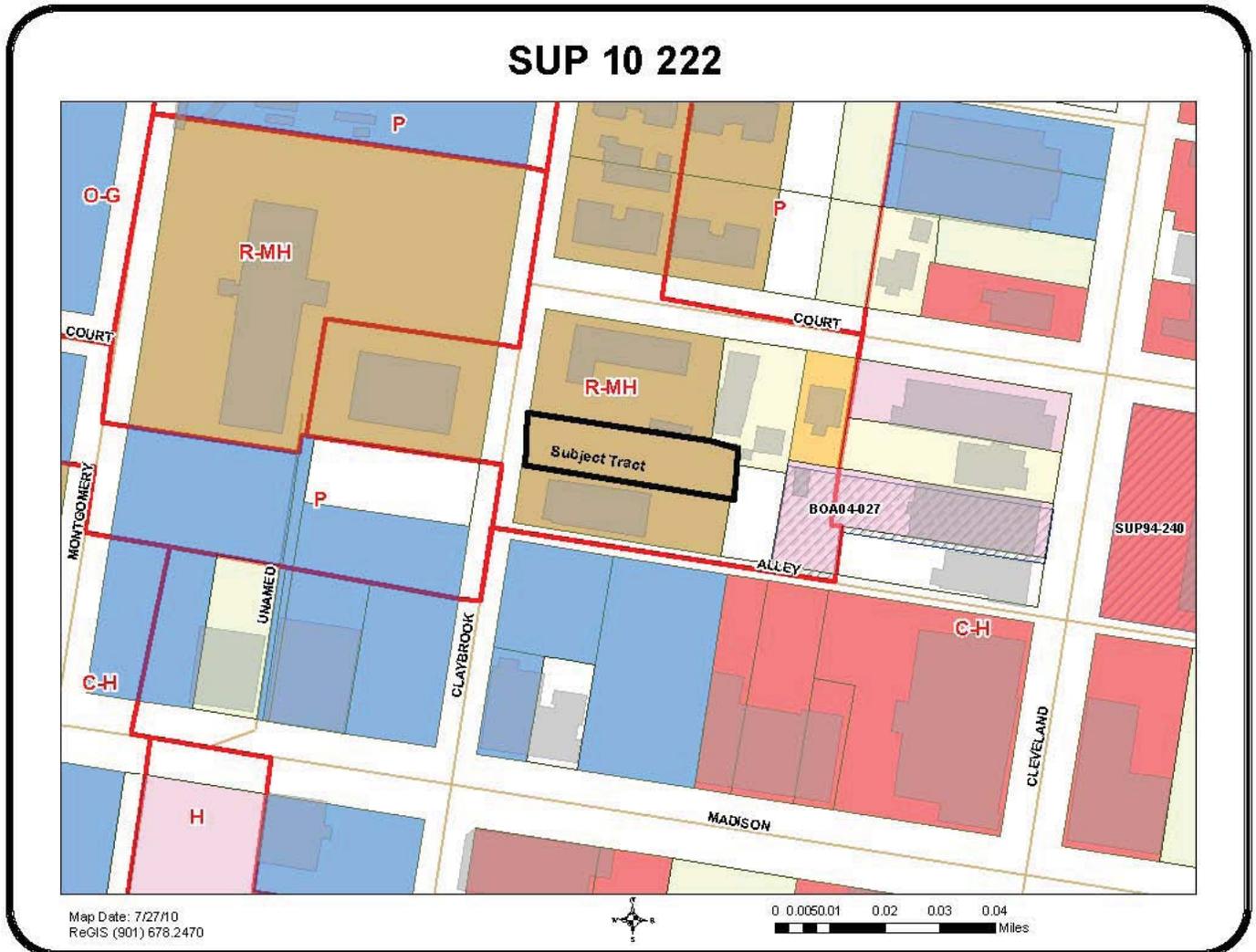
Staff Planner: Sheila Pounder

E-mail Address: sheila.pounder@memphistn.gov

CONCLUSIONS:

1. The site is within the Medical Center Overlay District which was adopted by the Memphis City Council in 2007 and the need for this application is due to an amendment to Chart 1 requiring group shelters located in the R-MH District to obtain a Special Use Permit.
2. There is also an apartment building adjacent to the south side of the site that is currently being operated as a group shelter by the applicant, Friends for Life which was permitted by right in the R-MH District prior to the adoption of the Medical Center Overlay District.
3. The proposed site plan is an "infill" development within the Midtown area of Memphis which is well established with multiple land uses in close proximity to each other including both single family and multi-family housing opportunities as well various institutional and office uses with accessory parking lots. Consequently, the proposed apartment use of this site is compatible with the existing neighborhood.
4. The Medical Center Overlay District pays special attention to these items even on undesignated road frontage so that infill projects in established neighborhoods are carefully evaluated to ensure they will not adversely impact the neighborhood.
5. The site plan is concurrently undergoing Administrative Site Plan Review (MO 10-03) for both Medical Center Overlay District and Special Use Permit approvals.
6. The one item to be addressed for this project is including the existing group shelter, owned by the applicant, adjacent to the south within the boundaries of this site since this will remove the non-conforming status from the existing facility and the subject site proposes to take access to its parking lot through the rear of the existing facility.
7. There is no objection to this request subject to the site plan conforming to the approved ASPR for the Overlay District.

LAND USE & ZONING MAP



SURROUNDING USES AND ZONING:

- North:** Apartments in the Multiple Dwelling Residential (R-MH) District and the Medical Center Overlay District
- East:** Single Family, Duplex, office, and various commercial uses the Multiple Dwelling Residential (R-MH) and Highway Commercial Districts and the Medical Center Overlay District
- South:** Apartments and institutional uses in the Highway Commercial (C-H) District and the Medical Center Overlay District
- West:** Apartments and Parking in the Multiple Dwelling Residential (R-MH) District and the Medical Center Overlay District

AERIAL MAP

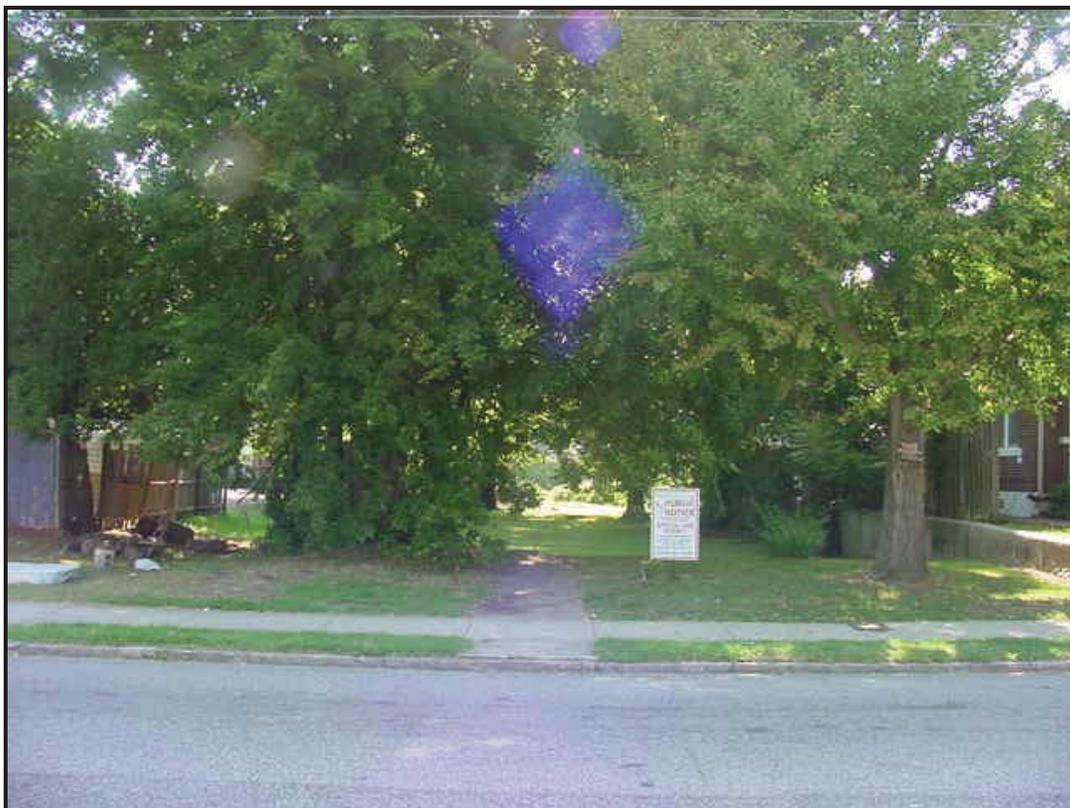
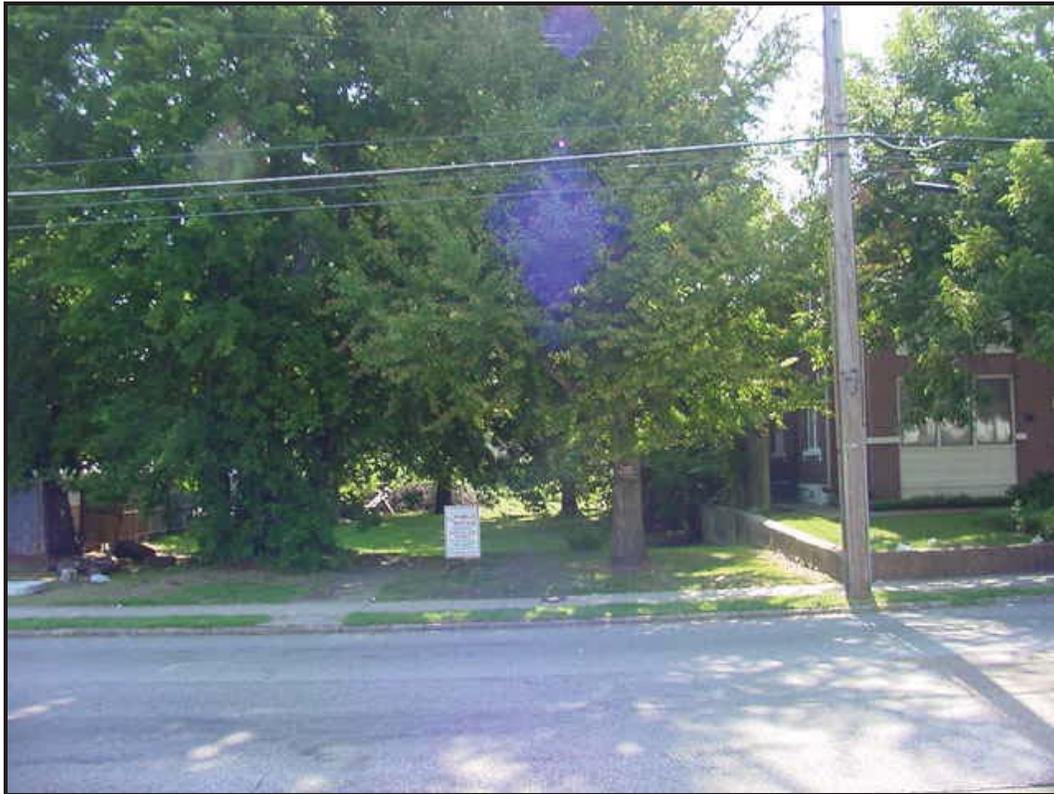
SUP 10 222



Map Date: 7/27/10
ReGIS (901) 678.2470

0.001 0.003 0.006 0.009 0.012
Miles

SUBJECT SITE



Apartment building adjacent to the north of the site



**Apartment building adjacent to the south of the site
(Existing Friends for Life Group Shelter)**



View of apartment building across Claybrook directly in front of site.



View of the Southern School of Optometry parking lot across Claybrook from site.



STAFF ANALYSIS:

Site and Surrounding Area Description

The subject property is located in the Midtown Planning District, on the east side of Claybrook Street; between Court Avenue and Madison Avenue. The subject property is vacant and located in the Multi-Family Residential (R-MH) District. Properties adjacent to the north and south are developed with apartment buildings in the Single Family Residential (R-MH) District. An office building and parking for the Southern School of Optometry are located to the west, directly across Claybrook Street in front of the site within the R-MH and Parking (P) Districts respectively. East of the site are an alley and various institutional and commercial uses fronting along Cleveland Avenue in the R-MH and Highway Commercial (C-H) Districts.



VIEW OF CLAYBROOK LOOKING SOUTH TO MADISION



VIEW OF CLAYBROOK LOOKING NORTH TO COURT

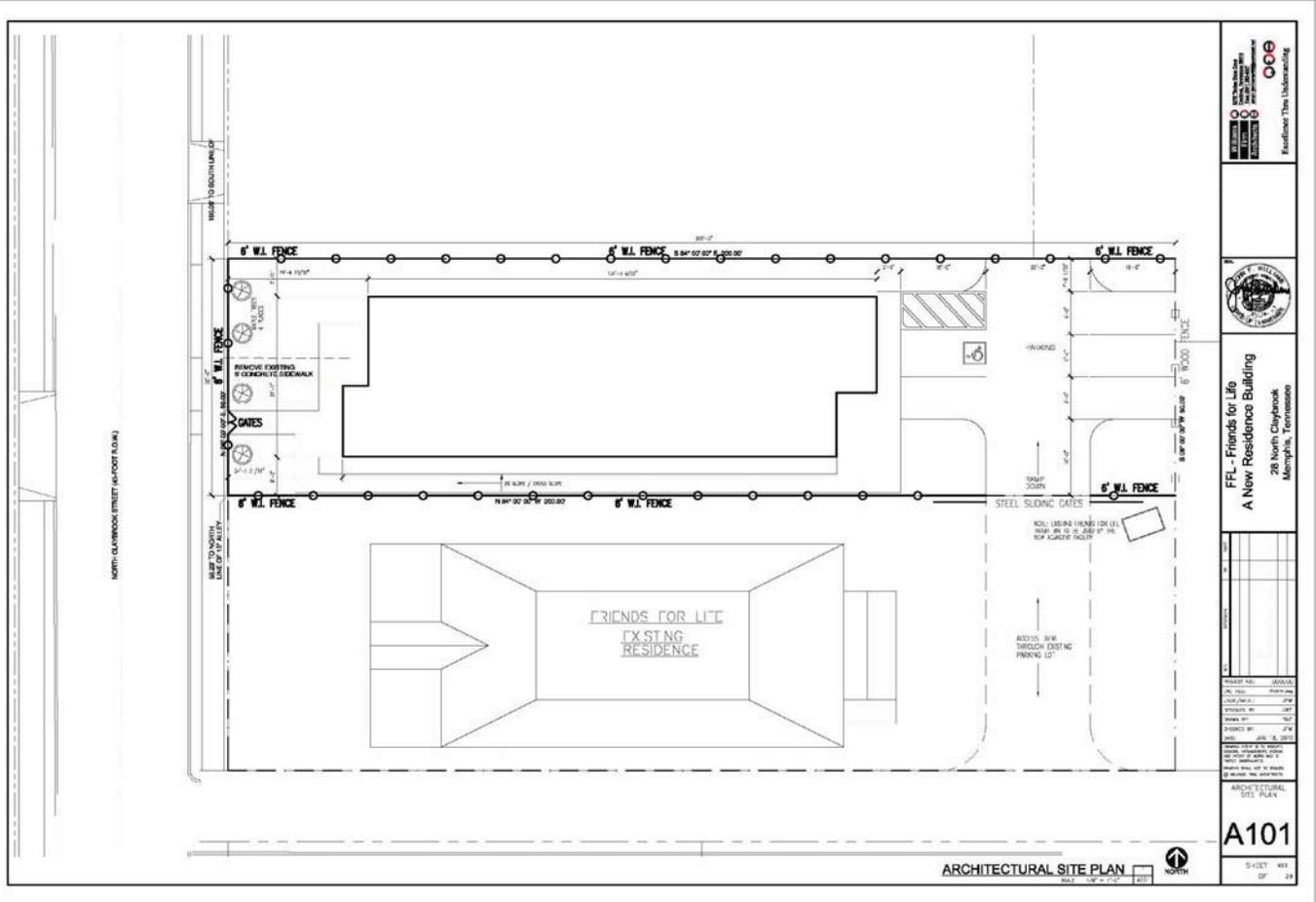
Review of Request

The proposed site plan is an “infill” development within the Midtown area of Memphis. This area is well established with multiple land uses in close proximity to each other which includes both single family and multi-family housing opportunities as well various institutional and office uses including accessory parking lots. The proposed apartment use of this site is compatible with the existing neighborhood.

The proposed site plan for the infill development addresses details such as lot widths, setbacks, orientation of the structures, and landscaping. These items are the elements that contribute to the character of an area. The Medical Center Overlay District pays special attention to these items even on undesignated road frontages so that infill projects in established neighborhoods are carefully evaluated to ensure they will not adversely impact the neighborhood.

The site plan is concurrently undergoing Administrative Site Plan Review for both Medical Center Overlay District and Special Use Permit approvals. Claybrook Street is not a designated frontage in the Overlay District so the General standards for site design apply to this project. The site plan reflects a two story 7,138 square foot building with parking located in the rear. The front yard setback is approximately 24 feet with a lot width of 50 feet. Driveway access to the rear of the building is proposed via the adjoining property to the south. The plan shows a total of six on-site parking spaces where 10 is required because of the number of units in this building. The Overlay District provides for up to a 25% administrative deviation to parking to be granted by staff for sites within its boundaries due to the high availability of public transportation in the area. With the granting of the parking deviation, this site will still be short one space which may be obtained by a slight redesign of the parking area. There is also the need for a parking setback deviation to be granted along the rear of the site. The site is adjacent to single family at the northeast corner. The Overlay District requires a 10 foot setback from single family property. The site plan reflects a little over 7 feet. This parking setback issue will be address in one of two ways as part of the Administrative Site Plan Review process either through an attempt to redesign the parking area to meet the 10 foot requirement or a request to the Board of Adjustment for a setback variation. All required site plan deviations can and will be approved with the Overlay District site plan and will be reflected on the Special Use Permit site plan.

PROPOSED SITE PLAN



An alternative streetscape is also being proposed on the site plan which places four maple trees within the front yard setback of the site. This site is located within the middle of the block on Claybrook Street which makes conformance with the streetscape plates recommended by the Medical Center Overlay unfeasible, especially since redevelopment of the entire street is not likely to happen in the near future. Consequently, the use of an alternative streetscape for this project is acceptable with a minor change to the site plan. Only one maple tree should be installed in the front yard because of the size that this type of tree can grow to in the future. The tree should be a red maple and installed at the northwest corner of the site's front yard. The plan should be revised to reflect this change.

There is one additional issue that should be to be addressed for this project. As previously stated the applicant also operates an existing group shelter in the apartment building adjacent to the south of this site. The existing use was approved by right in the R-MH District prior to the adoption of the Medical Center Overlay which makes it legal non-conforming.



EXISTING FRIENDS FOR LIFE GROUP SHELTER

It is recommended that the boundary of this SUP application be expanded to include the existing facility to the south for two reasons. First, the inclusion within this application would remove the non-conforming status from the existing facility and clear any questions about its continuation in the future. Secondly, the site of the current application proposes to take access to its rear parking lot through the parking lot of the existing facility via an alley that runs along the south line of the adjacent property. If this property is not included within the boundary of the SUP site than an access easement across the rear of the existing facility must be obtained and shown on the site plan ensure that this access is available to the new facility. With these changes there is no objection to the granting of the applicant's request.

RECOMMENDATION: APPROVAL WITH CONDITIONS

SITE PLAN CONDITIONS:

A **Special Use Permit** is hereby authorized to Friends for Life Corporation to allow a **group shelter** on the property located at the **east side of Claybrook Street; +/-100 feet south of Court Avenue (28 North Claybrook Street)** in accordance with the approved site plan and the following supplemental conditions:

1. The approved administrative site plan for the Overlay District shall be the same plan on file for the Special Use Permit. Any changes to the Overlay plan shall require the same changes be made to the SUP plan.
2. The boundary of this SUP application shall be expanded to include the existing facility to the south with a new site plan that reflects this change being submitted to OPD prior to the final review of this case by the Memphis City Council.
3. An alternative streetscape shall be installed and maintained on this site to include the installation of one red maple tree to be placed at the northwest corner of the site's 20 foot front yard setback. An illustration of the alternative plate along with the proposed wrought iron gate for this site shall be shown on the site plan.
4. Attached signage shall be regulated by the R-M District and no signage shall be illuminated.
5. No detached signage shall be permitted on this site.
6. Lighting on the site shall be limited to what is customary for a residential site (ie., a motion detector or security light mounted on a MLGW pole).

GENERAL INFORMATION:

Street Frontage: 50 feet along Claybrook Street

Planning District: Midtown

Census Tract: 36

Zoning Atlas Page: 2030

Parcel ID: 017010 00020C

Zoning History: The site was originally zoned R5-P in 1955 by the adoption of Ordinance 374 and converted to R-MH with the adoption of the 1980 Zoning Ordinance.

DEPARTMENTAL COMMENTS:

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

City Engineer:	No comments received.
City Fire Division:	None.
City Real Estate:	No comments received.
City/County Health Department:	No comments received.
City Board of Education:	No comment.
Construction Code Enforcement:	No comments received.
Memphis Light, Gas and Water:	No comments received.
AT&T/Bell South:	AT&T Tennessee has no comment regarding this development.
Memphis Area Transit Authority (MATA):	No comments received.
OPD-Regional Services:	No comments received.
OPD-Plans Development:	No comments received.
Memphis Park Commission:	No comments received.

Neighborhood Associations:

31ST Ward Civic Club:

No comments received.

Central Gardens Area Association:

No comments received.

Evergreen Historic District Association:

No comments received.

Mid-Inner City Association for Heritage:

No comments received.

New Pathways:

No comments received.