

STAFF REPORT

18

CASE NUMBER: P.D. 07-311 **L.U.C.B. MEETING:** June 14, 2007

DEVELOPMENT NAME: TRINITY PARK PLANNED DEVELOPMENT

LOCATION: East side of East Oakside Drive; +/-2,500 feet south of Winchester Road

OWNER/APPLICANT: Habitat for Humanity

REPRESENTATIVE: The Pickering Firm, Inc.

REQUEST: Planned development to allow forty-four(44) single family homes, including a neighborhood Resource Center/Clubhouse building within the Outline Plan.

AREA: 8.61 Acres

EXISTING LAND USE & ZONING: Vacant, heavily wooded land in Townhouse Residential(R-TH) District.

SURROUNDING LAND USES AND ZONING:

- North:** Vacant land in Single Family Residential(R-S8) District and Sunset Park Apartments in Multiple Dwelling Residential(R-ML) District.
- East:** Vacant land and single family homes on estate lots in Single Family Residential(R-S8) District.
- South:** High Bridge Condominiums in Townhouse Residential(R-TH) and single family homes under construction in Countryside Acres Subdivision in Single Family Residential(R-S6) District.
- West:** Medal of Honor Park, including small lake and single family homes in Oakhaven Subdivision in Single Family Residential(R-S8) District.

OFFICE OF PLANNING AND DEVELOPMENT RECOMMENDATION:

Approval with Conditions

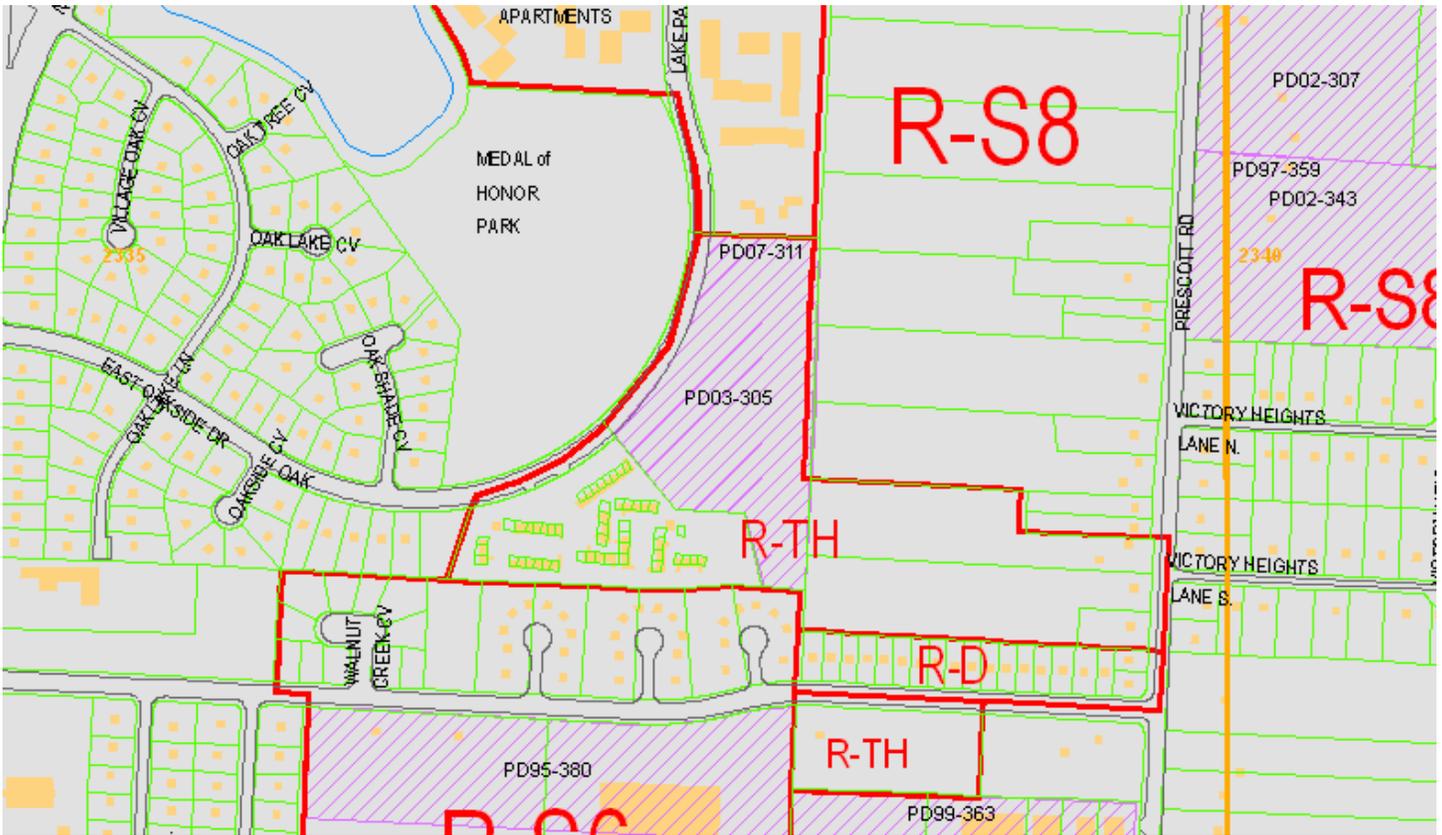
Staff: *Brian Bacchus*

E-mail: brian.bacchus@memphistn.gov

CONCLUSIONS:

- 1. The subject property is in Townhouse Residential(R-TH) District zoning that would allow single family detached, attached, two-family and townhouse residential development. In March, 2003 a similar request for single family homes was recommended for approval for forty-seven(47) single family homes on the same tract of land for the same applicant.**
- 2. The project review area is east of Memphis International Airport and other major aviation facilities, including industrial warehouse land uses at the north side of Winchester Road. This area has developed primarily by zoning for single family homes, condominiums and planned commercial developments.**
- 3. The land use in the immediate area developed by current zoning district standards with a variety of housing types. Therefore, allowing additional residential development within this project review area supports the trend for sustainable residential walking communities.**
- 4. This application for project review is supported with common open space amenities because it establishes a pedestrian network inside that continues outside the development plan by promoting a walking neighborhood with sustainable and affordable housing.**
- 5. The project review area benefits from generous development plans for single family housing types in a zoning district that would otherwise allow higher density development. This new development would allow nearby residents to continue to live in a neighborhood familiar to surrounding land uses.**

ZONING HISTORY MAP:



AERIAL PHOTO w/ ZONING:



STAFF ANALYSIS:

Site Description:

The subject property is a vacant, heavily wooded tract of land at the east side of a major collector street, East Oakside Drive, one-half(1/2) mile south of a major road, Winchester Road in Oakhaven-Parkway Village Planning District. The tract is 8.61 acres of raw land located on a major collector loop street that extends to Tchulahoma Road to the west. The street is improved with approximately 659 curvilinear feet of curb, gutter and sidewalk, including public fire hydrants and lamp posts at the front of the subject property. There are other public utilities, including overhead power at the opposite side of the street.

The subject property is in Townhouse Residential(R-TH) District zoning that would allow single family detached, attached, two-family and townhouse residential development. The tract has approximately 600 feet of depth from the southwest corner and 300 feet of depth at the northwest corner with mature trees concentrated along the east property line and in the lower southwest elevations of the subject property. In March, 2003 a similar request for single family homes was recommended for approval for forty-seven(47) single family homes on the same tract of land for the same applicant.

Area Overview:

The project review area is east of Memphis International Airport and other major aviation facilities, including industrial warehouse land uses at the north side of Winchester Road. This area has developed primarily by zoning for single family homes, condominiums and planned commercial developments. The land use and zoning concentrated along Winchester Road in Light Industrial(I-L) District zoning developed as local employment centers for office/warehouse and business park development.

The land use and zoning directly adjacent and east of the subject property are long time residents on large estate parcels primarily in Single Family Residential(R-S8) District zoning. There are single family attached homes to the south along the north side of Christine Road in Duplex Residential(R-D) District zoning and a new subdivision of single family homes under construction in Christine Acres Subdivision. The High Bridge condominium development is directly adjacent to the tract to the southwest and single family homes in Single Family Residential(R-S8) District zoning farther west in Oakhaven Subdivision.

The land use to the opposite side of East Oakside Drive/Lake Park Drive is Medal of Honor Park with playground equipment, walking trail and small lake amenities. This park was improved in the early 1990's for surrounding residents to enjoy as well as residents in the Sunset Lake Apartment developments in Multiple Dwelling Residential(R-ML) District zoning to the north on both sides of Lake Park Drive. The land use in the immediate area developed by current zoning district standards with a variety of housing types. Therefore, allowing additional residential development within this project review area supports the trend for sustainable residential communities.

Land Use vs. Sustainable Walking Community:

The development request is for a residential planned development to allow a maximum of forty-four(44) single family homes, including a neighborhood Resource Center/Clubhouse building within the Outline Plan. The request consists of a three(3) phase development with Phase 1 with lots to front on East Oakside Drive, Phase 2 the south portion and Phase 3 the balance of the northeast corner of the tract. The development will have two(2) primary points of access with landscaped entrance features, including common open spaces with tree-lined pedestrian walking paths from the clubhouse to the street and internal pedestrian circulation with sidewalks on one(1) side of alternative design streets twenty-nine(29') feet in width.

The subject property is an 8.61 acre tract of vacant., wooded land in townhouse Residential(R-TH) district zoning that currently allows a minimum of 7.3 housing units per acre for single family to a maximum of 14.6 housing units per acre for single family attached homes. This development, including common open spaces and street right-of-ways yields 5.10 housing units to the acre for a total of forty-four(44) single family homes on lots a minimum of 6,000 square feet in area in Trinity Park development plan. The location of the Resource Center/Clubhouse is centrally located within the development tract to allow greater access and sidewalks are linked internally and externally to allow residents to utilize nearby public amenities such as Medal of Honor Park with a walking trail, small lake and a vast amount of green open spaces.

This application for project review is supported with common open space amenities because it establishes a pedestrian network inside that continues outside the development plan by promoting a walking neighborhood with sustainable and affordable housing. The project review area benefits from generous development plans for single family housing types in a zoning district that would otherwise allow higher density development. This new development would allow nearby residents to continue to live in a neighborhood familiar to surrounding land uses. The only suggestion to the Outline Plan would be to condition the plan to allow all front elevations of homes along East Oakside Drive to face the street to maintain larger green spaces in the front yards.

RECOMMENDATION: Approval with Conditions

OUTLINE PLAN CONDITIONS:

I. USES PERMITTED:

- A. A maximum of forty-four(44) single-family detached dwelling units.
- B. Accessory structures and uses shall be in accordance with Section 27-Zoning Ordinance-Regulations.
- C. A Resource Center/Clubhouse building a maximum of 800 square feet in area shall be permitted in Phase 3 as an accessory building. All required parking for this building shall be illustrated on the Outline Plan and/or Outline/Final Plan. No parking shall be permitted within the traffic circle.

II. BULK REGULATIONS:

- A. The lots fronting on East Oak Side Drive--minimum front yard setback shall be thirty(30') feet.
- B. The lots fronting on internal streets--minimum front yard setback shall be twenty-five(25') feet.
- C. The side yard setback for Lots 6, 17, and 34 adjacent to public right-of-ways shall be a minimum of ten(10') feet.
- D. The side yard setback for Lots 3, 4, 13, 14, 16, 22, 27, 30, 31, and 32 adjacent to Common Open Space shall be a minimum of five(5') feet.
- E. The minimum side yard setback for all other areas shall be three(3) and one-half(1/2') feet.
- F. In the event that a residence is constructed without a garage, such residence, and its driveway, shall be sited so as to permit the future construction of a garage in the rear yard and the extension of the driveway to provide automobile access to that future garage site. Such future driveway extension should also be planned so as to provide access appropriate for a future side yard carport or porta-cochere, if constructed as an alternative or in addition to a garage.
- G. The location of the Resource Center/Clubhouse building shall be as illustrated on Outline Plan.

III. ACCESS, PARKING AND CIRCULATION:

- A. All internal streets shall meet the geometric design standards and site distance requirements of the Subdivision Regulations. The minimum radius for traffic circles shall be 40.5 feet.
- B. The Alternative Street design of twenty-nine(29') feet of right of way shall be permitted on Street 'A', Street 'B' and Street 'C'.

- C. One-way streets shall have a minimum design width of eighteen(18') feet from face of curb to face of curb. The streets with traffic circles shall be signed for one-way movement only. No parking signs shall be posted to ensure that vehicular traffic can move freely. around Common Open Spaces(C.O.S.) 'D', 'H' and 'K'.
- D. The minimum property line radii for internal street intersections shall be fifteen(15') feet. The minimum property line radii for East Oak Side Drive shall be twenty-five(25') feet. Dedicate full corner radii at the intersection of alternative design streets with standard design streets
- E. The design, location and number of curb-cuts shall be subject to review and approval by the City Engineer.
- F. Off-street parking shall be provided in accordance with Section 28-Zoning Ordinance-Regulations.
- G. Sidewalks shall be provided along the north side of Street 'A', the south side of Street 'B', the east side of Street 'C' and the south side of the southern driving circle for Street 'C'. A seven(7') foot wide pedestrian/sidewalk/utility easement shall be provided for the sidewalks along the interior streets with a seven(7) and one-half(1/2) foot utility easement located adjacent to the easement inside the lots. A five(5') foot utility easement shall be provided parallel to the east right of way of East Oak Side Drive, the south side of Street 'A', the north side of Street 'B', the west side of Street 'C', the north line of the driving circle at the southern terminus of Street 'C', the west line of the driving circle at the northern terminus of Street 'C', and along the frontage of lots facing Cove 'D'.

IV. LANDSCAPING, DESIGN AND SIGNS:

- A. The applicant shall develop a plan for compliance with the Tree Ordinance subject to the approval of the Office of Planning and Development. This plan shall be recorded as part of the Outline and/or Outline/Final plan of development.
- B. A minimum of one (1) shade tree per lot shall be provided by the builder in the front yard of each lot and located exclusive of any existing or proposed easements prior to the occupancy of said residence. Said tree shall be one of the following: Norway Maple, Kentucky Coffee Tree, London Plan Tree, Oak, Bald Cypress, Basswood, Lacebark Elm, Thornless Honey Locust, Black Gum or Sweet Gum.
- C. All required landscaping and landscaped areas shall not be placed on sewer or drainage easements.
- D. Signs designating specific sections of the residential areas may be permitted subject to the approval of the Office of Planning & Development. A rendering of the proposed residential signs shall be illustrated on the final plans showing the height, dimensions and design.
- E. Portable and temporary signs shall not be permitted.

V. SEWERS AND DRAINAGE:

- A. The developer shall extend sanitary sewers through the site to serve upstream properties.
- B. The width of all existing off-street sewer easements shall be widened to meet current city standards.
- C. All drainage plans shall be subject to review and approval by the City Engineer.
- D. Drainage improvements, including possible on-site detention, shall be provided under a standard Subdivision contract in accordance with Subdivision Regulations and the City of Memphis Drainage Design Manual.
- E. The developer shall 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.
- F. Erosion control measures shall be maintained during construction with hay bales and silt fences.
- G. Provisions shall be made to maintain water quality of any storm water run-off onto any other adjacent properties during construction of this Planned Development.

VI. TIME LIMIT:

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.

VII. FINAL PLAN REQUIREMENTS: Any Final Plan shall include the following:

- A. The Outline Plan Conditions.
- B. A Standard Subdivision Contract as defined by the Subdivision Regulations.
- C. The location and ownership, whether public or private, of any easement(s).
- D. Fire hydrants in accordance with the requirements of the City of Memphis Fire Department.
- E. The location, diameter, and species name of existing trees more than eighteen(18") inches in diameter, and differentiation between those to be preserved and those to be removed.
- F. The exact location and dimensions including height of all buildings or buildable areas, parking areas, drives, pedestrian and utility easements, service drives and access easements and identification of plant materials required in landscaping as well as a rendering of the appearance of all proposed buildings and signs, including labeling of predominant construction materials.

- G. All Common Open Areas, drainage detention facilities, private streets, private sewers, private drainage system, landscaping, signage and irrigation system shall be owned and maintained by a Property Owners' Association. A statement to this effect shall appear on the final plan.
- H. 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 Engineer. The storm water detention systems located in these areas, except for those parts located in public drainage easements, 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 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.
- I. Phases may be built out of sequence.
- J. The final plan shall reflect the appropriate width pedestrian/sidewalk/utility easement along both sides of all alternative design street dedications in accordance with Subdivision Regulations.

P.D. 07-311
Trinity Park Planned Development

GENERAL INFORMATION:

Street Frontage: East Oakside Drive/Lake Park Drive-----+/-659 curvilinear feet.

Planning District: Oakhaven-Parkway Village

Zoning Atlas Page: 2335

Zoning History: In 1960, the subject property was in unincorporated Shelby County in Single-Family Dwelling(R-1-A) District zoning. In 1971, the subject property was reclassified to be included in Townhouse Residential(R-TH) District by OPD Case Z-1953. The Townhouse Residential(R-TH) District zoning of the site also dates to the adoption of the 1980 zoning map amendments. In March, 2003, an application was filed for a residential planned development(P.D. 03-305) to allow forty-seven(47) single family homes, but was not considered by Memphis City Council.

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.

Roads:

4. The streets with traffic circles (labeled COS D, H and K) shall be signed for one-way movement only, and no parking signs shall be posted to ensure that vehicular traffic can move freely around them.
5. The clubhouse area **MUST** provide off street parking for guests. No parking will be permitted within the traffic circle.
6. The minimum radius for the traffic circles is 40.5 feet rather than the 34 feet shown on the plan.
7. Dedicate full corner radii at the intersection of alternative design streets with standard design streets.
8. The final plat shall reflect the appropriate width pedestrian/sidewalk/utility easement along **both sides of all alternative design street dedications** in accordance with Subdivision Regulations.

9. Provide approved names for all streets reflected on the outline plan.

Curb Cuts/Access:

10. The City Engineer shall approve the design, number and location of curb cuts.

Drainage:

11. 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.
12. Drainage data for assessment of on-site detention requirements shall be submitted to and approved by the City Engineer.
13. 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.

General Notes:

14. The width of all existing off-street sewer easements shall be widened to meet current city standards.
15. No other utilities or services may occupy sanitary sewer easements in private drives and yards except for crossings.
16. All connections to the sewer shall be at manholes only.
17. 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.
18. Required landscaping shall not be placed on sewer or drainage easements.

Memphis Fire Division: No comments received.

Memphis Real Estate: None.

Memphis “& Shelby County Health Department:

If monitoring wells were installed as part of an environmental site assessment they must be properly filled and abandoned as outlined in Section 6 of the Shelby County Well Construction Code.

Memphis Park Services: No comment received.

Memphis Board of Education:

Opinion:

It is the opinion of the Memphis City Schools that PD07-311 Trinity Park Planned Development will not significantly impact the Memphis City Schools system.

School Attendance Zones:

Any students living in this residential subdivision will be attending the following schools:

- Elementary: Oakhaven – 71% capacity
- Middle: Oakhaven – 71% capacity
- High: Oakhaven – 71% capacity

Impact of Development on the Schools:

The impact of the proposed development along East Oak Side Drive between Winchester and Tchulahoma Roads will result in the addition of 44 residential units and an anticipated addition of 28 children to the school system (assuming 0.62 students per household, the Shelby County average). Considering Oakhaven Elementary (K-6) and High(7-12) are at 71% capacity, these new students will not have a significant impact on enrollment and capacity.

Traffic Hazard to Students:

This planned development is close to both Oakhaven Elementary and High. Students will be able to access the schools by walking along East Oak Side Drive, Tchulahoma, and Kenland. These paths have good sidewalks and crosswalks allowing for a route with few impediments to the schools.

Impact on Busing:

The proposed development is within the walk distance of all three schools therefore, no impact is anticipated on the existing bus systems.

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 comments:

- If it is necessary for MLGW facilities to be installed, removed or relocated, any work performed by MLGW will be done at the expense of the owner/applicant.
- It is the responsibility of the owner/applicant to identify any utility easements (electric, gas, water, CATV, telephone, sewer, drainage, etc.), which may encumber the subject property, including underground and overhead facilities.
- **Landscaping prohibited** within any MLGW utility easement. No trees, shrubs or permanent structures will be allowed within any MLGW utility easements.

- 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).
- **Fire Protection Water Services:** It is the responsibility of the owner/applicant to contact MLGW - **Water Engineering @ 528-4720** to obtain fire protection/water flow information. If water main extensions and/or an increase in existing main sizes are needed to meet the minimum fire flow rate to serve the proposed development, the owner/applicant will be responsible for the cost of these improvements.
- Please refer to Section 12.1.1 and Appendix A of the **MLGW Water Service Policy Manual**, which is available online at the following MLGW website:
- http://www.mlgw.com/images/water_manual.pdf• To determine if system improvements may be required, please contact the appropriate MLGW engineering area:
 - MLGW Engineering - **Residential Development:** 528.4858
 - MLGW Engineering - **Commercial Development:** 367.3343
- The owner/applicant will be responsible for the cost of any utility system improvements necessary to serve the proposed development with electric, gas or water utilities.

Bell South:

AT & T-Southeast requests a five(5) foot utility easement along all property lines.

- | | |
|---|-----------------------|
| Memphis Area Transit Authority(MATA): | No comments received. |
| OPD-Regional Services: | No comments received. |
| OPD-Plans Development: | No comment. |
| Neighborhood Associations/Organizations: | None registered. |

Staff: bb