

STAFF REPORT

CASE NUMBER: P.D. 10-316 **L.U.C.B. MEETING:** November 10, 2010

DEVELOPMENT NAME: MEMPHIS DEPOT BUSINESS PARK PLANNED DEVELOPMENT, 2ND Amendment

LOCATION: Northwest corner of Airways Boulevard and Memphis Depot Parkway extending north to Dunn Avenue and south to Ball Road

COUNCIL DISTRICT(S): District 4-Super District 8-Positions 1, 2 & 3

OWNERS/APPLICANTS: Depot Redevelopment Corporation of Memphis & Shelby County, TN

REPRESENTATIVE: SR Consulting, LLC

REQUEST: Plan amendment to eliminate the current Use Chart and replace with standard Uses Permitted in Light Industrial(I-L) District with exceptions and add a Condition XI regarding property owners' right to amend Outline Plan with required notification

AREA: ±415 Acres

EXISTING LAND USE & ZONING: Currently governed by Memphis Depot Business Park Planned Development (P.D. 10-301)

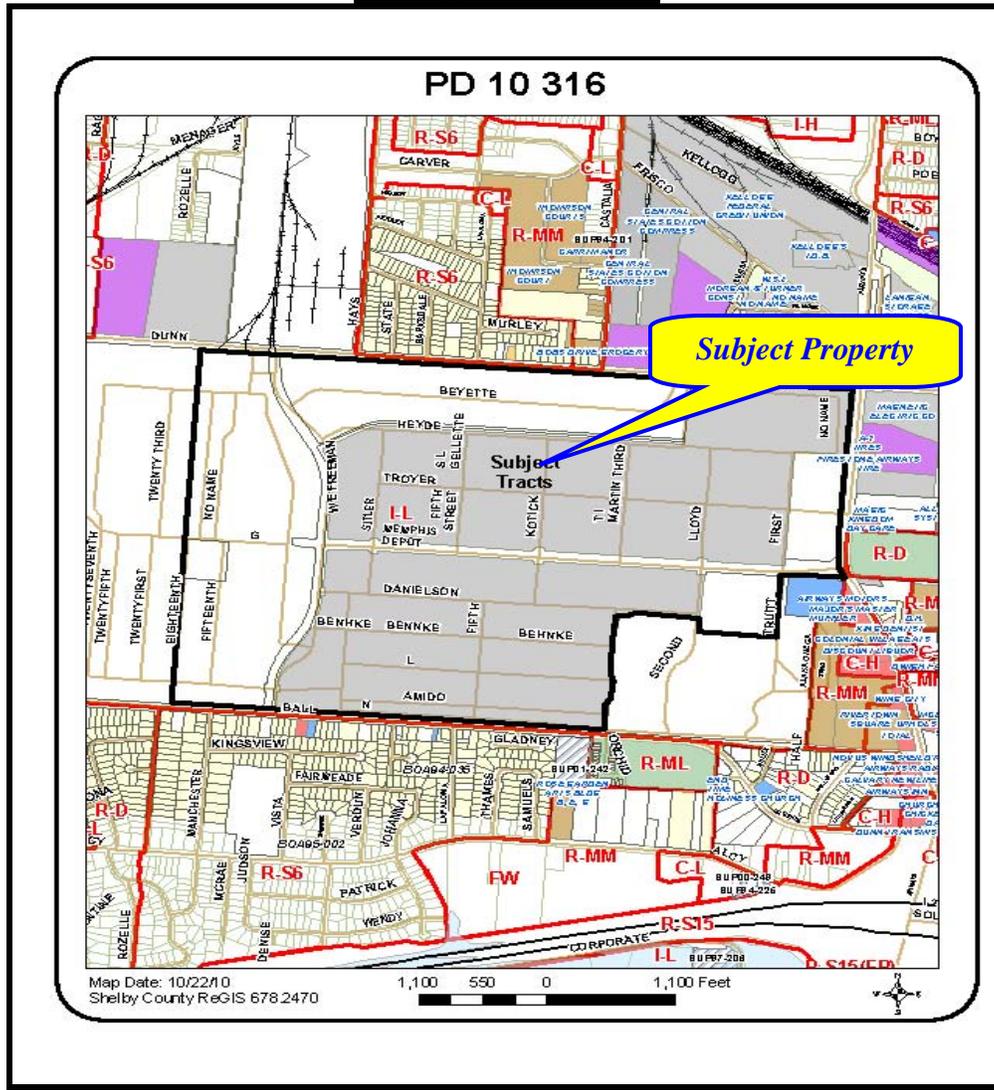
CONCLUSIONS:

1. The facility is located north of the Memphis International Airport at 2163 Airways Boulevard. There are 130 buildings on site with more than 4 million square feet of enclosed industrial space.
2. This reuse plan has focused on attracting distribution, light manufacturing, and appropriate service agencies to the facilities. The plan also provides facilities for education and technical training, community services, parks, and public recreation activities.
3. This Redevelopment Plan was adopted and approved as a planned development and became the blueprint for job creation, competitive incomes, community services and new investments that were designed to help counteract the losses that resulted from the closure of the Memphis Depot.
4. The plan amendment to clarify uses permitted in Light Industrial(I-L) District zoning is supported, because current land use and zoning coincides with the industrial park concept created by the original plan.
5. The intent of the plan to allow industrial uses does not significantly change the business park concept, but Area 'A-3' should be limited to office land use because of its benchmark and historic landmark status.

OFFICE OF PLANNING AND DEVELOPMENT RECOMMENDATION:

Approval with Conditions

Zoning & Land Use



Surrounding Land Use & Zoning

- North:** Single family homes in ‘Castalia Neighborhoods’ in Single Family Residential(R-S6), small commercial and industrial businesses, small office/warehousing, large manufacturing facility and truck service repair facilities in Light Industrial(I-L) District.
- East:** Light manufacturing and warehousing, motor vehicle service facilities, including office/warehouse and a nine(9) hole golf course in Light Industrial (I-L) District; cemetery in Duplex Residential(R-D) District, vacant land and day care facility in Highway Commercial (C-H) District.
- South:** Single family homes in ‘Alcy-Ball Neighborhoods’, two(2) churches, and a community center in the Single Family Residential(R-S6) and Multi-Family Residential (R-ML) Districts
- West:** Barnhart Crane and Rigging Company with outdoor storage in Light Industrial(I-L) District.

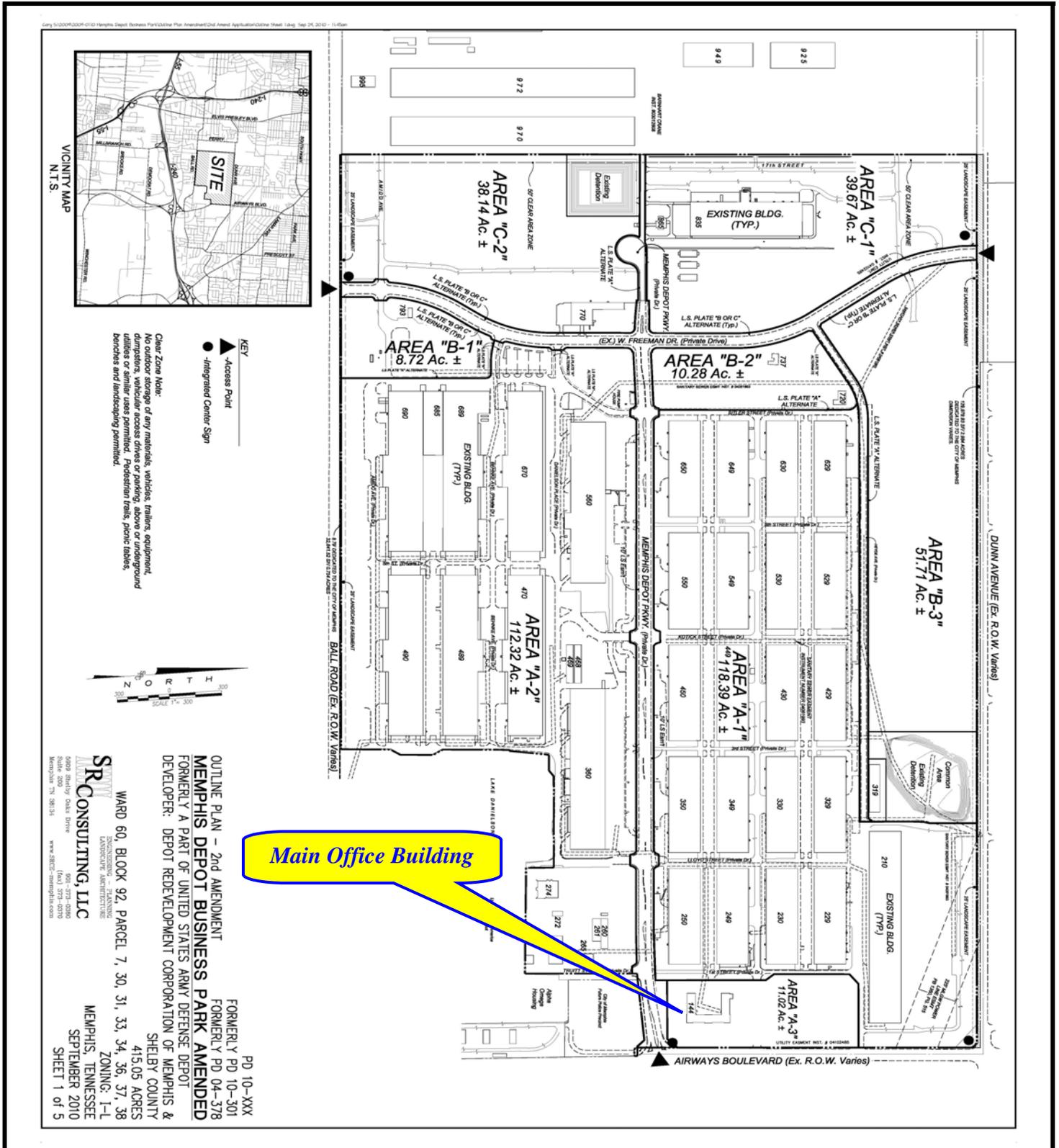
Aerial Zoning Map

PD 10 316



Map Date: 10/22/10
Shelby County ReGIS 678.2470

Outline Plan



KEY
▲ Access Point
● Integrated Center Sign

Clear Zone Note:
No outdoor storage of any materials, vehicles, trailers, equipment, dumpsters, vehicular access drives or parking, above or underground, utilities or similar uses permitted. Pedestrian trails, picnic tables, benches and landscaping permitted.



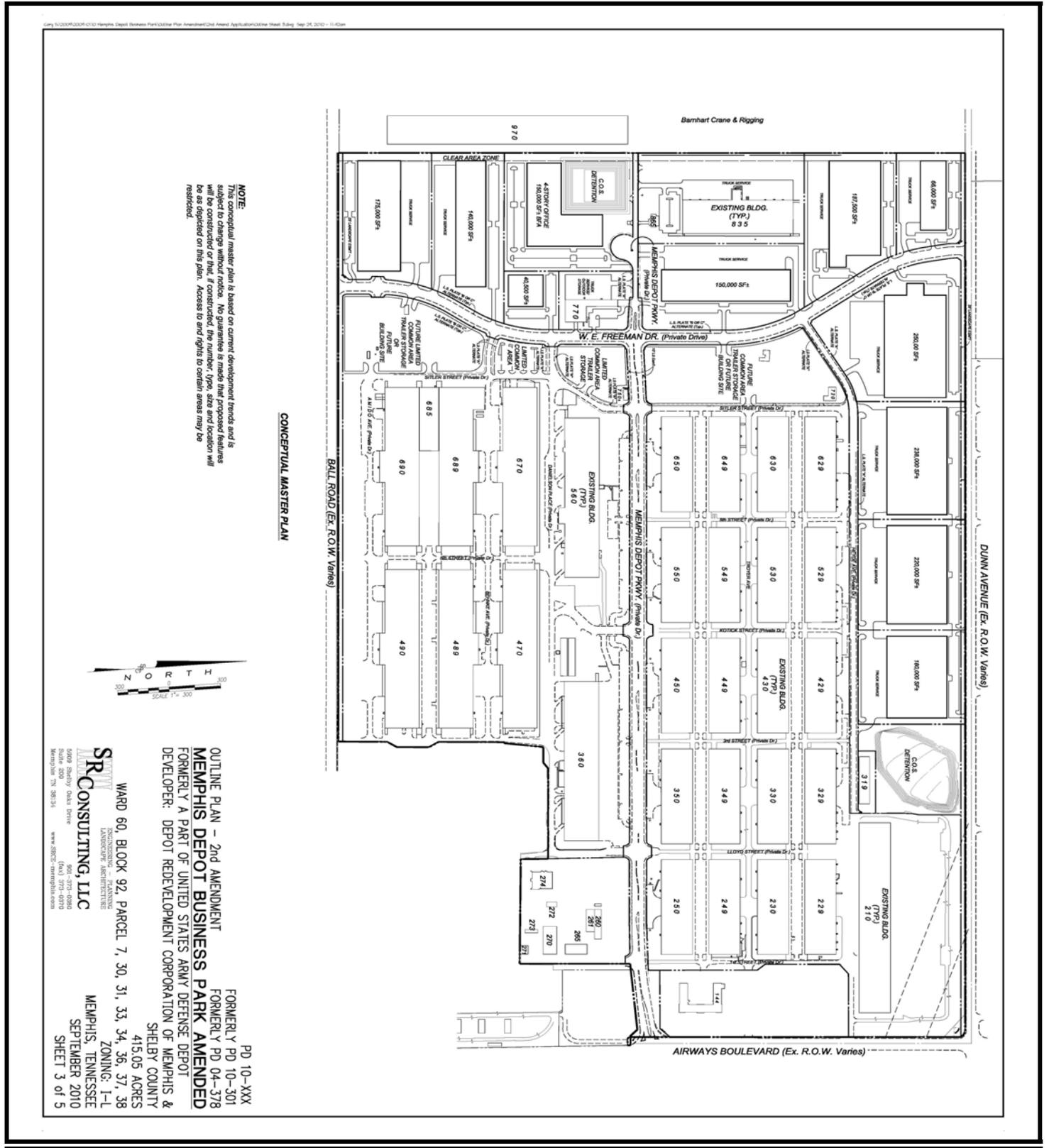
WARD 60, BLOCK 92, PARCEL 7, 30, 31, 33, 34, 36, 37, 38
ZONING: 1-L
MEMPHIS, TENNESSEE
SEPTEMBER 2010
SHEET 1 of 5

FORNELY PD 10-301
FORMERLY PD 04-378
FORMERLY A PART OF UNITED STATES ARMY DEFENSE DEPOT
DEVELOPER: DEPOT REDEVELOPMENT CORPORATION OF MEMPHIS & SHELBY COUNTY

SR CONSULTING, LLC
LANDSCAPE ARCHITECTURE
5009 SHILOH OAK DRIVE
MEMPHIS, TN 38134

OUTLINE PLAN - 2nd AMENDMENT
MEMPHIS DEPOT BUSINESS PARK AMENDED
FORMERLY A PART OF UNITED STATES ARMY DEFENSE DEPOT
DEVELOPER: DEPOT REDEVELOPMENT CORPORATION OF MEMPHIS & SHELBY COUNTY

Master Concept Plan



NOTE:
This conceptual master plan is based on current development trends and is subject to change without notice. No guarantee is made that proposed features will be constructed or that, if constructed, the number, type, size and location will be as depicted on this plan. Access to and rights to certain areas may be restricted.

CONCEPTUAL MASTER PLAN



PD 10-XXX
FORMERLY PD 10-301
FORMERLY PD 04-378
OUTLINE PLAN - 2nd AMENDMENT
MEMPHIS DEPOT BUSINESS PARK AMENDED
FORMERLY A PART OF UNITED STATES ARMY DEFENSE DEPOT
DEVELOPER: DEPOT REDEVELOPMENT CORPORATION OF MEMPHIS & SHELBY COUNTY
415.05 ACRES
WARD 60, BLOCK 92, PARCEL 7, 30, 31, 33, 34, 36, 37, 38
ZONING: I-1
MEMPHIS, TENNESSEE
SEPTEMBER 2010
SHEET 3 of 5

SR CONSULTING, LLC
ENGINEERING - PLANNING
LANDSCAPE ARCHITECTURE
3009 SHELBY OAK DRIVE
MEMPHIS, TN 38134
901-573-0888
WWW.SRCONSULTING.COM

STAFF ANALYSIS:

Site Description

The subject property is a grand total of 415 acres located at the northwest corner of Airways Boulevard and Memphis Depot Parkway extending north to Dunn Avenue and south to Ball Road in Depot Planning District. The site consists of a four-story office building, office/warehousing for small businesses, including educational and technical training, community and public service facilities. The site was the headquarters for the Army Defense Depot currently used for the main offices for a crane and rigging operation, including the governmental agency—Depot Redevelopment Corporation. This plan also includes distribution, light manufacturing, and appropriate service agencies. In addition to incorporating light industrial business park land uses and small businesses, the plan provides facilities for training, community services, parks, and public recreational activities.

The main office building is historic in construction and character and very well-maintained in its original state which serves as a benchmark to the community and surrounding neighborhoods. There is curb, gutter and sidewalk along the front of the subject property, including overhead power lines with pole lights on both sides of Airways Boulevard. The site has access via three(3) curb-cuts to Airways Boulevard and one curb-cut to Depot Parkway. The office building is setback from the street approximately 145 feet from the right-of-way with mature trees and shrubs in the front yard. There is a vast amount of parking at the north side of the main office building off the main entrance drive with parking fields extending to the north property line.

Depot History & Redevelopment Plan

The U.S. Army Corps of Engineers officially activated the Memphis General Depot in January 1942. The facility is located north of the Memphis International Airport at 2163 Airways Boulevard. There are 130 buildings on site with more than 4 million square feet of enclosed industrial space. The Depot provided logistical support to the U.S. military from World War II through Desert Storm. In May 1943, there were 4,726 civilians and 162 military personnel at the Depot.

On September 30, 1997, after 55 years of service, the 642-acre Memphis Defense Depot closed due to the decisions of the 1995 Base Realignment and Closure Commission (BRAC). In response to the federal government's decision to close the doors, the City of Memphis and the Shelby County Government partnered with the economic development community to begin the process of converting the Memphis Defense Depot to non-military use in an effort to recapture jobs.

The Redevelopment Plan for the Memphis Depot was the result of an extensive community, business, education, and government participation process. Workshops that included neighborhood residents and other stakeholders were conducted, as well as in-depth evaluations of local, regional administration officials, military representatives, design and environmental specialists, real estate developers, transportation professionals, logistics specialists, and a broad array of interested individuals helped ensure an outcome that would foster economic growth.

This reuse plan has focused on attracting distribution, light manufacturing, and appropriate service agencies to the facilities. In addition to incorporating light industrial businesses, the plan also provides facilities for education and technical training, community services, parks, and public recreation activities. A former officer's housing compound was converted to transitional housing for local homeless veterans under a Homeless Assistance Transfer and several facilities used as the new Southeast Police Precinct and property conveyed to the City of Memphis under a Public Benefit Transfer.

The Memphis Depot Business Park (MDBP) has been greatly enhanced by redevelopment plans with the planting of mature trees and shrubbery. A no-cost lease of fifty acres of parkland, including a nine-hole golf course and clubhouse is operated by a local faith-based organization to help establish sports skills in youth and offer occasionally activities for tenants. The transfer of 35 acres—at no cost to the Memphis Area Transit Authority for a light-rail maintenance facility is being planned to connect the Memphis International Airport to Downtown Memphis.

As a result of the partnership between the City of Memphis, Shelby County Government and the community, this Redevelopment Plan was adopted and approved as a planned development and became the blueprint for job creation, competitive incomes, community services and new investments that were designed to help counteract the losses that resulted from the closure of the Memphis Depot. After several years of planning, the former military facility has taken on a new look with its heavily landscaped entrances and grounds that were designed to improve the overall appearance of the Depot. As of 2004, there were 30 distribution, manufacturing and service-oriented companies in the MDBP that collectively employ more than 1,300 people.

Area Overview

The immediate area is located just inside the beltway of I-240 along the west side of Airways Boulevard approximately three (3) miles north of Memphis International Airport and two (2) miles south of Liberty Bowl Memorial/Fairgrounds Area. The dominant zoning along this major road is Light Industrial with major manufacturing facilities for Kellogg to the north and Federal Express to the south. The land use surrounding this parcel is primarily commercial and light industrial land uses for motor vehicle sales and service facilities, including small warehouse and manufacturing facilities immediately south and east of the property.

The overall development plan for the Depot is located at the west side of Airways Boulevard, between Dunn Avenue and Ball Road in the Depot Planning District of Memphis. The entire site is composed of approximately 403 acres of land approved for primarily commercial and light industrial land uses in accordance with Light Industrial (I-L) District. There are single family homes in the immediate area south along Ball Road and Barnhart Crane and Rigging is located along the western boundary of the planned development. The land use north along Dunn Avenue consist of single family, commercial and small industrial warehouse facilities, including truck service and repair shops.

Land Use vs. Redevelopment Plan

The request is for a plan amendment to eliminate the current use chart and replace with—Uses Permitted in Light Industrial(I-L) District zoning with exceptions. The plan is also being amended to add a new Condition XI regarding property owners' right to amend the Outline Plan without the consent of owners with required notification given to adjacent property owners—inside and outside the plan and to neighborhood associations. In March, 2010 the Outline Plan was also amended to add Area 'A-3' to allow offices and to increase the Common Open Space in Area 'B-3' for future storm water detention; including the location of a pump house in Area 'C-2' of the Outline Plan. This amendment was approved primarily for office being the principal use in Area 'A-3'—the location of the four-story office building.

The amendment to include the office building with associated parking was added to the Outline Plan to allow future office space associated with other land uses allowed in the plan. This land use did not change the intent of the planned development, but simply included the office parcel within the overall master plan. However, if new construction is anticipated to the north of the main office building in lieu of parking—site plan review may be necessary to accommodate a change of use. The current amendment is merely to eliminate the current use chart and change the uses permitted to be more inline with standard Outline Plan Conditions.

The plan amendment to clarify uses permitted in Light Industrial(I-L) District zoning is supported, because current land use and zoning coincides with the industrial park concept created by the original plan. The existing buildings within the business park were warehouse buildings converted to business establishments of similar land use, but at a smaller scale. The intent of the plan to allow industrial uses would not significantly change the business park concept, but would allow more flexibility in land use and eliminate future interpretations of land uses permitted by the Outline Plan. The business park concept plan remains in place, but Area 'A-3' should be limited to office land use because of its benchmark and historic landmark status.

RECOMMENDATION: Approval with Conditions

OUTLINE PLAN CONDITIONS: *[Bold-Italic-Underlined-Blue: Indicates amendments]*

I. Uses Permitted:

A. Any principal or accessory use listed in Chart I permitted by right (X) and by administrative site plan review (P) in the Light Industrial(I-L) District shall be permitted except as follows:

1. Adult entertainment in all Areas
2. Art or photo studio or gallery in Areas A-1, A-2, B-1 & B-2
3. Bank in Areas B-1 & B-2
4. Beverage container recycling center in Areas A-1, A-2 & B-3
5. Cleaning establishment in Areas A-1, A-2, B-1 & B-2
6. Cleaning pick-up station in Areas B-1 & B-2
7. Restaurant with sale of alcohol in Areas B-1, B-2, B-3, C-1 & C-2
8. Restaurant and carry-out restaurant in Areas B-1, B-2, B-3, C-1 & C-2
9. Vehicle wash in Areas A-1, A-2, B-1, B-2 & B-3

10. The following land uses shall be permitted or to remain as follows:

COMMERCIAL USES:	A-1	A-2	B-1	B-2	B-3	C-1	C-2
Art or Photo Studio or Gallery					•	•	•
Bank	•	•			•	•	•
Beverage Container Recycling Center			•	•		•	•
Business School	•	•	•	•	•	•	•
Catering Establishment	•	•	•	•	•	•	•
Cleaning Establishment					•	•	•
Cleaning Pickup Station	•	•			•	•	•
Laboratories	•	•	•	•	•	•	•
Lawn, Tree or Garden Service	•	•	•	•	•	•	•
Offices	•	•	•	•	•	•	•
Plumbing Shop	•	•	•	•	•	•	•
Restaurant & Carryout Restaurant	•	•					
Vehicle Wash						•	•

INDUSTRIAL USES:	A-1	A-2	B-1	B-2	B-3	C-1	C-2
Chemical, Cosmetics, Drug, Soap, Paints, Fertilizer & Abrasive Products (Storage)	•	•	•	•	•	•	•
Contractor's Storage, Indoor	•	•	•	•	•	•	•
Contractor's Yard or Storage, Outdoor	•	•	•	•	•	•	•
Electrical or Electronic Equipment, Appliances & Instruments	•	•	•	•	•	•	•
Fabricated Metal Products & Machinery	•	•	•	•	•	•	•
Food and Beverage Products Except Animal Slaughter, Stockyards, Rendering, and Brewery (Storage)	•	•	•	•	•	•	•
Brewery							
Furniture & Fixtures (Storage)	•	•	•	•	•	•	•
Jewelry, silverware, plated ware, musical instruments, toys, sporting goods, office, art supplies (Storage)	•	•	•	•	•	•	•
Leather & Leather Products except tanning and finishing (Storage)	•	•	•	•	•	•	•
Lumber and Wood Products	•	•	•	•	•	•	•
Paper Products Except Pulp Mills	•	•	•	•	•	•	•
Primary Metal Distribution & Storage	•	•	•	•	•	•	•
Printing & Publishing	•	•	•	•	•	•	•
Rubber & Plastic Products Except Rubber Manufacture	•	•	•	•	•	•	•
Stone, Clay, Glass & Concrete Products	•	•	•	•	•	•	•
Textile, Apparel Products, Cotton Factoring, Grading	•	•	•	•	•	•	•
Textile, Apparel Products	•	•	•	•	•	•	•
Tobacco Products	•	•	•	•	•	•	•
Transportation Equipment	•	•	•	•	•	•	•
Warehouse	•	•	•	•	•	•	•

TRANSPORTATION & PUBLIC UTILITIES:	A-1	A-2	B-1	B-2	B-3	C-1	C-2
Telephone Service Center	•	•	•	•	•	•	•
Telephone Switching Center	•	•	•	•	•	•	•
Truck or Motor Freight Terminal, Service Facility	•	•	•	•	•	•	•
OTHER:	A-1	A-2	B-1	B-2	B-3	C-1	C-2
Accessory Automobile Parking	•	•	•	•	•	•	•
Outdoor Trailer Parking	•	•	•	•	•	•	•
Planned Developments	•	•	•	•	•	•	•
OFFICE:	A-3						
Offices	•						

B. All final plans shall be in substantial conformance with the approved master conceptual plan subject to approval by the Office of Planning and Development.

C. All Common Areas shall be maintained by the Depot Owners' Association, LLC.

II. Bulk Regulations:

The bulk regulations of the I-L District shall apply except for the following:

A. Maximum building height shall be 45.

B. Buildings shall be setback a minimum of: New Construction.

1. Front Yard Setbacks:

a. Areas A-1, A-2, B-1, B-3, C-1 and C-2 = 100' Front Yard Setback along Dunn Avenue and Ball Road. A 30 foot Front Yard setback shall be required along West Freeman Drive and all other drives.

b. Area B-2 = 100' Front Yard along Memphis Depot Parkway. A 30 foot Front Yard setback shall be required along West Freeman Drive and all other Drives.

2. Side Yard Setbacks: All Areas
 - a. 15' interior setback from any interior lot line as long as a minimum of 50' is maintained between buildings.
 - b. No Side Yard Setback is required for attached buildings on an interior property line.
 3. Rear Yard Setback - 15' from the rear property line.
 4. Clear Area Zone Setback: Areas C-1 and C-2: No building or structure shall be constructed within 50' of the entire Memphis Depot Business Park west boundary line.
- C. Existing Buildings: Setbacks shall be as graphically portrayed on the Outline Plan.

III. Access, Parking and Circulation:

- A. The City Engineer shall approve the design and location of curb cuts.
- B. One (1) access shall be permitted to Ball Road between Area B-1 & Area C-2.
- C. One (1) access shall be permitted to Dunn Avenue between Area B-3 & Area C-1.
- D. One landscaped island totaling 171 SF and containing one deciduous shade tree shall be located for each twenty (20) parking spaces.
- E. Common Area Accessory Parking Fields may be located to service multiple buildings throughout the Memphis Depot Business Park subject to site plan approval.
- F. The owner shall dedicate a strip of land from the face of curb on the south side of Dunn Avenue a distance of ten feet (10'). No additional improvements required on Dunn Avenue.
- G. Ball Road shall be dedicated 10.18' to the north back of curb.
- H. Vehicular access shall be provided to all Common Open Space Areas.
- I. The location of curb cuts shall be as generally indicated on the Outline Plan with the design subject to approval by the City Engineering Division.
- J. All private drives shall be constructed in accordance with the Subdivision Regulations and have a minimum width of twenty-two feet (22) exclusive of curb and gutter in accordance with the Subdivision Regulations.
- K. Internal circulation shall be provided between adjacent property and between phases/sections and/or lots depending on the required vehicular circulation patterns.
- L. Adequate queuing spaces in accordance with the current ordinance shall be provided between the street right-of-way line and any proposed gate/guardhouse/card reader.

- M. Adequate maneuvering room shall be provided between the right-of-way and the gate/guardhouse/card reader for vehicles to exit by forward motion.

IV. Landscaping, Buffer Yards, Screening and Lighting:

- A. Areas C-1 and C-2: A 50' Clear Area Zone (Buffer Yard) shall be maintained along the entire Memphis Depot Business Park west boundary line in which no storage of any materials, equipment or other items of any sort will occur. Landscaping shall be permitted within the said 50' Clear Area Zone.
- B. Areas A-1, B-3, and C-1: A 25' Landscape Easement utilizing existing plant material (subject to the approval of OPD) shall be located along Dunn Avenue's south right-of-way line and maintained as 'Limited' Common Area.
- C. A 25' wide Landscape Easement utilizing existing plant material (subject to the approval of OPD) shall be located along Ball Road's north right-of-way line and maintained as 'Limited' Common Area.
- D. Landscape Plate Series "A" (subject to the approval of OPD) shall be implemented along both sides of each secondary drive or as shown on the Outline Plan.
- E. Landscape Plate Series "B" (subject to the approval of OPD) shall be implemented along both sides of West Freeman Drive where there is no parking adjacent to West Freeman Drive and maintained as Common Area.
- F. Landscape Plate Series "C" (subject to the approval of OPD) shall be implemented along both sides of West Freeman Drive where there is adjacent parking and maintained as common open space.
- G. Landscape Plate Series "D" (subject to the approval of OPD) shall be implemented to screen all proposed outdoor storage from view from all public and private drives.
- H. All construction and improvements shall be in compliance with erosion and sediment control guidelines and ordinances of the City of Memphis and the State of Tennessee.
- I. All lighting shall be directed away from any adjacent property used for residential purposes. Light standards within 150 feet of the south property line shall be a maximum height of 25 feet. Specifically, lights with no cut-off luminaires shall have maximum illumination, measured at the lot line ground level, of 0.30 candle power. Lights, beyond 150 feet, with a luminaire of less than 90 degree cut-off shall be no higher than 30 feet, with a maximum illumination, measured at the lot line at ground level, of 0.50 candlepower.

- J. The height and shielding of lighting standards shall provide proper lighting without hazard to drivers or nuisance to residents and the design of lighting standards shall be of a type appropriate to the development and the city. For any building elevation adjacent to residential development the use of mercury vapor and high-pressure sodium lights for most outdoor uses is strongly discouraged. Use of low pressure sodium, or metal halide lamps which cast a white light is encouraged.
 - K. Spotlights, if used, shall be placed on standards pointing toward the building and positioned so as not to glare onto residential property, rather than on buildings and directed outward which creates dark shadows adjacent to buildings.
 - L. Refuse containers shall be completely screened from view from the public roads and adjacent residentially zoned or used property with architecturally equivalent materials.
 - M. Air conditions, heating, ventilation or other mechanical equipment, including that located on roofs, which is visible from an adjacent street or residential lot shall be screened with the use of architectural features of the building or by other means.
 - N. Utility features such as electrical wiring, conduit, and meters shall also be screened using architectural features or landscaping.
 - O. The mature trees and shrubs in Area 'A-3' shall be preserved and maintained in accordance with the Tree Ordinance.
- V. Signs:** Signs shall conform to the sign regulations for the Light Industrial (I-L) District except as follows:
- No sign shall be permitted within 50 feet of an R-TH, R-D, R-S or AG District or equivalent residential portion of a planned development.
- VI. Drainage:**
- A. Drainage improvements, including possible on-site detention, shall be provided under contract in accordance with Subdivision Regulations and the City of Memphis Drainage Design Manual.
 - B. Drainage data for assessment of on-site detention requirements shall be submitted to and approved by the City Engineer.
 - C. The drainage plans to be submitted to the City Engineer must include a written determination from the Tennessee Department of Health and Environment regarding their jurisdiction over the watercourses on this site. If an Aquatic Resources Alteration Permit (ARAP) is required by the State under the Water Quality Control Act of 1977 as amended (TCA 69-3-101 et sec), a copy of the permit shall accompany the drainage plans submitted, and the plans shall comply with the requirements and conditions of the ARAP.

VII. Sanitary Sewer and Utilities:

- A. The developer shall extend sanitary sewers through the site to serve upstream properties.
- B. All utility service meters, junction boxes, transformers and other utility appurtenances shall be screened from public streets.

VIII. Development Schedule:

A final plan for the construction of a use permitted in the planned development shall be filed within five years of the approval of the outline plan by the legislative bodies. Additional five year time extensions may be approved by the Land Use Control Board.

IX. Modification Of Paragraphs I, II, III, IV and V By Land Use Control Board:

The Land Use Control Board may modify setbacks, building height, access, circulation, signage, parking, landscaping and other site requirements if equivalent alternatives are presented provided any adjacent property owner who is dissatisfied with the modifications by the Land Use Control Board may, within ten (10) days of such action, file a written notice of appeal to the Director of Planning and Development to have such action reviewed by the appropriate governing bodies.

X. Final Plans:

In addition to the Outline Plan Conditions, the following shall be included on any final plan:

- A. The Outline Plan Conditions.
- B. Standard improvement contract as defined by the Subdivision Regulations.
- C. The exact location and dimensions including height of all buildings, parking areas, lighting standards, driveways, street landscaping and screening.
- D. The number of parking spaces and common ingress/egress easements.
- E. Illustrations of attached and detached signs.
- F. The location and ownership of any private or public easements.
- G. The 100 year flood elevation.
- H. 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.

- 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 operated 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.
- J. The Outline Plan for Memphis Depot Park Planned Development shall be recorded with the Office of Shelby County Register to reflect this amendment prior to recording of a final plan of development.

XI. Other:

The consent of the owners of any lot or lots in Areas ‘A-1’, ‘A-2’, ‘A-3’, ‘B-1’, ‘B-2’, ‘B-3’, ‘C-1’, or ‘C-2’ shall not be required to make amendments to the planned development. All property owners within the planned development shall be notified by mail of any proposed amendment.

P.D. 10-316 (formerly P.D. 10-301 & P.D. 04-378)
Memphis Depot Business Park Planned Development, 2nd Amendment

GENERAL INFORMATION:

East Frontage: Airways Boulevard-----+/-1,069 linear feet.
South Frontage: Dunn Avenue-----+/-5,570 linear feet.
Ball Road-----+/-3,375 linear feet

Planning District: Depot

Zoning Atlas Page: 2235

Parcel ID's: 060092-00034, 00031, 00007, 00036, 00033, 00030, 00038 & 00037

Zoning History: On March 23, 2010 the Memphis City Council approved an Outline Plan amendment (P.D. 10-301) to include a four-story office building and specify storm water detention areas and a life-safety facility. On March 1, 2005 the Memphis City Council approved an Outline Plan for Memphis Depot Business Park Planned Development (P.D.04-378) for seven (7) distinct Areas of land uses in accordance with Light Industrial(I-L) District zoning. The prior zoning for Light Industrial(I-L) District date to the adoption of the 1960 zoning map amendments.

DEPARTMENTAL COMMENTS:

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

City Engineer: No comments or objections to this request.

Memphis Fire Services: No comments received.

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. 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 submitted to staff.

Memphis Board of Education: No comments received.

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:

- The subject property is encumbered by an existing utility right of way easement, which may include overhead and underground facilities. MLGW prohibits any development or improvements within the Easement, except as provided by the **MLGW Right of Way Encroachment Policy**.
- **It is the responsibility of the owner/applicant**, prior to any development, to contact Ronnie Alberson, with MLGW – Property Management @ 528-4186 and obtain written approval for any improvements within the Easement.
- **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 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
- **Fire Protection Water Services: It is the responsibility of the owner/applicant** to contact **MLGW - Water Engineering @ 901-528-4720** 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
- **STREET NAMES: It is the responsibility of the owner/applicant** to contact MLGW–Address Assignment @ 528-4628 and submit proposed street names for review and approval.
- **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 line 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.

City Real Estate: None.

OPD-Regional Services: No comments received.

OPD-Plans Development: No comments.

TN Dep't of Environment & Conservation:

Be advised, it is the responsibility of the individual developer/builder/land owner to obtain the proper permits through the Corps of Engineers or TDEC. If there are no waterways or wetland areas on this property, no ARAP or 404 permits are required. If surface waterways or any areas that stay wet for long periods of time exist on the property, the responsible party should contact this office for a proper determination.

Neighborhood Associations/Organizations:

<i>Orange Mound Concerned Citizens Co.:</i>	<i>No comments received as of 11/5/10.</i>
<i>Defense Depot Concerned Citizens:</i>	<i>" "</i>
<i>Magnolia Barksdale Civic Club:</i>	<i>" "</i>
<i>Mason and Hays Civic Club:</i>	<i>No comments received as of 11/5/10.</i>
<i>Imogene Heights Neighborhood Association:</i>	<i>" "</i>
<i>Alcy-Ball Community Association:</i>	<i>" "</i>
<i>Elliston Height Civic Club Neighborhood Watch:</i>	<i>No comments received as of 11/5/10.</i>
<i>Prospect Park/Rayner/Eloise Block Club:</i>	<i>" "</i>
<i>Dottie/Sparks Neighborhood Association:</i>	<i>No comments received as of 11/5/10.</i>

Staff: *bb*