

**MEMPHIS AND SHELBY COUNTY OFFICE OF PLANNING AND DEVELOPMENT**  
**STAFF REPORT** **#1**

**CASE NUMBER:** SAC 10-611      **L.U.C.B. MEETING:** February 10, 2011

**STREET NAME:** North Parkway

**LOCATION:** Beginning at Third Street extending east to A.W. Willis Avenue

**COUNCIL DISTRICT:** 7

**SUPER DISTRICT:** 8

**APPLICANT:** St. Jude Children's Research Hospital

**REPRESENTATIVE:** Daniel L. Grice

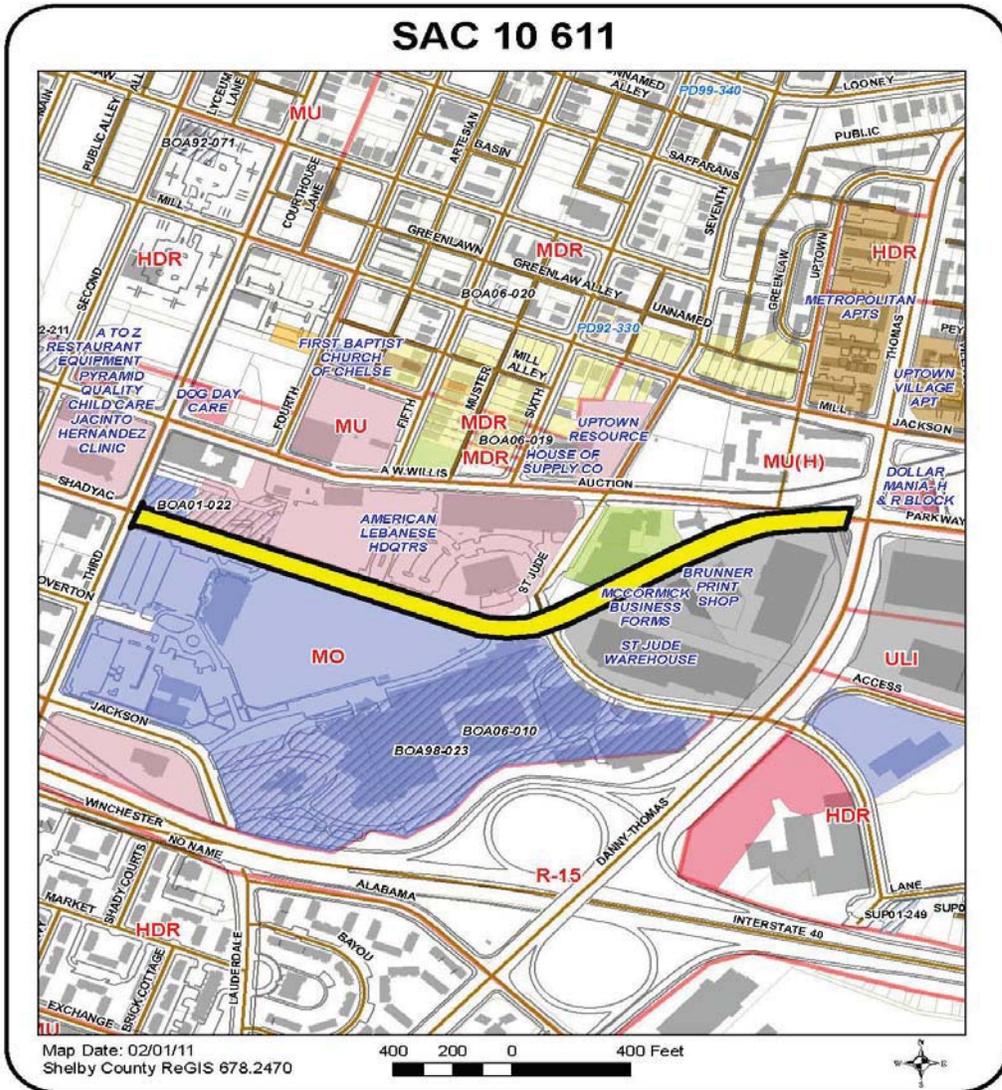
**REQUEST:** Close Street Right-Of-Way

**AREA:** 4.38 Acres

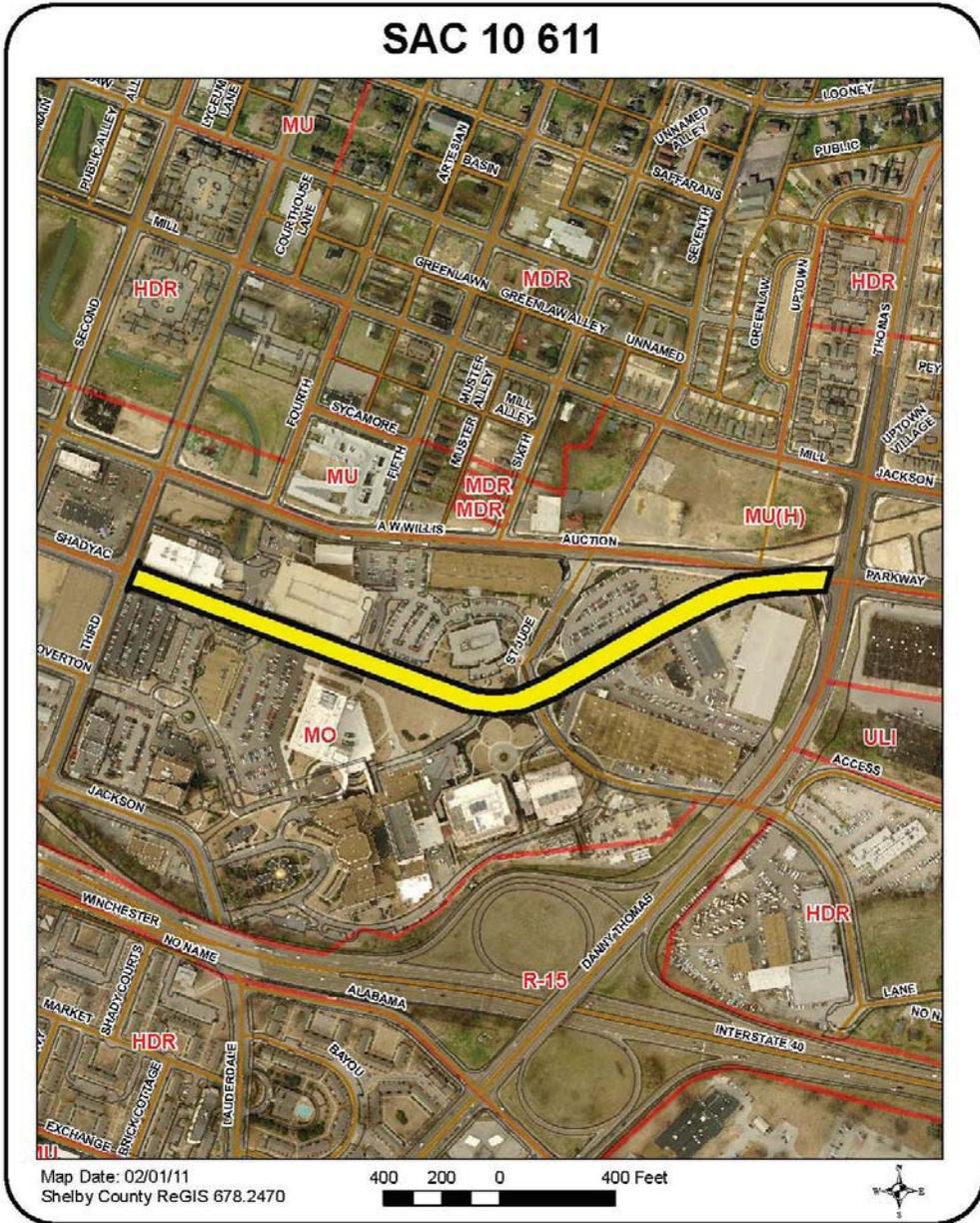
**OFFICE OF PLANNING AND DEVELOPMENT RECOMMENDATION:**  
*Approval With Conditions*

**CONCLUSIONS**

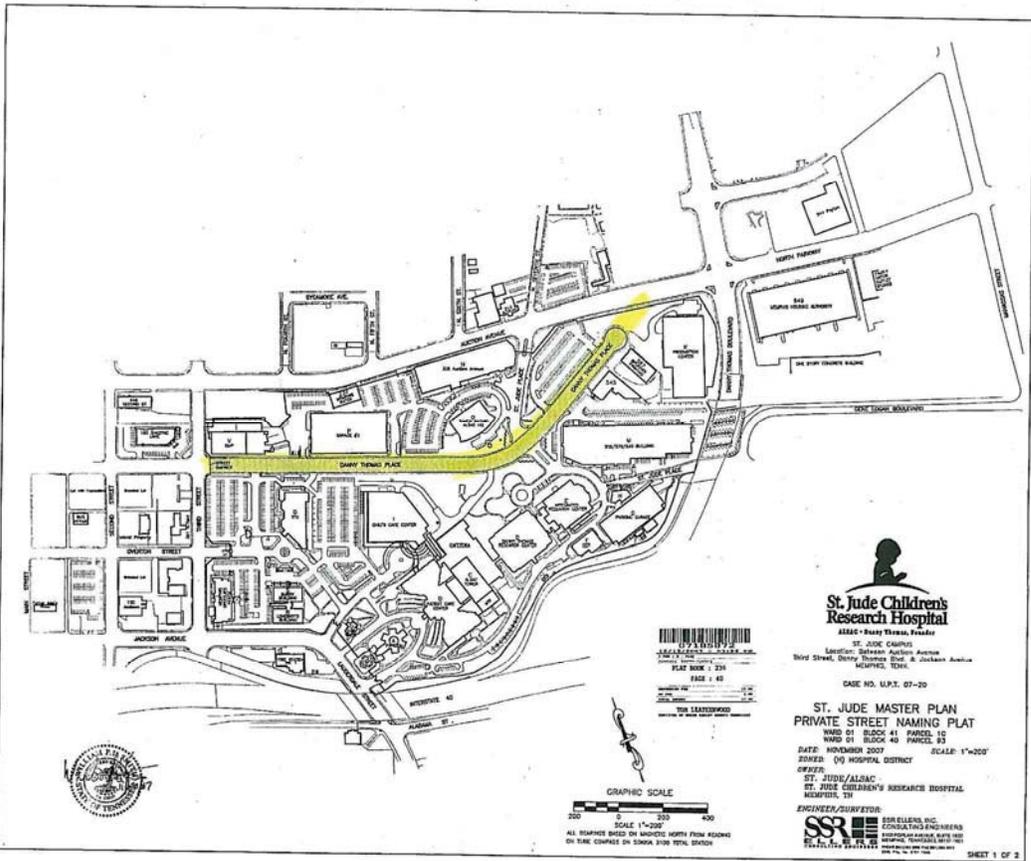
1. Even though the street is currently physically closed as part of the realignment improvements to shift North Parkway directly north to A.W. Willis Avenue, the street closing process to vacate the public street right-of-way and deed the right-of-way to the adjoining owner (St. Jude) has never been completed. This application completes this requirement.
2. There is no objection to the closing. This portion of North Parkway now serves no public purpose and is wholly internal to the St. Jude Campus. The construction of A.W. Willis Avenue provides the public with an adequate access alternative to the closing of North Parkway.



Land Use/Zoning Map



Aerial Photo



Area of Street Closing highlighted in yellow.



Looking east from Shadyac Avenue into the road closing area where it intersects Third Street.



**Current street improvements at the closed end of North Parkway at Third Street.**



**Current driveway opening constructed when the North Parkway intersection with Third Street was gated.**



**As seen looking northwest of A.W. Willis Avenue, the physical connection of North Parkway has already been removed and replaced with curb, gutter, sidewalk, a wrought iron fence, and landscaping.**

## **STAFF ANALYSIS**

Over ten years ago, the City of Memphis began discussions with St. Jude concerning road improvements for the area around the St. Jude Campus that would have a direct impact on St. Jude. Namely, the plans consisted of correcting at the time a dysfunctional intersection at North Parkway, Auction Avenue, Jackson Avenue, and Danny Thomas Boulevard. This would include closing North Parkway through the St. Jude Campus and constructing a new major road (the now existing A.W. Willis Avenue) immediately north of the campus to supplement for the elimination to the street network of North Parkway and the added benefit of providing a more direct point of access to Mud Island.

St. Jude assisted the City of Memphis with the comprehensive road improvements by transferring property to the City of Memphis to correct the intersection deficiencies mentioned above and to provide right-of-way for the construction of A.W. Willis Avenue. The physical closing of North Parkway through the St. Jude Campus was also completed by adding curb, gutter, sidewalk, landscaping and a wrought iron fence across the former North Parkway connection at the east end of the campus with the dysfunctional intersection (see page 9) and the erecting of a gate at the south end of North Parkway where it intersected Third Street (see Page 7).

Though North Parkway was now physically closed, it remained public right-of-way. In October 2010, the City of Memphis informed St. Jude that a formal street closing application had to be filed to officially take possession of the North Parkway public right-of-way. The purpose of this application is to comply with this requirement.

There is no objection to the closing of North Parkway through the St. Jude Campus. The street now serves no public purpose and is wholly internal to the St. Jude Campus. Any prior benefit it had in serving the public transportation and access needs of citizens has been replaced by the comprehensive public road improvements that now exist to serve the immediate area.

Proposed conditions for the closing are contained on the following page. These conditions are standard language for street closings even though these conditions may have already been met by the previous improvements provided on either end of the closed roadway.

**RECOMMENDATION:** Approval subject to the following conditions:

1. All existing sidewalks and curb openings along the frontage of this site shall be inspected for ADA compliance. The developer shall be responsible for any reconstruction or repair necessary to meet City standards subject to the approval of the City Engineer.
2. Provide easements for existing sanitary sewers, drainage facilities and other utilities or relocate at the developer's expense.
3. The applicant shall provide for the construction of curb, gutter and sidewalk across the closure as required by the City Engineer. If the City Engineer approves access, the applicant shall construct a City Standard curb cut across the closure, all to the satisfaction of the City Engineer, and at the applicant's expense. The applicant shall enter into a Standard Improvement Contract or obtain a curb cut permit from the City Engineer to cover the above required construction work.
4. The applicant shall comply with all conditions of the closure within two years of the conditional approval of the closure by the City Council.

**GENERAL INFORMATION**

**Planning District:** Uptown Memphis

**DEPARTMENTAL COMMENTS:**

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

**City Engineer:**

1. All existing sidewalks and curb openings along the frontage of this site shall be inspected for ADA compliance. The developer shall be responsible for any reconstruction or repair necessary to meet City standards,
2. Provide easements for existing sanitary sewers, drainage facilities and other utilities or relocate at developer's expense.
3. City sanitary sewers/drainage facilities are located within the proposed closure area.
4. The applicant shall provide for the construction of curb, gutter and sidewalk across the closure as required by the City Engineer. If the City Engineer approves access, the applicant shall construct a City Standard curb cut across the closure, all to the satisfaction of the City Engineer, and at the applicant's expense. The applicant shall enter into a Standard Improvement Contract or obtain a curb cut permit from the City Engineer to cover the above required construction work.
5. The applicant shall comply with all conditions of the closure within 365 days of the conditional approval of the closure by the City Council.

**City Fire Division:**

No comments received.

**City Real Estate:**

No comments received.

**City/County Health Department:**

No comments by the Water Quality Branch & Septic Tank Program.

**City 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:

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- **STREET NAMES:** Correction: Please change "Lauderdale St." to **S Lauderdale St**
- **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.
- **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.

**Memphis Area Transit Authority (MATA):** No comments received.

**OPD-Regional Services:** No comments received.

**OPD-Plans Development:** No comments received.

**Park Services Division:** No comments received.

**Bell South / Millington Telephone:** No comments received.

**Uptown Neighborhood Association:** No comments received.

**Memphis Downtown Neighborhood Association:** No comments received.

**North Memphis CDC:** No comments received.

**Winchester Park Community Association:** No comments received.