

STAFF REPORT

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CASE NUMBER: Z 11-108 **L.U.C.B. MEETING:** September 8, 2011

LOCATION: Southwest corner of Danny Thomas Boulevard and Linden Avenue

COUNCIL DISTRICT(S): District 7-Super District 8-Positions 1, 2 & 3

OWNERS/APPLICANTS: Linden Hotels, LP

REQUEST: Sports & Entertainment (SE) District

AREA: 2.67 Acres

EXISTING LAND USE & ZONING: Formerly Midtown Mental Health Center & Leath Elementary School in Sports & Entertainment (SE) and South Downtown Residential (R-SD) Districts

CONCLUSIONS:

1. The request is for a zoning reclassification of property currently in two distinct separate zoning districts in south downtown area in close proximity to downtown sports and entertainment venues within walking distance of the Beale Street Entertainment District.
2. The current zoning boundary line bisects this block in an east/west direction and dissects an existing building, formerly Leath Elementary School in both South Downtown Residential(R-SD) and Sports & Entertainment (SE) Districts.
3. The Sports and Entertainment (SE) District allows the same residential land use as R-SD, including townhouse development and allows similar commercial land use allowed by the CMU-1 District, but with no maximum floor area and at a greater height of ninety(90) feet or eight(8) stories.
4. The applicant's request to reclassify the southern portion of a city block from South Downtown Residential(R-SD) to Sports & Entertainment (SE) District zoning complies with the intent of the SCBID Plan. The redevelopment of these parcels all in Sports & Entertainment (SE) District zoning allows for planned flexibility in design and creates a new entryway into downtown entertainment districts.

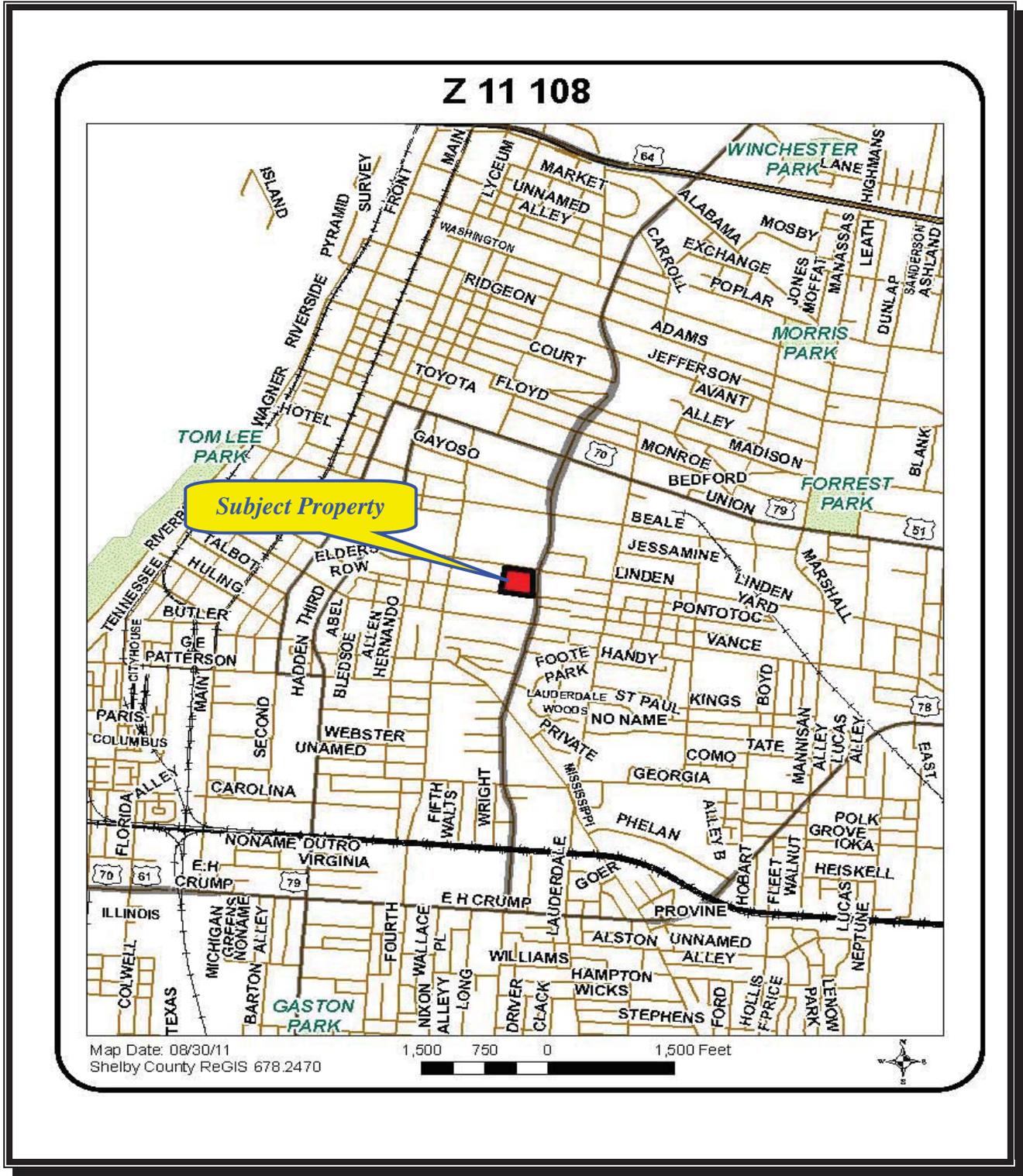
OFFICE OF PLANNING AND DEVELOPMENT RECOMMENDATION:

Approval

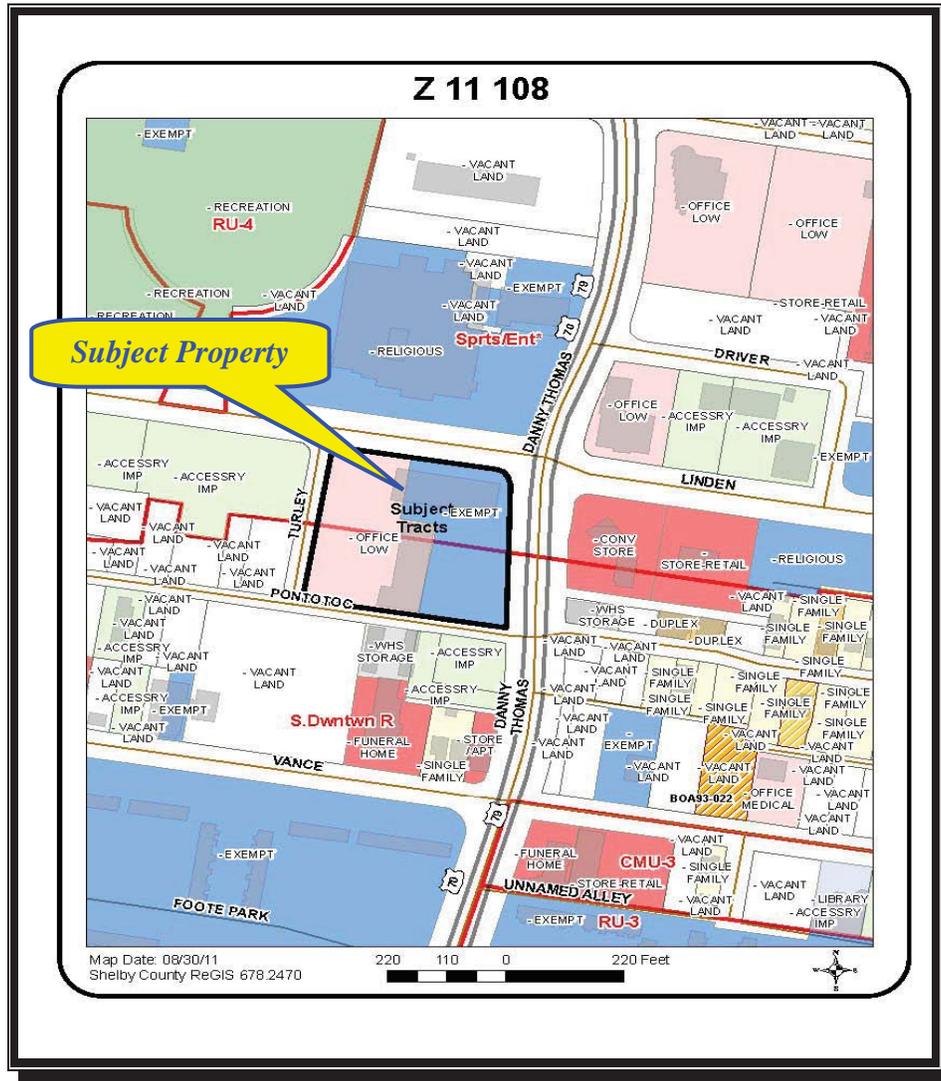
Staff: *Brian Bacchus*

E-mail: brian.bacchus@memphistn.gov

Location Map



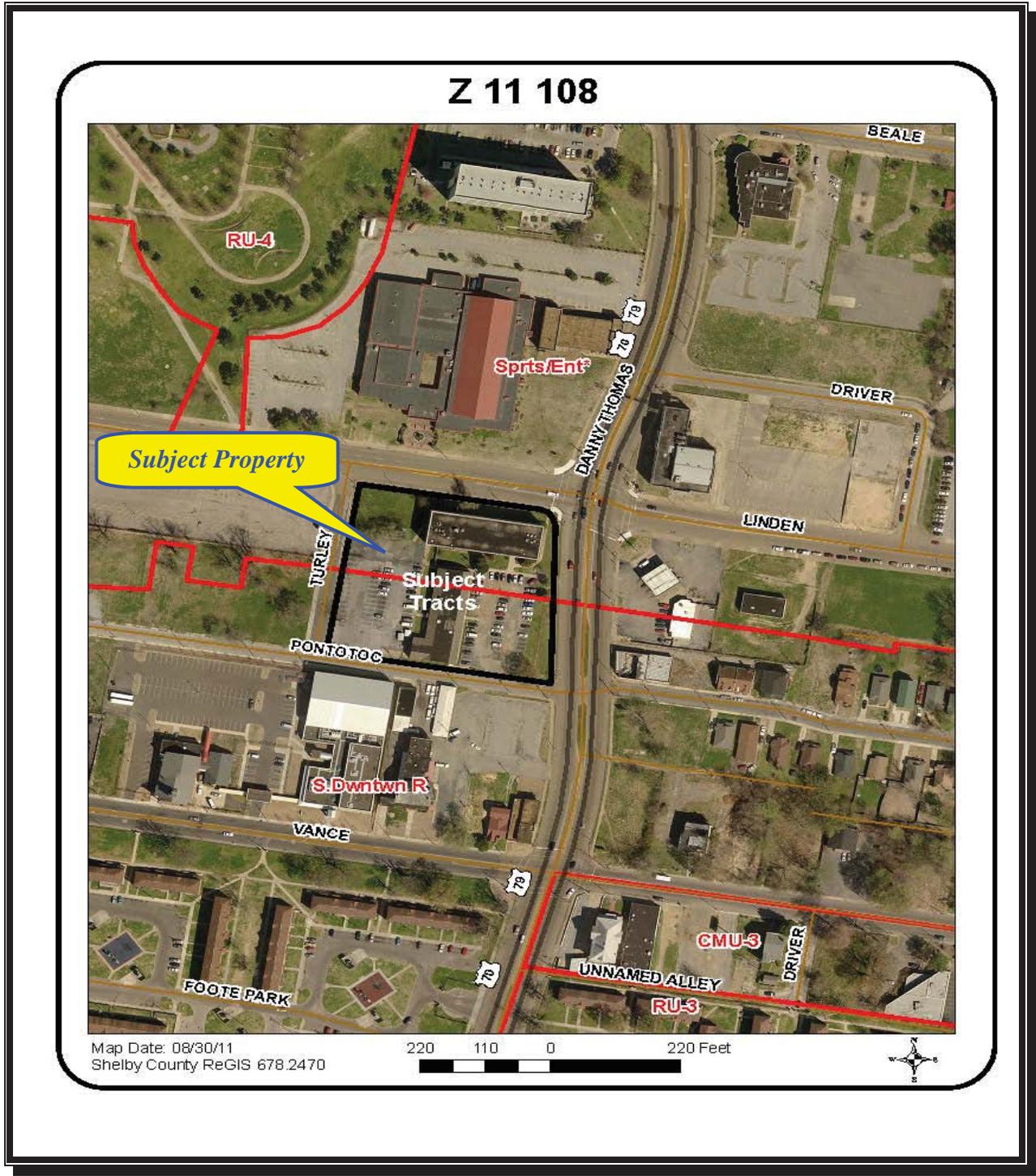
Zoning & Land Use



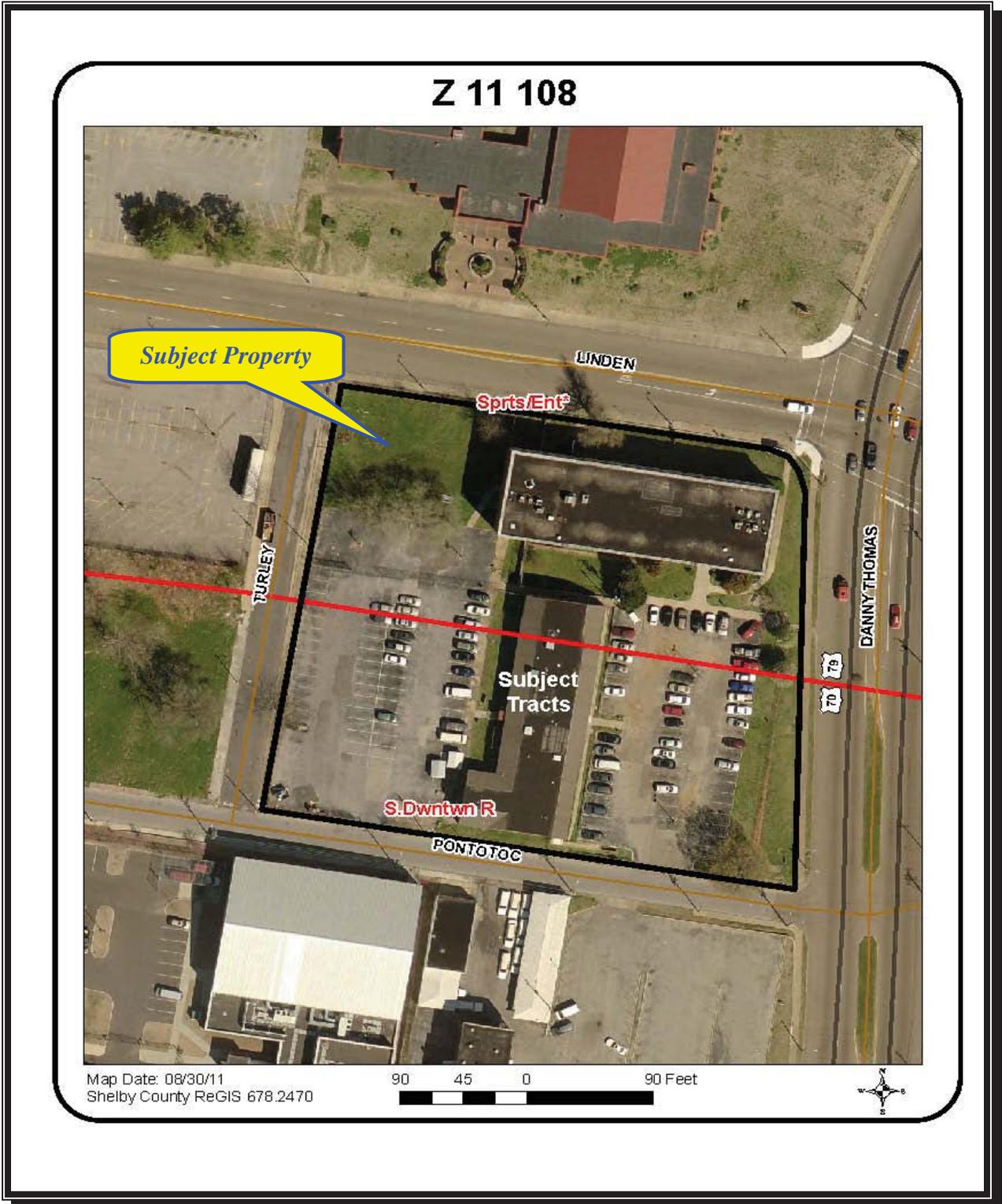
SURROUNDING ZONING & LAND USE

- North:** 'Pentecostal Temple' C.O.G.I.C. in Sports & Entertainment (SE) and Robert R. Church Park in Residential Urban (RU-4) District.
- East:** Vacant historic office 'Universal Life Insurance' building and gasoline sales/convenient store in Sports & Entertainment (SE) District, including small warehouse storage buildings in South Downtown Residential(R-SD) District
- South:** 'Progressive Baptist' church, 'Southern Funeral Home' and vacant lots in South Downtown Residential(R-SD) District
- West:** Vacant lots in Sports & Entertainment and South Downtown Residential(R-SD) Districts

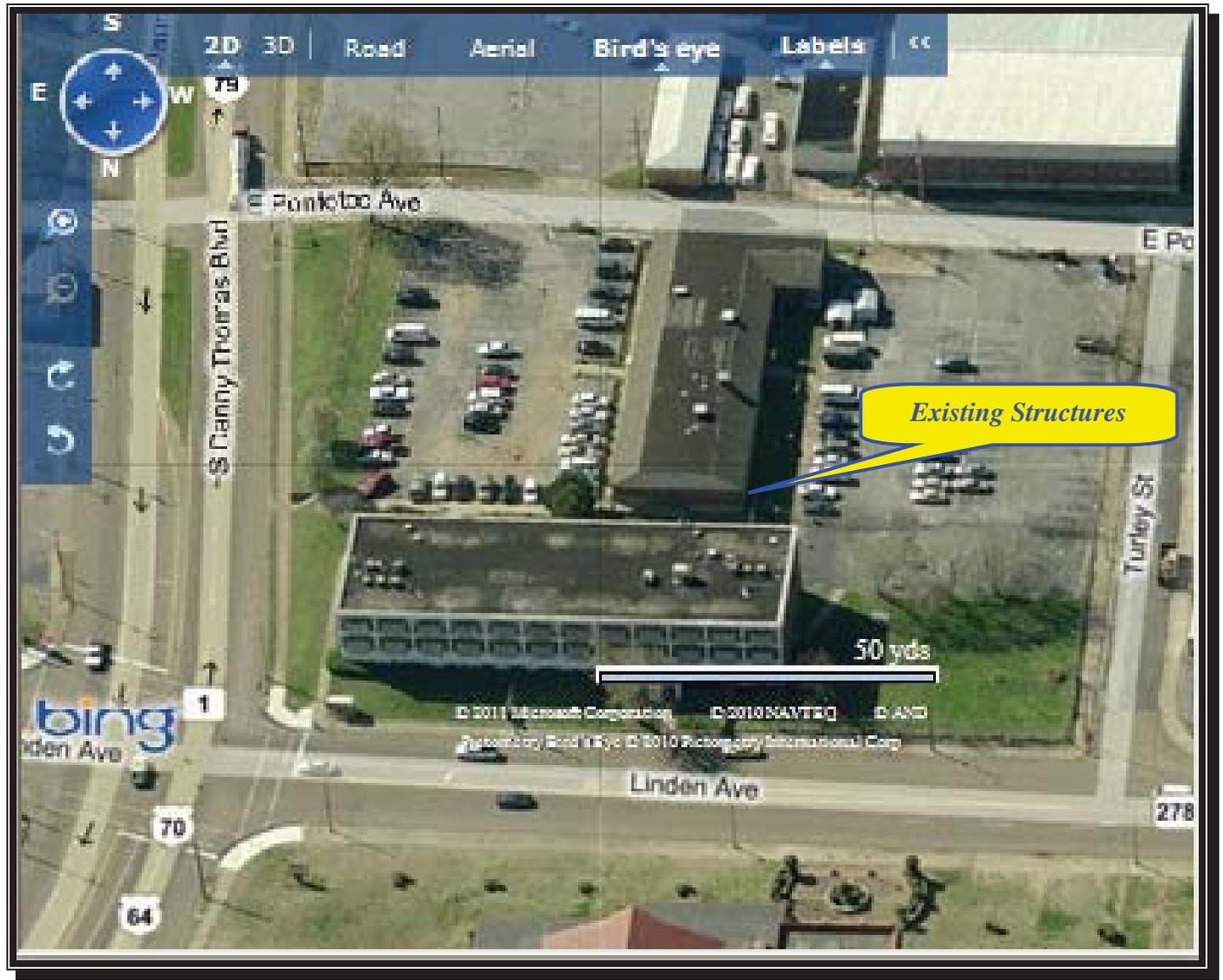
Surrounding Aerial Zoning View
(Danny Thomas @ Linden Avenue)



Zoning Aerial View



Danny Thomas @ Linden
(Bird's Eye View)



Aerial View
451 Linden Avenue



451 Linden Avenue



Street View-North



Street View-South



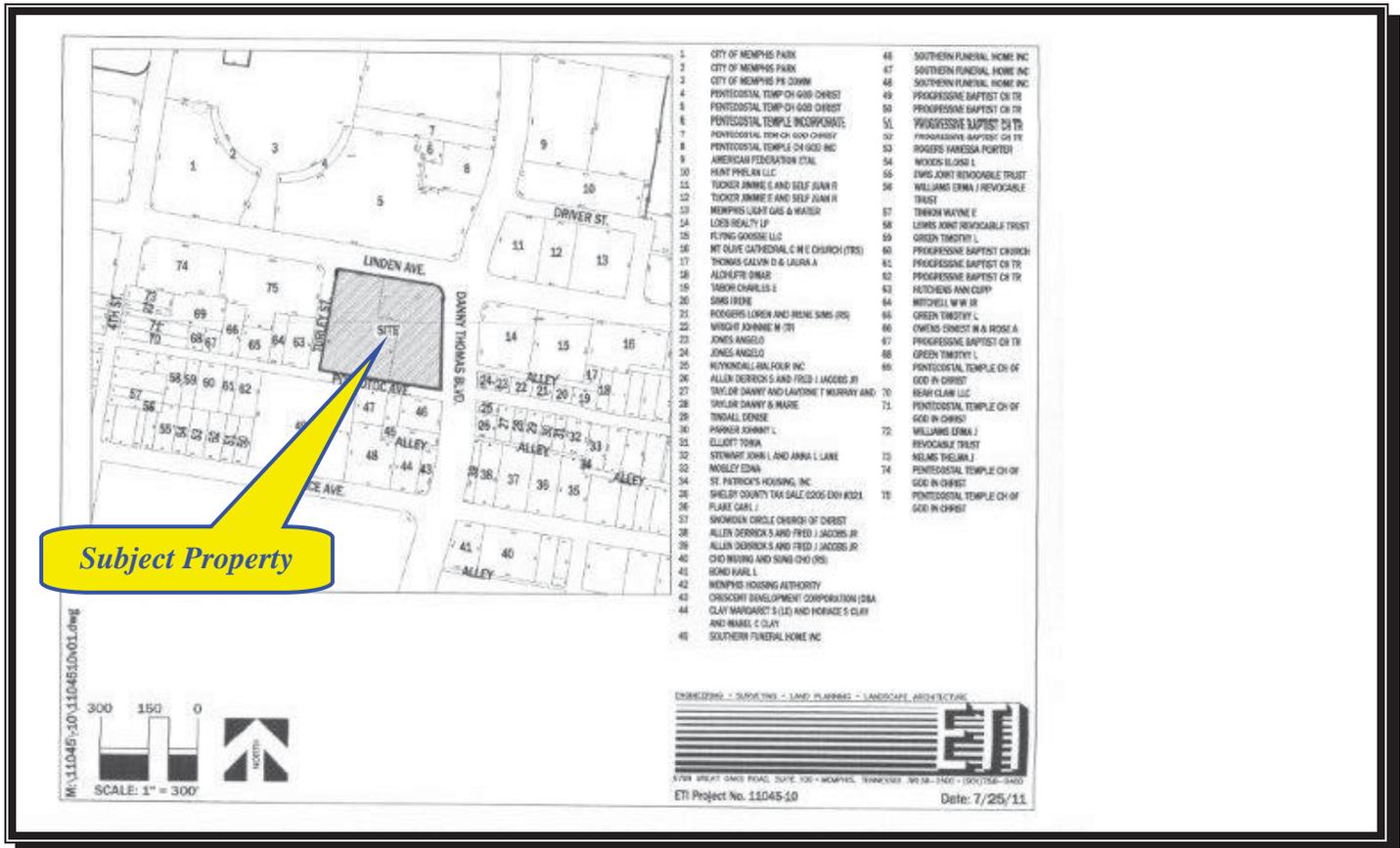
Street View-West



Street View-East



Vicinity & Ownership



STAFF ANALYSIS:

Site Description

The subject property is a total of 2.67 acres containing portions of two(2) lots located at the southwest corner of Danny Thomas Boulevard and Linden Avenue approximately 800 feet south of Beale Street Historic District and one-quarter (¼) mile east of FedEx Forum in Downtown-Medical Center Planning District, but more specifically the South Central Business Improvement District(SCBID). The properties are currently two commercial structures in Urban Renewal Block 50 Subdivision-Lots 8 & 9 and formerly used as office and group living for Midtown Mental Health facilities, including accessory parking. These structures were built in 1960 and 1965 as public school buildings on lots of 1.15 and 2.01 acres, respectively.

There are some mature trees on both lots with accessory parking with primary access from Pontotoc Street, including mature trees in the rear yards and shrubs against the front of the building facing Linden Avenue. There is curb, gutter and sidewalk along both major streets, Danny Thomas and Linden Avenue and no sidewalks along Pontotoc and Turley streets. Also, there is no overhead power along these streets, except for traffic signalization at the street intersection. The primary access for both lots and buildings is Pontotoc Street with thirty-three (33) feet of right-of-way and currently no internal circulation between lots and properties.

Area Overview

The surrounding area is located at the southeast edge of downtown within SCBID in Downtown-Medical Center Planning District at the immediate corner of major roads leading in and out of the downtown area. The property lies at the south side of Linden Avenue across the street from historic Robert R. Church Park and Universal Life Insurance building, and directly across from Pentecostal Temple C.O.G.I.C. The immediate area land use is primarily civic uses for the King Labor Center, park/open space area and places of worship.

There are also commercial land uses for office and retail services for a funeral home, gasoline sales/convenient store, including a vast amount of vacant surplus lots for redevelopment. The property is located directly adjacent to Linden & Fourth Planned Development(P.D. 09-319) approved in November, 2009 for a new 11-story hotel building, including ground floor retail shop fronts along Linden Avenue. The land use immediately adjacent to the property is primarily vacant surplus lots in Sports and Entertainment (SE) District as well as in South Downtown Residential (R-SD) District.

Request vs. Mid-Block Zoning Boundary

The request is for a zoning reclassification of property currently in two distinct separate zoning districts in the south downtown area in close proximity to downtown sports and entertainment venues within walking distance of Beale Street Entertainment District. The site is two separate parcels with existing buildings currently under asbestos abatement and scheduled to be demolished in the near future. The parcels are located on a small street block bounded by four(4) public streets for a total of 2.67 acres of land to be developed for land use permitted in Sports and Entertainment (SE) District. The current zoning boundary line bisects this block in an east/west direction and dissects an existing building, formerly Leath Elementary School in both South Downtown Residential(R-SD) and Sports & Entertainment (SE) Districts.

This zoning boundary places both parcels in zoning districts of varying degrees of land uses and opposing floor areas, densities and height restrictions. For instance, the R-SD District allows primarily residential development of single family detached, attached, duplex and multi-family development a maximum of forty(40) dwelling units per acre and allows commercial land use in accordance with the former Neighborhood Commercial(C-N), now Commercial Mixed Use(CMU-1) District zoning with a maximum floor area of 4,000 square feet and a maximum height of four(4) stories for any new construction. And for example, a new hotel is not permitted in CMU-1 District zoning. The Sports and Entertainment (SE) District allows the same residential land use as R-SD, including townhouse development and allows similar commercial land use allowed by the CMU-1 District, but with no maximum floor area and at a greater height of ninety(90) feet or eight(8) stories. However, all land use for new construction is either subject to Site Plan Review or by Special Exception by the Land Use Control Board with an appeals process to City Council.

The requested zoning for Sports and Entertainment (SE) District was approved by the Memphis City Council on November 12, 2002 as one of seven special districts designated by the South Central Business Improvement District Plan and Zoning Regulations. The plan and the newly created zoning districts are to provide direction and guidance for any redevelopment or new development in the South Downtown Area generally bounded by Madison Avenue on the north; Crump Boulevard on the south; Riverside Drive to the west and Danny Thomas Blvd/Lauderdale Street to the east. The purpose of this special district is to permit a mixture of land use, including activities to complement sports and entertainment venues and facilities located nearby as well as historic Beale Street Entertainment District. However, surface parking lots are discouraged and enclosed and open parking garages are required to provide ground floor commercial retail or public activity spaces.

The applicant's request to reclassify the southern portion of a city block from South Downtown Residential(R-SD) to be included in Sports & Entertainment (SE) District zoning complies with the intent of the SCBID Plan and Zoning Regulations. The extension of this zoning boundary south to include the entire city block is supported by existing land use and similar redevelopments as well as an approved planned development directly adjacent to the west for a new eleven(11) story hotel building and parking garage, including commercial retail spaces. The redevelopment of these parcels all in Sports & Entertainment (SE) District zoning allows for planned flexibility in design and creates a new entryway into downtown entertainment districts.

RECOMMENDATION: *Approval*

GENERAL INFORMATION:

Street Frontage: Danny Thomas Boulevard----- +/- 254 linear feet.
Linden Avenue----- +/-328 linear feet.
Pontotoc Avenue----- +/-373 linear feet.
Turley Street----- +/-325 linear feet.

Planning District: Downtown-Medical Center

Atlas Page: 2030

Parcel ID: 005014 00001 and 005014 00002

Zoning History: On November 12, 2002, the Memphis City Council approved the South Central Business Improvement District (SCBID) Plan and Zoning Regulations for Sports and Entertainment (SE) and South Downtown-Residential(R-SD) Districts. Prior to this date, the block was totally in Light Industrial (I-L) District zoning that dated to the adoption of the 1980 zoning map amendments.

DEPARTMENTAL COMMENTS:

The following comments were provided by Inter-governmental Agencies and Neighborhood Associations to which this application was referred:

City Engineer: No comment.

Memphis Fire Services: No comment.

Memphis & Shelby County Health Department:

Septic Tank Program: No comment.

Water Quality: No comment.

Memphis Board of Education:

The subject property does not appear to be adjacent to any property which has been identified as belonging to Memphis City Schools (MCS). No identifiable impact on MCS' school-aged population or MCS' property interests.

Construction Code Enforcement: No comment.

Memphis Light, Gas and Water: MLGW has reviewed referenced application, and has no objection.

AT&T:

AT&T has no comment.

Memphis Area Transit Authority(MATA):

No comments.

OPD-Regional Services:

No comments.

OPD-Plans Development:

No comments received.

Neighborhood Associations/Organizations:

New Pathways:

No comments received as of 9/2/11.

Downtown Neighborhood Association (DNA):

No comments received as of 9/2/11.

Staff: bb