

STAFF REPORT

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CASE NUMBER: P.D. 07-329 CC **L.U.C.B. MEETING:** October 11, 2007

DEVELOPMENT NAME: THE VILLAGE OF RIVEREDGE-II PLANNED DEVELOPMENT

LOCATION: Southeast corner of Bazeberry Road and Forest Hill-Irene Road

OWNER/APPLICANT: Boyle Investment Company

REPRESENTATIVE: Fisher & Arnold, Inc.

REQUEST: Planned development to allow four(4) single family homes with a minimum lot size of 4,000 square feet in area within the Outline Plan.

AREA: 1.36 Acres

EXISTING LAND USE & ZONING: Vacant land in Agricultural(AG) District
(formerly governed by P.D. 96-338 CC)

SURROUNDING LAND USES AND ZONING:

North: Single family homes and vacant land in The Village of Riveredge Planned Development(P.D. 93-310 CC).

East: B’Nai B’rith ‘Memphis Jewish Home’ in Agricultural(AG) District.

South: Single family home on estate lots in Agricultural(AG) district and single family homes in Randle Woods Planned Development(P.D. 96-372 CC).

West: Single family homes in The Grove of Riveredge Subdivision in Single Family Residential(R-S15) District.

OFFICE OF PLANNING AND DEVELOPMENT RECOMMENDATION:

Approval with Conditions

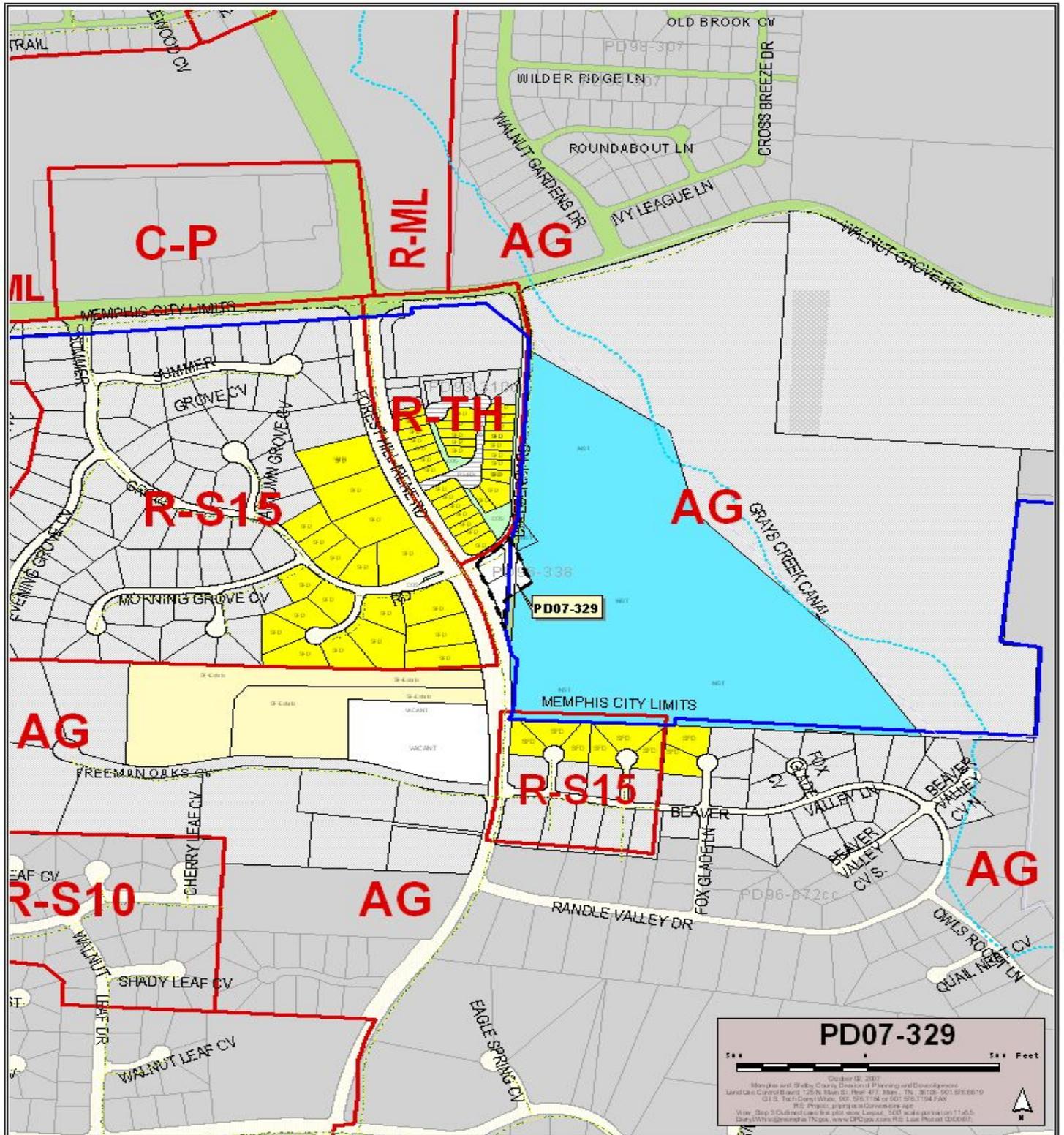
Staff: *Brian Bacchus*

E-mail: brian.bacchus@memphistn.gov

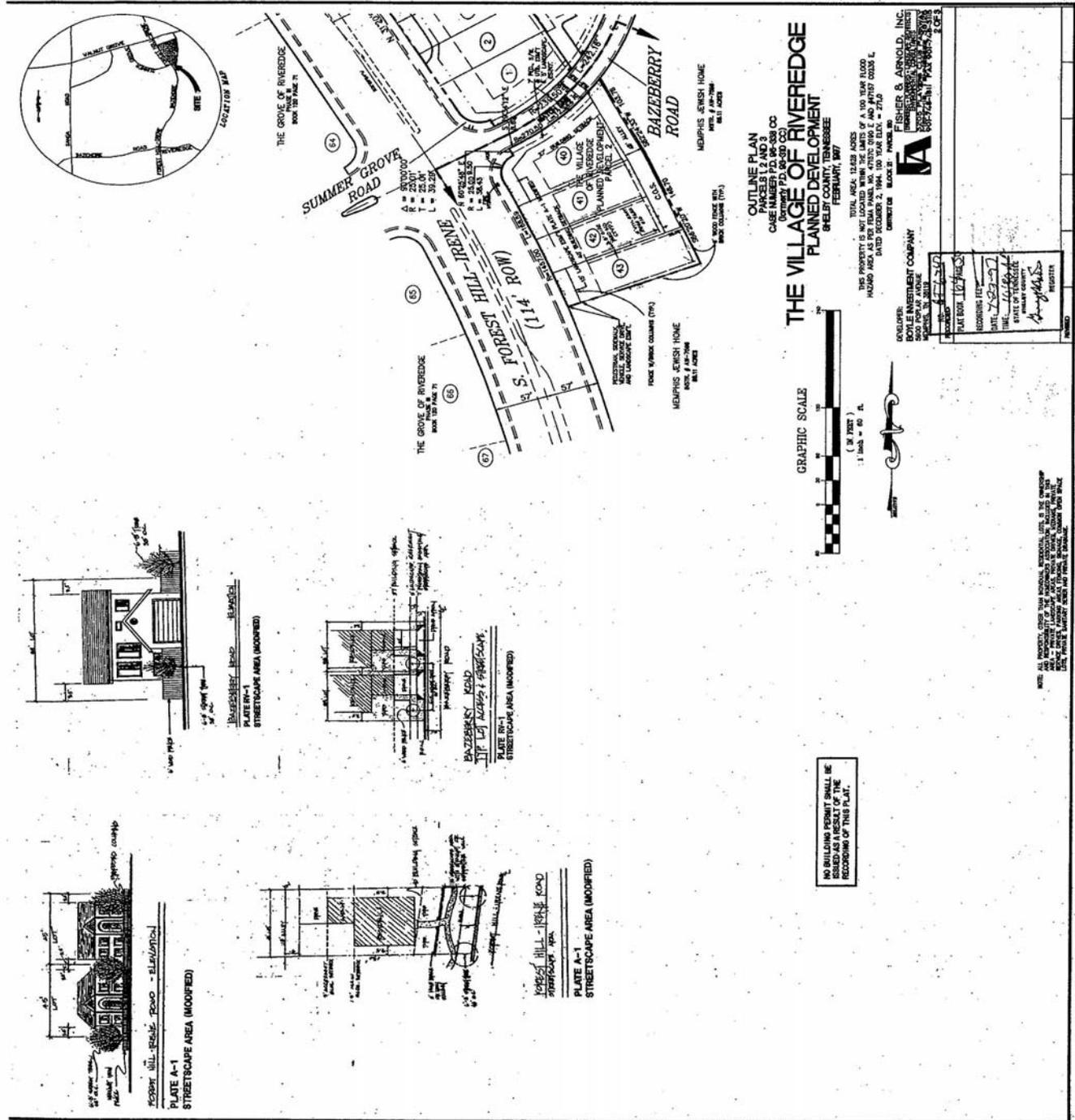
CONCLUSIONS:

1. The subject property is a corner lot formerly approved in 1996 as Parcel 2 of The Village of Riveredge Planned Development(P.D. 96-338 CC). The Outline Plan expired after five(5) years because the residential development never occurred and the land has remained vacant and undeveloped for over ten(10) years.
2. The request is for a development plan to allow a maximum of four(4) lots with a minimum lot size of 4,000 square feet in area on a 1.36 acre lot located at the southeast corner of Bazeberry Road and Forest Hill-Irene Road. This development plan is identical to an Outline Plan approved in 1996 for the same property and development proposal.
3. The original Outline Plan for The Village of Riveredge allowed a maximum of sixty-seven(67) single family lots, but actually developed for thirty-four(34) single family homes with private drives and rear alley access within a private community. This Outline Plan will be an extension of the same development plan consistent in housing type, design, landscaping and street treatments.
4. The addition of four(4) lots to continue a residential development pattern consistent with current design standards is supported to complement an established planned development. The planned growth over time and the development of these four(4) lots will establish a secondary entrance feature at Bazeberry Road.

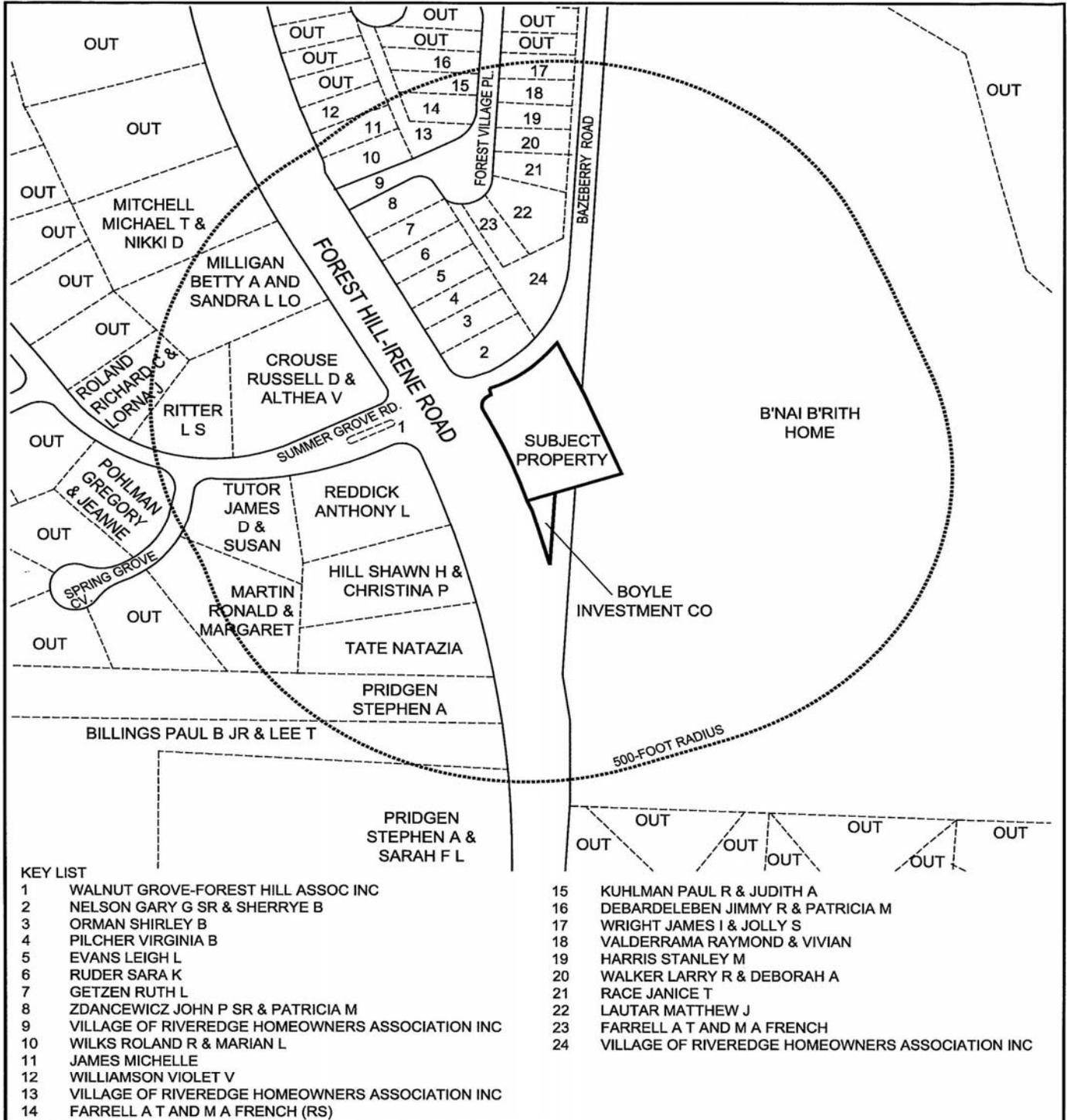
ZONING & LAND USE MAP:



OUTLINE PLAN Page 2 of 2:



OWNERSHIP VICINITY MAP:



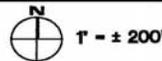
KEY LIST

- 1 WALNUT GROVE-FOREST HILL ASSOC INC
- 2 NELSON GARY G SR & SHERRY B
- 3 ORMAN SHIRLEY B
- 4 PILCHER VIRGINIA B
- 5 EVANS LEIGH L
- 6 RUDER SARA K
- 7 GETZEN RUTH L
- 8 ZDANCEWICZ JOHN P SR & PATRICIA M
- 9 VILLAGE OF RIVEREDGE HOMEOWNERS ASSOCIATION INC
- 10 WILKS ROLAND R & MARIAN L
- 11 JAMES MICHELLE
- 12 WILLIAMSON VIOLET V
- 13 VILLAGE OF RIVEREDGE HOMEOWNERS ASSOCIATION INC
- 14 FARRELL A T AND M A FRENCH (RS)

- 15 KUHLMAN PAUL R & JUDITH A
- 16 DEBARDELEBEN JIMMY R & PATRICIA M
- 17 WRIGHT JAMES I & JOLLY S
- 18 VALDERRAMA RAYMOND & VIVIAN
- 19 HARRIS STANLEY M
- 20 WALKER LARRY R & DEBORAH A
- 21 RACE JANICE T
- 22 LAUTAR MATTHEW J
- 23 FARRELL A T AND M A FRENCH
- 24 VILLAGE OF RIVEREDGE HOMEOWNERS ASSOCIATION INC

VICINITY MAP

DISTRICT 2 BLOCK 21YD PARCELS 41, 42, AND 47
AND DISTRICT 2 BLOCK 21 PARCEL 243



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 901-949-2822 • Fax 901-949-2113 • Website www.fishernad.com
 Architects • Engineers • Environmental Scientists • Interior Designers • Landscape Architects • Planners • Geographers

STAFF ANALYSIS:

Site Description

The subject property is a vacant lot containing 1.36 acres at the southeast corner of Bazeberry Road and Forest Hill-Irene Road in Shelby Farms-Germantown Planning District. The site is one-quarter mile south of the intersection of Walnut Grove Road and Forest Hill-Irene Road at the eastern limits of the City of Memphis. The subject property is a corner lot formerly approved in 1996 as Parcel 2 of The Village of Riveredge Planned Development(P.D. 96-338 CC). The Outline Plan expired after five(5) years because the residential development never occurred and the land has remained vacant and undeveloped for over ten(10) years.

The lot is improved at Forest Hill-Irene Road with curb, gutter and sidewalk with mature trees along the front of the property. This lot was originally subdivided and recorded as four(4) lots with rear loaded garages with access from a rear service drive as developed in the existing phase north of this subject property. This application is the same development request as submitted in the 1996 development plan.

Area Overview

The development in this immediate subject area has been primarily single family residential development for subdivisions in Single Family Residential(R-S15) District zoning to the west in The Village of Riveredge Subdivision. The residential developments south and west of Forest Hill-Irene are primarily single family homes on estate flag-shaped lots in the Agricultural(AG) District and developments south and east of Forest Hill-Irene Road are single family homes also in Bazemore Valley Subdivision in Single Family Residential(R-S15) District and single family development in Randle Woods Planned Development(P.D. 96-372 CC).

This area is predominantly residential development, except for the nursing home facility immediately east in Agricultural(AG) District zoning owned and operated by The Memphis Jewish Home. This area has experienced growth and development the last ten(10) years north within the City of Memphis for Walnut Hill Apartments, a multi-family development at the northwest quadrant of Forest Hill-Irene Road and Walnut Grove Road as well as a new single family residential development northeast and across Grays Creek for Walnut Gardens Planned Development (P.D. 98-307). There is also planned commercial development in the area for a Walgreen's in The Riveredge C-P(Z 85-111) at the northwest corner of Forest Hill-Irene and Walnut Grove Roads.

Planned Growth over Time

The request is for a development plan to allow a maximum of four(4) lots with a minimum lot size of 4,000 square feet in area on a 1.36 acre lot located at the southeast corner of Bazeberry Road and Forest Hill-Irene Road. This development plan is identical to an Outline Plan approved in 1996 for the same property and development proposal. The physical conditions of the lot have not changed significantly to render the property un-buildable nor have residential development trends changed in the area to not allow a private residential development design to continue along a major road.

The original Outline Plan for The Village of Riveredge allowed a maximum of sixty-seven(67) single family lots, but actually developed for thirty-four(34) single family homes with private drives and rear alley access within a private community. This Outline Plan will be an extension of the same development plan consistent in housing type, design, landscaping and street treatments. The lot design, setbacks, orientation, access and circulation conditions will remain as integral development guidelines as evidenced by built design standards in the original plan to the north. The addition of four(4) lots to continue a residential development pattern consistent with current design standards is supported to complement an established planned development. The planned growth over time and the development of these four(4) lots will establish a secondary entrance feature at Bazeberry Road.

RECOMMENDATION: ***Approval with Conditions***

OUTLINE PLAN CONDITIONS:

- I. Uses Permitted: A maximum of four(4) single family detached dwellings in accordance with the Single Family Residential(R-S6) District.

- II. Bulk Regulations: In accordance with the R-S6 District with the following exceptions:
 - A. Minimum Lot Area-4,000 square feet.
 - B. Minimum Lot Width-38 feet at the building line.
 - C. Minimum setbacks for all principal and accessory uses.
 - 1. Forest Hill-Irene-40 feet
 - 2. Bazeberry Road-27 feet
 - 3. Except as provided above the following setbacks shall apply:
 - a. Front-15 feet.
 - b. Side-3.5 feet each with 7 feet between buildings.
 - c. A five(5) foot rear yard setback shall be permitted for all attached and detached accessory structures.
 - d. Where a front yard setback is less than 20 feet, rear access or side-loaded garage space shall be provided.

- III. Access, Parking and Circulation:
 - A. Direct access to Forest Hill-Irene Road from individual lots shall be prohibited, lots shall be prohibited.
 - B. Dedicate and improve Bazeberry Road as a minor local street in accordance with the Subdivision Regulations.
 - C. The final plan shall reflect the appropriate width pedestrian/sidewalk and utility easement along both sides of all alternative design streets in accordance with the Subdivision Regulations.
 - D. The development shall conform with minimum sight distance and geometry requirements for public improvements.
 - E. A Standard Subdivision Contract shall be required as specified in Section 500 of the Subdivision Regulations for required public improvement including paving under the Shelby County Paving Policy. An area for vehicles to turn around on-site between the gate and street right-of-way shall be provided if gates are installed on the private drive.

- F. Queuing space for three (3) automobiles shall be provided between the Forest Hill-Irene right-of-way and any proposed gate, card-reader or guardhouse on the private drive.

IV. Landscaping:

- A. Provide and maintain landscaping consisting of a Plate A-1 modified to fifteen (15) feet wide or an equivalent approved by the Office of Planning and Development along Forest Hill-Irene Road.
- B. Landscaping of Walnut Grove Road shall be R-VI (modified) as approved by the Office of Planning and Development.
- C. Landscaping of the Bazeberry frontage shall be as illustrated on the Outline Plan in a five (5) foot wide easement.
- D. All landscaping shall avoid conflict with any easements including overhead electrical wires.

V. Signs:

Signs shall be permitted in accordance with the R-S6 District.

VI. Drainage:

Drainage improvements, including possible on-site detention, shall be provided under a Standard Subdivision contract in accordance with the Subdivision Regulations and the City of Memphis Drainage Design Manual.

- VII. The Land Use Control Board may modify the bulk, access, parking, landscaping, loading, screening, signage, and presented, provided, however, any adjacent property owner who is dissatisfied with the modifications of the Land Use Control Board hereunder may, within ten days of such action file a written appeal to the Director of Office of Planning and Development, to have such action reviewed by the Appropriate Governing Body.

- VIII. 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.

IX. Any final plan shall include the following:

- A. The outline plan conditions.
- B. A standard subdivision contract as defined by the Subdivision Regulations for any needed public improvements.
- C. The buildable areas.

- D. The location and ownership, whether public or private, of any easement.
- E. A statement conveying all common facilities and areas to a property owners' association, or other entity, for ownership and maintenance purposes.
- F. Illustration of the streetscape designs along Forest Hill-Irene and Bazeberry Roads as required in Condition IV.A and B.
- G. 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 a public drainage easement, shall be owned and maintained by the property owner and/or property owner's 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/County Engineer's Office. Such maintenance shall include, but not limited to: removal of sedimentation, fallen objects, debris and trash; mowing; outlet cleaning; and repair of drainage structures.

P.D. 07-326 CC
The Village of Riveredge-II Planned Development

GENERAL INFORMATION:

Street Frontage: Forest Hill-Irene Road-----+/-180 linear feet.
Bazeberry Road-----+/-140 curvilinear feet.

Planning District: Shelby Farms-Germantown

Census Tract: 211.33

Zoning Atlas Page: 2155

Zoning History: In 1993, The Village of Riveredge Planned Development(P.D. 93-310 CC) was approved for a maximum of sixty-seven(67) lots and in 1996 an amendment was approved to allow an additional four(4) lots within the Outline Plan. Prior to these dates the Agricultural(AG) District zoning of the site date to the adoption of the 1980 zoning map amendments.

DEPARTMENTAL COMMENTS:

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

City Engineer: No objections to this request, provided that all conditions related to access and infrastructure remain in force.

City Fire Division: No comments.

City Real Estate: None.

Memphis & Shelby County Health Department: No objections.

Memphis Board of Education: This case does not have a significant impact on Memphis City Schools.

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, whether dedicated or prescriptive (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.

AT&T: No comments received.

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

OPD-Regional Services:

This application was reviewed by the MPO staff/Department of Regional Services on September 27, 2007. Forest Hill Irene Road is on the Long Range Transportation Plan with proposed right-of-way and pavement widths of 114 feet and 94 feet respectively. The MPO staff recommends dedication and improvements as appropriate.

OPD-Plans Development: No comments.

Neighborhood Associations/Organizations:

Concerned Citizens of Walnut Grove: No comments, mailed returned undelivered.
Cordova Leadership Council: No comments received as of 10/05/07.
Cordova Community Watch: No comments received as of 10/05/07.

Staff: bb