

CITY OF MEMPHIS
COUNCIL AGENDA CHECK OFF SHEET

ONE ORIGINAL
ONLY STAPLED
TO DOCUMENTS

Planning & Development
DIVISION

Planning & Zoning COMMITTEE: _____
DATE
PUBLIC SESSION: _____
DATE

ITEM (CHECK ONE)
 ORDINANCE CONDEMNATIONS GRANT ACCEPTANCE / AMENDMENT
 RESOLUTION GRANT APPLICATION REQUEST FOR PUBLIC HEARING
 OTHER: _____

ITEM DESCRIPTION: A resolution approving a planned development. The following item was heard and a recommendation made by the Land Use Control Board.
(L.U.C.B. DATE: 12/13/07)

CASE NUMBER: P.D. 07-341 **DEVELOPMENT NAME:** SOUTHERN STEEL
PLANNED DEVELOPMENT

LOCATION: Southwest corner of Dunlap Street and Galloway Avenue; southwest corner of Dunlap Street and Lane Avenue

APPLICANT: FPC Realty

REPRESENTATIVE: Charles Goforth, Barge, Waggoner, Sumner & Cannon, Inc.

EXISTING ZONING: Light Industrial (I-L) & Single Family Residential (R-S6) Districts

REQUEST: Expansion of an existing industrial use that includes the processing, storage, and distribution of steel and other metal construction and fabrication products

AREA: 9.121 Acres

RECOMMENDATION: The Office of Planning and Development and Land Use Control Board recommended **APPROVAL WITH CONDITINS**

RECOMMENDED COUNCIL ACTION: Set date for public hearing. **Suggest; February 19, 2008**

PRIOR ACTION ON ITEM:
 _____ APPROVAL - (1) APPROVED (2) DENIED
 _____ DATE
 _____ ORGANIZATION - (1) BOARD / COMMISSION
 (2) GOV'T. ENTITY (3) COUNCIL COMMITTEE

FUNDING:
 _____ REQUIRES CITY EXPENDITURE - (1) YES (2) NO
 \$ _____ AMOUNT OF EXPENDITURE
 \$ _____ REVENUE TO BE RECEIVED

SOURCE AND AMOUNT OF FUNDS
 \$ _____ OPERATING BUDGET
 \$ _____ CIP PROJECT # _____
 \$ _____ FEDERAL/STATE/OTHER

ADMINISTRATIVE APPROVAL:	DATE	POSITION
_____	_____	PRINCIPAL PLANNER
_____	_____	DEPUTY DIRECTOR
_____	_____	DIRECTOR
_____	_____	DIRECTOR (JOINT APPROVAL)
_____	_____	COMPTROLLER
_____	_____	FINANCE DIRECTOR
_____	_____	CITY ATTORNEY
_____	_____	CHIEF ADMINISTRATIVE OFFICER
_____	_____	COMMITTEE CHAIRMAN

RESOLUTION

WHEREAS, Section 14 of the Zoning Ordinance-Regulations of the City of Memphis and Shelby County, being a section of the Joint Ordinance-Resolution No. 3064, dated October 7, 1980, authorizes the Council of the City of Memphis to grant a planned development for certain stated purposes in the various zoning districts; and,

WHEREAS, Application has been made for a planned development for property located on the southwest corner of Dunlap Street and Galloway Avenue; southwest corner of Dunlap Street and Lane Avenue; and

WHEREAS, The Office of Planning and Development has received and reviewed the application in accordance with procedures, objectives and standards for planned developments as set forth in Section 14 with regard to the proposed development's impacts upon surrounding properties, availability of public facilities, both external and internal circulation, land use compatibility, and that the design and amenities are consistent with the public interest; and has submitted its findings and recommendation concerning the above considerations to the Land Use Control Board; and

WHEREAS, A public hearing in relation thereto was held before the Memphis and Shelby County Land Use Control Board on December 13, 2007 and said Board reported its recommendation to the City Council regarding the objectives, standards and criteria, and the effect of granting the planned development upon the character of the neighborhood and other matters pertaining to the public safety and general welfare; and

WHEREAS, The Council of the City of Memphis has reviewed the recommendation of the Land Use Control Board, and the report and recommendation of the Office of Planning and Development; and

WHEREAS, The Council of the City of Memphis has held a public hearing on the planned development and has determined that the planned development meets the objectives, standards and criteria for a planned development, and said development is consistent with the public interests.

NOW, THEREFORE BE IT RESOLVED By the Council of the City of Memphis that the planned development is hereby granted for an in accordance with the outline plan incorporated in the application, and subject to the attached conditions.

BE IT FURTHER RESOLVED That the requirements of said aforementioned section of the Zoning Ordinance-Regulations shall be deemed to have been complied with; that the outline plan shall bind the applicant, owner, mortgagee, if any, and the legislative body with respect to the contents of said plan; and the applicant and/or owner may file a final plan of development in accordance with said outline plan and the provisions of Section 14 of the Zoning Ordinance-Regulations.

cc: Building Official
City Engineer
Office of Planning and Development

P.D. 07-341

OUTLINE PLAN CONDITIONS:

I. USES PERMITTED

- A. Parcel One (Existing I-L site)
 - 1. Offices
 - 2. Contractor's storage, indoor
 - 3. Manufacture, storage and distribution of:
 - Electrical or Electronic equipment, appliances and instruments
 - Fabricated metal products and machinery
 - Furniture and fixtures
 - Jewelry, silverware, musical instruments and toys
 - Sporting goods, office and art supplies
 - Lumber or wood products
 - Primary metal distribution and storage
 - Secondary metal dealers
 - Printing and Publishing
 - 4. If the newly proposed cell tower (S.U.P. 07-214) is approved by the Council, then the Outline/Final plats shall reflect its location.
- B. Parcel Two (New Area south of Parcel One)
 - 1. Offices
 - 2. Manufacturing, processing, storage and distribution of steel and other metal products

II. BULK REGULATIONS

- A. Minimum Yard Requirements:
 - New Construction - Front: 20'
 - Side: 25' (75' building setback along the southern property line)
 - Rear: 25'

Existing Construction – Front: As shown on site plan
- B. Maximum Height: 45'

III. ACCESS AND CIRCULATION

- A. All existing sidewalks bordering this site will be inspected for compliance with the ADA specifications, and any non compliant areas shall be reconstructed to meet standards.
- B. The City Engineer shall approve the design, number and location of curb cuts. Any existing nonconforming curb cuts shall be modified to meet current City Standards or closed with curb, gutter and sidewalk.
- C. 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.
- D. Adequate maneuvering room shall be provided between the right-of-way and the gate/guardhouse/card reader for vehicles to exit by forward motion.
- E. All private drives shall be constructed to meet the Subdivision Regulations and applicable City standards. All drives shall be a minimum of 22' wide.
- F. Parking and loading shall be provided in accordance with Section 28 of the Zoning Ordinance.
- G. Provide for construction of a permanent paved turnaround at the northern terminus of the Leath Street closure area on this site. The location and design shall be subject to the approval of the City Engineer.
- H. The instrument number for the closure deeds for the two street and alley closure applications and the abandon railroad right-of-way shall be shown on the Outline plan.

IV. LANDSCAPING AND LIGHTING

- A. All landscape screens required along street frontages shall be installed as part of the first phase of development.
- B. Every effort shall be made to retain and maintain existing vegetation and trees on this site and incorporated the existing plantings into the new landscaping screens were feasible, especially along the western and southern property lines.

- C. A 20' wide landscape screen (Plate EA-3 modified) with a black wrought-iron fencing shall be installed along the Dunlap Street frontages and shall be shown on the Outline Plan, except adjacent to existing buildings. The fence shall be placed on the property line and in front of the landscape plantings.
- D. A 20' wide landscape screen (Plate EA-3 modified to include the existing fence) shall be installed along the Galloway Avenue frontages and shall be shown on the Outline Plan, except adjacent to existing buildings. The new planting materials shall be placed inside of the existing fence.
- E. A 20' wide landscape screen (Plate EA-3 modified) with a black coated chain link fence shall be installed on the property line and in front of the existing mature vegetation and any supplemental landscape plantings along the street frontage of North Manassas Street and shall be as shown on the approved site plan.
- F. A 50' wide non-disturb buffer area shall be provided along the southern property line and shall include a 25' wide landscape screen, (Plate EB-5 modified) with a black coated chain link fence to be installed along the entire southern property line of Parcel Two (75' minimum building setback).
- G. Internal parking lot landscaping shall be provided at a minimum ratio of 300 square feet and one shade tree (Tree A of the approved plant list of the Landscape Ordinance) per every 20 parking spaces or fraction thereof. Landscaped areas shall not be less than 200 square feet in area in any single location.
- H. Alternative landscaping may be substituted for the required above, subject to the approval of the Department of Planning and Development. Any proposed alternative landscaping screens must be submitted prior to the City Council public hearing.
- I. All lighting used to illuminate any off street parking and loading areas shall be so arranged to reflect the light away from adjacent residential properties.

- V. SIGNS:** All signs shall conform to the requirements of the Section 29 of the Zoning Ordinance.

VI. DRAINAGE

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

VII. PHASING PLAN

- A. A revised site plan that include all approved changes must be submitted to OPD prior to this application being forward to the City Council for final action.
- B. Phase One shall include all buildings and site improvements as shown on the Outline Plan.
- C. Phase Two shall include an new office building on North Dunlap as shown on the Outline Plan.

VIII. SITE PLAN REVIEW

- A. A Site Plan for both phases of development shall be submitted for review, comment, and recommendation by the appropriate City and County agencies and for approval by the Department of Planning and Development prior to approval of any final plan.
- B. The site plan shall include the following information:
 - 1. The location of all existing and proposed public improvements on or adjacent to the property.
 - 2. The dimensions, area, shape, orientation, and configuration of all buildings and lots, location of service and off-street parking areas.
 - 3. The location of public streets and internal private drives and the number and general location of curb cuts and utility easements.
 - 4. The design of all attached and detached signage.
 - 5. An exterior lighting plan.

6. Provide a landscape planting plan identifying proposed planting location, and species of trees and shrubs.
 7. All building elevations and materials.
- C. The site plan shall be reviewed base upon the following criteria:
1. Conformance with the outline plan conditions and the standards and criteria for residential and commercial planned developments contained in the Zoning Ordinance and Subdivision Regulations.
 2. Elements of site design such as building orientation and setback, access and parking, internal vehicular and pedestrian circulation, landscaping and lighting.

IX. DEVELOPMENT SCHEDULE:

A final plan 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. A request for a time extension shall be filed a minimum of 45 days prior to the expiration date.

X. MODIFICATION BY LAND USE CONTROL BOARD:

The Land Use Control Board may modify the bulk standards, access and circulation, parking, landscaping, and sign requirements if equivalent alternatives are 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 the Office of Planning and Development, to have such action reviewed by the appropriate governing bodies.

XI. FINAL PLANS

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 exact location and dimensions including height of buildings, parking areas, utility easements, drives, trash receptacles, loading facilities and required landscaping and screening areas.

- D. The location and ownership, whether public or private, of any easement.
- E. The number of parking spaces.
- F. If applicable, a statement conveying all common facilities and areas to a property owners' association or other entity, for ownership and maintenance purposes.
- G. The instrument number for the closure deeds for the two street and alley closure applications shall be shown on the plat.
- H. The instrument number for the abandon railroad right-of-way shall be shown on the plat

LAND USE CONTROL BOARD RECOMMENDATION

CASE #: P.D. 07-341

At its regular meeting December 13, 2007, the Memphis and Shelby County Land Use Control Board held a public hearing on the application of , requesting a planned development on the property described as follows:

- LOCATION:** Southwest corner of Dunlap Street and Galloway Avenue;
southwest corner of Dunlap Street and Lane Avenue
- APPLICANT:** FPC Realty
- REPRESENTATIVE:** Charles Goforth, Barge, Waggoner, Sumner & Cannon, Inc.
- REQUEST:** Expansion of an existing industrial use that includes the processing, storage, and distribution of steel and other metal construction and fabrication products
- AREA:** 9.121 Acres
- EXISTING LAND USE & ZONING:** An existing industrial use and vacant land in the Light Industrial (I-L), Moderate-Density Residential (MDR) & Single Family Residential-Winchester Park (R-S6[WP]) Districts

The following spoke in support of the application:

Charles Goforth, Barge, Waggoner, Sumner & Cannon, Inc., 60 Germantown Court, Suite 100, Memphis, TN 38018

No one spoke in opposition of the application:

The Land Use Control Board reviewed the application of FPC Realty requesting a planned development and the report of the staff. The representative requested three amendments to the recommended conditions. The first amendment was to delete the conditions requiring dedication and improvement on Galloway Avenue due the developments lack of access onto this road and the possibility of closing the western half of the road. Also, the existing curb cuts will be remove and replaced with a required landscape screen. City Engineer offered no objection to this request. The second amendment was to reduce the recommended 75 foot non-disturb buffered along the southern property line to 50 feet. The request also included placing 75 foot minimum building setback along the southern property line to allow sufficient area for future parking needs on this site. Staff had no objections to this request. Lastly, the applicant also requested that they be allow to retain the existing chain link fence along the western property line on Manassas Street and incorporated it into the required landscape screen for this area. Staff stated that they would be willing to review this option if a satisfactory graphic proposal is provided for consideration prior to City Council. All amendments were accepted by the Board as friendly amendments.

A motion was made and seconded to recommend approval of the application.

The motion passed by a unanimous vote 9 to 0.

The Board approved the conclusions of the staff as contained in the staff report and amendment on the floor.

Respectfully submitted,

Sheila Pounder, Principal Planner for
Mary L. Baker, Deputy Director
Land Use Control

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STAFF REPORT

CASE NUMBER: P.D. 07-341 **L.U.C.B. MEETING:** December 13, 2007

DEVELOPMENT NAME: Southern Steel Planned Development

LOCATION: Southwest corner of Dunlap Street and Galloway Avenue;
and southwest corner of Dunlap Street and Lane Avenue

APPLICANT: FPC Realty

REPRESENTATIVE: Charles Goforth, Barge, Waggoner, Sumner & Cannon, Inc.

REQUEST: Expansion of an existing industrial use onto the subject tracts that includes the processing, storage and distribution of steel and other metal construction and fabrication products

AREA: 9.121 Acres

EXISTING LAND USE & ZONING: An existing industrial use and vacant land in the Light Industrial (I-L), Moderate-Density Residential (MDR) & Single Family Residential-Winchester Park (R-S6[WP]) Districts

SURROUNDING LAND USES AND ZONING:

North: Single family homes, vacant land, and commercial properties in the Single Family Residential-Winchester Park (R-S6[WP]), and Duplex Residential- Winchester Park (R-D[WP]) Districts

East: North Memphis Pumping Station and other governmental uses in the Single Family Residential – Winchester Park (R-S6(WP)) District

South: Single family and multi-family apartments within the Single Family Residential-Winchester Park (R-S6[WP]), and Moderate-Density Residential (MDR) District of Uptown

West: Warehouse Industrial uses in the Uptown Light Industrial (ULI) District and existing governmental uses in the High Density Residential (HDR) District

**OFFICE OF PLANNING AND DEVELOPMENT RECOMMENDATION
APPROVAL WITH CONDITIONS**

CONCLUSIONS:

1. The applicant, FPC Realty, is requesting approval to permit the expansion of an existing industrial use, Southern Steel Supply Company, onto the subject tracts.
2. The applicant has also filed two street and alley closure applications, SAC 07-216 & SAC 07-217, that if approved will allow the consolidation of the southern portion of this site into one tract.
3. A Special Use Permit application (S.U.P. 07-214) to allow a cell tower to located on a portion of this site will be presented later this month to Memphis City Council for final action. Both OPD and the Land Use Control Board have recommended approval of the cell tower application.
4. This site lies within the boundaries of the Winchester Park Overlay Districts (WP) adopted in 1994 as part of a comprehensive plan for the area, the Uptown Memphis District adopted in 2001, and the Winchester Park/Intown Charrette completed for this area in 2006 (not adopted).
5. The primary planning document that currently guides development of this area is the Winchester Park Area Study which recommended that the northern portion of this site remain zoned for industrial uses primarily due to the existing industrial uses already located on this property.
6. The southern portion of the site was rezoned from I-L to R-S6 to encourage new development and redevelopment of single family homes in this area to help stabilize the community.
7. Community leaders and concerned citizens recently participated in completing a planning charrette for the Winchester Park Neighborhood and a copy of this application was sent to some stakeholders that participated in the charrette for review and comments. Favorable comments have been received from the representative of the Memphis Medical Center.
8. Given the previous use of the southern portion of this site as an automobile salvage yard, the clean-up of the area to permit the redevelopment of homes may not be feasible and the expansion of the existing industrial use by Southern Steel appear to be an acceptable alternative use.
9. There is no objection to this application if the recommended changes are made to the proposed landscape screening for this site plan.

AERIAL OF EXISTING SITE



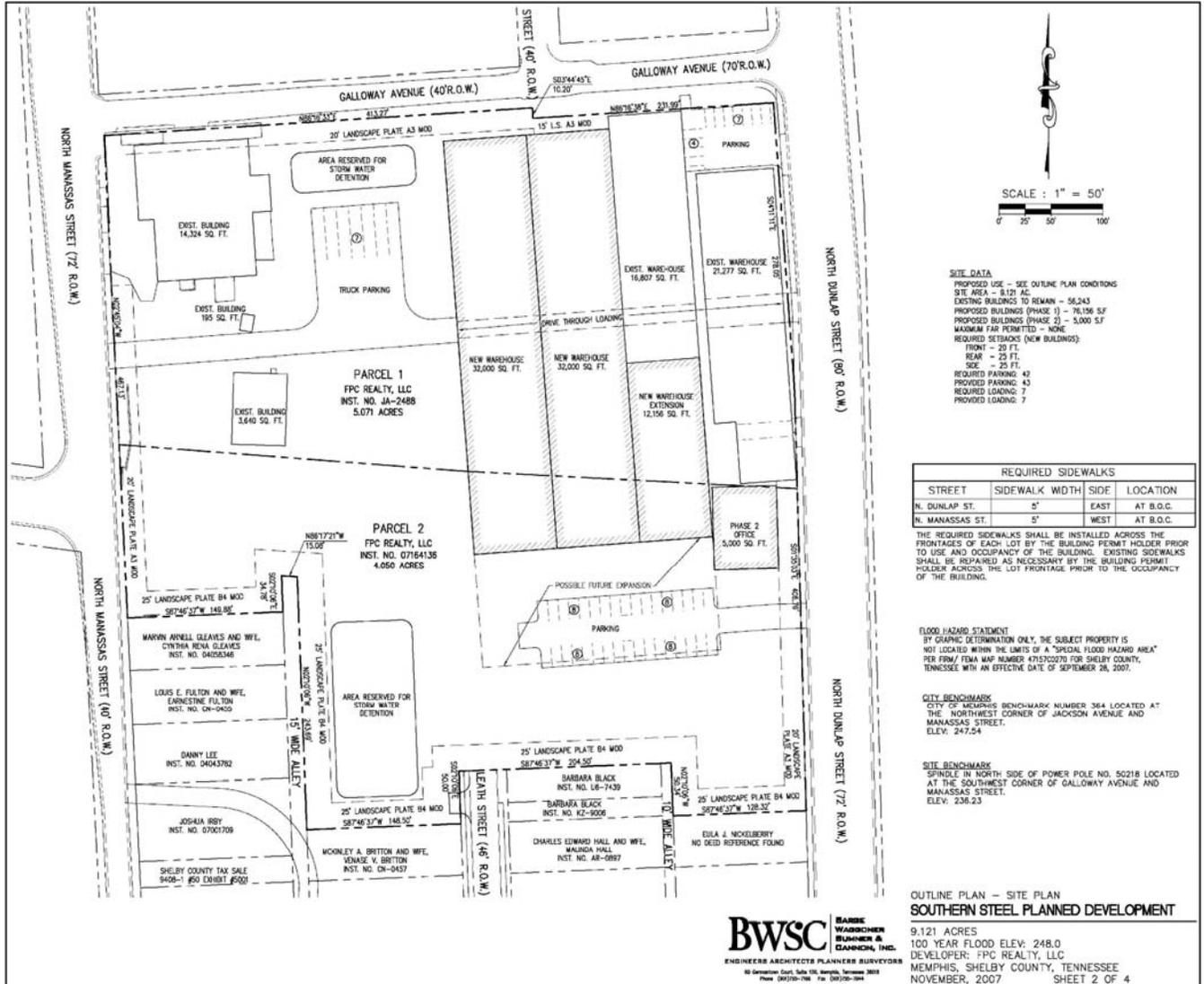
VIEW OF SITE ALONG MANASSAS STREET



EXISTING STREETScape ALONG MANASSAS STREET



PROPOSED SITE PLAN



BWSC
BARRE WAGGONER BUNNER & CLANNON, INC.
ENGINEERS ARCHITECTS PLANNERS SURVEYORS
© Copyright 2007, 2008, 2009, 2010, 2011, 2012, 2013
Phone (901) 975-7768 Fax (901) 975-1981

STAFF ANALYSIS:

Location of Subject Property

The subject property is an approximately 9 acre tract of land located on the south side of Galloway; between Manassas Street Avenue and Dunlap Street, within the Winchester Park Community. The majority of the subject property is used for industrial purposes and is the current location of the Southern Steel Corporation. The site is situated within three different zoning districts; Light Industrial (I-L), Moderate-Density Residential (MDR), and Single Family Residential-Winchester Park (R-S6[WP]) Districts. City of Memphis governmental facilities are located southwest of the site along Gene Logan Drive and existing industrial warehousing is located to the west directly across Manassas Street from this site. Directly east of the site is the North Memphis Pumping Station and other governmental facilities. The remaining surrounding areas to the north and south of the site are developed with predominately single family residential uses. St. Jude Children Research and Hospital Campus is located approximately 1,600 feet to the west of the site. New housing construction and revitalization of existing structures are currently being developed further north of the site within the Uptown Community.

The Applicant's Request

The applicant, FPC Realty, is requesting a approval to permit the expansion of an existing industrial use, Southern Steel Supply Company, onto the subject tracts. The type of current and future industrial uses on this site includes the processing, storage and distribution of steel and other metal construction and fabrication products. The applicant has also filed two street and alley closure applications, SAC 07-216 & SAC 07-217, that if approved will allow the consolidation of the southern portion of this site into one tract. Also, a Special Use Permit application (S.U.P. 07-214) to allow a cell tower to be located on a portion of this site will be presented later this month to Memphis City Council for final action. Both OPD and the Land Use Control Board have recommended approval of the cell tower application.

Winchester Park Area Study & Winchester Park/Intown Planning Charrette

This site lies within the boundaries of the Winchester Park Overlay Districts (WP) that was adopted in 1994 as part of a comprehensive plan for the area. A small portion of this site is also situated within the Uptown Memphis District that was adopted in 2001 by the Memphis City Council. In 2006, the Winchester Park/Intown Charrette was completed for this area. The recommendations of the planning charrette have not been adopted to date by the appropriate legislative bodies.

The primary planning document that currently guides development of this area is the Winchester Park Area Study. The Study recommended that the portion of this site that is bounded by Galloway Avenue on the north, Manassas Street on the west, abandoned railroad right-of-way on the south and Dunlap Street on the east remain zoned for industrial uses. This was primarily due to the existing industrial uses already located on this property. This area was also a continuation of the other existing industrial warehouse uses to the west along Manassas Street. The southern portion of the site that is bounded by the abandon railroad right-of-way on the north, Manassas Street on the west, Single family homes to the south, and Dunlap Street on the east was rezoned from I-L to R-S6. This was done to encourage new development and redevelopment of single family homes in this area to help stabilize the community.

Community leaders and concerned citizens recently participated in completing a planning charrette for the Winchester Park Neighborhood. A copy of this application was sent to some stakeholders that participated in the charrette for review and comments. The applicant also discussed this proposed industrial use expansion on the subject property with some of the community leaders and stakeholders prior to submitting planned development application to OPD. Favorable comments have been received from the representative of the Memphis Medical Center. Given the importance of ensuring that the redevelopment of this area of Memphis is successful, the recommendation or results of the Winchester Park Planning Charrette should also be taken into consideration in the review of this application. Considering the previous use of the southern portion of this site as an automobile salvage yard, the clean-up of the area to permit the redevelopment of homes may not be feasible and the expansion of the existing industrial use by Southern Steel appears to be an acceptable use to the some participants.

Request Analysis

The existing industrial user of this site, Southern Steel Supply Company, is seeking approval of this application to allow the expansion of their present operation. To this end, two street and alley closure applications have also been filed. The application for closure of Leath Street has been recommended for approval with a condition that will require the applicant to provide for construction of a permanent paved turnaround at the northern terminus of the Street. This recommendation must be shown on the all plats and is subject to the approval of the City Engineer. The instrument number for the closure deeds for the two street and alley closure applications and the abandon railroad right-of-way must be shown on the Outline plan.

Also, as previously stated the Memphis City Council will consider approval of a cell tower on a portion of this site on December 18. If the newly proposed cell tower is approved by the Council, then the plat must also be revised to reflect its location on the Outline Plan.

There are also a couple of issues with the proposed landscaping of this site that should be addressed. First, the plan proposes an A-3 modified landscape screen along the street frontages of this site that includes a chain link fence. Given that this site is located in an area that still has a large number of residential homes and the community's efforts to revitalize the surrounding area, it is recommended that the fencing along the Dunlap Street frontage include a wrought-iron fence.

The street frontage along Manassas Street has a large number of mature trees and vegetation that should be incorporated into the required landscape screen. A black coated chain link fence is recommended to be installed behind the landscaping material along both Galloway Avenue and Manassas Street. The landscape plates on the site plan should be revised to reflect this change.

Next, the proposed B-4 modified landscape screen along the southern property line includes a chain link fence. It is recommended that the a 75 foot wide non-disturb buffer which includes a 25 foot wide landscaped screen be provided in this area to provide adequate screening and separation between this industrial use and the existing residential uses. The landscape screen should also include a black coated chain link fence instead of the proposed typical metal chain link fence.

There is no objection to this application if the previously recommended changes are made to the site plan. A revised site plan that includes these changes must be submitted to OPD prior to this application being forwarded to the City Council for final action.

RECOMMENDATION: APPROVAL WITH CONDITIONS

OUTLINE PLAN CONDITIONS:

I. USES PERMITTED

- A. Parcel One (Existing I-L site)
 - 1. Offices
 - 2. Contractor's storage, indoor
 - 3. Manufacture, storage and distribution of:
 - Electrical or Electronic equipment, appliances and instruments
 - Fabricated metal products and machinery
 - Furniture and fixtures
 - Jewelry, silverware, musical instruments and toys
 - Sporting goods, office and art supplies
 - Lumber or wood products
 - Primary metal distribution and storage
 - Secondary metal dealers
 - Printing and Publishing
 - 4. If the newly proposed cell tower (S.U.P. 07-214) is approved by the Council, then the Outline/Final plats shall reflect its location.
- B. Parcel Two (New Area south of Parcel One)
 - 1. Offices
 - 2. Manufacturing, processing, storage and distribution of steel and other metal products

II. BULK REGULATIONS

- A. Minimum Yard Requirements:
 - New Construction - Front: 20'
 - Side: 25'
 - Rear: 25'

Existing Construction – Front: As shown on site plan
- B. Maximum Height: 45'

III. ACCESS AND CIRCULATION

- A. Dedicate a minimum 20 foot property line radius at the intersection of Galloway and Manassas and at Galloway and Dunlap and improve in accordance with Subdivision Regulations. Additional radius dedication may be necessary for truck movements.
- B. All existing sidewalks bordering this site will be inspected for compliance with the ADA specifications, and any non compliant areas shall be reconstructed to meet standards.

- C. The developer shall dedicate and improve Galloway Avenue to a minimum driving surface of 36 feet of pavement with a 10 foot sidewalk and an urban cross section.
- D. The City Engineer shall approve the design, number and location of curb cuts. Any existing nonconforming curb cuts shall be modified to meet current City Standards or closed with curb, gutter and sidewalk.
- E. 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.
- F. Adequate maneuvering room shall be provided between the right-of-way and the gate/guardhouse/card reader for vehicles to exit by forward motion.
- G. All private drives shall be constructed to meet the Subdivision Regulations and applicable City standards. All drives shall be a minimum of 22' wide.
- H. Parking and loading shall be provided in accordance with Section 28 of the Zoning Ordinance.
- I. Provide for construction of a permanent paved turnaround at the northern terminus of the Leath Street closure area on this site. The location and design shall be subject to the approval of the City Engineer.
- J. The instrument number for the closure deeds for the two street and alley closure applications and the abandon railroad right-of-way shall be shown on the Outline plan.

IV. LANDSCAPING AND LIGHTING

- A. All landscape screens required along street frontages shall be installed as part of the First phase of development.
- B. Every effort shall be made to retain and maintain existing vegetation and trees on this site and incorporated the existing plantings into the new landscaping screens were feasible, especially along the western and southern property lines.
- C. A 20' wide landscape screen (Plate EA-3 modified) with a black wrought-iron fencing shall be installed along the Dunlap Street frontages and shall be shown on the Outline Plan, except adjacent to existing buildings. The fence shall be placed behind the landscape plantings.
- D. A 20' wide landscape screen (Plate EA-3 modified) with a black coated chain link fence shall be installed along the Galloway Avenue frontages and shall be shown on the Outline Plan, except adjacent to existing buildings. The fence shall be placed behind the landscape plantings.

- E. A 20' wide landscape screen (Plate EA-3 modified) with a black coated chain link fence shall be installed behind the existing mature vegetation along the street frontage of North Manassas Street and shall be shown on the Outline Plan.
 - F. A 75' wide non-disturb buffer area shall be provided along the southern property line and shall include a 25' wide landscape screen, (Plate EB-5 modified) with a black vinyl coated chain link fence to be installed along the entire southern property line of Parcel Two.
 - G. Internal parking lot landscaping shall be provided at a minimum ratio of 300 square feet and one shade tree (Tree A of the approved plant list of the Landscape Ordinance) per every 20 parking spaces or fraction thereof. Landscaped areas shall not be less than 200 square feet in area in any single location.
 - H. Alternative landscaping may be substituted for the required above, subject to the approval of the Department of Planning and Development.
 - I. All lighting used to illuminate any off street parking and loading areas shall be so arranged to reflect the light away from adjacent residential properties.
- V. **SIGNS:** All signs shall conform to the requirements of the Section 29 of the Zoning Ordinance.

VI. DRAINAGE

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

VII. PHASING PLAN

- A. A revised site plan that include all approved changes must be submitted to OPD prior to this application being forward to the City Council for final action.
- B. Phase One shall include all buildings and site improvements as shown on the Outline Plan.
- C. Phase Two shall include an new office building on North Dunlap as shown on the Outline Plan.

VIII. SITE PLAN REVIEW

- A. A Site Plan for both phases of development shall be submitted for review, comment, and recommendation by the appropriate City and County agencies and for approval by the Department of Planning and Development prior to approval of any final plan.

- B. The site plan shall include the following information:
 - 1. The location of all existing and proposed public improvements on or adjacent to the property.
 - 2. The dimensions, area, shape, orientation, and configuration of all buildings and lots, location of service and off-street parking areas.
 - 3. The location of public streets and internal private drives and the number and general location of curb cuts and utility easements.
 - 4. The design of all attached and detached signage.
 - 5. An exterior lighting plan.
 - 6. Provide a landscape planting plan identifying proposed planting location, and species of trees and shrubs.
 - 7. All building elevations and materials.

- C. The site plan shall be reviewed base upon the following criteria:
 - 1. Conformance with the outline plan conditions and the standards and criteria for residential and commercial planned developments contained in the Zoning Ordinance and Subdivision Regulations.
 - 2. Elements of site design such as building orientation and setback, access and parking, internal vehicular and pedestrian circulation, landscaping and lighting.

IX. DEVELOPMENT SCHEDULE:

A final plan 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. A request for a time extension shall be filed a minimum of 45 days prior to the expiration date.

X. MODIFICATION BY LAND USE CONTROL BOARD:

The Land Use Control Board may modify the bulk standards, access and circulation, parking, landscaping, and sign requirements if equivalent alternatives are 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 the Office of Planning and Development, to have such action reviewed by the appropriate governing bodies.

XI. FINAL PLANS

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 exact location and dimensions including height of buildings, parking areas, utility easements, drives, trash receptacles, loading facilities and required landscaping and screening areas.
- D. The location and ownership, whether public or private, of any easement.
- E. The number of parking spaces.
- F. If applicable, a statement conveying all common facilities and areas to a property owners' association or other entity, for ownership and maintenance purposes.
- G. The instrument number for the closure deeds for the two street and alley closure applications shall be shown on the plat.
- H. The instrument number for the abandon railroad right-of-way shall be shown on the plat

GENERAL INFORMATION:

Street Frontage:	270 feet along Manassas Street 649.40 feet along Galloway Avenue 661 feet along Gene Logan Drive
Planning District:	Central Business District
Census Tract:	23
Zoning Atlas Page:	Map 1930
Zoning History:	The existing Light Industrial (I-L) dates back to the adoption of Ordinance #374 in 1955. The Single Family Residential and the Winchester Overlay Districts (R-S6[WP]) for this area were adopted in 1994 as part of a comprehensive plan for the area. The existing Moderate-Density Residential (MDR) zoning dates back to the adoption of the Uptown comprehensive rezoning of this area in 2001.

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. Dedicate a minimum 20 foot property line radius at the intersection of Galloway and Manassas and at Galloway and Dunlap and improve in accordance with Subdivision Regulations. Additional radius dedication may be necessary for truck movements.
5. All existing sidewalks bordering this site will be inspected for compliance with the ADA specifications, and any non compliant areas shall be reconstructed to meet standards.
6. The developer shall dedicate and improve Galloway Avenue to a minimum driving surface of 36 feet of pavement with a 10 foot sidewalk and an urban cross section.

Curb Cuts/Access:

7. The City Engineer shall approve the design, number and location of curb cuts.
8. Any existing nonconforming curb cuts shall be modified to meet current City Standards or closed with curb, gutter and sidewalk.

Drainage:

9. 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.
10. Drainage data for assessment of on-site detention requirements shall be submitted to and approved by the City Engineer.
11. 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.

Site Plan Notes:

12. 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.
13. Adequate maneuvering room shall be provided between the right-of-way and the gate/guardhouse/card reader for vehicles to exit by forward motion.

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.

City Fire Division: No comments.

City Real Estate: No comments received

City/County Health Department: The Water Quality Branch has no comments.

Memphis City Schools:

The proposed warehouse at Dunlap and Galloway brings concern to Memphis City Schools because of the proximity to Carnes Elementary. However, the district appreciates the landscape screening along Dunlap, and between this use and residential south of the site. In addition, it is best that truck traffic exit onto Manassas as the applicant has planned, rather than on to Dunlap, which is closer to the school site.

Memphis Light, Gas and Water:

MLGW has reviewed the referenced application, and has no objection, subject to the following comments:

- MLGW has existing facilities within the present public road right of way. The City of Memphis shall retain an easement across the proposed street closure, from edge to edge of the road right of way, to accommodate any existing public utilities, including electric, gas, water, CATV, telephone, sewer, drainage, etc
- 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.
- MLGW reserves the right to retain a utility right-of-way within that portion of the existing public road right of way at all times for existing utilities, or the owner/applicant may choose to relocate existing utilities at the expense of the owner/applicant.
- Street Trees are prohibited, subject to the review and approval of the landscape plan by MLGW Engineering. It is the responsibility of the owner/applicant to submit a detailed landscape plan to MLGW Engineering.
- MLGW must be able to access any overhead or underground facilities. Consequently, no permanent structure(s) shall be constructed or erected within that portion of the existing public road right of way including fences, buildings, patios, vehicle parking or paving.
- If there are existing fire hydrants within the proposed closure of the public right-of-way, these hydrants will become private facilities, and the owner/applicant will be billed a monthly fee by MLGW.
- If there are existing street lights within the proposed closure of the public right-of-way, MLGW will remove all street lights, and abandon underground electric feeds or remove overhead electric feeds – 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 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: No comments received.

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

OPD-Regional Services: No comments received.

OPD-Plans Development: No comments.

Neighborhood Associations:

Mid-Inner City: No comments received.

Dixie Homes R.A.: No comments received.

Memphis Medical Center:

Thank you for the opportunity to comment. We will not oppose this development and appreciate the owner making the recommended changes. It should be noted that a cell tower will also be placed on this location if approved at City Council December 18th.

St. Jude Children Research Hospital: No comments received.