

STAFF REPORT

CASE NUMBER: P.D. 07-344 CC **L.U.C.B. MEETING:** January 10, 2007

DEVELOPMENT NAME: Shelby Park East Planned Development

LOCATION: Approximately 123 feet southeast of the intersection of Appling and Macon Roads

APPLICANT: Teransky, LLC

REPRESENTATIVE: SR Consulting, LLC

REQUEST: A mixed used planned development consisting of 48 single family residential lots (minimum lot size = $\pm 3,500$ sq.ft.) in Area A and two common open space lots in Area A and commercial uses in Area B.

AREA: 14 Acres

EXISTING LAND USE & ZONING: Single family home in the Agricultural (AG) District

SURROUNDING LAND USES AND ZONING:

North: Single family homes and vacant land in the Appling LaGrange Planned Development (Plat Book 149, Page 65)

East: Single family homes and vacant land in the Gillett Planned Development known as Glen Abbey Subdivision (Plat Book 171, Page 57)

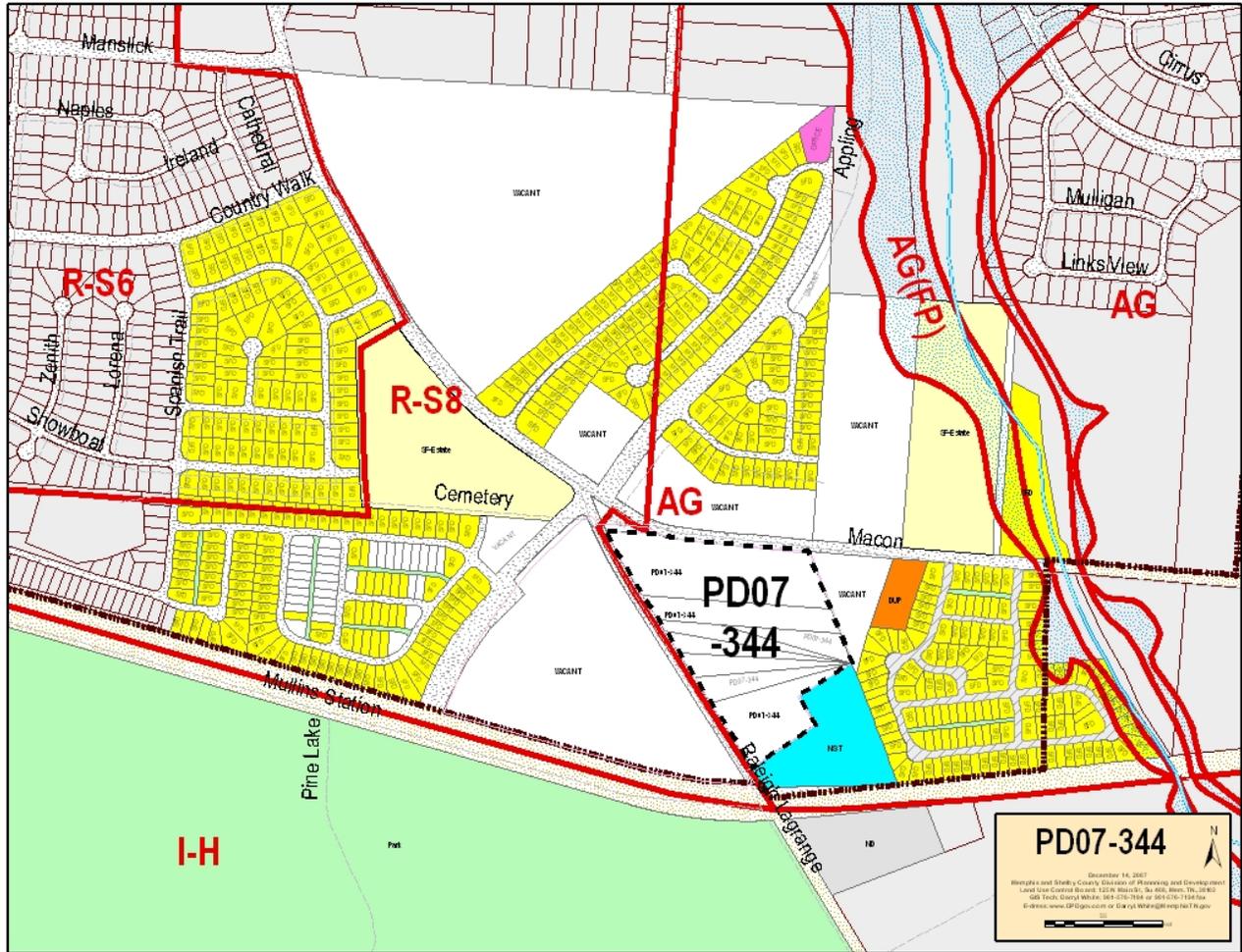
South: Neshoba Unitarian Universalist Church in the Agricultural (AG) District and across the Lenow Branch of the CSX Railroad, and Mullins Station Road, is Plough Park, which is part of the County-owned Shelby Farms complex.

West: New single family homes existing and under construction in accordance with the Shelby Place Planned Development, P.D. 01-311CC (Plat Book 202, Page 48) and Shelby Park Planned Development, P.D. 03-361 CC, (Plat Book 219, Page 35).

**OFFICE OF PLANNING AND DEVELOPMENT RECOMMENDATION
REJECTION**

CONCLUSIONS:

- 1. The request is for a mixed used planned development consisting of residential and commercial development with Area A including 48 single family residential lots (minimum lot size = \pm 3,500 sq.ft.) and two common open space lots while Area B includes various commercial uses regulated by the Planned Commercial (C-P) District.**
- 2. The Shelby Park East Planned Development is proposed as an extension of the existing and original Shelby Park Planned Development (P.D. 03-361 CC), a large multi-use planned development located at the southeastern and southwestern corners of Macon and Appling Roads.**
- 3. This is the third planned development proposal filed by the applicant on this site with the first two applications being proposed amendments to the previously approved Shelby Park Planned Development (P.D. 03-361 CC). Both previously proposed amendments in 2005 (P.D. 05-359 CC) and 2007 (P.D. 07-325 CC) were recommended for rejection by staff based on a number of site plan issues that were not resolved. Both cases were held and subsequently withdrawn by the applicant.**
- 4. This current case is filed not as an amendment to the original planned development but as an addition to that development with minor changes in the proposed site plan as follows: a slight reduction in the number of lots from a maximum of 52 to 50; an increase in the minimum lot size from 3,500 square feet to 4,400 square feet; and an increase in the minimum lot widths from 35 feet to 40.**
- 5. Even with the changes made to the newly proposed site plan there are still some items of concern pertaining to the use of private streets instead of public, lot widths, circulation and access, drainage detention and landscaping that have not been adequately addressed at this time.**
- 6. Given the number of problems that still remain with this newly submitted site plan, staff still can not recommend approval of the proposed development.**



SUBJECT SITE AT INTERSECTION OF MACON AND APPLING ROAD



SOUTHERN VIEW OF RALEIGH-LAGRANGE ROAD



NORTHERN VIEW OF RALEIGH-LAGRANGE ROAD



EXISTING SINGLE FAMILY HOME ON SOUTHERN PORTION OF SITE



**EXISTING DRIVEWAY ACCESS CURRENTLY SHARED WITH
ADJACENT CHURCH**



VIEW OF REAR OF SITE FROM ADJACENT CHURCH PARKING LOT



PROPOSED SITE PLAN



STAFF ANALYSIS:

Site Location and Description:

The subject property is within the Bridgewater community and immediately north of Plough Park in the Shelby Farms complex. The proposed 13.73 acre site is specifically located on the northeast side of Raleigh-Lagrange Road, between Macon Road and the CSX Railroad ROW. It is immediately adjacent to existing Shelby Park Planned Development, P.D. 03-361 CC (Plat Book 211, Page 2) located south of Macon Road, north of the CSX Railroad ROW. The site consist of mostly vacant land except for an existing single family home that is situated on approximately 2.8 acres of the total site. The entire area of the newly proposed site is located within the Agricultural (AG) District.

Applicants Request

The request is for a mixed used planned development consisting of residential and commercial development in two separate areas. Area A would include 48 single family residential lots (minimum lot size = \pm 3,500 sq.ft.) and two common open space lots while Area B would permit various commercial uses regulated by the Planned Commercial (C-P) District.

Germantown Parkway Area Study

This site is located within the Germantown Parkway Area Study, adopted in 1992, by both legislative bodies. The Study recommends that the land use for this site be high suburban which allows for all housing types at a density up to 15 dwelling units per acre. This area is currently under review for future changes or revisions to the Study.

Review of Request

The Shelby Park East Planned Development is proposed as an extension of the existing and original Shelby Park Planned Development (P.D. 03-361 CC), a large multi-use planned development located at the southeastern and southwestern corners of Macon and Appling Roads.

This is the third planned development proposal filed by the applicant on this site. The applicant filed twice to amend the previously approved Shelby Park Planned Development (P.D. 03-361 CC), in 2005 (P.D. 05-359 CC) and 2007 (P.D. 07-325 CC). This current case is filed not as an amendment to the original planned development but as a second addition to that development. The two proposed amendments that was filed in 2005 and 2006 were recommended for rejection by staff based on a number of factors. The 2005 case was rejected due to an unacceptable site plan which pertained to the location of the proposed multi-family development, the closure of Raleigh-LaGrange Road, the width of the private drives, and the front yard setback on the lots with rear service alleys. There was opposition at the Land Use Control on the proposed planned development amendment. The applicant at that time asked to hold the case and subsequently never went forward with the case. The applicant made some revisions to the previous request and refiled to amend the originally approved planned development in 2007 as a second attempt to amend P.D. 03-361 CC.

The 2007 site plan proposed to amend Parcel II of the existing P.D. and amend the boundaries of the designated areas to change the composition of the proposed permitted uses within each. The Parcel II, Area A was increased and the permitted uses changed from multi-family residential to single family residential. Parcel II, Area B was also increased slightly but the permitted commercial uses would remain the same. A new Parcel II, Area C was proposed for creation that would permit additional single family uses. The previously approved multi-family uses within this development would be dropped through this amendment. Staff recommended rejection of this proposed site plan because of closure of Raleigh-LaGrange Road was not complete and the reuse of the right-of-way unclear; the use of private drives and the lack of a consistent streetscape plan through out the development; front yard setbacks on private drives, especially for front facing garages and the lack of a concept or specific site plan for the development of the commercial portion of this planned development. Also, the proposed planned development amendment was not properly filed given that the owner/developer of the original Shelby Park Planned Development had already sold lots to other individuals. The Zoning Ordinance requires that any amendment to a planned development where lots have been sold require that each every property owner(s), new and old, must sign the application submitted for the property. The applicant chose to withdraw the application and refile the subject site as a separate development but as a continuation of the type of housing previously built in the original Shelby Park Planned Development.

The applicant has now filed this third attempt to develop the subject property as a continuation of the original planned development. There have been only minor changes in the proposed site plan. The changes are as follows: a slight reduction in the number of lots from a maximum of 52 to 50; an increase in the minimum lot size from 3,500 square feet to 4,400 square feet; and an increase in the minimum lot widths from 35 feet to 40. Even with the changes made to the newly proposed site plan there are still some items of concern that have not been adequately addressed at this time.

The first and most important issue of this development is that the site plan proposes the use of private drives (27 feet wide). The use of private drives within a small lot development is not desirable. Small lots on private drives will not have sidewalks for safe pedestrian access. Also, the site plan does not clearly show or label how the closure area of Raleigh-Lagrange Road will be incorporated within this development. Although the applicant has indicated that this area will become an alley, it is not clear if this alley will provide primary or secondary vehicle access for the adjacent lots or to the commercial development along Macon Road. It is recommended that a public road is needed to between the commercial portion of the development and the residential portion to aid in the safe and efficient circulation of traffic between these two uses. The private drives shown on the site plan are not acceptable to provide this function. The internal road system should be public and be redesigned to provide a consistent and pleasing streetscape screen along both sides to add to the appearance of this development.

The second item of concern is the proposed 20 foot front yard setback along the newly proposed private drives as shown on the site plan is not acceptable. A 27 foot front yard setback is standard requirement for lots that will have front facing garages to ensure adequate room is provided for the parking of cars in the driveways. Otherwise, lots with a 20 foot front yard setback should be wide enough to accommodate side load garages. Prior experience has shown that 40 foot wide lots cannot comply with this requirement.

Standard policy also requires that lots that are less than 50 feet in width be created with a rear service drive to provide driveway access to the lots. This design requirements leaves the front yard available to meet the requirements of the Tree Ordinance. A 40 foot wide lot as shown on the site plan cannot provide adequate accommodation for a driveway, garage or carport, and the installation of one Tree A in the front yard. Prior experience has shown that a 40 foot wide lot is not adequate to accommodate the sheer mass of the Tree "A" as it grows. A redesign to increase the lot widths of this development will provide the necessary additional space needed on each lot to comply with development requirements.

The next item of concern is the design and layout of the proposed 50 foot wide flag stem for the lot with the existing house, Lot 48, that would provide access to Macon Road for this lot. The applicant has indicated that the Church is planning to purchase proposed Lot 48 in order to obtain access and frontage to Macon Road for both the Church and the existing single family home. However, since the sale and consolidation of this lot with church lot may not happen for some time, the lot must be able to stand alone and meet all subdivision requirements. The configuration of this flag staff and the presence of a private drive over the first 190 feet of the area from Macon Road is problematic. As shown on the site plan, the frontage for proposed Lot 48 will be via a private dead-end road. The creation of lots at the end of road cannot be permitted for this lot as well as two additional lots proposed within the development, Lots 17 and 27. This area needs to be redesign to create a better means of providing both road frontage and access to this large lot.

A last item of concern pertains to the lack of a any proposed detention pond area in Area B separate from Area A and any proposed landscaping shown on the concept/site plan. Although details of proposed building placement and parking are shown on the concept/site plan, no information or details concerning proposed detention or landscaping is shown for consideration as part of this development. The County Engineering Office indicates that the placement of separate detention areas in both the residential and commercial portions of this development is very important and should be shown on the site plan. Also, the inclusion of landscaping on the site plan is not only important for aesthetic purposes but also to screen the newly proposed residential lots to the south. Especially, since the applicant is proposing to create a private drive to link the residential area to the commercial area, along its eastern boundary. Both staff and County Engineering agrees that additional information must be provided on this site plan concerning proposed drainage detention, landscaping, and circulation between this the commercial and residential areas should be provide with this proposed site plan.

Given the number of problems that still remain with this newly submitted site plan, staff still can not recommend approval of the proposed development. The proposed uses on this site are acceptable as requested by the applicant. However, the proposed site plan is not acceptable for this development.

RECOMMENDATION: REJECTION

OUTLINE PLAN CONDITIONS:

I. PERMITTED USES:

- A. Area A ---- Single-family residences, not to exceed 48 lots
- B. Area B --- Uses permitted by right or administrative plan review in the Planned Commercial (C-P) District

II. BULK REGULATIONS:

- A. Area A:
 - 1. Minimum lot size: 4,400 square feet
 - 2. Minimum lot widths: 41 feet
 - 3. Minimum front yard setbacks: 20 feet (27' for front facing garages)
 - 4. Minimum side yard setbacks: 3.5 feet
 - 5. Minimum rear yard setbacks: 15 feet
- B. Area B: As specified in Chart II for the C-P District

III. ACCESS AND CIRCULATION

- A. Dedicate 34 feet from centerline of Macon Road and improve in accordance with Subdivision Regulations.
- B. Street D shall intersect Macon Road at a ninety degree angle (approximately) rather than as shown on the proposed outline plan.
- C. There shall be a minimum of 250 feet of separation between Street D and the proposed curb opening to Macon Road from the commercial area.
- D. The City/County Engineer shall approve the design, number and location of curb cuts. Any existing nonconforming curb cuts shall be modified to meet current City/County Standards or closed with curb, gutter and sidewalk.
- E. Any curb cut along the Macon Road frontage beginning closer than 300 feet from the centerline of Appling Road will be limited to right in/right access only.

- F. A Common Open Space should be designated between Shelby Park PD, Phase 2 and the proposed Shelby Park East PD, along the existing Raleigh LaGrange Road closure and between lot 47 of Shelby Park PD, Phase 2 and lot 1 of the proposed residential. The intent of the Raleigh LaGrange Road closure is to provide a walking trail (COS) and not a driving lane connecting future commercial buildings with the proposed residential.
- G. Provide and show how the existing house (lot 48) will have access to a public street.
- H. Properly show the Raleigh LaGrange Road closure in front of the existing house, lot 27 and the beginning of public ROW and the existing hammerhead with existing turnaround easement.
- I. Lot 17 and 27 does not have adequate road frontage.
- J. All private drives are subject to review by County Engineer for compliance with Geometric Design Standards. All private drives shall be constructed to meet County standards and provide a minimum pavement width of 22 feet exclusive of curb and gutter.
- K. Pedestrian walkways to facilitate pedestrian access to Plough Park shall be shown on the site plan.
- L. Clear Sight Areas shall be provided on the final plat and engineering plans along the frontage of Lot 36 and COS B in accordance with the Subdivision Regulations. The required note regarding Clear Sight Areas shall be placed on the final plat.
- M. Provide internal circulation between adjacent phases, lots, and sections. Common ingress/egress easements shall be shown on the final plats.
- N. 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.
- O. 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 AND DESIGN

- A. The Outline Plan shall identify all trees 10 inches in breast-height diameter (DBH) or greater. The planned removal of any tree that is 10 inches DBH or greater shall require the filing of a Notice of Intent (NOI) subject to the review and approval of the Office of Planning and Development. In that event, the applicant shall file a recordable document to be recorded with the final plat that meets the requirements of the "Tree Ordinance". This document shall include a drawing indicating those trees to be saved and those to be removed. If the applicant can not meet the requirements of the Tree Ordinance Matrix, an equivalent alternative shall be presented to the Office of Planning and Development for review and approval.
- B. Landscaping needs to be shown between the future commercial buildings and the proposed residential.
- C. Required landscaping and screening shall be modified as necessary to avoid conflict with any easements, including overhead wires subject to the approval of the Office of Planning and Development.
- D. In addition to required landscape screens and streetscape treatments, a minimum five (5) percent landscaped area shall be provided within any and all commercial/retail parking lots.
- E. All single-family residences shall be composed of a minimum of 80 percent brick.
- F. Commercial and office buildings shall be constructed using consistent architectural styles and similar building materials.
- G. All heating and air conditioning equipment on commercial and office buildings, including any located on the roof, shall be enclosed and shielded from view by architectural elements that are integral to and consistent with the overall exterior design.
- H. All dumpsters and other outdoor solid waste containers shall be completely screened from view from all adjacent properties and all public roads.
- I. In areas designated for commercial, a detailed site plan, including lighting and landscaping shall be approved by the Office of Planning and Development prior to the issuance of any building permit. Further, no final use and occupancy permit shall be issued without the express written certification that proposed construction is in conformance with the approved landscaping and lighting plan.

V. SIGNS

- A. Area B: Signs shall be regulated by the C-P District requirements of the Zoning Ordinance including the following: The design and materials of signs shall be consistent with the proposed buildings subject to site plan review and approval.

VI. DRAINAGE:

- A. Provide stormwater detention for the proposed residential area in accordance with the Fletcher Creek Drainage Ordinance.
- B. A separate stormwater detention pond shall be provided for the future commercial area in accordance with the Fletcher Creek Drainage Ordinance.
- C. Drainage data shall be provided for assessment of on-site detention requirements by County Engineer's Office. All drainage plans shall be submitted for review by the offices of the Shelby County Engineer and the City of Memphis Engineer.
- D. Drainage improvements, including possible on-site detention, shall be provided under a Standard Subdivision contract in accordance with Subdivision and Zoning Regulations in effect when final plans are recorded and with the City of Memphis Drainage Design Manual.
- E. Detention facilities, if required, are to be fully operational immediately after the clearing of the vegetation. Silt and debris connected with early construction shall be removed periodically from the detention area and control structure in order to maintain maximum storage capacity.

VII. PARKING:

Off-street parking loading and queuing spaces shall be provided in accordance with Chapter 28 of the Zoning Ordinance- Regulations.

VIII. SITE PLAN REVIEW BY THE LAND USE CONTROL BOARD

- A. Prior to the approval of any final plan for Areas B, a site plan shall be submitted for the review, comment and recommendation of the of the Office of Planning and development (OPD) and appropriate City and County agencies and the approval of the Land Use Control Board.
- B. The site plan shall be submitted at least twenty (20) days prior to the Land Use Control Board in which it will be on the agenda. It shall include the following information:
 - 1. The location and dimensions, of all buildings or buildable areas, signs and parking areas. Building height shall be included for all buildings higher than 35 feet.

2. The layout of all public streets, private drives and the dimensions and area of any lots.
 3. Specific plans for internal and perimeter landscaping, screening and exterior lighting with identification of the plant species.
 4. Illustrations of the design and materials of proposed buildings and signs.
 5. The location of loading facilities and trash receptacles.
 6. The number location and dimensions of parking spaces.
 7. A survey of the trees to preserved and the trees to be removed, including groups of trees and individual trees at least 10 inches in diameter at breast height (DBH).
- C. The site plan shall be reviewed according to the following criteria.
1. Adequacy of needed public facilities and infrastructure and conformance to the Zoning and Subdivision Regulations and standards.
 2. Internal compatibility between uses and design features.
 3. Conformance with the outline plan conditions.
 4. Compatibility with adjacent properties as judged from the final elements of site development including landscaping, screening and architectural design.

IX. MODIFICATIONS TO PLAN

The Land Use Control Board may modify the bulk, access, landscaping, parking, loading, screening, signs, and other site design 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 (10) 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.

X. TIME LIMIT

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, subject to additional conditions and standards, if any. A request for a time extension shall be filed a minimum of 60 days prior to the expiration date.

XI. FINAL PLAN REQUIREMENTS - Any final plan shall include the following:

- A. The outline plan conditions.
- B. A standard subdivision contract as in accordance with the Subdivision Regulations and Shelby County Paving Policy for any needed public improvements.
- C. The exact location and dimensions including height, of all non-single family detached residential buildings, parking areas and number of parking spaces, drives, and required landscaping and screening.
- D. A rendering, including plan view and elevation, of any proposed development identification signs in Parcel II, Parcel II, and Parcel I, Area B showing the height, dimensions and design thereof.
- E. The location and ownership, whether public or private, of any easement.
- F. 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 operates 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.
- G. All common open areas, private streets, private sewers, and private drainage shall be owned and maintained by a property owners association. A statement to this effect shall appear on the final plat.
- H. The following note(s) shall be included on any final plat filed for this subdivision:
 - "This is a private development. The Homeowners' Association is solely responsible for all maintenance and repair of private facilities including streets, roads, sewers, and storm drains. There is not, nor ever will be, any County or City responsibility for these facilities."

GENERAL INFORMATION:

Street Frontage:	494.41 feet along Macon Road 1,270 feet along CSX Railroad ROW
Planning District:	Shelby Farms-Germantown
Census Tract:	211.23
Zoning Atlas Page:	Map 2050

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.
2. This site is located in the Memphis Reserve Area.

Sewers:

3. City sanitary sewers are available at developer's expense.
4. The developer shall extend sanitary sewers through the site to serve upstream properties.

Roads:

5. Dedicate 34 feet from centerline of Macon Road and improve in accordance with Subdivision Regulations.
6. Clear Sight Areas shall be provided on the final plat and engineering plans along the frontage of Lot 36 and COS B in accordance with the Subdivision Regulations. The required note regarding Clear Sight Areas shall be placed on the final plat.

Private Drives:

7. All private drives/rear service drives shall be constructed to meet pavement requirements of the Subdivision Regulations, applicable City Standards, and provide a minimum width of twenty-two feet (22').

Curb Cuts/Access:

8. Street D shall intersect Macon Road at a ninety degree angle (approximately) rather than as shown on the proposed outline plan.

9. There shall be a minimum of 250 feet of separation between Street D and the proposed curb opening to Macon Road from the commercial area.
10. The City/County Engineer shall approve the design, number and location of curb cuts.
11. Any existing nonconforming curb cuts shall be modified to meet current City/County Standards or closed with curb, gutter and sidewalk.
12. Any curb cut along the Macon Road frontage beginning closer than 300 feet from the centerline of Appling Road will be limited to right in/right access only.

Drainage:

13. 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.
14. Drainage data for assessment of on-site detention requirements shall be submitted to and approved by the City Engineer.
15. This site is located within the boundary of the Fletcher Creek Drainage Basin, and is required by ordinance to provide onsite detention of storm water runoff that considers both the 10 and 25 year, 24 hour storm. The applicant should be aware that the ordinance requires that development in this area provide no net loss of flood plain storage as shown on the 1982 FEMA Flood Hazard Boundary Maps.
16. 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:

17. Provide internal circulation between adjacent phases, lots, and sections. Common ingress/egress easements shall be shown on the final plats.
18. 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.
19. 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:

20. The width of all existing off-street sewer easements shall be widened to meet current city standards.
21. No other utilities or services may occupy sanitary sewer easements in private drives and yards except for crossings.

22. All connections to the sewer shall be at manholes only.
23. 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.
24. Required landscaping shall not be placed on sewer or drainage easements.

County Engineer:

1. Provide stormwater detention for the proposed residential area in accordance with the Fletcher Creek Drainage Ordinance.
2. A separate stormwater detention pond shall be provided for the future commercial area in accordance with the Fletcher Creek Drainage Ordinance.
3. A Common Open Space should be designated between Shelby Park PD, Phase 2 and the proposed Shelby Park East PD, along the existing Raleigh LaGrange Road closure and between lot 47 of Shelby Park PD, Phase 2 and lot 1 of the proposed residential. The intent of the Raleigh LaGrange Road closure is to provide a walking trail (COS) and **not** a driving lane connecting future commercial buildings with the proposed residential.
4. Provide and show how the existing house (lot 48) will have access to a public street.
5. Properly show the Raleigh LaGrange Road closure in front of the existing house, lot 27 and the beginning of public ROW and the existing hammerhead with existing turnaround easement.
6. Landscaping needs to be shown between the future commercial buildings and the proposed residential.
7. Lot 17 and 27 does not have adequate road frontage.
8. All common open areas, private streets, private sewers, and private drainage shall be owned and maintained by a property owners association. A statement to this effect shall appear on the final plat.
9. The following note(s) shall be included on any final plat filed for this subdivision:
"This is a private development. The Homeowners' Association is solely responsible for all maintenance and repair of private facilities including streets, roads, sewers, and storm drains. There is not, nor ever will be, any County or City responsibility for these facilities."

10. All private drives are subject to review by County Engineer for compliance with Geometric Design Standards. All private drives shall be constructed to meet County standards and provide a minimum pavement width of 22 feet exclusive of curb and gutter.
11. Provide drainage data for assessment of on-site detention requirements by County Engineer's Office. All drainage plans are to be submitted to County Engineer's Office for review. ***Detention ponds should be designed for multiple stage discharges and it is to be inspected by the design engineer when it is built to certify that it is working as designed. Detention pond should be built at the first phase when the land is cleared.*** Drainage improvements must be provided in accordance with the Subdivision Regulations and the City of Memphis Drainage Design Manual. Quantify and provide pre and post development stormwater discharge values. Provide an assessment of any downstream structures impacted by increased runoff.
12. The developer is responsible for notifying adjacent property owners regarding concentration of stormwater discharges and any off-site improvements. Submittal of construction plans will constitute certification from the developer that adjacent property owners have been notified. Off-site drainage improvements may be required to ensure no adverse effect on downstream properties. All improvements to eliminate such effects are the responsibility of the Developer. The 100-year check required by the City of Memphis Drainage Manual will be strictly enforced during the engineering review process.
13. A Notice of Intent must be submitted to and be approved by the Tennessee Department of Environment and Conservation (TDEC) before any earthwork is started in accordance with Shelby County Stormwater Ordinance. A copy of the TDEC's coverage letter and Storm Water Pollution Prevention Plan (SWPPP) is to be provided to Shelby County Engineering Office before any ground is disturbed.
14. Detention facilities, if required, are to be fully operational immediately after the clearing of the vegetation. Silt and debris connected with early construction shall be removed periodically from the detention area and control structure in order to maintain maximum storage capacity.
15. The areas denoted by "Reserved for Stormwater 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 stormwater 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 owner's association. Such maintenance shall be performed so to ensure that the system operates in accordance with the approved plan located 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.

16. All grading and drainage plans shall show a minimum of 100 feet of offsite topography on all sides in order to determine the effect of offsite features on the subdivision under review or its effect on adjacent properties.

17. Sanitary Sewer is to be approved by the City of Memphis.

City Fire Division: No comments received.

County Fire Department: No comments received.

City Real Estate: None.

County Real Estate: No comments received.

City/County Health Department- No objections.

City Board of Education: No comments received.

County 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 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.
- **Street Names:** MLGW–Address Assignment must review and approve all proposed street names. Please contact MLGW @ 528-4628.
- **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 Telephone:

AT&T request a five foot wide utility easement along all lot lines and along the private drive (Street B)

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

OPD-Regional Services: No comments received.

OPD-Plans Development: No comments.

Division of Park Services: No comments received.

County Conservation Board: No comments received.

County Sheriff: No comments received.

Neighborhood Associations:

Cordova Leadership Council: No comments received.
Cordova Community Watch, Inc.: No comments received.
Cordova Club Homeowners: No comments received.