

STAFF REPORT

16

CASE NUMBER: P.D. 08-317 **L.U.C.B. MEETING:** July 10, 2008

DEVELOPMENT NAME: CRUMPLER PARK PLANNED DEVELOPMENT, Amended

LOCATION: East side of Crumpler Road; ±220 feet north of Pine Meadow Lane

OWNERS/APPLICANTS: Community Bank, N.A.

REPRESENTATIVE: Kevin Hyneman Companies, Inc.

REQUEST: Planned development to allow General Office(O-G), Planned Commercial(C-P) and limited Light Industrial(I-L) District land uses within the Outline Plan.

AREA: 11.53 Acres

EXISTING LAND USE & ZONING: Vacant, wooded land currently governed by Crumpler Park Planned Development(P.D. 98-370).

SURROUNDING LAND USES AND ZONING:

North: Vacant land with mature trees approved for Planned Commercial(C-P) District land uses and zoning for Crumpler Road Shopping Center General Plan(Z-2709), including gasoline sales.

East: Single family homes in Mallard Ridge Subdivision and Mallard Ridg-2nd Addition in Townhouse Residential(R-TH) District zoning.

South: Single family homes in Whispering Meadows Subdivision in Single Family Residential (R-S6) District zoning.

West: Warehouses and distribution facilities in Southridge Corporate and Industrial Center in Light Industrial(I-L) District zoning.

OFFICE OF PLANNING AND DEVELOPMENT RECOMMENDATION:

Rejection

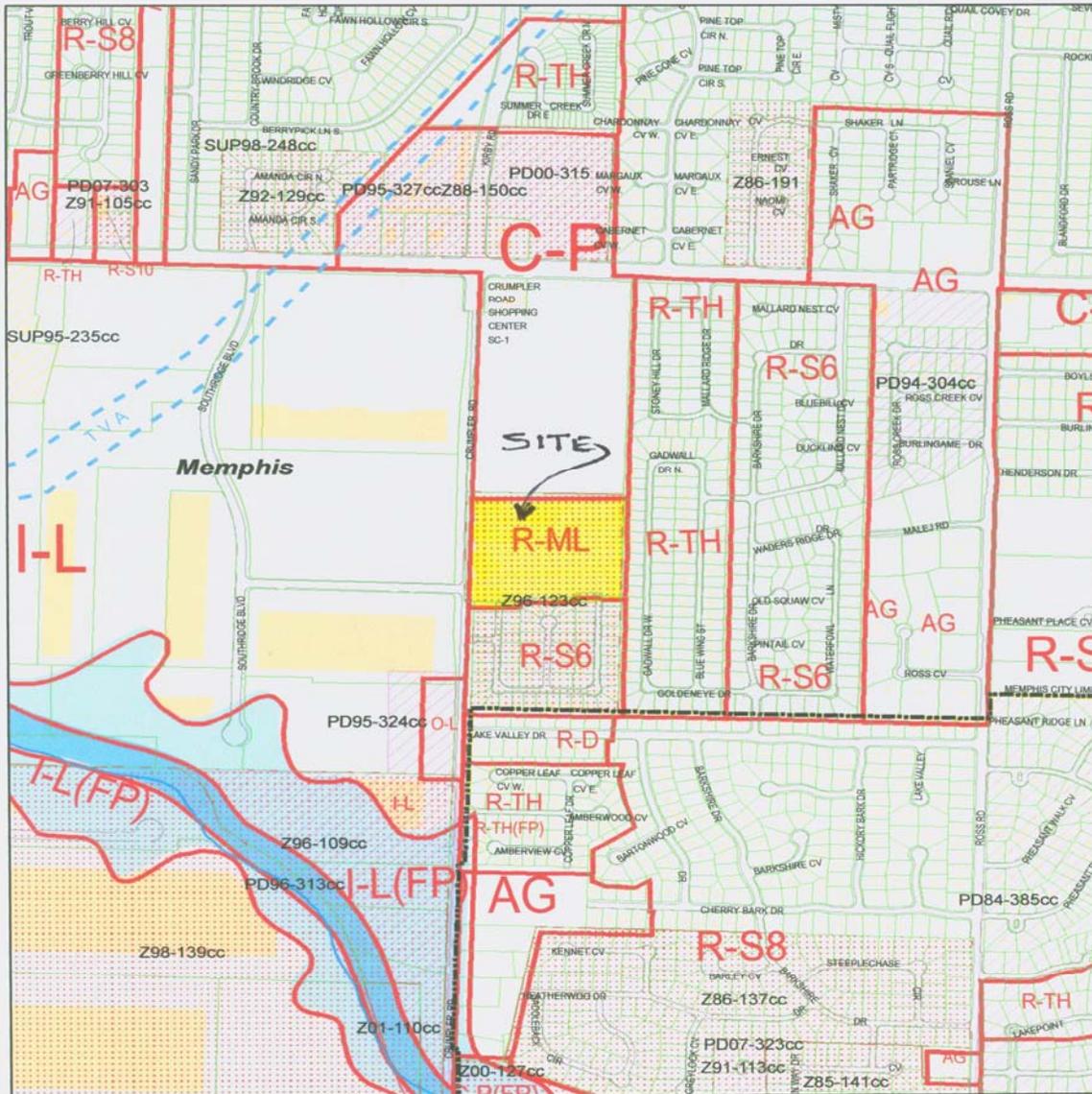
Staff: *Brian Bacchus*

E-mail: brian.bacchus@memphistn.gov

CONCLUSIONS:

- 1. The subject property is located in Oakhaven/Parkway-Village Planning District in southeast portion of Shelby County within the City of Memphis. This parcel is a portion of sixteen(16) square miles annexed December 31, 1998 and remained in Multiple Dwelling Residential(R-ML) District zoning.**
- 2. In March, 1999 an Outline Plan was approved for Crumpler Park Planned Development to allow limited General Office(O-G) and Planned Commercial(C-P) District land uses, including office/showroom and/or small office/warehouse development.**
- 3. The original and approved Outline Plan did not adequately address this design criteria and with this proposal an opportunity presents itself to clearly define building envelopes, streets and site design, including the maintenance of mature trees.**
- 4. The application is a request to amend the Outline Plan to allow General Office(O-G), Planned Commercial(C-P) and limited Light Industrial(I-L) District land uses. The Concept Plan illustrates a total building area of 92,000 square feet(0.18 F.A.R.) with a maximum building height of forty-five(45) feet.**
- 5. The improvements, treatment and features provided in this plan benefits the adjacent single family neighborhood, but recommending additional light industrial land use, including tractor trucks and trailers cannot be supported. The land use approved in the original Outline Plan to include this Concept Plan is more acceptable.**

ZONING HISTORY:



Prepared By:
Memphis & Shelby County Division Of Planning & Development

1,100

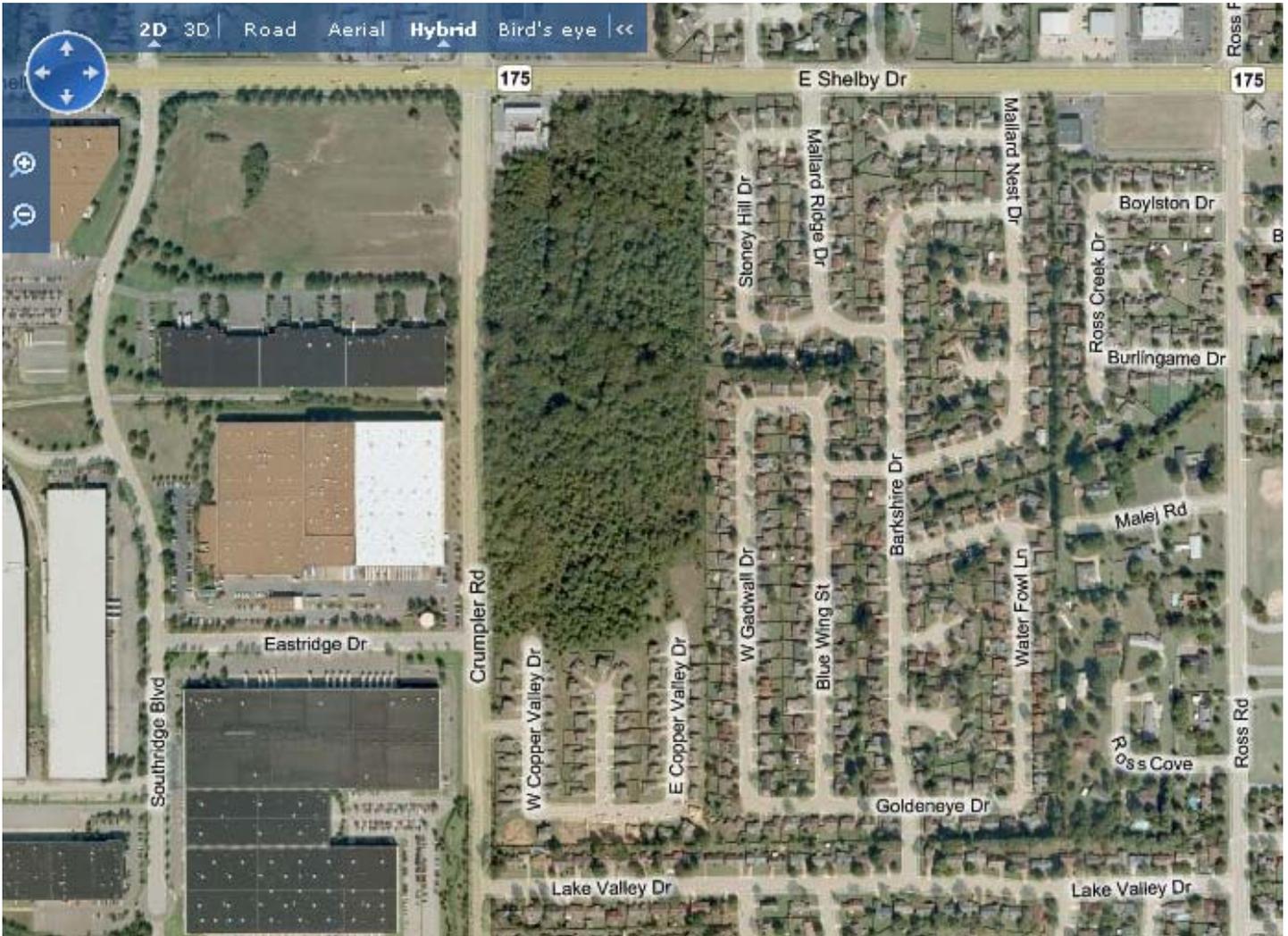


Feet

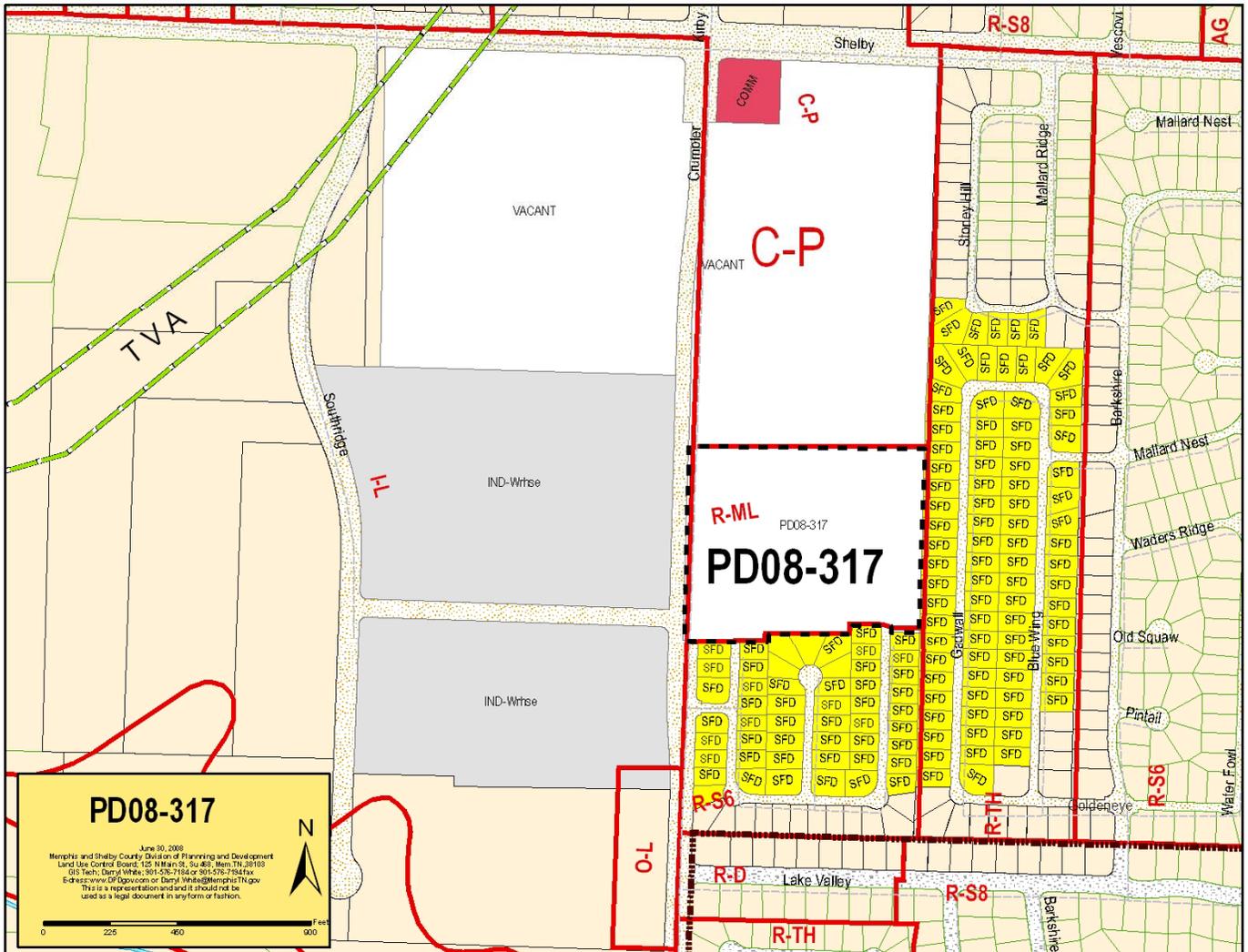


This map is not a legal survey nor is it warranted as to its completeness or accuracy. The data contained herein is from a variety of digital sources which do not necessarily align as they should. The user is cautioned to check with Planning & Development before making any decision based on its content.

AREA HYBRID VIEW:



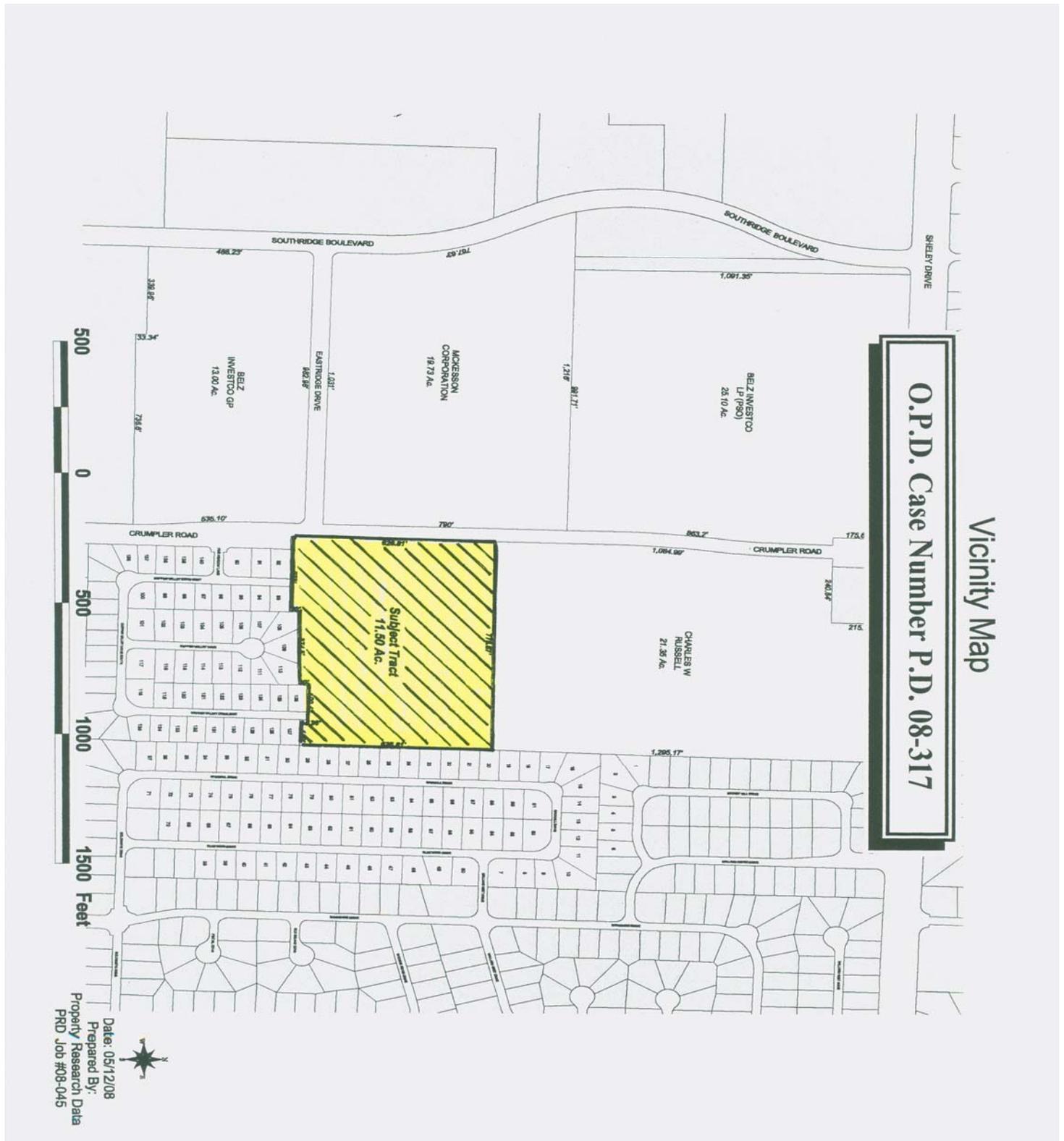
ZONING & LAND USE MAP:



OUTLINE CONCEPT PLAN:



VICINITY & OWNERSHIP MAP:



STAFF ANALYSIS:

Site Description

The subject property is an eleven(11) acre parcel of land located on the east side of a major road; Crumpler Road, south of East Shelby Drive. Crumpler Road is not improved along the front of the property which has existing mature trees and a drainage easement along the east property line. The subject property is located in Oakhaven/Parkway-Village Planning District in southeast portion of Shelby County within the City of Memphis. This parcel is a portion of sixteen(16) square miles annexed December 31, 1998 formerly in Multiple Dwelling Residential(R-ML) District zoning.

Zoning History

In August, 1996 this parcel and the adjoining Whispering Meadows Subdivision south was all one parcel totaling 24.72 acres of land. On this date, approximately one-half of this parcel was down zoned from R-ML to R-S6 District zoning to allow the subdivision of sixty-three(63) lots. The balance of the property, 11.53 acres remained in R-ML District zoning and transitioned north to Planned Commercial(C-P) District zoning to the major road intersections of Kirby Parkway and Shelby Drive. In March, 1999 an Outline Plan was approved for Crumpler Park Planned Development to allow limited General Office(O-G) and Planned Commercial(C-P) District land uses, including office/showroom and/or small office/warehouse development.

Area Overview

The proposed development is located in Southeast Memphis Annexation Area annexed by the City of Memphis in December, 1998 immediately adjacent to and east of Southridge Corporate and Industrial Center. The land use and zoning surrounding the subject property is predominantly single family homes in Whispering Meadows Subdivision developed in 1997 and Mallard Ridge Subdivision in R-S6 District zoning to the east in Townhouse Residential(R-TH) District zoning.

The land use north is vacant land approved for Crumpler Road Shopping Center General Plan approved in September, 1974 for Planned Commercial(C-P) District land uses with gasoline sales at the immediate corner of E. Shelby Drive and Crumpler Road. The west side of Crumpler Road is developed or approved primarily for office/warehouse and distribution facilities within Southridge Corporate and Industrial Center and Tuggle Planned Development that extends north to E. Shelby Drive and south to Holmes Road.

The subject property was formerly in Multiple Dwelling Residential(R-ML) District zoning that permits multi-family units such as town homes, apartments and condominium development which currently provides a buffer zone for adjacent single family homes from commercial C-P District zoning to the north. However, the industrial development that occurred on the west side of Crumpler Road made it difficult for this parcel to develop as residential.

This parcel could develop as approved in March, 1999 for an office/showroom complex with some retail to support office uses with careful consideration given to site design, including building placement, orientation and maximum square feet and more importantly maintaining mature buffers of trees, adequate access and circulation. The original and approved Outline Plan did not adequately address this design criteria and with this proposal an opportunity presents itself to clearly define building envelopes, streets and site design, including the maintenance of mature trees.

Amendment vs. Approved Land Use

The application is a request to amend the Outline Plan to allow General Office(O-G), Planned Commercial(C-P) and limited Light Industrial(I-L) District land uses within the Outline Plan. As stated above the original plan allowed limited General Office(O-G) and Planned Commercial(C-P) District land uses, including office/showroom and/or small office/warehouse development. The Concept Plan illustrates two(2) buildings oriented north and south with one(1) building setback from Crumpler Road a distance of approximately fifty(50') feet from the right-of-way line. There will be infrastructure improvements to Crumpler Road for dedication and improvement with a landscape treatment fifteen(15') in width to include street trees, curb , gutter and sidewalk.

The parcel has significant mature trees concentrated at the center, but cannot be saved because of building pad location. The site plan illustrates a landscape buffer 100 feet in width to be maintained along the east property line to include mature trees, three(3) rows of evergreen trees and two(2) to three(3) foot high berms where practical. The landscape buffer along the south line has been expanded to 100 feet in width and narrows to fifty(50) feet at the new entrance feature and at the expanded cul-de-sac. The new entrance feature for the single family neighborhood to the south and the expanded radius to Copper Valley Drive will be improvements for the neighborhood as part of this Outline Plan.

The applicant has indicated by letter that based on existing topography the clearing, grading and padding the developable envelope for this site will allow the preservation of most of the existing mature trees located within the designated perimeter landscape buffers. The Concept Plan illustrates a total building area of 92,000 square feet of floor space or .18 F.A.R. with associated parking, access and circulation, including a shared curb-cut at the north property line. The maximum height of buildings will be forty-five(45) feet with buildings setback a minimum of 170 feet from the east property line and minimum setback along the south property line 218 feet for the largest building.

The parcel should develop as an attractive office/showroom complex with some supportive retail and office uses if careful consideration is given to the residential subdivisions to the south and east. The mature landscape buffers adjacent to single family homes is a significant feature of the plan to allow a different land use. The improvements, treatment and features provided in this plan benefits the adjacent single family neighborhood and the activity associated with this plan would not interfere with residential land uses. However, recommending additional light industrial land use, including tractor trucks and trailers cannot be supported. The land use approved in the original Outline Plan to include this Concept Plan is more acceptable.

RECOMMENDATION: Rejection

OUTLINE PLAN CONDITIONS:

I. USES PERMITTED:

A. Any use permitted in the General Office(O-G) District and the Planned Commercial District(C-P) by right or administrative site plan approval and the following additional uses:

1. Grain, fruit, field crop and vegetable cultivation, sales, storage and distribution
2. Automobile parking lot
3. Boat storage, rental or repair
4. Department or discount store
5. Laboratories
6. Photo finishing
7. Plumbing shop
8. Processing and manufacturing incidental to retail establishment
9. Drive in restaurant
10. Tractor trailer sales, fueling and service and storage
11. Undertaking funeral establishment
12. Warehouse
13. Wholesale display
14. Sales, storage and distribution of chemicals, cosmetics, drugs, soaps, paints, fertilizer and abrasive products
15. Contractor's storage indoor or outdoor
16. Manufacture, sales, storage, and distribution of electrical or electronic equipment, appliances, and instruments
17. Sales, storage and distribution of fabricated metal products and machinery
18. Manufacture, sales, storage and distribution of food and beverage products (except animal slaughter, stockyards, rendering and brewery)
19. Manufacture, sales, storage and distribution of furniture and fixtures
20. Manufacture, sales, storage and distribution of jewelry, silverware, plated ware, musical instruments, toys, sporting goods, office and art supplies
21. Manufacture, sales, storage and distribution of leather and leather products (except tanning and finishing)
22. Sales, storage and distribution of lumber and wood products
23. Manufacture, sales, storage and distribution of paper products (except pulp mills and recycling centers)
24. Sales, storage and distribution of primary metal distribution and storage
25. Printing and publishing

26. Sales, storage and distribution of rubber and plastic products
27. Manufacture, sales, storage and distribution of stone, clay and concrete products (except no ready mix concrete plants)
28. Manufacture, sales, storage and distribution of textile apparel products, cotton factoring and grading
29. Manufacture, sales, storage and distribution of textile apparel products, cotton gin
30. Sales, storage and distribution of transportation equipment
31. Post office facility
32. Telephone service center
33. Warehouse, self service mini-storage
34. Wholesale establishment

B. The following uses are specifically excluded:

1. Motel
2. Pawn Shop
3. Adult entertainment
4. Telephone switching center
5. Electric transmission station
6. Gas piping station
7. Water pumping station

II. BULK REGULATIONS:

The bulk regulations for the planned development shall be generally in conformance with the Planned Commercial (C-P) District except a maximum building height of 45' shall be permitted.

III. ACCESS, PARKING AND CIRCULATION:

- A. Extend Copper Valley Drive West to intersect with Crumpler Road and align with East Ridge Drive.
- B. Replace temporary turn-around at the north terminus of Copper Valley Drive East with a permanent paved cove with curb and gutter.
- C. Dedicate Crumpler Road fifty-seven(57') feet from the centerline and improve in accordance with the Subdivision Regulations.
- D. A maximum of one(1) curb cut shall be permitted on Crumpler Road for truck traffic on the north property line.
- E. The design, number, and location of curb cuts shall be approved by the City Engineer.

- F. Provide internal circulation between adjacent phases, lots and sections. Common ingress/egress easements shall be shown on the final plans.
- G. Parking shall be provided in accordance with the Zoning Ordinance.

IV. LANDSCAPING AND SCREENING:

- A. The entrance to Whispering Meadows Subdivision at Copper Valley Drive West shall be identified as such and landscaped subject to the approval of OPD.
 - B. A Landscape Plate Modified A-2, fifteen feet in width shall be provided along Crumpler Road.
 - C. A Landscape Plate Modified N-1, one hundred feet in width shall be provided along the eastern property line. Fencing shall be supplemented where it does not currently exist.
 - D. A Landscape Plate Modified N-1, 100 feet in width shall be provided along the southern property line. Fencing shall be supplemented where it does not currently exist.
 - E. Required landscaping shall not be placed on sewer or drainage easements.
 - F. All required landscaping and screening shall not conflict with any easement including overhead wires.
 - G. Existing trees shall be preserved where feasible.
 - H. Any exterior light standards shall not exceed 25' in height.
 - I. All other lighting shall be directed as to not glare onto residential property
 - J. Internal landscaping shall be provided at a ratio of 300 square feet of landscaped area and one shade tree per every twenty parking spaces.
- V. SIGNS:** Attached and detached signs shall be in accordance with the Planned Commercial(C-P) regulations.

VI. DRAINAGE:

- A. Drainage improvements, including possible 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 the City Engineer.
- C. All drainage emanating on-site shall be private in nature and no public easements will be accepted.
- D. 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.

VII. The Land Use Control Board may modify the bulk, access, parking, landscaping, loading, screening, signage, and other site 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.

VIII. A final plan shall be filed within five(5) years of the 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. The location and dimensions including height of all buildings or buildable areas, pedestrian and utility easements, service drives, parking areas, trash receptacles, loading facilities, and required landscaping and screening areas.
- C. The location and ownership, whether public or private, of any easements.
- D. A statement conveying all common facilities and areas to a property owner's association or other entity for ownership and maintenance purposes.

- E. 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 and/or County Engineer. 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 and/or 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.

***P.D. 08-317(Formerly P.D. 98-370)
Crumpler Park Planned Development, Amended***

GENERAL INFORMATION:

Street Frontage: Crumpler Road-----+/-685.89 feet.

Planning District: Oakhaven/Parkway-Village

Census Tract: 217.54

Zoning Atlas Page: 2545

Zoning History: In March, 1999 the Crumpler Park Planned Development(P.D. 98-370) was approved for limited General Office(O-G), Planned Commercial(C-P) District land uses, including office/showroom and small office/warehouse development. Prior to this date, the Multiple Dwelling Residential (R-ML) District on the site dates 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:

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. Crumpler Road is designated as a Priority 1 on the MPO Major Road Plan. Dedicate 57 feet from centerline and improve in accordance with Subdivision Regulations.

5. The proposed extension of Copper Valley Drive W and the cul-de-sac on Copper Valley Drive E shall be improved to urban standard cross sections in accordance with the Subdivision Regulations. The standard cul-de-sac radius is 40.5 feet, and the centerline radius on the extension shall be a minimum of 75 feet.

6. Dedicate full corner radii at the intersection of alternative design streets with standard design streets.

7. The final plat shall reflect the appropriate width pedestrian/sidewalk/utility easement along both sides of all alternative design street dedications in accordance with Subdivision Regulations.

Curb Cuts/Access:

8. The City Engineer shall approve the design, number and location of curb cuts.
9. Any existing nonconforming curb cuts shall be modified to meet current City Standards or closed with curb, gutter and sidewalk.
10. One(1) curb cut along the Crumpler Road frontage will be permitted, and shall be shared with the property to the north, as shown on the concept plan.

Drainage:

11. 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.
12. Drainage data for assessment of on-site detention requirements shall be submitted to and approved by the City Engineer.
13. 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.

General Notes:

14. The width of all existing off-street sewer easements shall be widened to meet current city standards.
15. All connections to the sewer shall be at manholes only.
16. 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.
17. Required landscaping shall not be placed on sewer or drainage easements.

City Fire Services:

No comments.

Memphis & Shelby County Health Department:

1. If any monitoring wells were installed as part of an environmental site assessment they must be filled as outlined in Section 6 of the Shelby County Well Construction Code.
2. If any abandoned water wells are present on this site they must be properly filled and abandoned as outlined in Section 9 of the Shelby County Well Construction Code.
3. Since this is a Planned Development that could require the demolition of a structure or structures at this site before any demolition the developer will need to fill out the attached questionnaire.

4. If a Demolition Permit will be required after filling out the questionnaire then the owner, developer, or contractor must contact the Asbestos Branch in the Air Pollution Control Section at (901) 544-7349 in order to secure the appropriate permit.

Memphis Board of Education:

The Capital Planning staff of Memphis City Schools believes that PD 08-317 Crumpler Park, Amend will not have an impact on the Memphis City School district. However, MCS students in this area would be zoned to attend the following schools:

Elementary: Ross Road - 117% capacity
Middle: Kirby - 78.9% capacity
High: Kirby - 115.8% capacity

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:

- **It is the responsibility of the owner/applicant** to pay the cost of any work performed by MLGW to install, remove or relocate any facilities to accommodate the proposed development.
- **It is the responsibility of the owner/applicant** to identify any utility easements, whether dedicated or prescriptive (electric, gas, water, CATV, telephone, sewer, drainage, etc.), which may encumber the subject property, including underground and overhead facilities. No permanent structures will be allowed within any utility easements.
- **It is the responsibility of the owner/applicant** to comply with the **National Electric Safety Code (NESC)** and maintain minimum horizontal/vertical clearances between existing overhead electric facilities and any proposed structures.
- **Landscaping is prohibited** within any MLGW utility easement. 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).
- **It is the responsibility of the owner/applicant** to contact the appropriate MLGW engineering area to determine if system improvements may be required and any related cost:
 - MLGW Engineering - **Residential Development:** 528-4858
 - MLGW Engineering - **Commercial Development:** 367-3343
- **It is the responsibility of the owner/applicant** to pay the cost of any utility system improvements necessary to serve the proposed development with electric, gas or water utilities.

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 June 24, 2008. The MPO staff has determined that Crumpler Road is a Priority One facility on the 2026 Long Range Transportation Plan and recommends dedication and improvement as deemed necessary.

OPD-Plans Development: No comments.

Landmarks Commission: No comments received.

Neighborhood Associations/Organizations:

Villages of Bennington: No comments received as of 7/03/08.
Whispering Meadows Ngh'd Assoc: “ “ .