MEMPHIS AND SHELBY COUNTY OFFICE OF PLANNING AND DEVELOPMENT

STAFF REPORT
(ADDENDUM)

CASE NUMBER: **P.D. 08-324 CC** **L.U.C.B. MEETING:** **December 11, 2008**
Held from November 13, 2008

DEVELOPMENT: **WOODLAND HILLS II PLANNED DEVELOPMENT, AMENDED**

LOCATION: **North side of Walnut Grove Road; ±2,540 feet west of Houston Levee Road**

COUNCIL DISTRICT(S): **Unincorporated Shelby County**

OWNER / APPLICANT: **Coastal Fuels, Inc.**

REPRESENTATIVES: **Harkavy, Shainberg, Kaplan & Dunstan, PLLC(Ron Harkavy)**
Dalhoff-Thomas-Daws(Bob Dalhoff)

REQUEST: **Planned development amendment to allow single family homes with minimum lot sizes of 6,000 sq. ft., including independent and assisted living for seniors, licensed health care, nursing home and associated medical facilities.**

AREA: **196.89 Acres**

On November 13, 2008, the applicant requested and the Land Use Control Board granted a hold of this application for thirty(30) days in order for the applicant to consult with staff regarding a public road connection from Trinity Road to Walnut Grove Road at the south end of the subject property. The project was also held to allow further clarification of alternative land uses in Areas 6A-Alt, 7, 8-Alt and 9-Alt and the inter-connectivity as each phase develops. The development of 6,000 square foot lots proposed in these Areas of the Outline Plan will only develop as private gated senior living single family homes. Otherwise, the development will remain as it was originally approved, but with the following public road connection.

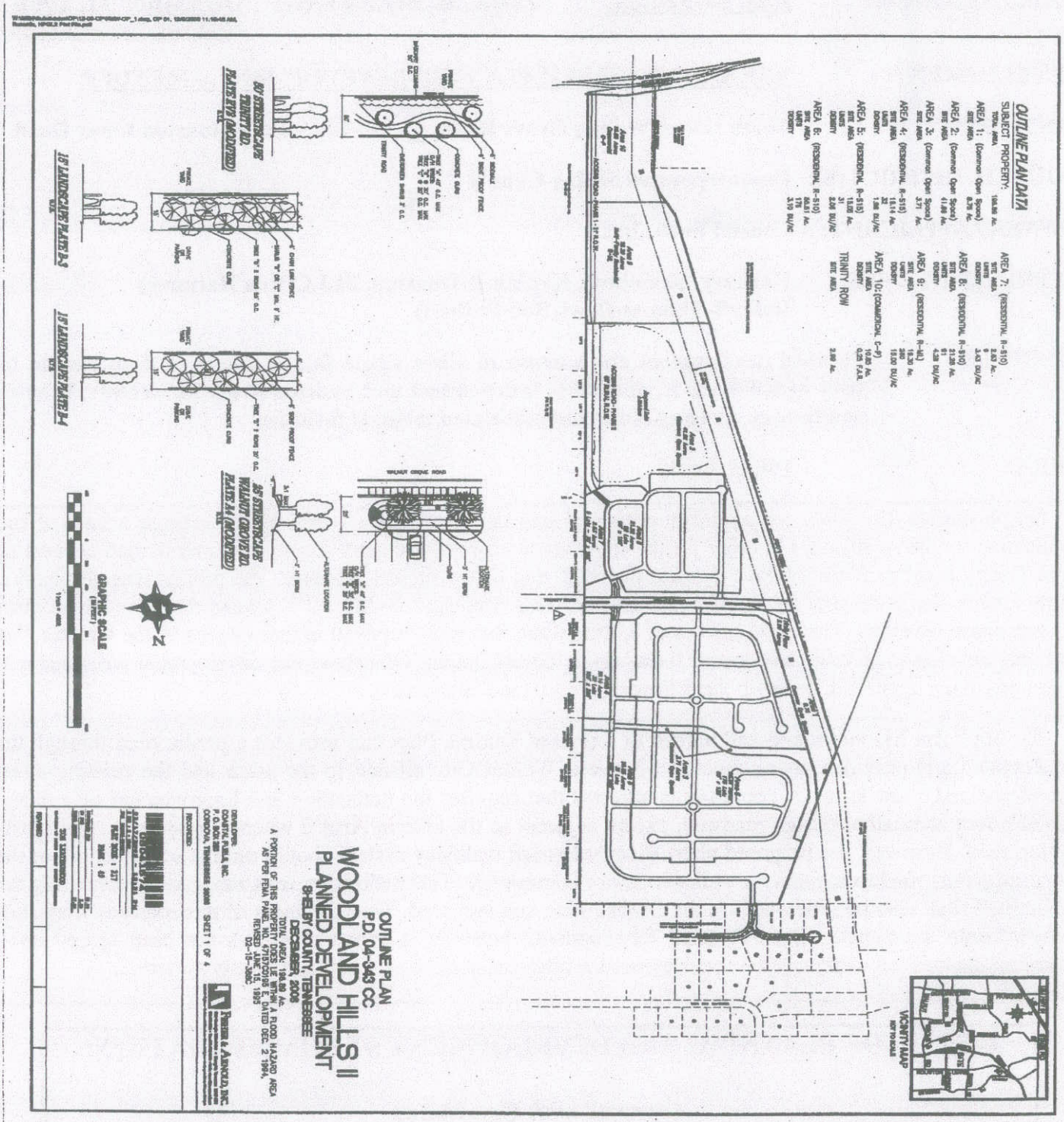
The applicant has submitted and agreed to a revised Outline Plan that provides a public road through the development and provides inter-connection between Walnut Grove Road to the south and the existing street stub Woodland View Lane. A condition is attached that requires the dedication and improvement of a thirty-one(31') foot alternative design roadway, except adjacent to the lake in Area 2 where it may be a rural cross-section road. However, the proposed alternative pedestrian walkway system should run the entire length of the proposed public road to maintain a walkable senior community. This pedestrian walkway system, including the public road shall also be illustrated on the Outline Plan and recorded. The alignment of this roadway may shift eastward onto the Canale Grove Planned Development; however, a compromise has not been agreed upon regarding the location of this public roadway nor the inter-connection of a public roadway system.

OFFICE OF PLANNING AND DEVELOPMENT RECOMMENDATION:

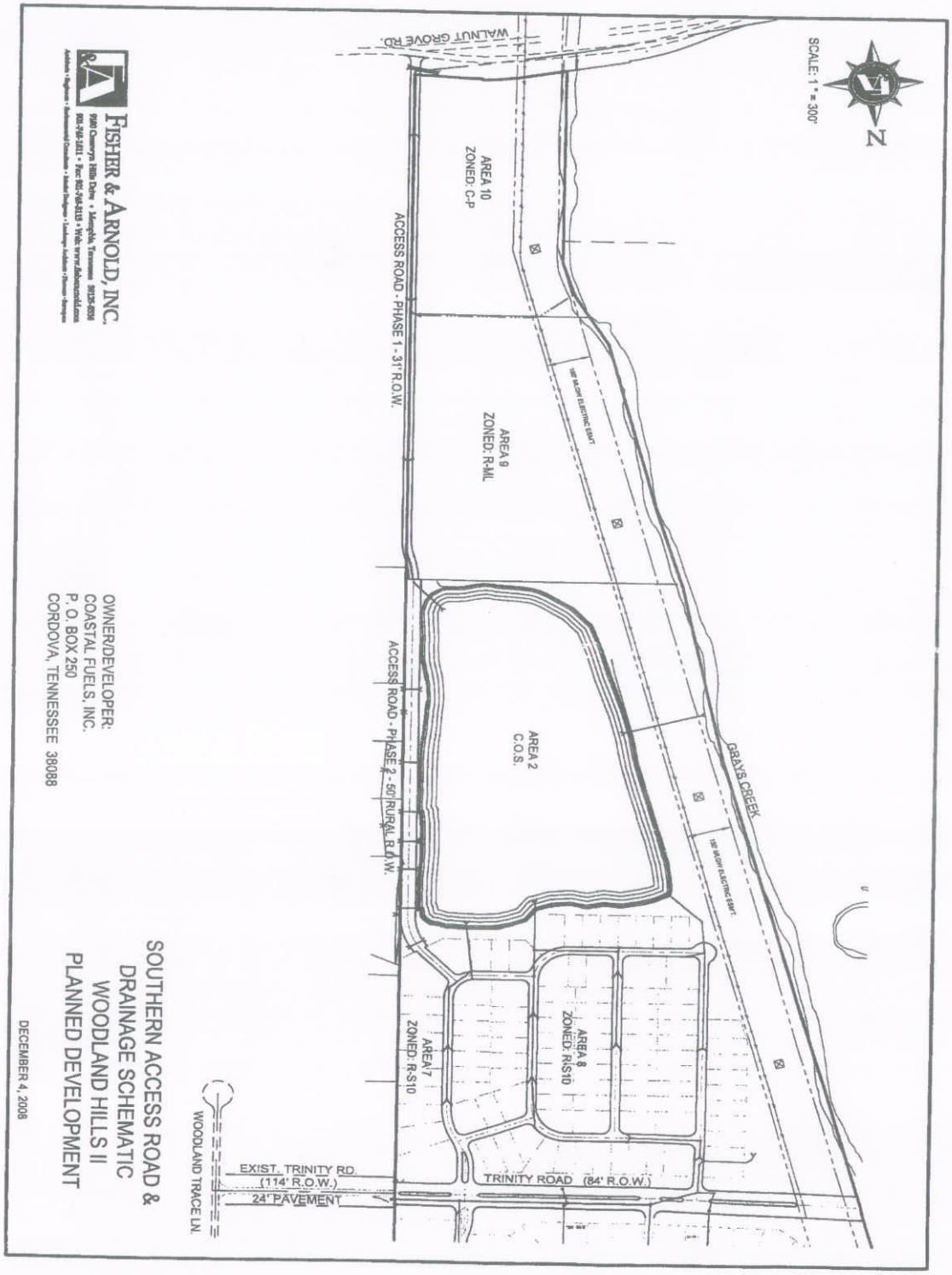
Approval with Conditions

Staff: ***Brian Bacchus*** **E-mail:** ***brian.bacchus@memphistn.gov***

OUTLINE PLAN-REVISED



SOUTHERN ACCESS ROAD-PHASING PLAN:



December 5, 2008
WOODLAND HILLS II PLANNED DEVELOPMENT, Amended
P.D. 08-324 CC*(Formerly P.D. 04-343 CC)*
OUTLINE PLAN CONDITIONS-AMENDED

I. USES PERMITTED:

A. Areas 1, 1A, 2, & 3 - Common Open Space, detention and passive recreational use.

B. Areas 4 & 5 - Single Family Detached Residential Units and accessory structures and uses in accordance with the R-S15 District regulations except as modified herein.

C. Areas 6 & 7 - Single Family Detached Residential Units and accessory structures and uses in accordance with the R-S10 District regulations except as modified herein.

Areas 6A & 7 Alternative Use – Single Family Detached Residential improved as a private gated neighborhood that is directed towards Retirement Community living.

D. Area 8 - Single Family Detached Residential Units and accessory structures and uses in accordance with the R-S6 District regulations except as modified herein.

Area 8 Alternative Use – Single Family Attached or Detached improved as a private gated neighborhood that is directed towards Retirement Community living.

E. Area 9 - Multi-Dwelling Residential Units and accessory structures and uses in accordance with the R-ML Multiple Dwelling District regulations except as modified herein.

Area 9 Alternative Use – Residential Attached and Detached Retirement Homes, Assisted Living Facility, Licensed Health Care Facility, Nursing Home, and Associated Medical Buildings.

F. Area 10 - Any use permitted by right or administrative site plan review in the Planned Commercial (CP) District.

II. BULK REGULATIONS:

A. Maximum Building Setbacks and Lot Sizes

1. Area 4
   a. Minimum lot area 20,000 square feet
   b. Minimum front yard setback - 30 feet
   c. Minimum side yard setback - 5 feet
   d. Minimum rear yard setback - 25 feet

2. Area 5
   a. Minimum lot area - 15,000 square feet
   b. Minimum front yard setback - 30 feet

c. Minimum side yard setback - 5 feet
d. Minimum rear yard setback - 25 feet

3. Area 6
   a. Minimum lot area - 10,000 square feet
   b. Minimum front yard setback - 30 feet
   c. Minimum side yard setback - 5 feet
   d. Minimum rear yard setback - 25 feet

   Area 6A – Alternative Use (Retirement Community Only)
   a. Minimum lot area - 6,000 square feet
   b. Minimum front yard setback - 25 feet
   c. Minimum side yard setback - 5 feet/3.5 feet with service drive
   d. Minimum rear yard setback - 25 feet/*18 feet with service drive
      * - Right in garages may be allowed 5 feet from service drive

4. Area 7
   a. Minimum lot areas - 10,500 square feet
   b. Minimum front yard setback - 30 feet
   c. Minimum side yard setback - 5 feet
   d. Minimum rear yard setback - 20 feet

5. Area 8
   a. Minimum lot area - 7,500 square feet
   b. Minimum front yard setback - 30 feet
   c. Minimum side yard setback - 5 feet
   d. Minimum rear yard setback - 25 feet

   Area 8 – Alternative Use (Retirement Community Only)
   a. Minimum lot area - 6,000 square feet
   b. Minimum front yard setback - 25 feet
   c. Minimum side yard setback - 5 feet/*3.5 feet with service drive
   d. Minimum rear yard setback - 25 feet/18 feet with service drive
      * - Side yards not required for attached homes but a minimum 20-foot separation between buildings is required.

6. Area 9 - Multiple Family
   a. Maximum density - 15 units per acre
   b. Minimum front yard setback - 40 feet
   c. Minimum side yard setback shall be in accordance with the side yard requirements of Chart 2, Bulk Regulations and Permitted Residential Densities of the Memphis and Shelby County Zoning Regulations.
   d. Minimum rear yard setback shall be In accordance with the rear yard requirements of Chart 2, Bulk Regulations and permitted Residential Densities of the Memphis and Shelby County Zoning Regulations.

Area 9 – Alternative Use (Retirement Community Only)

Non-Residential Uses:

a. Minimum front yard setback - 40 feet
b. Minimum side yard setback shall be in accordance with the side yard requirements of Chart 2, Bulk Regulations and Permitted Residential Densities of the Memphis and Shelby County Zoning Regulations based on the O-G District.
c. Minimum rear yard setback shall be in accordance with the rear yard requirements of Chart 2, Bulk Regulations and Permitted Residential Densities of the Memphis and Shelby County Zoning Regulations based on the O-G District.
d. Maximum building height – 45 feet.

Residential Uses – Attached and Detached:

a. Minimum front yard setback at perimeter boundary – 30 feet
b. Internal side yard setback – N/A.
c. Minimum distance between buildings – 10 feet
d. Minimum rear yard setback shall be in accordance with the rear yard requirements of Chart 2, Bulk Regulations and Permitted Residential Densities of the Memphis and Shelby County Zoning Regulations based on the R-ML District.
e. Maximum building height – 35 feet.
f. Maximum density for Attached and Detached – 7.3 DU/AC

7. Area 10 -Commercial
   a. Minimum front yard setback - 30 feet
   b. Minimum side yard setback - 10 feet adjacent to residential, otherwise no side yard is required
   c. Minimum rear yard setback- 15 feet
   d. Maximum Height - 35 feet
   e. Maximum Floor Area ratio – 0.25 FAR

III. ACCESS, PARKING, AND CIRCULATION:

A. Dedicate 57 feet from the centerline of Walnut Grove Road and Improve in accordance with the Subdivision Regulations and Shelby County paving Policy.

B. Dedicate 84 feet along an alignment of Trinity Road as approved by the County/City engineers and improve in accordance with the Subdivision Regulations and Shelby County paving Policy.

C. Improve Trinity Road with 24 feet of pavement east of the site across the existing dedicated right-of-way to connect with Woodland Trace Lane concurrent with the development of Phase 3 of Residential Lots.

D. Trinity Road improvements shall include 2 lanes of pavement and ½ of the median improvement contiguous with residential development to the east line of Woodland Hills II and 24 feet of pavement only from the east line of Woodland Hills II to Woodland Trace Lane.

E. Dedicate and improve a public road extending from Walnut Grove Road to connect with Woodland View Land on the north. The street cross-section shall be a thirty-one(31) foot wide alternative design through Areas 4,5,7, 9 and 10 and fifty(50) foot wide rural design road through Area 2.

~~F. Dedicate and improve Trinity Road with 24 feet of pavement from Woodland Trace Lane eastwardly to connect with Houston Levee Road with the development of Phase 4.~~

~~G. Dedicate and improve a minor local (52/36) in accordance with the Subdivision Regulations. This street shall be located south of Trinity Road and extend along the west line of the lake and terminate with a temporary turnaround at the south line of Area 2.~~

~~E. The Alternative Use of Area 9 allows connectivity to the adjacent property east of Area 9 as a private drive.~~

E. Dedicate 31 feet along east property line of Areas 9 and 10 and improve in accordance with the Subdivision Regulations and Shelby County paving Policy as an alternative urban minor local (31/30).

F. Dedicate 50' along the east property line of Area 2 (rural road cross-section, 24 feet of paving) and improve in accordance with the Subdivision Regulations and Shelby County paving Policy.

G. Dedicate 31 feet through Areas 7 and/or 8 and improve in accordance with the Subdivision Regulations and Shelby County paving Policy.

H. Internal public local street widths shall be in accordance with the Subdivision Regulations.

I. Two curb cuts shall be permitted along Walnut Grove Road.

J. The design and location of the curb cuts along Walnut Grove Road are subject to the approval of the City/County Engineer.

K. Pedestrian walkways shall be provided to connect residential neighborhoods to one another and to adjacent roads, common open space, and lake area with appropriate neighborhood ownership.

L. Internal circulation shall be provided between all phases, sections and lots where appropriate.

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

N. All construction traffic for development of this site shall enter and exit from Walnut Grove Road.

O. Parking shall be provided in accordance with Section 28 of the Zoning Ordinance.

P. Private Service Drives shall be a minimum of 18-feet in width.

Q. The north/south road may be developed in phases contiguous with each phase of development.

R. Four (4) curb cuts shall be allowed in Area 10.

S. Three (3) curb cuts shall be allowed in Area 9.

IV. PHASING PLAN:

A. Phase 1 shall consist of 31 lots, minimum lot size of 15,000 square feet, located at the north end of the site.

B. Phase 2 shall consist of 29 lots, minimum lot size of 10,000 square feet.

~~C.~~ Phase 3 shall contain a maximum of 50 lots and provide the improvements on the existing Trinity Road right-of-way to connect with Woodland Trace Lane. ~~and stub at the end of the existing right-of-way line.~~ May be developed in multiple phases.

~~D. Phase 4 shall include the dedication and improvements of Trinity Road eastwardly from Phase 3 to connect with Houston Levee Road.~~

V. LANDSCAPE AND SCREENING:

A. A minimum 25-foot wide landscape strip, Plate A-4 modified, shall be provided along Walnut Grove Road.

B. A minimum 15-foot wide landscape screen, Plate B-4, shall be provided along the north line of Area 10.

C. A minimum 15-foot wide landscape screen, Plate B-3, shall be provided along the north line of Area 9.

D Landscape Plate is not required if Areas 6, 7, 8, and 9 are developed as part of the Alternative Land Use Plan.

E. A minimum 50-foot wide landscape strip, Plate RV-4 Modified, shall be provided along Trinity Road.

F. A 20-foot landscape conservation easement shall be provided along the north and east property lines of Area 4 and along the east property line of Areas 2 and 7.

G. Internal landscaping in Area 10 shall be provided at a minimum ratio of 300 square feet of landscaped area and one shade tree (Tree A from the approved plant list of the landscape ordinance) for every 20 parking spaces. Required landscaped areas shall not be less than 200 square feet in any single location.

H. All required landscaping and screening should not conflict with any easements including overhead wires.

I. Any common open space areas, streetscape areas designated within Areas 1, 1A, 2, 3, 4, 5, 6, 6A, 7, 8, and 11 shall be deeded to and maintained by a Property Owner's Association.

J. A Property Owner's Association shall maintain medians, streetscape area and common open space.

K. All refuse dumpsters shall be completely screened from view from all adjacent residential properties and from any public roads with materials architecturally compatible to the building on the lot.

L. All heating and air conditioning equipment shall be screened from view by use of landscaping or architectural features.

M. Lighting standards in Area 10 shall be limited to 20 feet in height and shall be directed away from adjacent residential uses in Area 9. A detail of the light fixture to be used shall be shown on the final plat.

N. All apartments shall have a minimum of fifty (50) percent of the opaque wall area of brick material.

VI. SIGNS:

A. Attached and detached signs in Area 10 shall conform to the Planned Commercial (C-P) District regulations with the following exceptions:

1. Maximum area of signs for individual businesses shall be 100 square feet.
2. Materials and design shall be consistent with the design and materials of the commercial buildings.

B. Attached and detached signs in Area 9 shall conform to the R-ML Multiple Residential District. The Alternative Land Use Plan shall conform to the O-G Office District.

C. Portable and temporary signs and outdoor advertising signs shall be prohibited except for construction signs.

D. All signs shall be setback a minimum of 15 feet from the right-of-way.

VII. DRAINAGE:

A. A comprehensive drainage study of the entire site shall be submitted to the City Engineer's office for review and approval prior to development of the site.

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

C. Part of this site is within the FLOODWAY of Grey's Creek according to the FEMA maps. No filling or construction shall be permitted within the floodway. The Floodway boundary shall be shown on the final plat and engineering plans.

D. Part of this site is within the 100-Year floodplain of Grey's Creek according to the FEMA Maps. Appropriate flood protection measures must be taken to prevent flood damage. The 100-year flood elevation shall be reflected on the final plat and engineering plans.

E. The developer's engineer shall perform the necessary hydraulic studies (HEC-2, etc.) to determine the 100-year flood elevation for the major drainage channel assuming full upstream development at proposed land uses.

F. The common open space along the major drainage way must be provided consistently with drainage plans approved by the City/County Engineer and an ARAP permit. The width may be equal to 2-1/2 times the top of bank width, measured from the stream centerline in order to protect buildings and accessory structures from bank caving and stream meandering if improvement is not permitted.

G. The developer should be aware of his obligation under 40 CFR 122.26(b)(14) and TCA 69-3-101 et sec. 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.

H. Provide drainage data for assessment of on-site detention requirements by County Engineer's Office for review. Detention pond, if required, 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 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 storm-water discharge values. Provide an assessment of any downstream structures impacted by increased runoff.

I. Detention facilities, if required, are to be fully operational immediately after 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.