MEMPHIS AND SHELBY COUNTY OFFICE OF PLANNING AND DEVELOPMENT

STAFF REPORT

CASE NUMBER: **P. D. 08-333 CC** **L.U.C.B. MEETING:** **January 8, 2009**

DEVELOPMENT: **APPLINGWOOD PLANNED DEVELOPMENT, 3RD Amendment**

LOCATION: **Southwest corner of Dexter Road and Appling Road**

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

OWNERS/APPLICANTS: **Dancy Investments, Inc.**

REPRESENTATIVE: **Prime Development Group, Inc.**

REQUEST: **Planned development amendment to allow a commercial-indoor amusement facility for ice hockey in Area 'C' of the Outline Plan.**

AREA: **6.53 Acres**

EXISTING LAND USE & ZONING: **Vacant land currently governed by Applingwood Planned Development, 2nd Amendment(P.D. 97-376 CC) Area 'C' for Local Commercial(C-L) District land use.**

SURROUNDING LAND USES AND ZONING:

North: Vacant land within this Outline Plan and a vacant parcel, restaurant and church banquet hall in Planned Commercial(C-P) District and office/warehouse facility in Appling Commons, Amended(P.D.94-317 CC.

East: Gasoline sales, neighborhood retail center and vacant land in Applingwood Planned Development, 2nd Amendment(P.D. 97-346 CC.

South: Nursing home, senior living facility and medical offices in Applingwood Planned Development, 2nd Amendment(P.D. 97-346 CC).

West: Vacant land, single family homes on estate lots and cell tower(S.U.P.08-214 CC) all in Agricultural(AG) District.

OFFICE OF PLANNING AND DEVELOPMENT RECOMMENDATION:

Approval with Conditions

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

CONCLUSIONS:

1. **The subject property is a vacant parcel of land consisting of 6.53 acres and designated Parcel 'C' in the Outline Plan for Applingwood Planned Development. This parcel currently allows Local Commercial(C-L) District land uses which are primarily neighborhood services such as bank, dry cleaning, beauty/barber, photo and retail shops.**

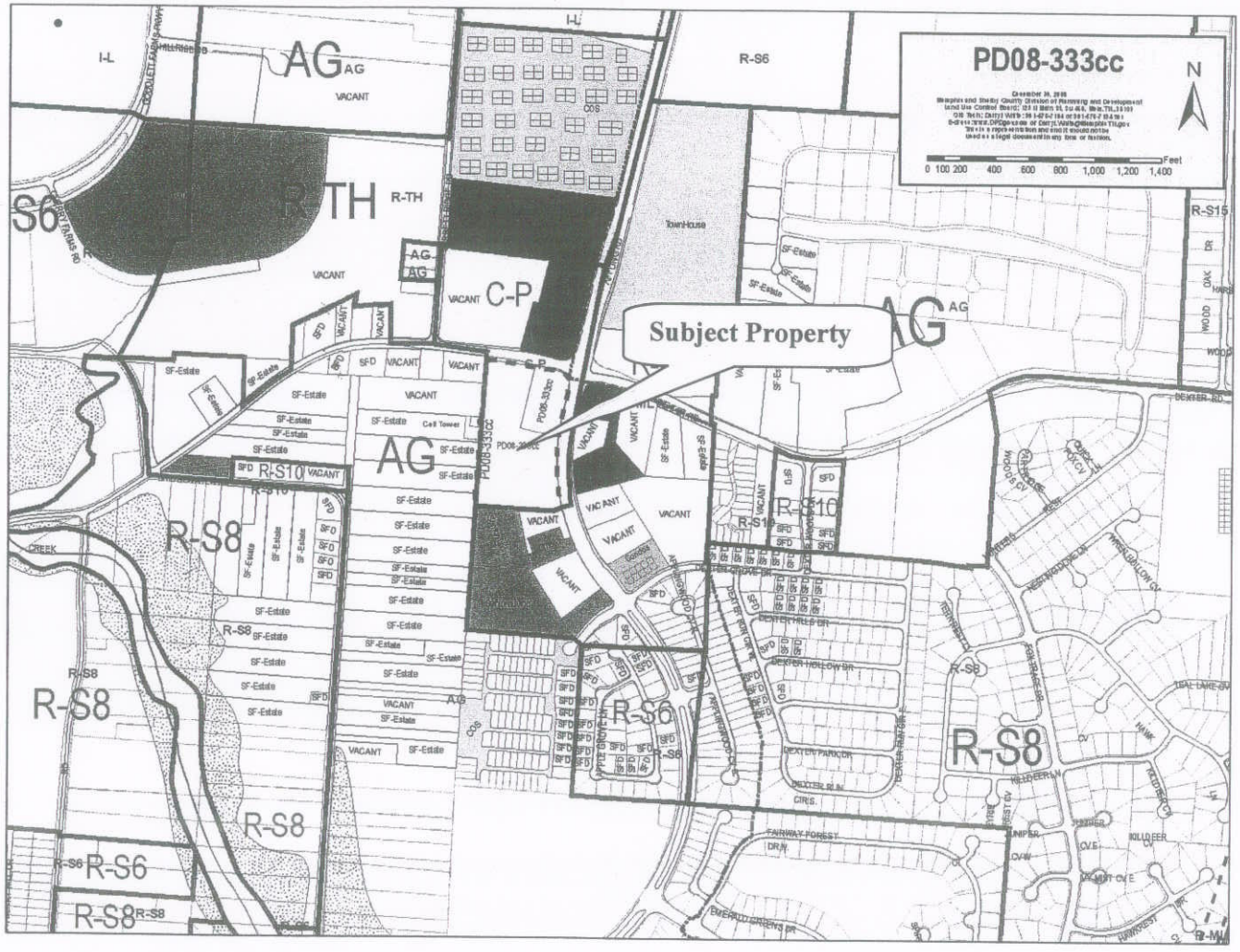
2. **The immediate area began to develop in the early 1980's with Cordova Club and Hunters' Hollow subdivisions to the south, but is adjacent to the Bridgewater Subdivision. The area has been primarily developed by planned developments with the exceptions of Bridgewater, Bellevue Baptist and the Bellevue Woods senior living community.**

3. **The requested amendment to Area 'C' is for the development of a new one-story building to allow a commercial-indoor amusement facility for ice hockey located in proximity to established single family neighborhoods and within one-half mile of a public school.**

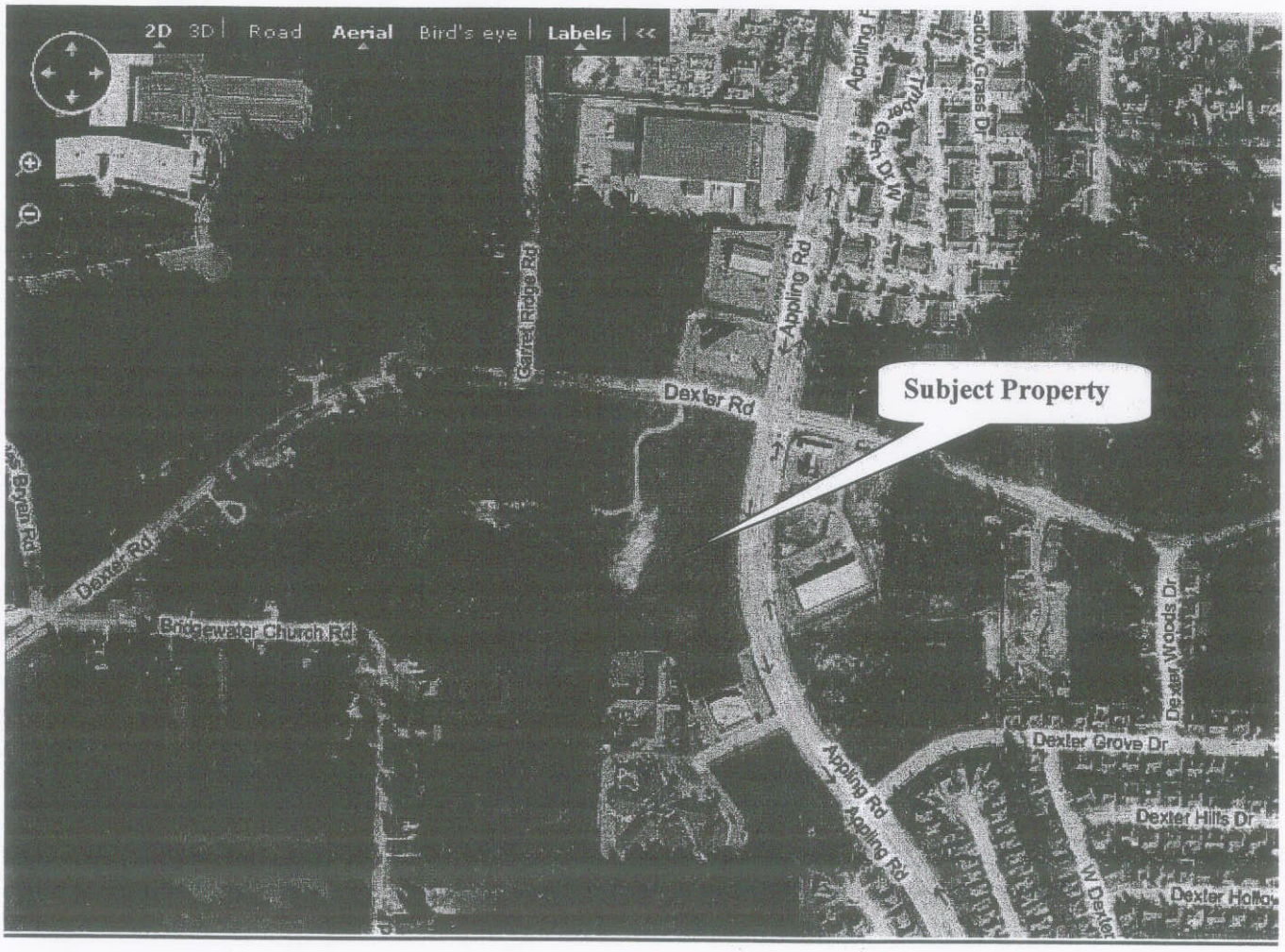
4. **The planned development concept has been that of a mixed-use development with neighborhood services within walking distance of single family homes and an employment center. This amendment for an indoor amusement facility maintains consistency in concept planning of the area with existing development patterns conforming to recommendations of the Germantown Parkway Area Study.**

5. **Although the mixed-use concept plan has been implemented, this amendment to allow a modification to the future land use plan is an acceptable land use to be included in a neighborhood center. This application for project review of a specific land use meets the concept planning objective for a compatible land use change.**

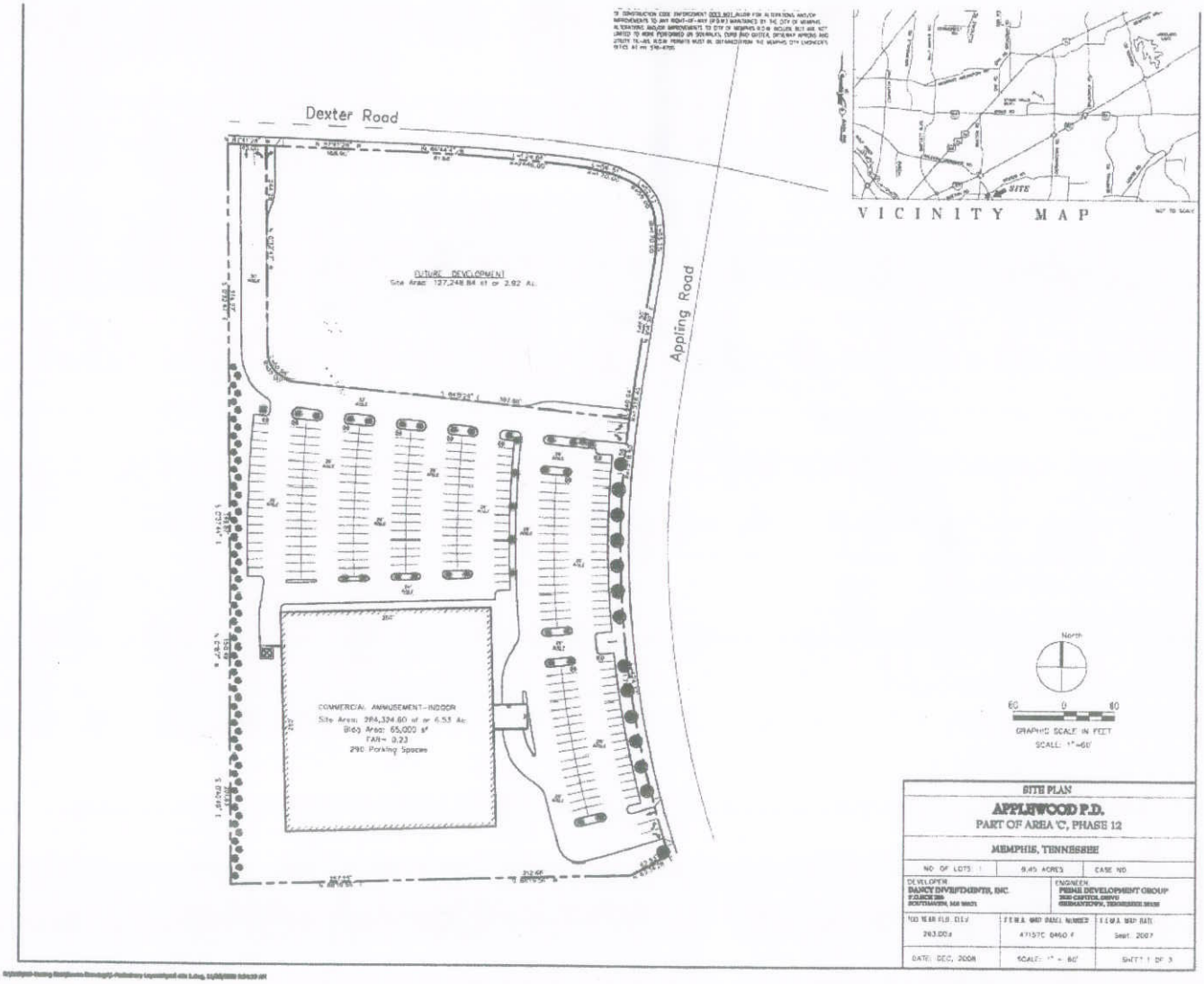
ZONING & LAND USE MAP:



PROJECT AERIAL VIEW:



SITE PLAN:


Dexter Road
Appling Road
FUTURE DEVELOPMENT
Site Area: 127,248.84 sf or 2.92 Ac.
COMMERCIAL AMMUSEMENT-INDOOR
Site Area: 284,324.60 sf or 6.53 Ac.
Bldg Area: 65,000 sf
FAR= 0.23
290 Parking Spaces
VICINITY MAP
SITE
North
GRAPHIC SCALE IN FEET
SCALE: 1"=60'
SITE PLAN
APPLEWOOD P.D.
PART OF AREA 'C', PHASE 12
MEMPHIS, TENNESSEE
NO. OF LOTS: 1
9.45 ACRES
CASE NO.
DEVELOPER:
DANCY INVESTMENTS, INC.
ENGINEER:
PRIME DEVELOPMENT GROUP
100 YEAR FLD. ELEV.
283.00±
F.E.M.A. MAP PANEL NUMBER
47157C 0460 F
F.E.M.A. MAP DATE
Sept. 2007
DATE: DEC. 2008
SCALE: 1" = 60'
SHEET 1 OF 3

VICINITY & OWNERSHIP MAP:

STAFF ANALYSIS:

Site Description

The subject property is a vacant parcel of land consisting of 6.53 acres and designated Parcel 'C' in the Outline Plan for Applingwood Planned Development. The parcel is located at the southwest corner of major roads, Dexter and Appling in the Cordova community and the Memphis Reserve Area. The site primarily fronts on Appling Road with curb and gutter, including a median with access also from Dexter Road. This parcel has remained vacant since the Outline Plan was approved in 1988 and is part of a larger 68.4 acre tract of land that includes residential, institutional, office and retail commercial land use.

This parcel currently allows Local Commercial(C-L) District land uses which are primarily neighborhood services such as such as a bank, dry cleaning, beauty/barber, photo and retail shops. The site is located in close proximity to single family neighborhoods, senior living and apartment communities, places of worship and an employment center. The immediate area began to develop in the early 1980's with Cordova Club and Hunters' Hollow subdivisions to the south, but is adjacent to the Bridgewater Subdivision, one of the first subdivisions in this part of unincorporated Shelby County.

Area Overview

The surrounding land use and zoning was primarily approved by planned developments with the exceptions of Bridgewater, Bellevue Baptist and the Bellevue Woods senior living community. The adjacent property north and within this plan also permits C-L District land uses. There are single family homes in Dexter Woods Subdivision to the east as well as to the south along Appling Road. The land use west is single family residential in Bridgewater Subdivision and to the north—a mixed-use plan for office, commercial, and industrial land uses in Appling Commons Planned Development.

A senior living community of townhouses and single family estate lots in R-ML District zoning sharing the northeast corner of Appling and Dexter roads. Directly adjacent and south of the subject property are medical offices and senior living facilities within this development and two(2) remaining parcels undeveloped. The land uses farther north are approved planned developments with existing developments of office campuses and warehouses located in the Interstate 40 Employment Center. There are also single family homes along Garrett Ridge Road adjacent to approved and developed planned developments.

The land use immediately north is an office/warehouse building for FedEx World Service Center, the Bellevue Center Conference and Banquet Hall and a large restaurant building in the Planned Commercial(C-P) District. Farther south are single family neighborhood for Cordova Forest Subdivision and The Orchards Subdivisions governed by the Applingwood Planned Development(P.D. 94-352 CC). The land use directly across Appling Road is gasoline sales/convenient store and a neighborhood retail center located on the immediate southeast corner of this intersection.

Request vs. Concept Planning Objective

The requested amendment to Area 'C' is for the development of a new one-story building to allow a commercial-indoor amusement facility for ice hockey located in proximity to established single family neighborhoods and within one-half mile of a public school. The original plan approved in 1988 allowed a neighborhood commercial center as well as institutional, office, and multi-family residential land uses farther south of the major road intersection. The Applingwood Planned Development has primarily developed in this manner, except for the office approved in Area A' and the multi-family approved in Area 'B' of the plan. These areas of the plan have developed as single family homes along both sides of Appling Road.

The planned development concept has been that of a mixed-use development with neighborhood services within walking distance of single family homes and an employment center. The area has developed in this manner with a variety of housing types, including the aging population. The area has and continues to promote the development of a network of sidewalks, except along Dexter Road which has yet to be improved. This amendment for an indoor amusement facility maintains consistency in concept planning of the area with existing development patterns conforming to recommendations of the Germantown Parkway Area Study.

This request to allow an indoor amusement facility for ice hockey is a recreational use supported by single and multi-family housing, including a public school. This facility is an acceptable land use alternative consistent with the neighborhood center concept being located within walking distance of residential development. The development is compatible with residential developments and will compliment the senior living development. Although the mixed-use concept plan has been implemented, this amendment to allow a modification to the future land use plan is an acceptable land use to be included in a neighborhood center. This application for project review of a specific land use meets the concept planning objective for a compatible land use change.

RECOMMENDATION: Approval with Conditions

Site Plan Review

The project review is for construction of a one-story building 65,000 square feet in area with a floor area ratio of 0.23 F.A.R or 23% of the lot area. This ratio, including access. circulation and landscaping is consistent and coincides with the original development plan for Applingwood Planned Development. The mass of the building is setback from Appling Road a minimum of 150 feet with a pick-up/drop-off area, including parking in the front and side yard for a total of 290 parking spaces. The site plan also provides substantial green spaces.

The access to the building is two curb-cuts to Appling Road and one curb-cut to Dexter Road. The development maintains internal circulation to the remainder of the parcel, including shared curb-cuts. The parking areas will have tree islands with one(1) street tree to meet the landscape ordinance, including required landscape screens along the front and rear property lines. The tree type should be specified on the landscape plan and included with the final plan of development. The building separation along the south property line prevents any outdoor activity, including traffic circulation along this side yard. This plan will be a continuation of a neighborhood center envisioned at this intersection and will be a benefit to the community.

OUTLINE PLAN CONDITIONS: *[**Bold**-Italic-Underlined: Amendments]*

I. USES PERMITTED:

A. Area A: -- Any use permitted by right and administrative site plan review in the General Office (O-G) District, a residential home for the elderly including independent living quarters, assisted living quarters, a nursing home and adult day care.

B. Area A-1: (11.8 acres located on the west side of Appling Road)-Any use permitted by right and administrative site plan review in the General Office(O-G) District, a residential home for the elderly including assisted living quarters, a nursing home and adult day care.

C. Area B -- Any use permitted in the Multiple Dwelling Residential(R-ML) District.

D. Area C -- Uses permitted by right or by administrative site plan review in the Local Commercial (C-L) District, ***including a commercial-indoor amusement facility for ice hockey with a minimum of 290 parking spaces.***

II. BULK REGULATIONS:

A. Area A: The bulk regulations of the O-G and R-ML District shall apply with the following exceptions:

1. Maximum Floor Area Ratio(F.A.R.) for office shall be .25.

2. Maximum Floor Area Ratio shall be .33 with a maximum of two-hundred twelve(212) dwelling units for residential home for the elderly.

B. Area A-1: General Office District uses shall conform to the regulations of the O-G District.

C. Area A-1: Residential Home for the Aged, including assisted living, Nursing Home, and Adult Day Care shall conform to the bulk regulations of the R-ML District.

D. Area B: The bulk regulations of the R-ML District shall apply with the following exception:
Maximum density shall be 15 dwelling units per acre.

E. Area C: The bulk regulations of the C-L District shall apply with the following exception: Maximum .25 F.A.R.

III. ACCESS & CIRCULATION:

A. Dedicate 57 feet from centerline of Appling Road and improve in accordance with the Subdivision Regulations.

B. Dedicate and improve Dexter Road to provide for a 68 foot right-of-way and 48 feet of pavement. Additional width shall be provided at the intersection to provide for a left turn lane.

C. Dedicate a three centered radius at the intersection of Appling and Dexter Roads.

D. Street B west of Appling Road to the east boundary of the County Conservation Board tract shall be reserved for dedication and improvement of the full 68 foot right-of-way in conjunction with the development of a park on the County Conservation Board property. If a final plan is filed for Area A before the use of the County Conservation Board tract is resolved, Street B shall be dedicated and a bond shall be posted in lieu of improvement. Should the County Conservation Board tract not be developed as a park within 10 years or should the tract be sold this Condition III D. shall become inapplicable.

E. Dedicate the full 68 foot right-of-way of Street B from Appling Road to the east boundary of the site.

F. Curb cuts permitted:

1. Area A -- Appling Road - five(5) on the west side and two along the eastern frontage. No curb-cut shall be permitted on Dexter Grove Drive.

2. Area B -- Three(3).

3. Area C -- Two(2) on the west side of Appling Road.
   Two(2) on the east side of Appling Road with no curb cut beginning closer than 300 feet from the centerline of Dexter Road.
   One(1) on the south side of Dexter Road east of Appling Road.
   One(1) on the south side of Dexter Road west of Appling Road beginning no closer than 300 feet from the centerline of Appling Road.

G. The design and location of the curb cuts shall be subject to the approval of the County Engineer.

H. All private drives shall be constructed to meet City/County standards and provide a minimum pavement width of 22 feet exclusive of curb and gutter.

I. Internal circulation is required between all phases/sections/lots.

IV. LANDSCAPING & SCREENING:

A. A fifteen foot wide landscape strip Plate 'A-3' or an equivalent shall be provided along the full length of the road frontages of the commercial, office and multi-family parcels, except that it shall not interfere with sight triangles adjacent to entrances/exits.

B. A fifteen foot wide landscape screen, Plate 'B-3' or an equivalent, shall be provided along the east and west property lines adjacent to the proposed park and residential properties subject to the approval of the Office of Planning and development. The requirement for a landscape screen shall be deleted from any part of the adjacent property developed for any use other than a park or residential.