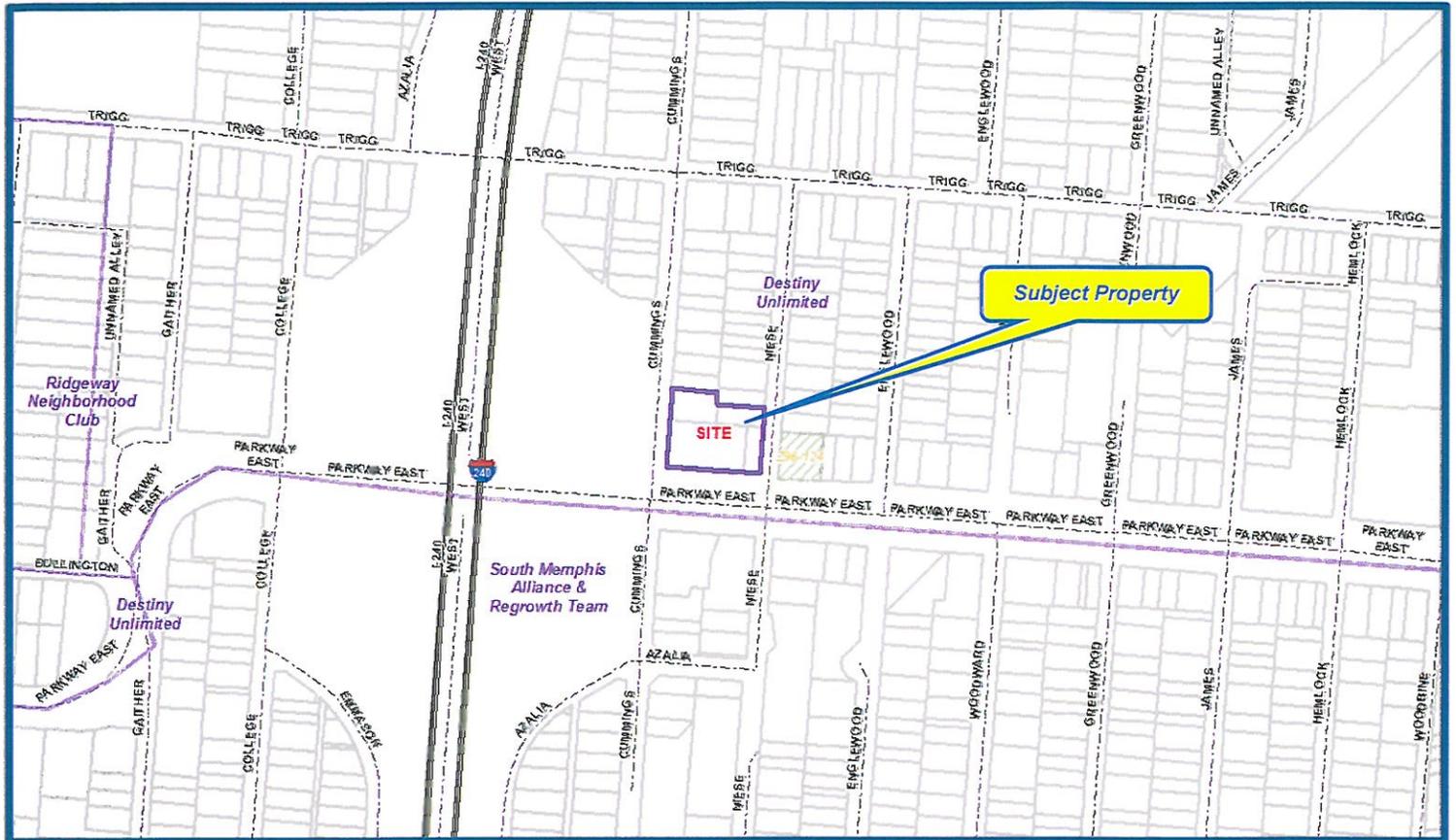
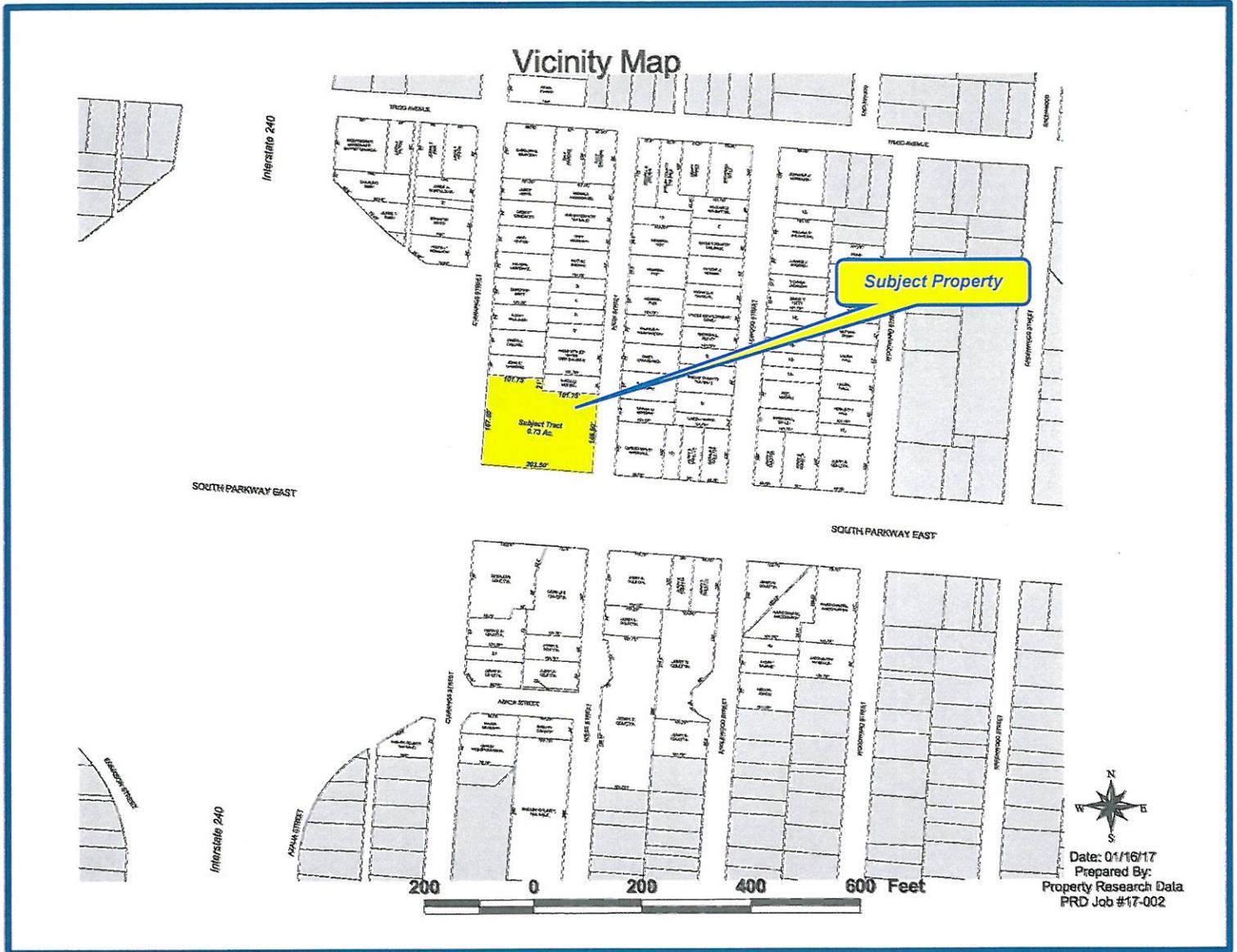


Planning Area



Vicinity & Ownership



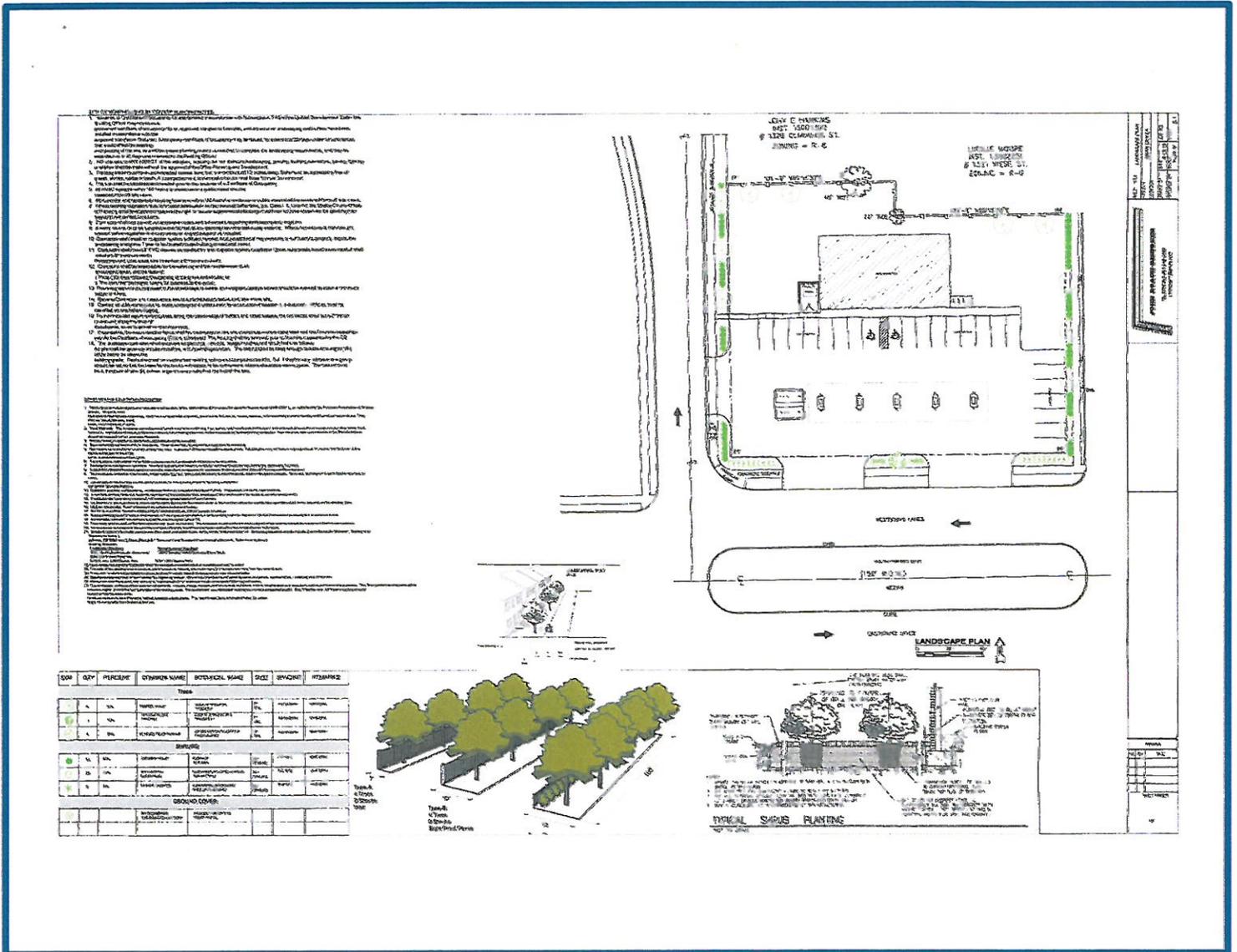
Zoning Area Map



Surrounding Land Use & Zoning

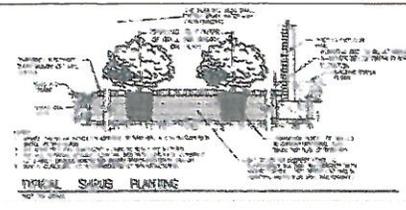
- North:** Single family homes and vacant lots in 'Fowler Avenue Place' subdivision in Residential Single Family (R-6) District.
- East:** Small retail store in Office General (OG), single family homes and vacant lots in 'Park Boulevard' and 'Speedway' subdivisions in Residential Single Family (R-6) Districts.
- South:** Small restaurant in Commercial Mixed Use (CMU-1) District and single family homes and vacant lots in 'Fowler Avenue Place', 'Park Boulevard' and 'Speedway' subdivisions in Residential Single Family (R-6) Districts.
- West:** Interstate 240-North and clover-leaf ramps in Residential Single Family (R-15) and neighborhood convenience stores with gasoline pumps in Commercial Mixed Use (CMU-1) Districts.

Landscape Plan



1. The landscape plan shall be prepared in accordance with the following standards:
2. The landscape plan shall be prepared in accordance with the following standards:
3. The landscape plan shall be prepared in accordance with the following standards:
4. The landscape plan shall be prepared in accordance with the following standards:
5. The landscape plan shall be prepared in accordance with the following standards:
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14. The landscape plan shall be prepared in accordance with the following standards:
15. The landscape plan shall be prepared in accordance with the following standards:
16. The landscape plan shall be prepared in accordance with the following standards:
17. The landscape plan shall be prepared in accordance with the following standards:
18. The landscape plan shall be prepared in accordance with the following standards:
19. The landscape plan shall be prepared in accordance with the following standards:
20. The landscape plan shall be prepared in accordance with the following standards:

SYM	QTY	PLANT	STANDARD NAME	BOTANICAL NAME	SIZE	SPACING	REMARKS
TREES							
1	1	Maple	Maple	Acer	12"	10'	Plant
2	1	Oak	Oak	Quercus	12"	10'	Plant
SHRUBS							
3	1	Boxwood	Boxwood	Buxus	12"	10'	Plant
GROUND COVER							
4	1	Grass	Grass	Poa	12"	10'	Plant



Neighborhood Meeting to be Held: Monday, February 27th, 2017 @ Ward Chapel AME Church
1125 S. Parkway-East

Public Notice: Sign Posted by Applicant: Saturday, February 25th, 2017.
Mailed Notices by OPD: Friday, February 24th, 2017.

STAFF ANALYSIS:

Site Description

The subject property is a combined 0.74 acre (32,235 sq. ft.) vacant tract of land located at the northeast side of South Parkway-East and Interstate 240-North approximately one-quarter mile west of S. Bellevue Boulevard in the eastern portion of the South Memphis Planning District within the City of Memphis. The site is a triple frontage lot located in Residential Single Family (R-6) and Commercial Mixed Use (CMU-1) Districts with some infrastructure improvements. The applicant seeks planned development approval to allow construction of a new one-story brick and frame convenience store building 3,600 sq. ft. in area with gasoline pump islands, including interior and exterior perimeter landscape treatments with brick canopy columns to match the architecture of the principal building. The property and adjacent properties are not located within any floodplain district or any special flood hazard area according to FEMA maps dated September, 2007.

Area Overview

The surrounding area is predominantly single family residential homes and vacant properties in a neighborhood in transition and in need of new infill housing development. There is a substantial amount of vacant lots available in the surrounding neighborhoods for construction of new homes in R-6 district zoning along grid-block patterns within the central city. The construction of the interstate highway through the center of the city separated the neighborhoods to the east and west and created a major thoroughfare for traffic once dependent on the established parkway system surrounding the central city. The land uses along the parkway system remain primarily residential with established residential corridor designations; however, some commercial developed at major road intersections.

Project Review Analysis

The immediate neighborhoods to the north and south of this proposed development have experienced some growth with the advent of the highway system. Unfortunately, a significant amount of lots and land uses are now nonconforming or outdated and do not or cannot meet the new urban development standards specified in the zoning code. The assimilation of lots in different zoning districts is sometimes necessary to accommodate new development. Hence, this is the reason for this application for a planned development to help preserve and maintain the integrity of the historic parkway system and the future development of adjacent vacant properties for residential.

If the use is approved, the development shall be subject to administrative project review by staff and requirements of the Unified Development Code (UDC), including comments and concerns by inter-governmental agencies at the Technical Review Committee held on 02/23/17. In accordance with the use standards specified in Sub-Section 2.6.3J of the UDC, convenience stores with gas pumps can have no gasoline pump, tank, or vent within 125 feet of a single family residential zoning district. The conceptual site plan meets this criteria with the exception of the easternmost gas pump being 110 feet from the single family residential zoning immediately north of the site. The planned development application for a new building with a fuel canopy constructed in an area of the central city meets the intent of the zoning code for such land use to be located at the intersection of arterial roadways and a collector street. The only exception would be the pump distance location and the allowing the use in a small portion currently zoned single family residential.

RECOMMENDATION: Approval with Conditions

P.D.17-01
South Parkway-East Planned Development
Outline Plan Conditions

- I. Use Permitted: A convenience store with gas pumps in accordance with Commercial Mixed Use (CMU-1) District with associated accessory structures and uses for gas canopy and garage dumpster.
- II. Building Regulations & Use Standards:
 - A. The building regulations of the CMU-1 District shall apply and the Use Standards of Sub-Section 2.6.3J shall apply, except gas pumps shall be located a minimum 110 feet from any residential district.
 - B. The minimum building setback from the north property lines shall be ten (10) feet.
 - C. The minimum building setback from Cummings Street shall be fifty-five (55) feet.
 - D. The minimum building setback from Niese Street shall be sixty-five (65) feet.
 - E. The minimum setback from leading edge of canopy from South Parkway-East shall be twenty (20) feet from the right-of-way line.
- III. Access, Circulation and Parking:
 - A. The access and circulation shall be as illustrated on the Concept Plan, except one (1) curb cut shall be permitted along the South Parkway-East frontage and shall be located in the center of the lot.
 - B. One (1) curb cut along the Cummings Street frontage shall be permitted and located as illustrated on the site plan.
 - C. The maximum number of parking spaces shall be twenty-five (25) with bike racks as illustrated on the site plan.
- IV. Landscaping:
 - A. The landscaping and streetscape treatment shall be as illustrated on the Streetscape and Buffer Plan.
 - B. All dumpster enclosures shall be landscaped in accordance with the requirements of the zoning code.
 - C. Internal landscaping of native small understory trees and evergreen shrubs shall be provided against the building and adjacent to parking areas.
- V. Signs: A detached landscaped sign and any attached sign shall be in accordance with the Commercial Mixed Use (CMU-1) District.
- VI. Drainage:
 - A. An overall drainage plan for the entire site shall be submitted to the City Engineers prior to approval of the first final plan.
 - B. Drainage improvements, including on-site detention, shall be provided under a Standard Subdivision contract in accordance with Unified Development Code and the City of Memphis Drainage Design Manual.

- C. This site is located within the Fletcher Creek Drainage Basin. The finished floor elevation of all structures shall meet the requirements of the zoning code.
- D. Drainage data for assessment of on-site detention requirements shall be submitted to the City Engineer.
- E. 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. Common Open Space, Screening and Lighting:

- A. Common open space, including all private drives, shall be maintained by a Property Owners' Association or Owners' Management Company.
- B. Refuse containers shall be completely screened from view from any residential property or district.
- C. Light standards shall be directed away from adjacent residential properties.

VIII. In addition to the Outline Plan Conditions, any final plan shall include:

- A. A Standard Subdivision Contract;
- B. The width of all existing off-street sewer easements shall be widened to meet current city standards;
- C. The exact location and dimensions of all buildings, landscaping, light standards, signs, service drives, and pedestrian and utility easements. The location and ownership whether public or private of any easements;
- D. All common, 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 plan;
- E. Street names and right-of-ways;
- F. The location of trees to be removed and groups of trees to be preserved and required landscaping shall not be placed on sewer or drainage easements;
- G. The 100 year floodplain elevation; and
- H. The following note shall be placed on the Final Plan of 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 permission from the City or County Engineer, as applicable. The storm water detention systems located in these areas, except for those parts located in 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; moving, outlet cleaning, and repair of drainage structures."

GENERAL INFORMATION

Street Frontage: South Parkway-East-----+/-203.50 linear feet.
Niese Street-----+/-146.50linear feet.
Cummings Street-----+/-167.50 linear feet.

Planning District: South Memphis

Zoning Atlas Page: 2130

Zoning History: The District zoning date to the adoption of the 1960 Comprehensive Zoning and the 1980 zoning map amendments.

DEPARTMENTAL COMMENTS

The following comments were provided by Inter-governmental Agencies/Organizations to which this application was referred:

City Engineer:

1. Standard Subdivision Contract as required in Section 5.5.5 of the Unified Development Code.

Sewers:

2. City sanitary sewers are available at developer's expense.
3. This development will be impacted by TDOT safety improvement project to install a traffic signal at the corner of S Pkwy and Cummings Street. Improvements are expected to begin in approximately one year. TDOT will reconstruct the handicap ramp at the corner.

Traffic Control Provisions

4. The developer shall provide a traffic control plan to the city engineer that shows the phasing for each street frontage during demolition and construction of curb gutter and sidewalk. Upon completion of sidewalk and curb and gutter improvements, a minimum 5 foot wide pedestrian pathway shall be provided throughout the remainder of the project. In the event that the existing right of way width does not allow for a 5 foot clear pedestrian path, an exception may be considered.
5. Any closure of the right of way shall be time limited to the active demolition and construction of sidewalks and curb and gutter. Continuous unwarranted closure of the right of way shall not be allowed for the duration of the project. The developer shall provide on the traffic control plan, the time needed per phase to complete that portion of the work. Time limits will begin on the day of closure and will be monitored by the Engineering construction inspectors on the job.
6. The developer's engineer shall submit a Trip Generation Report that documents the proposed land use, scope and anticipated traffic demand associated with the proposed development. A detailed Traffic Impact Study will be required when the accepted Trip Generation Report indicates that the number of projected trips meets or exceeds the criteria listed in Section 210-Traffic Impact Policy for land Development of the City of Memphis Division of Engineering Design and Policy Review Manual.

Curbs Cuts/Access:

7. One (1) curb cut along the South Parkway frontage will be permitted and shall be located in the center of the lot.
8. One (1) curb cut along the Cummings Street frontage will be permitted and shall be located as shown on the site plan.

9. All curb cuts shall meet current City Standards and comply with the requirements of the ADA.
10. All other existing nonconforming curb cuts shall be closed with curb, gutter and sidewalk.
11. The City Engineer shall approve the design, number and location of curb cuts.
12. The Developer shall be responsible for the repair and/or replacement of all existing curb and gutter along the frontage of this site as necessary.
13. All existing sidewalks and curb openings along the frontage of this site shall be inspected for ADA compliance. The developer shall be responsible for any reconstruction or repair necessary to meet City standards.

Drainage:

14. Drainage improvements, including possible on-site detention, shall be provided under a Standard Subdivision contract in accordance with Unified Development Code and the City of Memphis Drainage Design Manual.
15. Drainage data for assessment of on-site detention requirements shall be submitted to the City Engineer.

General Notes:

16. The width of all existing off-street sewer easements shall be widened to meet current city standards.
17. No other utilities or services may occupy sanitary sewer easements in private drives and yards except for crossings.
18. All connections to the sewer shall be at manholes only.
19. 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.
20. Required landscaping shall not be placed on sewer or drainage easements.

City Fire:

The applicant shall fully comply with all applicable codes and ordinances. All comments expressed or implied shall not remove the applicant or their envoy's responsibility to adhere to all applicable codes and ordinances. Comments for any fire protection requirements shall be given as construction documents are submitted to Memphis Fire Prevention.

Memphis & Shelby County Health Department:

Water Quality Branch:	No comment.
Septic Tank Program:	No comment.

Memphis Light, Gas and Water:

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

- **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, without prior MLGW approval.
- **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 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 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 easement or dedicated utility easement without prior MLGW approval.
- **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). Application for utility service is necessary before plats can be recorded.
 - All commercial developers must contact MLGW's Builder Services line at 729-8630 (select option 2) to initiate the utility application process.
- **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.

Shelby County Schools: No comments received.

Construction Code Enforcement: No comments received.

AT&T-TN: No comment.

Neighborhood Associations/Organizations:

Destiny Unlimited : *No comments as of 3/3/17.*
South Memphis Alliance & Regrowth Team: " " "
Ridgeway Neighborhood Club: *No comments as of 3/3/17.*

EMAIL OPPOSITON:

Hello Mr. Bacchus,

My name is Terri Strong and I wanted to voice my concern about the new project for a service station at Parkway and Cumming across from the Colletta's restaurant in South Memphis. My family lives in and owns property around the corner on Trigg Ave.

There are currently five (5) service stations in the immediate area offering the exact same items this one will and all but one acts as breeding grounds for crime and loitering. There are 2 motels that act to also contribute crime and loitering to the area. With all the prostitution and theft going on that we as a community are trying to address, this station would only serve to increase these activities. I attended a meeting at Ward Chapel AME Church concerning this and a unanimous vote was taken against this project for the above reasons.

I therefore am asking that there not be this type of business approved to be at this location. Thank you so much for your understanding and help in this matter.

Sincerely,

Terri Strong

Staff: bb



Memphis and Shelby County
Office of Planning and Development

CITY HALL 125 NORTH MAIN STREET-SUITE 468 MEMPHIS, TENNESSEE 38103-2084 (901) 576-6601

**APPLICATION FOR PLANNED DEVELOPMENT APPROVAL
 (OUTLINE PLAN APPROVAL/OUTLINE PLAN AMENDMENT)**

Date: Jan 19, 2017

Case #: P.D. 17-01

PLEASE TYPE OR PRINT

Name of Development: South Parkway Convenience Store

Property Owner of Record: Laverne C. Coletta/Jerry S. & Diane D. Coletta/ Phone #: 901-270-8071 (Jerry)

Mailing Address: 7820 Walking Horse Circle, Apt 152 City/State: Germantown, TN Zip 38138

Property Owner E-Mail Address: property owner does not use email or have email address

Applicant: Aman Devji Phone # 678-570-6327

Mailing Address: 1402 Crossview Lane City/State: Collierville, TN Zip 38017

Applicant E- Mail Address: devjiaman@comcast.com

Representative: John Behnke Phone #: 901-494-1559

Mailing Address: P.O. Box 770065 City/State: Memphis, TN Zip 38177

Representative E-Mail Address: realestate@johnbehnke.us

Engineer/Surveyor: John Roach Phone # 901-246-0489

Mailing Address: 1699 Beaver Trail Drive City/State: Cordova Zip 38016

Engineer/Surveyor E-Mail Address: jmrdesign1@gmail.com

Street Address Location: 0 S. Parkway

Distance to nearest intersecting street: 10' - adjoining on West side at I-240 on-ramp/Cummings Street
10' - adjoining on East side at Niese Street

	Parcel 1	Parcel 2	Parcel 3	Parcel 4
Area in Acres:	<u>0.412</u>	<u>0.055</u>	<u>0.11</u>	<u>0.159</u>
Existing Zoning:	<u>CMU-1</u>	<u>CMU-1</u>	<u>R-6</u>	<u>CMU-1</u>
Existing Use of Property	<u>vacant lot</u>	<u>vacant lot</u>	<u>vacant lot</u>	<u>vacant lot</u>
Requested Use of Property	<u>convenience store</u>	<u>convenience store</u>	<u>convenience store</u>	<u>convenience store</u>

Medical Overlay District: Per Section 8.2.2D of the UDC, no Planned Developments are permitted in the Medical Overlay District. N/A

Unincorporated Areas: For residential projects in unincorporated Shelby County, please provide the following information:

Number of Residential Units: N/A Bedrooms: N/A

Expected Appraised Value per Unit: N/A or Total Project: N/A

Amendment(s): Is the applicant applying for an amendment to an existing Planned Development?

Yes _____ No X

The following modifications to existing planned developments are considered amendments: 1) a change to the permitted uses in a planned development, except in situations where a use of a higher classification is proposed to be changed to a use of a lower classification; 2) a modification to conditions that phases the uses, and 3) a conversion of public streets. See Section 9.6.11E(1) of the UDC for further details.

4.10.3 Planned Development General Provisions

The governing bodies may grant a special use permit for a planned development which modifies the applicable district regulations and other regulations of this development code upon written findings and recommendations to the Land Use Control Board and the Planning Director which shall be forwarded pursuant to provisions contained in section 4.10.3:

Please address each sub-section below (Provide additional information on a separate sheet of paper if needed).

- The proposed development will not unduly injure or damage the use, value and enjoyment of surrounding property nor unduly hinder or prevent the development of surrounding property in accordance with the current development policies and plans of the City and County.

The proposed convenience store will be new, buffered with landscaping and fencing and greatly improve the general aesthetics of this corner which is now vacant and overgrown. The site design will not have a negative effect on surrounding property, but rather it will enhance the enjoyment of living and working in this area.

- An approved water supply, community waste water treatment and disposal, and storm water drainage facilities that are adequate to serve the proposed development have been or will be provided concurrent with the development.

All of this requirement will be met.

- The location and arrangement of the structures, parking areas, walks, lighting and other service facilities shall be compatible with the surrounding land uses... (see UDC sub-section 4.10.3C)

Besides being compatible with surrounding land uses with tasteful architectural design of the building landscaping and fencing, the proposed use will also preserve mature trees at the property line.

- Any modification of the district standards that would otherwise be applicable to the site are warranted by the design of the outline plan and the amenities incorporated therein, and are not inconsistent with the public interest.

The proposed use is consistent for the public interest in that the two primary amenities, fuel and food, will be conveniently available to the neighborhood and travelers from I-240. In addition, fresh fruits will be available and healthy prepared foods on the cafe menu.

- Homeowners' associations or some other responsible party shall be required to maintain any and all common open space and/or common elements. N/A

- Lots of records are created with the recording of a planned development final plan.

N/A

REQUIREMENTS PRIOR TO APPLICATION SUBMISSION

PRE-APPLICATION CONFERENCE - Not more than six (6) months nor less than five (5) working days prior to filing an application, the applicant shall arrange for a mandatory pre-application conference with OPD.

Pre-Application Conference held on: October 4, 2016 with Mr. Don Jones

NEIGHBORHOOD MEETING – At least ten (10) days, but not more than 120 days, prior to a hearing before the Land Use Control Board, the applicant shall provide an opportunity to discuss the proposal with representatives from neighborhoods adjacent to the development site (Section 9.3.2).

Neighborhood Meeting Requirement Met: Yes or (Not Yet) (Circle one)
(If yes, documentation must be included with application materials)

SIGN POSTING – A sign or signs shall be erected on-site no more than 30 days or less than 10 days prior to the date of the Land Use Control Board hearing. See Sub-Section 9.3.4C of the UDC for further details on sign posting.

I (we) hereby make application for the Planned Development described above and on the accompanying materials. I (we) accept responsibility for any errors or omissions which may result in the postponement of the application being reviewed by the Memphis & Shelby County Land Use Control Board at the next available hearing date. I (We), owner(s) of the above described property hereby authorize the filing of this application and the above named persons to act on my behalf.

James P. Smith 1-19-17 John Belenke 01/03/2017
Property Owner of Record Date Applicant Date

**GUIDE FOR SUBMITTING
PLANNED DEVELOPMENT APPLICATION
(OUTLINE PLAN APPROVAL/OUTLINE PLAN AMENDMENT)**

- A **THE APPLICATION** - Two (2) collated sets of this application in accordance with the requirements of the Unified Development Code and as outlined below shall be submitted to OPD. The following information is required to be submitted for consideration as a complete application, and except for copies of the Outline and/or Site/Concept Plan, shall be provided on sheets of 8.5"x11" in size. The application with original signatures shall be completed either with legible print or typewritten. Each application set shall be compiled in the following order:
- 1) This application, 8.5"x11" Outline and/or Site/Concept Plan, Legal Description, Vicinity Map, 2-3 sets of gummed-backed Mailing Labels, 2 sets of paper copied Mailing Labels, Letter of Intent, 20"x24" Outline and/or Site/Concept Plan (folded), copy of Deed(s).
 - 2) A compact disc with all submittal documents in "PDF" and any proposed conditions in "WORD".

(For additional information concerning these requirements contact Land Use Control Section at (901) 576-6601.)

LAND USE OWNERSHIP DISCLOSURE

Please identify every person who has an ownership interest of 10% or more in the subject application whether they be the current owners, the contract buyers, or the lenders. If current owner or contract buyer are public corporations, please note the fact and list no other owners. Only lenders which are not institutions (banks, saving and loans or credit unions) need be listed.

	NAMES	ADDRESSES
<u>CURRENT OWNERS</u>	<u>Laverne C. Coletta</u>	<u>7820 Walking Horse Circle, Apt 152, G'town, TN 38138</u>
	<u>Gerald S. & Diane D. Colletta</u>	<u>2338 Hickory Forest Dr, Memphis, TN 38119</u>
	<u>Jerry S. & Diane D. Colleta</u>	<u>1063 S. Parkway E., Memphis, TN 38106</u>
	_____	_____

CONTRACT OWNERS/BUYERS

	_____	_____
[Owners]	<u>same as above</u>	_____
	_____	_____
[Buyer]	<u>Aman Devji</u>	<u>1402 Crossview Lane, Collierville, TN 38017</u>

NON-INSTITUTIONAL LENDERS INCLUDING SELLER(S) IF THE PENDING SALE IS OWNER FINANCED

N/A

	_____	_____
	_____	_____
	_____	_____
	_____	_____



January 3, 2017

Don Jones
Municipal Planner
Memphis & Shelby County Office of Planning & Development
City Hall, 125 N. Main Street, Suite 468
Memphis, Tennessee 38103

Re: Application for Planned Development approval
Convenience store w/fueling station – 0 S. Parkway E. at I-240 interchange
NS of South Parkway adjoining I-240 on-ramp/Cummings St. on WS and Niese St. on ES

Dear Mr. Jones,

We are pleased to submit an Application for Planned Development on behalf of Aman Devji, applicant and purchaser of the subject property and the Coletta family, owners and sellers of the 4 parcels poised for development. The purpose of this application is to request approval for a Planned Development to allow a convenience store with a fuel center and to rezone one of the lots from R-6 to CMU-1.

The applicant is an experienced convenience store operator and has developed numerous sites in metro- Memphis, metro Atlanta, Georgia and metro Dallas, Texas.

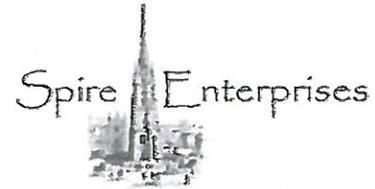
Consultation with planning staff for pre-application review was made by Spire Enterprises prior to making application to discuss the request, obtain forms, review process and look at mapping of the proposed site.

The subject property, with its four parcels, is 0.736 acres in size. Three of the parcels are zoned Commercial Mixed Use (CMU-1) and one is zoned Residential (R6). All are in the Park Blvd/Speedway Blk V Subdivision. The largest lot fronting South Parkway was previously a gas station many years ago. The land area is vacant, void of use with no desire by the current owner for future development.

Under the applicant's proposal the site will be redeveloped with a new 3,600 sq. ft. all brick (patterned) convenience store and 5 gasoline fuel pumps for a total of 10 individual pumps. The store and exterior parking lot will be well lighted. There will be a total of 18 parking spaces with two reserved for handicap. A dense landscape buffer is planned for the East side of the property along the length of Niese Street. Additionally, a few mature trees will be preserved along the North Side property line.

Trafficflow will ingress/egress from South Parkway with two curb cuts and from the interstate on-ramp /Cummings Street on the West Side with one curb cut. These curb cuts already exist from the previous gas station. These will either be rehabilitated and/or rebuilt during construction. It is important to note that there will be no access whatsoever on Niese Street. The gasoline pump placement will provide an efficient queuing pattern and ease of maneuverability within the site.

The Long Range Transportation Plan has designated the corner of South Parkway as an Urban Other Principal Arterial and I-240 as Urban Expressway. Both these roads meet collector criteria for convenience store [Sec. 2.6.3 J 1f]. There is an acknowledged nuance for ingress/egress on the West



Side of the development in that the I-240 on-ramp and Cummings Street share or overlay each other. The applicant argues that the overwhelming primary traffic use here is to gain access to Northbound I-240 and that the Long Range Transportation Plan mapping supports this. Further, the traffic flow to and from the West Side of the store will have negligible impact on a resident wishing to travel to a house North on Cummings Street from South Parkway.

Lastly, as a part of the application for Planned Development approval, the applicant requests the existing vacant lot zoned R-6 to be rezoned to CMU-1. As previously noted the other three lots as part of this proposal are already zoned CMU-1. Only a portion of the WS of the rezoned lot, approximately less than half, is needed to accommodate the store footprint. The other ES half will be reserved for buffer along Niese Street. This configuration or combination of lots will improve visual impact from Niese not only with landscaping but also creates a 50'~ "green" buffer to the building. In addition, there is no realistic expectation that this lot would ever be redeveloped with a new house and an approval for CMU-1 will be a better use as proposed over the likely long term probability as vacant.

It is important to point out that there are no houses facing the proposed development and the land area across the street on Niese Street is vacant with a single commercial business at the corner of S. Parkway.

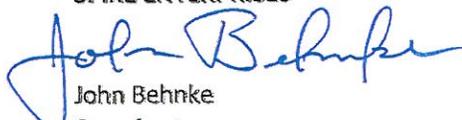
Pursuant to Section 9.69 and Section 2.6.3-J of the UDC, Planned Development/SUP Permit Criteria a permit may be granted providing the stated criteria are met. [see attached for more detail] To wit:

- The drive thru queuing spaces and proposed uses streamline traffic flow/turning movements within the site and provide safe, easy access to and fro at the location. Ample parking spaces are provided to accommodate customers and employees.
- Overall uses at the property will provide desired services to the neighborhood and travelers from I-240.
- Adjacent properties will benefit from a clean, secure and modern full service convenience store facility versus the existing stagnant vacant lot(s).
- The site is historically a gas station which failed to upgrade for modern tastes and habits making the proposed use a welcome return.
- Adequate emergency services and street, sidewalk, curb cuts, utilities and sewer capacity exist.
- The completed development will be in harmony with the surrounding area and its primary goal will be to serve the people nearby and strive for a pleasant consumer shopping experience.

Spire Enterprises is requesting a finding that developing a convenience store with gasoline pumps located at O S. Parkway E. (1054~ S. Parkway E.) coupled with the rezoning of a single lot from R-6 to CMU-1 would be substantially in compliance with the policies, goals and objectives of Memphis/Shelby County zoning ordinance(s) and that a Planned Development for the proposed use should be granted.

Thank you,

SPIRE ENTERPRISES


John Behnke
Consultant

South Parkway Convenience Store

9.6 Special Use and Planned Development Review
Memphis/Shelby County

Article 9 Administration
Unified Development Code

9.6.9 Approval Criteria

No special use permit or planned development shall be approved unless the following findings are made concerning the application:

- A. The project will not have a substantial or undue adverse effect upon adjacent property, the character of the neighborhood, traffic conditions, parking, utility facilities and other matters affecting the public health, safety, and general welfare.

The proposed site plan provides for a new brick convenience store designed to be in harmony with the neighborhood, drive thru queuing spaces and a fueling canopy. Traffic flow within and at entrances provides access maneuverability. Parking will be ample for both customers and employees. Adjacent residential properties will have no direct visual impact.

- B. The project will be constructed, arranged and operated so as to be compatible with the immediate vicinity and not interfere with the development and use of adjacent property in accordance with the applicable district regulations.

This specific request will support and complement adjacent property design, use and value. The proposal follows the criteria established in UDC Sec. 2.6.3-J Commercial Use Standards – Convenience Store with Gas Pumps. Streetscapes and the canopy will conform to mixed use standards.

- C. The project will be served adequately by essential public facilities and services such as streets, parking, drainage, refuse disposal, fire protection and emergency services, water and sewers; or that the applicant will provide adequately for such services.

The site is currently served by all essential public facilities. In our estimation, adequate emergency services and both street and sewer capacity exist.

- D. The project will not result in the destruction, loss or damage of any feature determined by the governing bodies to be of significant natural, scenic or historic importance.

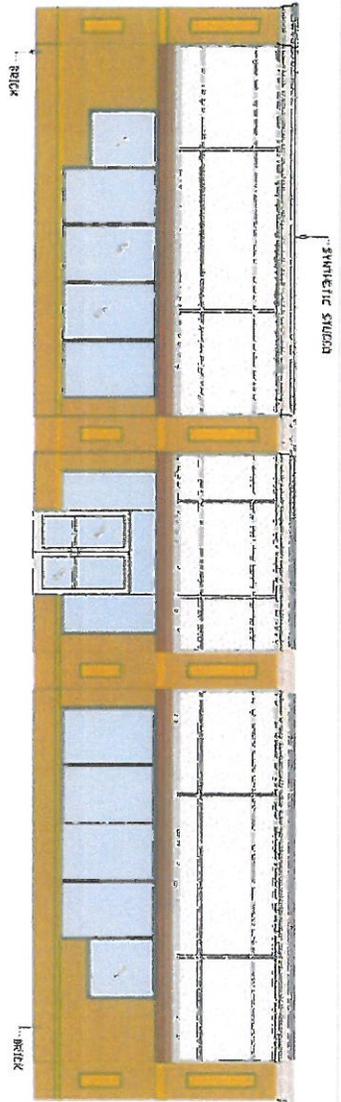
The proposed site is a major improvement over the existing conditions.

- E. The project complies with all additional standards imposed on it by any particular provisions authorizing such use.

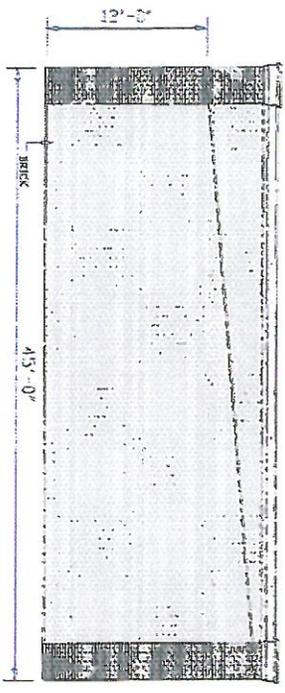
The project complies with applicable regulations in the UDC.

- F. The request will not adversely affect any plans to be considered (see Chapter 1.9), or violate the character of existing standards for development of the adjacent properties.

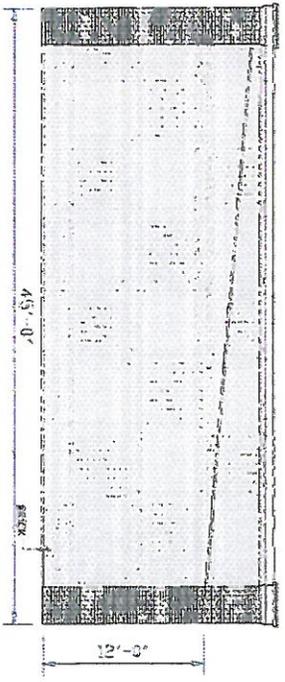
The proposal conforms to the General Plan approved in 1974 and is compatible in character to surrounding properties.



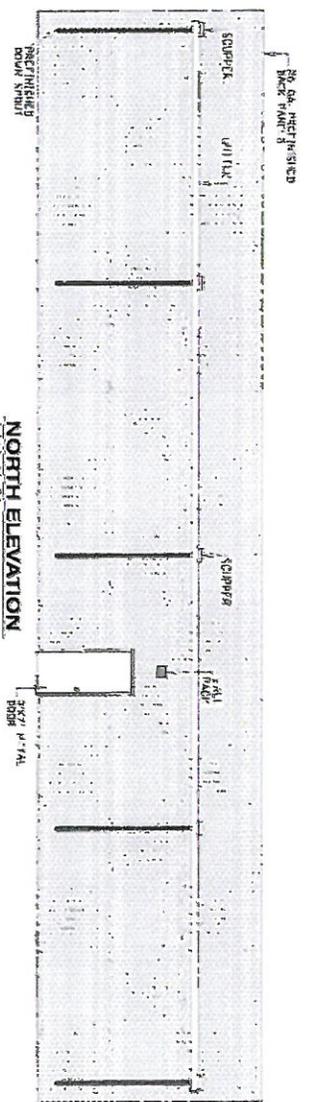
SOUTH ELEVATION
1/4" = 1'-0"



WEST ELEVATION
1/4" = 1'-0"

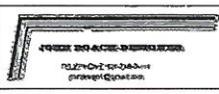


EAST ELEVATION
1/4" = 1'-0"



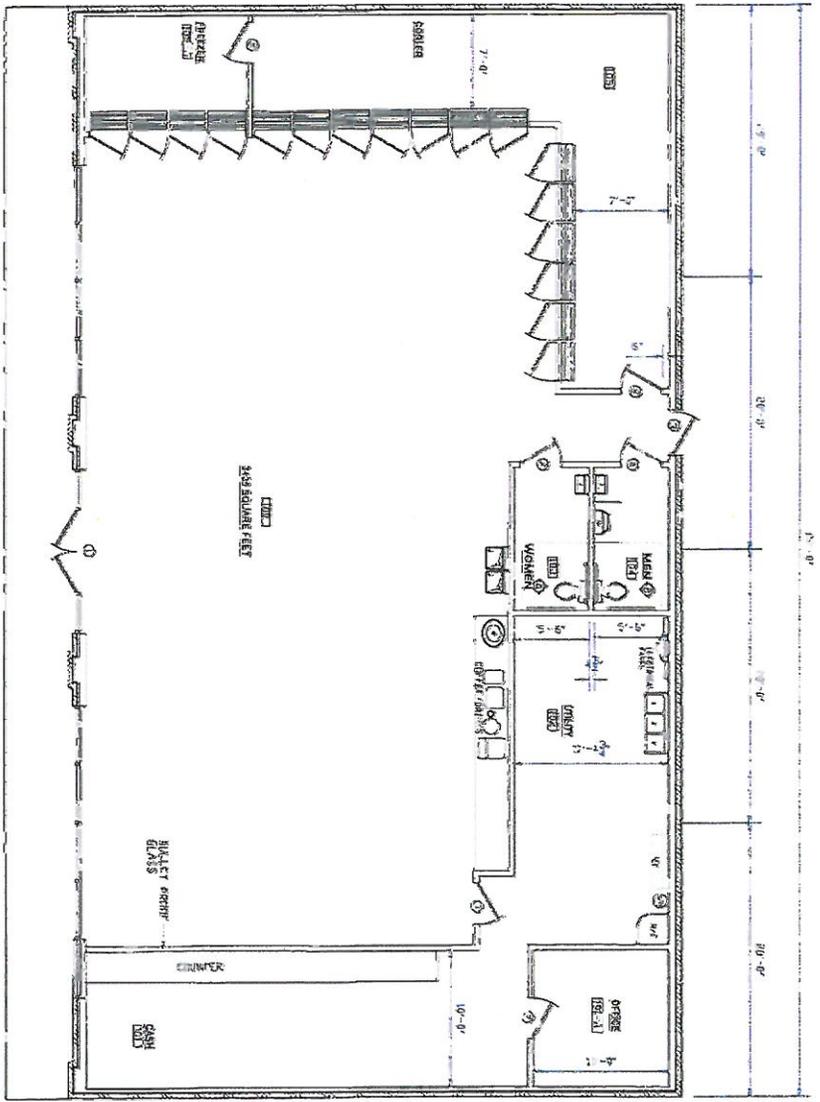
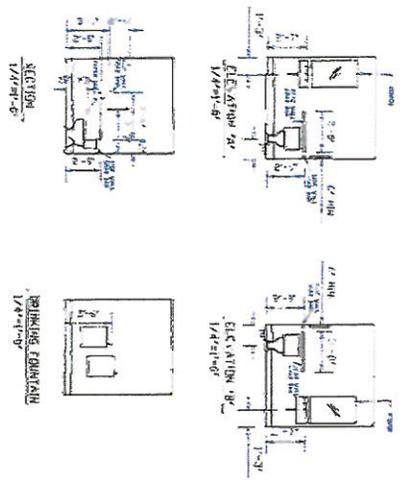
NORTH ELEVATION
1/4" = 1'-0"

ELEVATION	
DATE	08/11/2014
BY	ARCHITECT
CHECKED	ARCHITECT
SCALE	1/4" = 1'-0"
PROJECT	14-00000000000000000000
CLIENT	14-00000000000000000000
LOCATION	14-00000000000000000000
DESCRIPTION	14-00000000000000000000
REVISIONS	14-00000000000000000000



NO.	DATE	DESCRIPTION
1	08/11/2014	ISSUED FOR PERMIT
2		
3		
4		
5		

- NOTES:**
1. BUILDING OCCUPANCY & CLASSIFICATION TYPE: 1B3 COMMERCIAL/INDUSTRIAL TYPE 1-3 UNASSURABLE
 2. BUILDING AREA: DUT TO BUY STUDS 3600 SQUARE FEET
 3. ALL INTERIOR FINISH MATERIALS SHALL HAVE A FLAME SPREAD RATING OF NOT MORE THAN 200 CLASS "F"/SECS
 4. ALL INTERIOR DOORS SHALL BE 3 1/2" SOLID CORE WOOD
 5. ALL INTERIOR PARTITIONS SHALL BE OF 3/4" GYP BOARD WITH A 1/2" STUCCO FINISH
 6. PROVIDE 3" x 4" LENS AND 1" x 3" LENS AND 1" x 1" SECTIONAL WALL SMOKE DAMPERS FOR EACH EXITS IN RESPECTIVE
 7. ALL CONTROL DEVICES FOR LIGHT, POWER, HEAT, AND A/C SHALL BE MOUNTED NO HIGHER THAN 48" ABOVE THE FINISH FLOOR
 8. BANKING FOURWAY SPRAY DUCTILE SHALL BE



FLOOR PLAN
1/4"=1'-0"

NO.	DATE	BY	CHKD.
1			
2			
3			

FLOOR PLAN

PROJECT: [REDACTED]

DATE: [REDACTED]

SCALE: [REDACTED]

BY: [REDACTED]

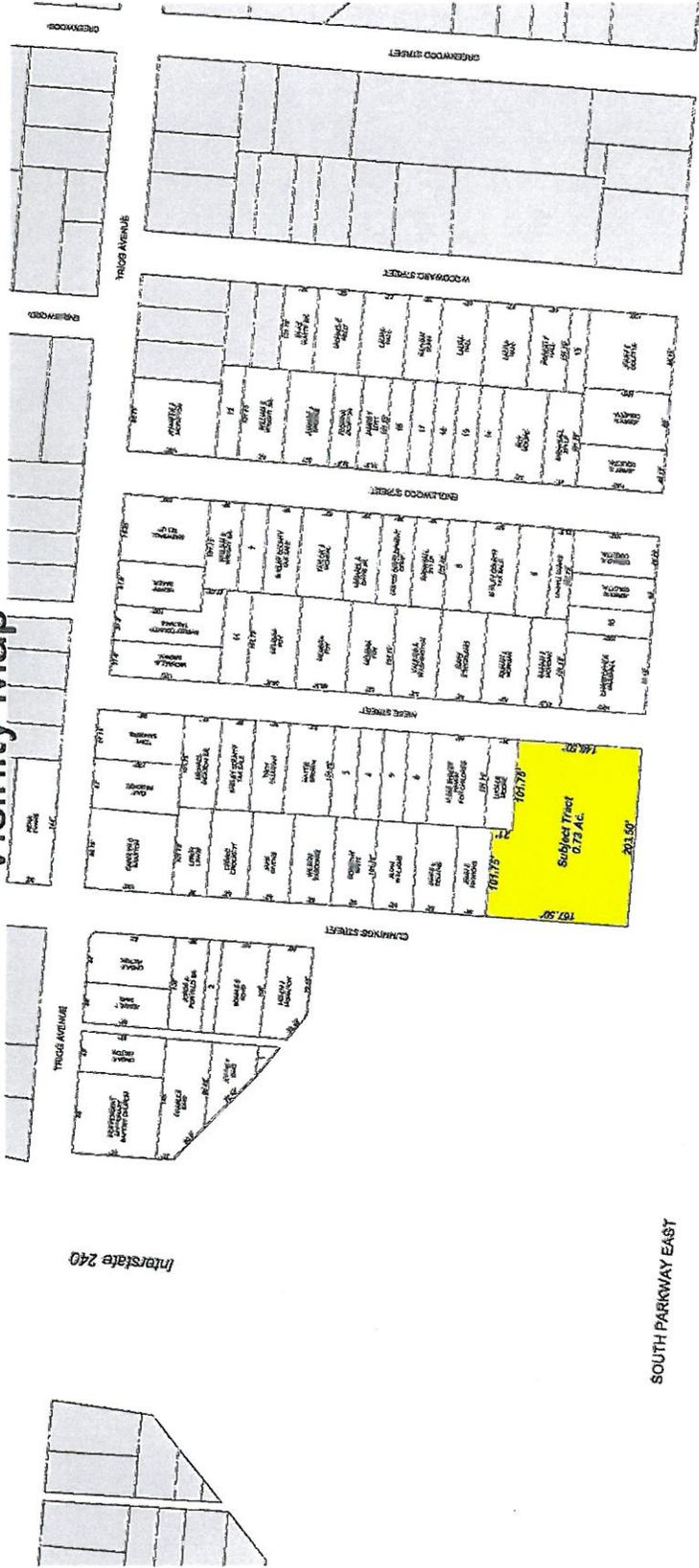
CHKD.: [REDACTED]

APP. [REDACTED]

APP. [REDACTED]

APP. [REDACTED]

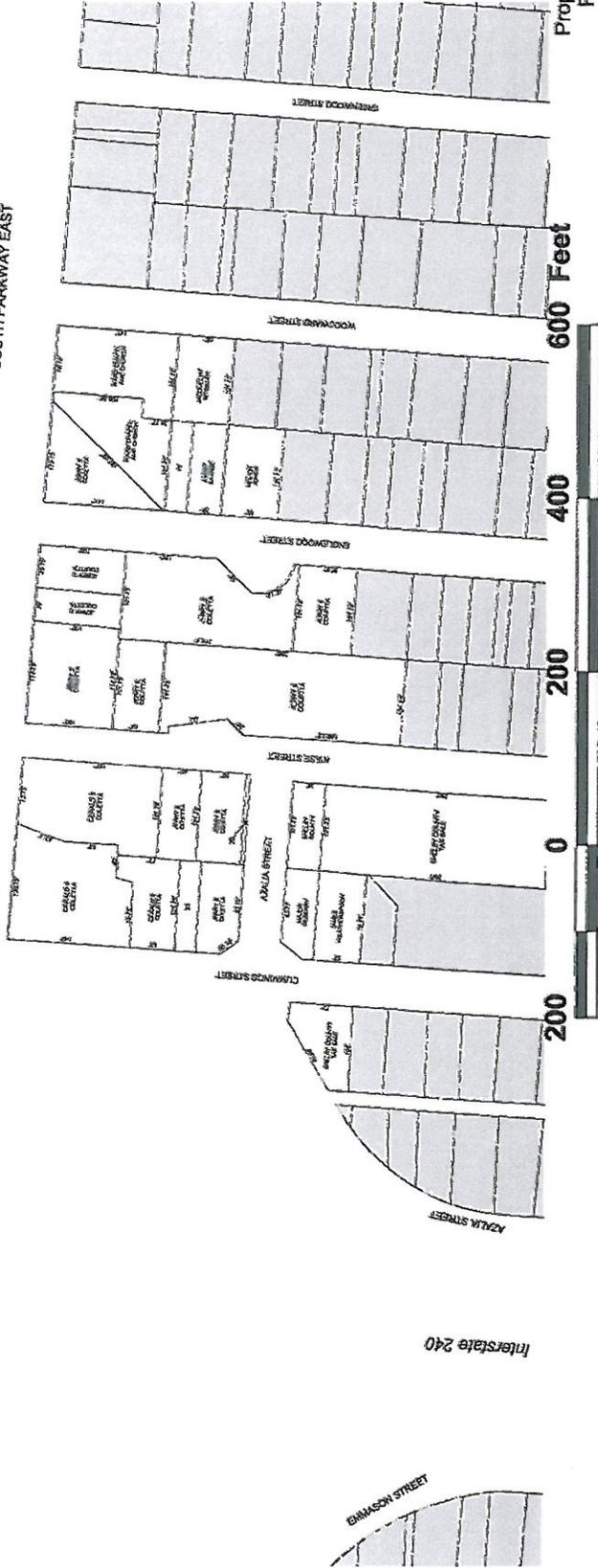
Vicinity Map



Interstate 240

SOUTH PARKWAY EAST

SOUTH PARKWAY EAST



Date: 01/16/17
Prepared By:
Property Research Data
PRD Job #17-002