



STAFF REPORT

AGENDA ITEM: #4

CASE NUMBER: P.D. 17-06 **L.U.C. B. MEETING:** June 8, 2017

CASE NAME: Polo Grounds North Planned Development, Amended, Area F

LOCATION: Northeast corner of Cotton Plant Road and Nonconnah Parkway

COUNCIL DISTRICT(S): District 2 Super District -9 Positions 1, 2 & 3

OWNER/APPLICANT: Taylor 2010 Family LP/Carmax

REPRESENTATIVE: Brenda Solomito-Basar (Solomito Land Planning)

REQUEST: Amend Area F, Polo Grounds P.D. to Permit Used Car Sales

AREA: Area F = +/- 17.2 Acres. Site = 10.25 Acres

EXISTING LAND USE & ZONING: Vacant land, Area F of the Polo Grounds North, PD, P.D. 99-344. Area F is regulated by the General Office and Commercial Mixed Use -2 Districts.

CONCLUSIONS

1. Staff's recommendation is based on the following points: This Planned Development was amended in 1999 to specifically exclude the proposed use. A subsequent review of the Planned Development in 2004 excluded automobile service and outdoor related uses.
2. Location: With so much vacant land adjacent to this site, and not being located at the intersection with Highway 385; staff is concerned that approval of this use will serve as justification for other car dealerships and related uses.
3. Staff has observed a trend over the years that these uses tend to cluster and very often contribute to changes in the land use pattern of the area towards automobile related uses.

RECOMMENDATION *REJECTION*

Staff Writer: John D. (Don) Jones

E-mail: john.jones@memphistn.gov

General Location



The subject property is located on the north side of Nonconnah Parkway, a.k.a Highway 385, between Cotton Plant Road on the west and Germantown Road on the east. The site outline above includes both Areas E and F of the Polo Grounds North Planned Development. Both areas are included under the Assessors Ward, Block, and Parcel Identification number 081086 00005.

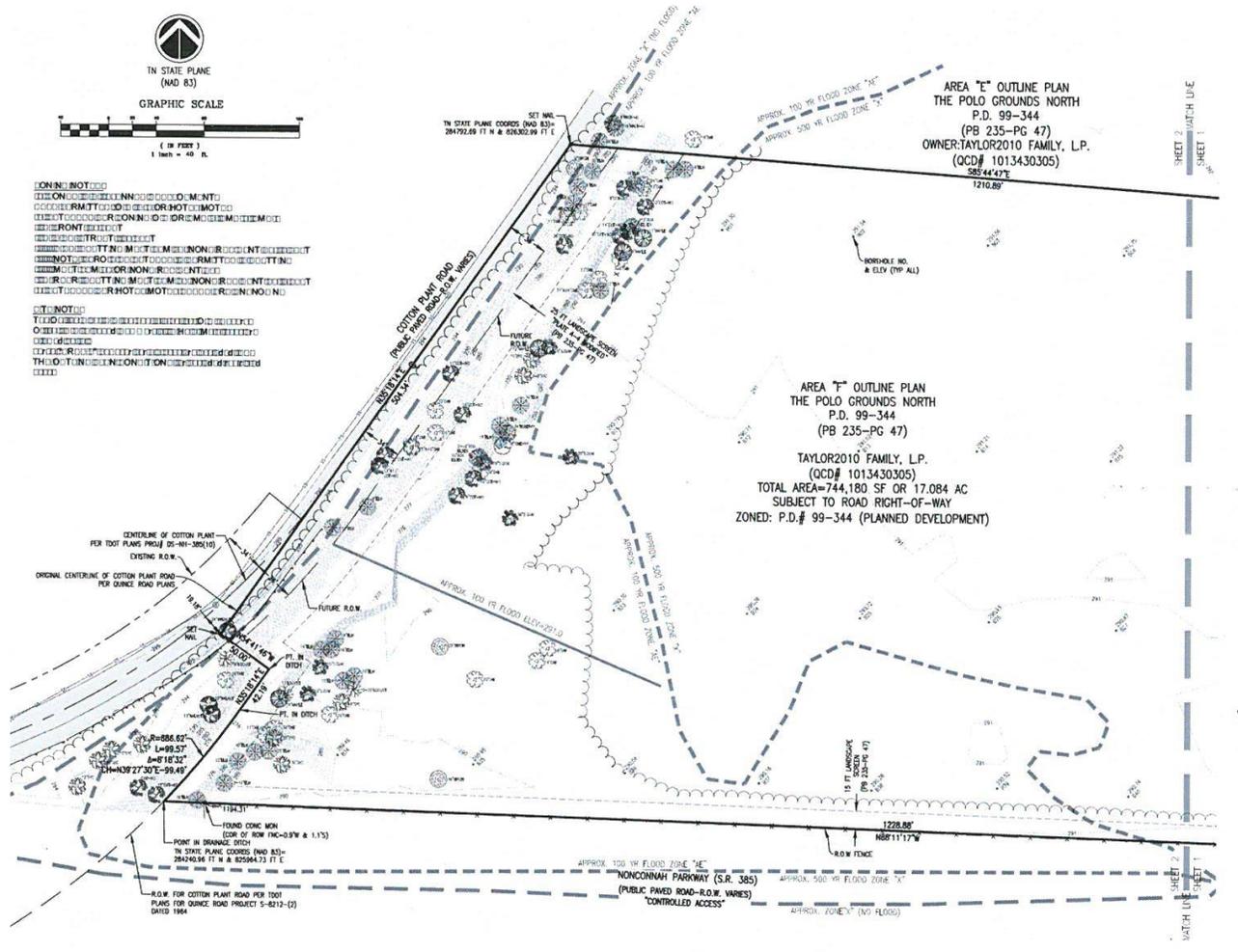
Area F contains just over 17 acres; the proposed development includes approximately 10 of the 17 acres.

Overhead View



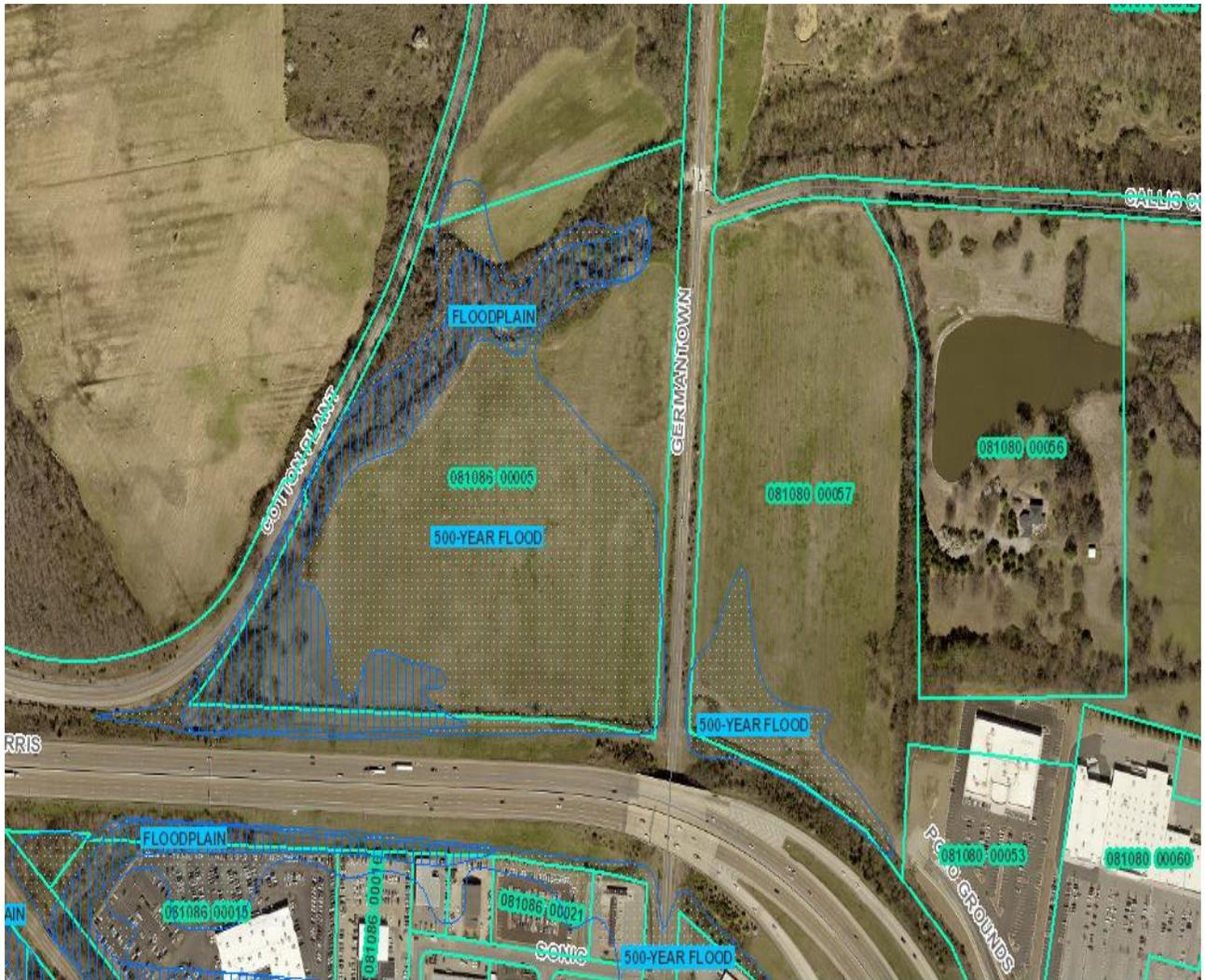
Aerial view - this view includes both Areas E and F of the P.D. From this view, the existing drainage feature and mature vegetation along west property line stands out. Cotton Plant Road abuts the west property line.

Existing Conditions Survey

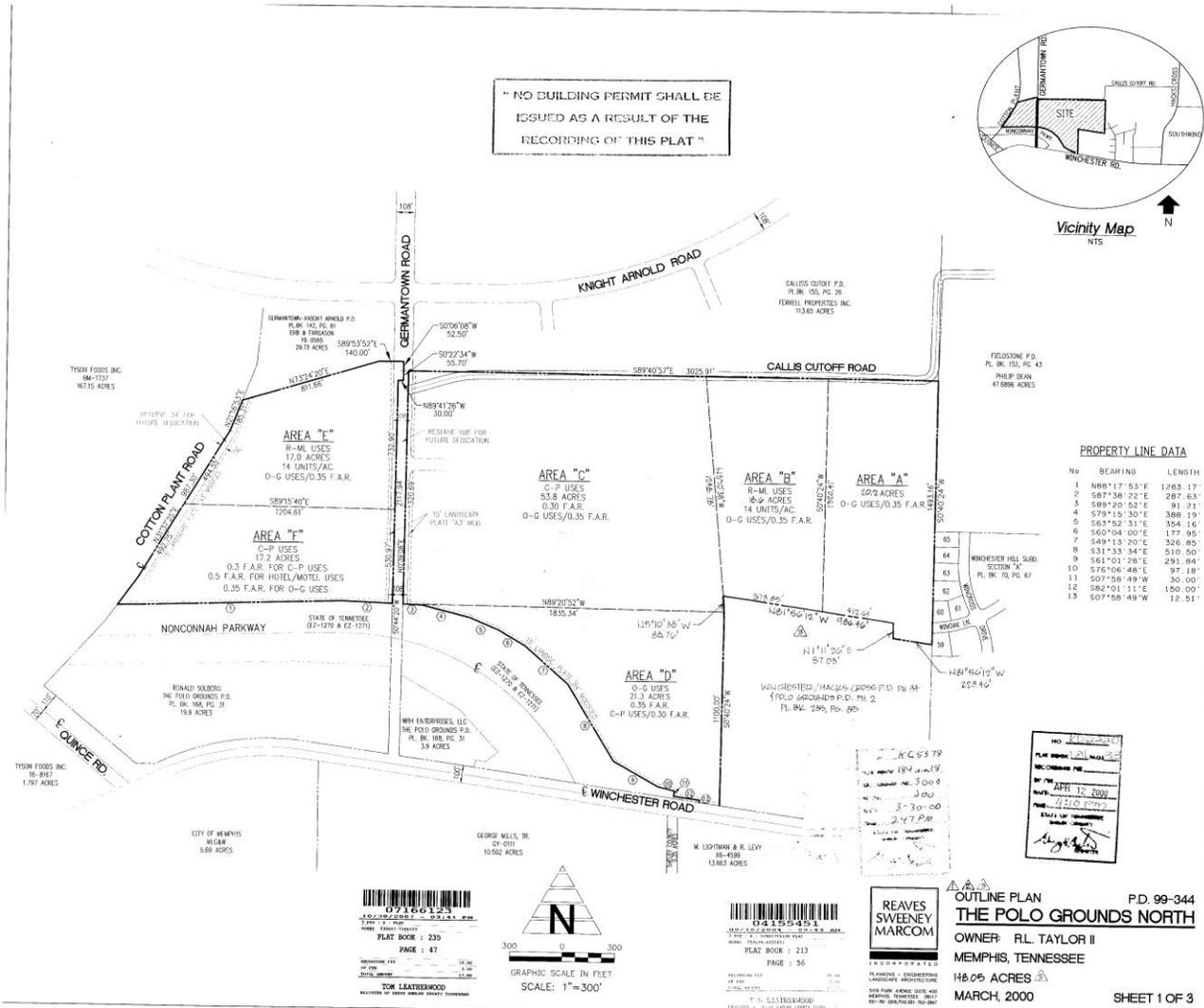


The survey indicates that the property is relatively flat except for the westernmost area near Cotton Plant Road. In this area there is a meandering drainage feature and existing mature trees. As the exhibit on the next page shows, the property does line within the 100 year and 500 year floodplain and the applicant indicates some 2 ½ feet of fill will be required.

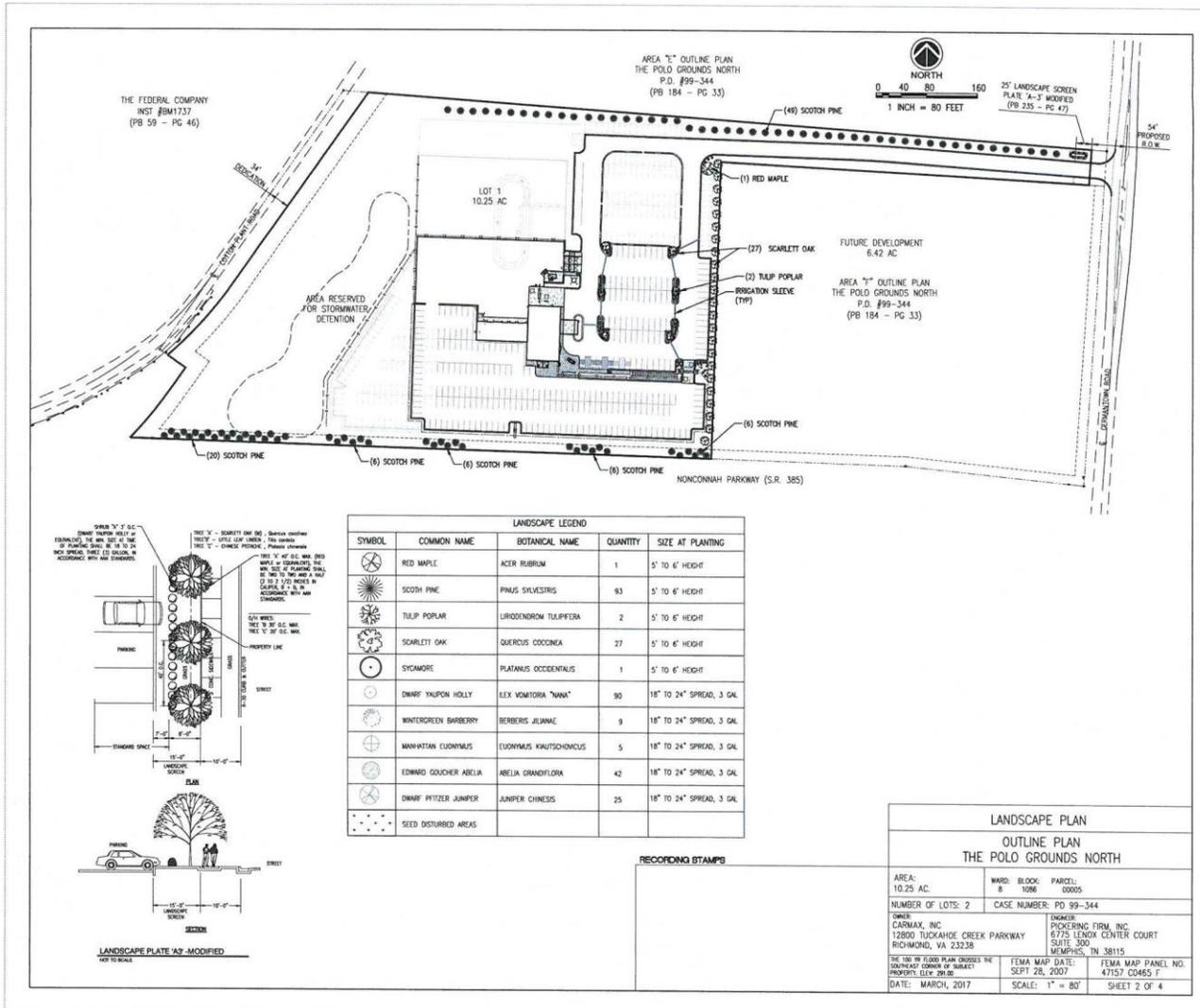
Floodplain Overlay



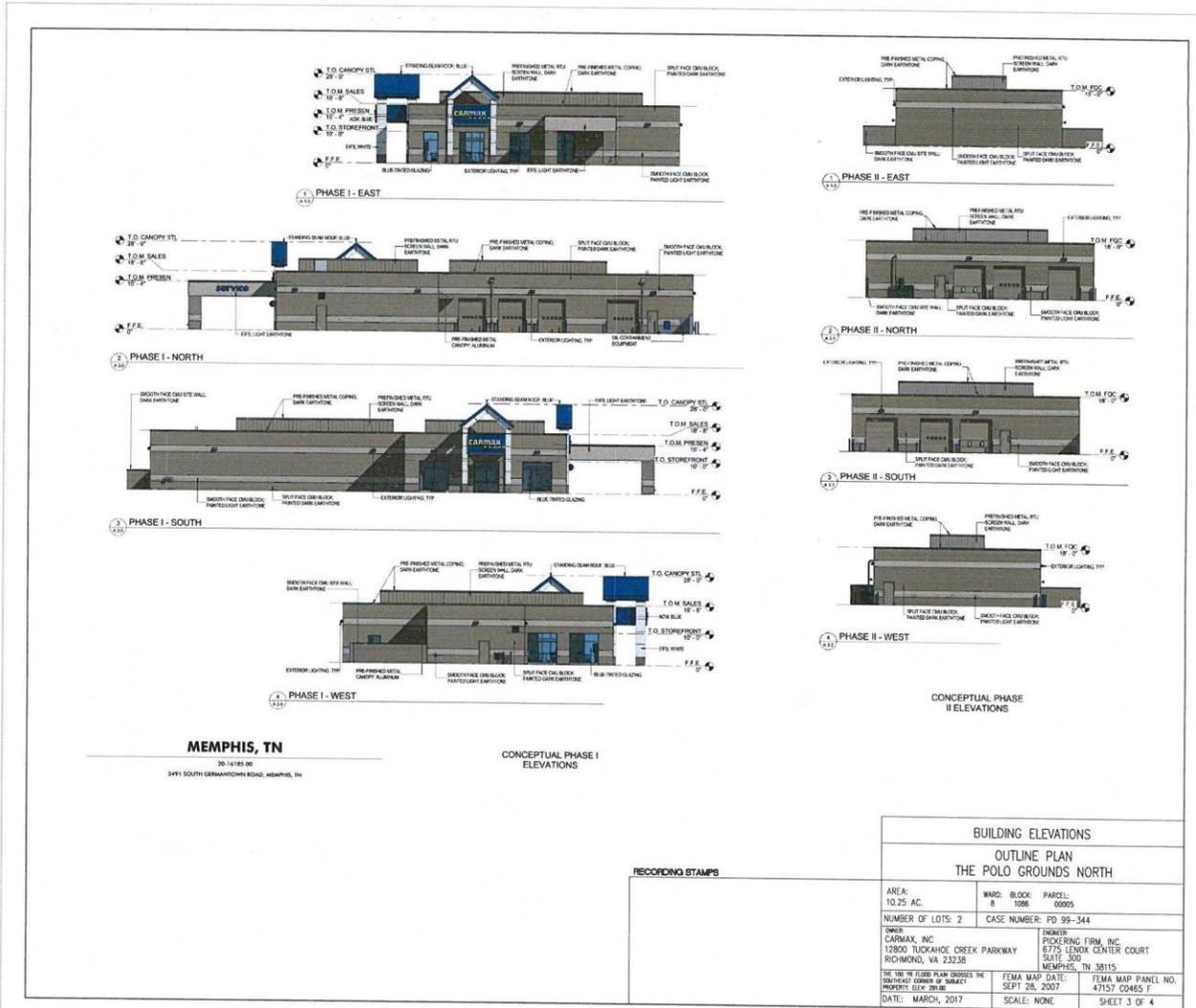
Zoning – Outline Plan



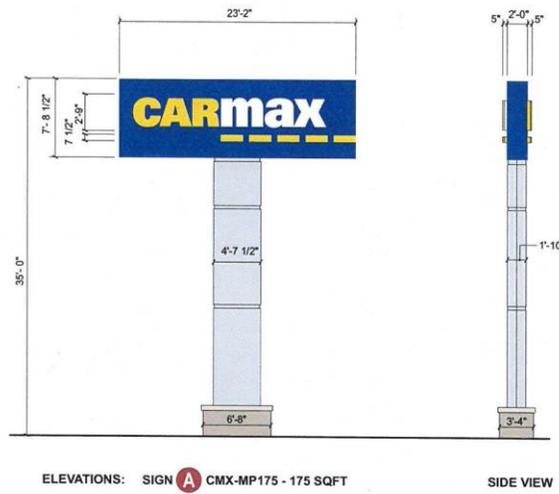
Landscape Plan



Elevations



Detached Sign



Architectural Graphics Inc.
2655 International Parkway
Virginia Beach, VA 23452
Phone: 757-427-1900
Fax: 757-427-6112

Revisions:

1.	04/26/17
2.	
3.	
4.	
5.	
6.	

Account Rep:
Project Manager: R. JOHNSON
Drawn By: MRA
Project / Location:



CARMAX # 6137
6465 Mullins Station Rd.
Memphis, TN 38135

DOUBLE FACED MONUMENT SIGNS

STAFF ANALYSIS:

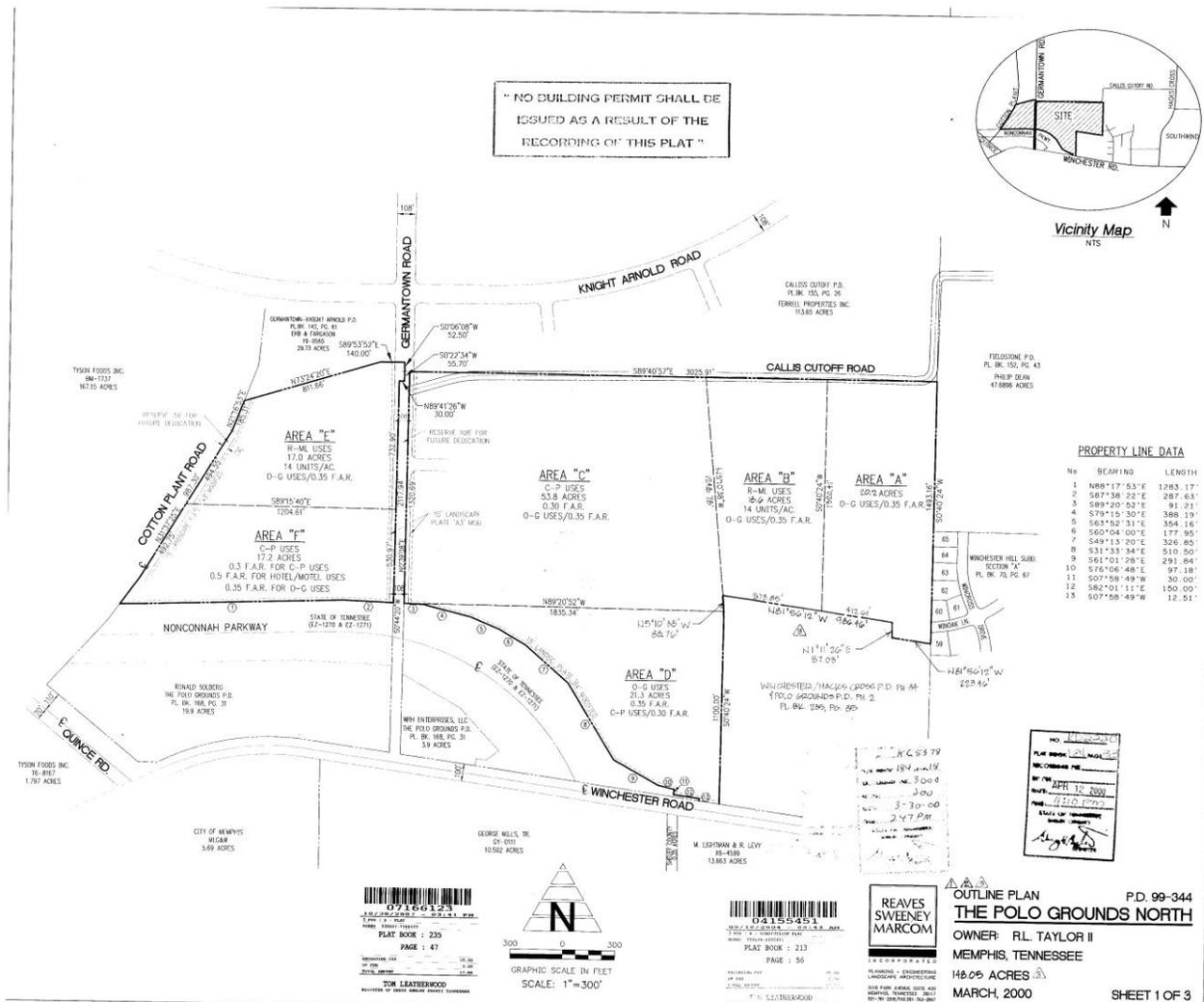
REQUEST:

- * Modify the Uses Permitted Conditions to permit one Automotive Retailer in Area F
- * Allow the following additional uses associated with the Automotive Retailer: 1. Vehicle Service, 2. Vehicle Repair Conditioning, 3. Private Vehicle Wash, 4. Private Fuel Storage and Pumps, 5. Wholesale Auction, 6. Vehicle Appraisals/Acquisitions, 7. Sale and Installation of Vehicle Accessories
- * The subject property is the western 10 +/- acres of Area F of the Polo Grounds North Planned Development, P.D. 99-344
- * The site will accommodate 272 cars for sale and another 94 in the staging area
- * The project will eventually employ up to 30 employees when it is fully operational
- * Area F is located on the north side of Highway 385 between Cotton Plant Road on the west to Germantown Road on the east
- * Access to the site is gained via a flag stem from Germantown Road. No access is being provided to Cotton Plant Road
- * Landscaping/screening plan includes the retaining of a 25 foot wide buffer zone along Cotton Plant Road to address the natural area there. The plan calls for a Class III buffer along the north property line and the grouping of landscaping along Highway 385 to accomplish both landscaping and visibility
- * The plan calls for 4,423 square feet of sales area in building and 2,400 square feet of service area. The building elevations show buildings composed of Split faced, CMU material tinted that will be brown or light brown. A blue, standing seam metal roof is proposed for the canopy roof and the attached signs
- * Detached signs: 1 pole style sign facing Highway 385 at 75 feet in height and 300 square feet in area and one monument style sign on Germantown Road at 35 feet in height and 56 square feet in area

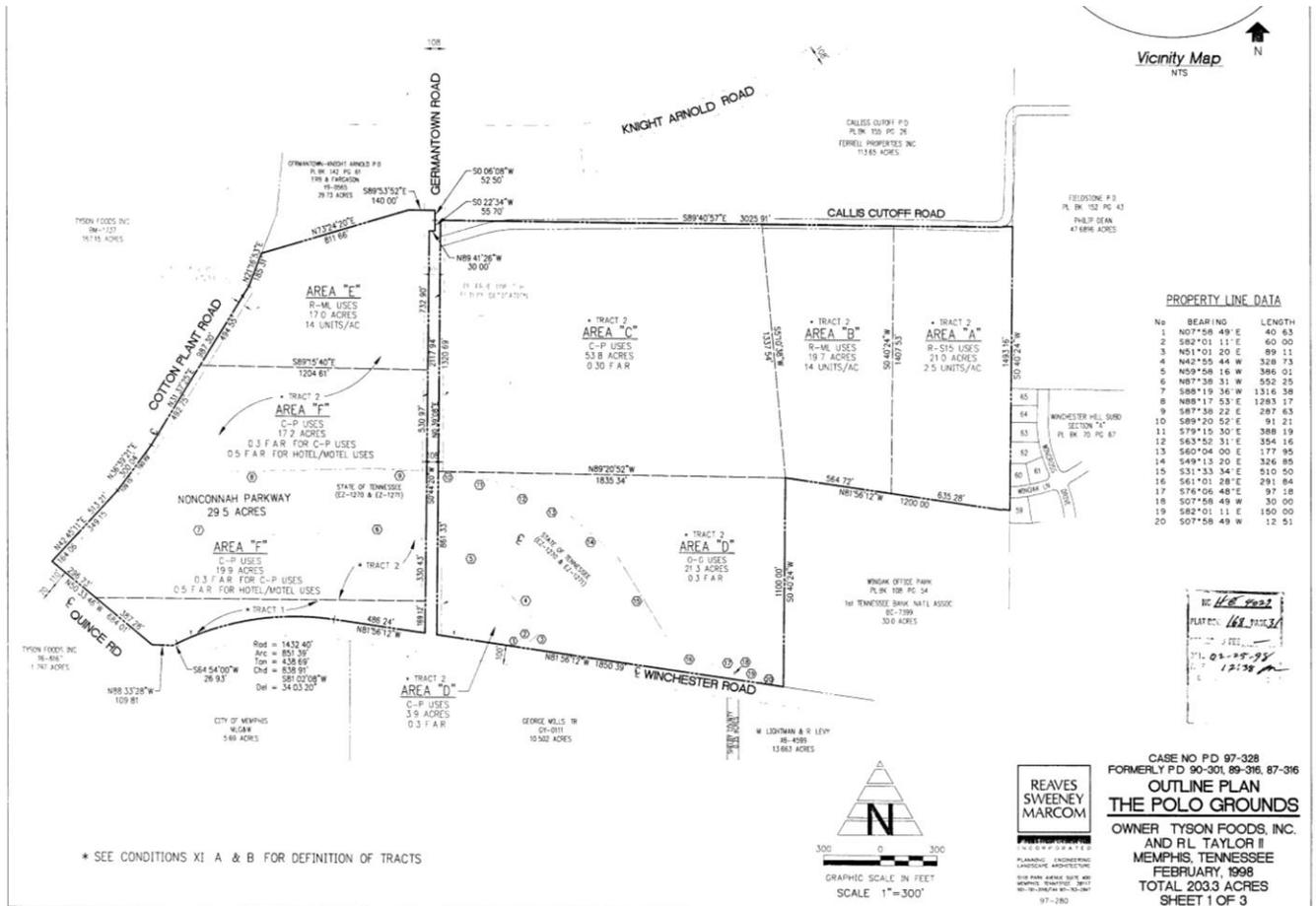
Current Zoning Entitlement

The subject property is located within Area F of the Polo Grounds North Planned Development. Area F, see below, is a 17.2 +/- acre tract, which is one of six sub-areas, A-F that was reorganized when the original Polo Grounds Planned Development was amended in 1999. That 1999 amendment separated the planning area which was located between Winchester Road and the new Highway 385 from the planning area which was then re-named Polo Grounds North.

Current Outline Plan for Polo Grounds North



Polo Grounds Outline Plan, 1998



In 2004 a correspondence application for a 5-year time extension was reviewed by the OPD and approved by the LUCB. That time extension request included the revision of some conditions and the addition of a list of prohibited uses.

Among those changes include a prohibition on “pole signs”, a modification to the required streetscape treatment to require a 25 foot wide plate with a berm along streets other than Nonconnah Parkway/Highway 385. The list of prohibited uses reads as follows:

1. Adult Entertainment Establishment,
2. Group Shelter,
3. Transitional Home,
4. Outdoor Amusements,
5. Outdoor Retail Sales or Display,
6. Used Goods, Second Hand Sales,
7. Pawn Shops,
8. Motor Vehicle Service,
9. Undertaking Establishment,
10. Self-Service Vehicle Wash,
11. Drive-In Restaurant,
12. Taverns, Cocktail Lounges, Nightclubs other than in conjunction with a hotel or a motel,
13. Communications Tower.

Review of Request:

Polo Grounds North – The Polo Grounds North Planned Development was created out of the larger and older Polo Grounds Planned Development in 1999. Prior to the amendment, Area F straddled the then proposed Nonconnah Parkway. With the amendment to the boundaries and the addition of the prohibition on vehicle sales, the applicant and the staff both implicitly and explicitly created a line of demarcation for the location of this use. The Nonconnah Parkway/Highway 385 became that line of demarcation.

Once it became clear where the interchanges with Highway 385 would be located, it likewise became clear where more intensive uses of property should be located. Germantown Road, which today is classified as an Urban Other Principal Arterial, is not at an interchange with Highway 385.

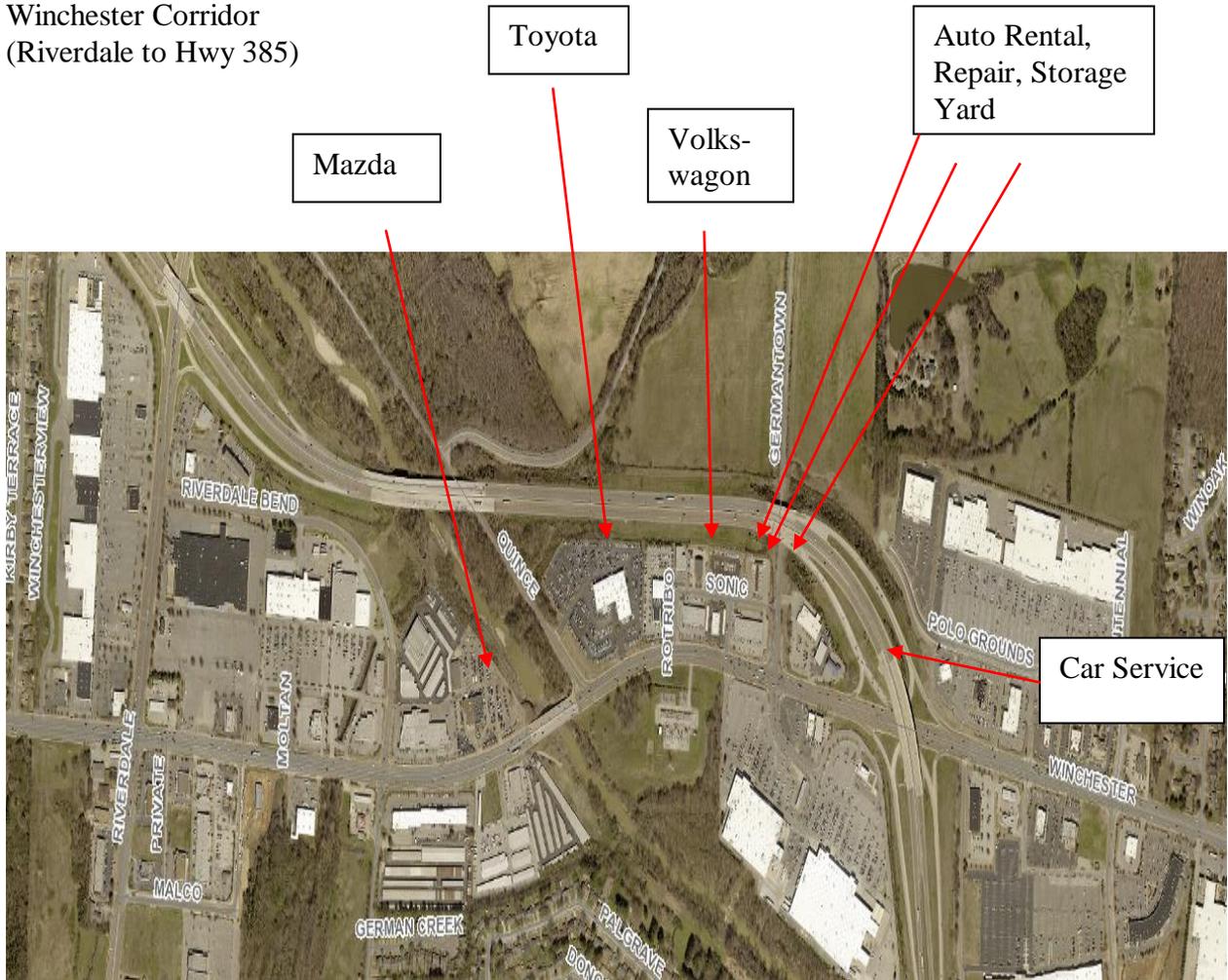
The use amendments that were associated with the 1999 amendment allowed for office in areas that had previously been set aside for residential but also prohibited automobile sales for the entire P.D. The subsequent correspondence application some five years later affirmed the belief that uses with a reliance on outdoor activity were not desirable for this development.

To date, activity in this Planned Development has been limited to Area D primarily and a very small portion of Area C where the L.A. Fitness Center is located. Area D is virtually built out. The bulk of Area C and all of the remaining sections, A, B, E and F and vacant.

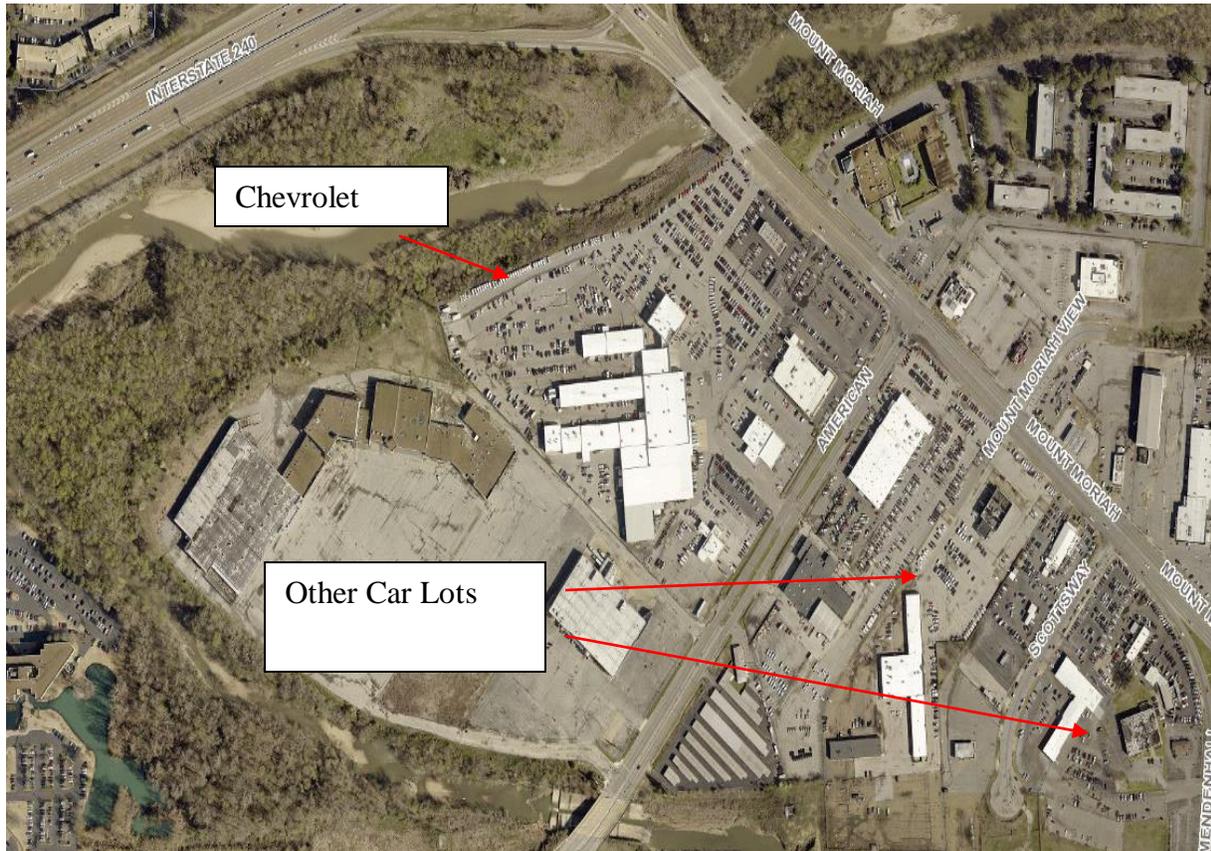
Observed Trends Related to Automobile Sales- Over the years, the OPD staff has reviewed applications for automobile sales and observed a tendency for these types of uses to cluster together. Staff has also observed a tendency for certain other automobile related services to locate nearby. Such is the nature of competition in the marketplace. But as this occurs, the large size of the projects often leads to change in land use patterns. The classic example locally is Covington Pike between, often referred to as Auto Row between the I-40 right of way and Raleigh-LaGrange Road. It is not staff's contention that this property and this use will morph into the next Covington Pike, but staff also notes similar characteristics along other roads such as Winchester Road west of this site, Mt. Moriah/Mendenhall and Highway 64.

Staff recognizes that the applicant proposes that only one "Automotive Retailer" will be permitted in Area F and the prohibition will remain for the other areas, but with other vacant land available immediately to the east of this site in Area F and on the opposite side of Germantown Road in Area C, both of which have to Highway 385, staff feels that the approval here will provide significant justification for similar requests. Were the situation reversed, and this was the last available section of land staff might be more inclined toward approval.

Winchester Corridor
(Riverdale to Hwy 385)



Mt. Moriah
(I-240 to American Way)



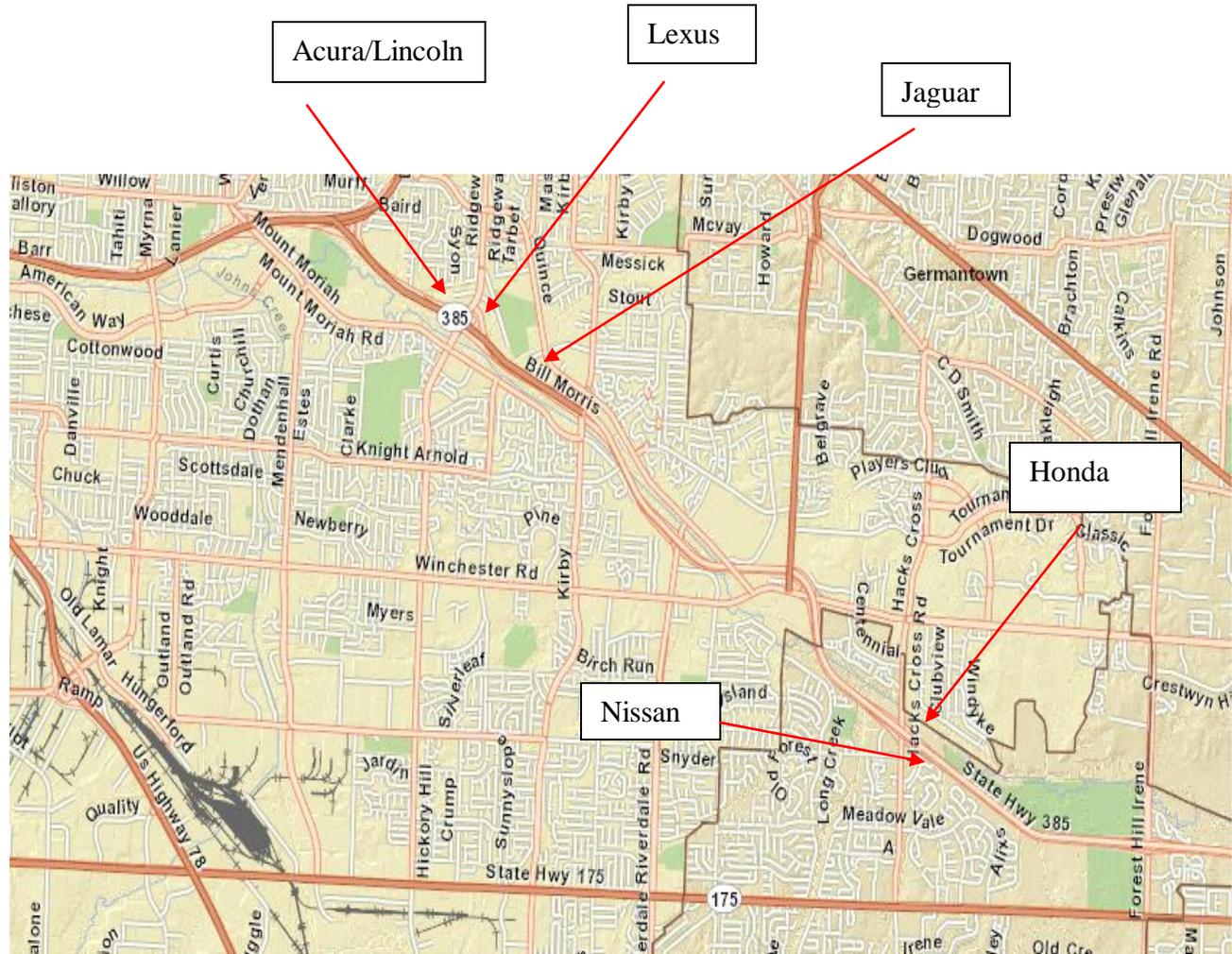
Highway 64
(Either side Kate Bond)



Other Trends – A total of five Automobile Dealerships have been approved by the Memphis City Council along the Highway 385 Corridor between Ridgeway and Hacks Cross Road. Four of the Five were at the intersection of Highway 385 and a Principle Arterial Roadway. The Jaguar Dealership on Quince just west of Kirby Parkway and Highway 385 is the outlier.

The Acura/Lincoln Dealership and the Lexus Dealership are located on the west and east side respectively of Ridgeway Road at Highway 385. The Jaguar Dealership abuts Highway 385 west of Kirby Parkway and Highway 385. The Nissan and Honda Dealerships are located on the southeast and northeast corners of Hacks Cross Road and Highway 385 respectively. The planned development immediately north of the Honda Dealership was recently amended to allow an automobile service use.

Highway 385 Corridor



Planned Development Conditions— The applicant has provided a revised set of the P.D. conditions which is located in the appendix of this report, pages 33-36. The applicant has also provided a supplementary set titled Proposed Outline Plan Conditions which are found in the Appendix at page 37.

RECOMMEDATION - REJECTION

If this application is approved, the staff will merge the two sets into one for presentation to the Memphis City Council.

If the Land Use Control Board is inclined to approve this application, staff recommends the following changes to conditions.

Outline Plan Conditions: (beginning on page 33)

I.G. – reword the second sentence,” The following additional and accessory uses are permitted for this automobile retailer only:”

III. C. – Add a new second sentence, “However, access to Cotton Plant Road from Area F is not permitted; applicant shall convey its right of access to the City of Memphis”.

III. H. – Omit the reference to Area F.

Supplemental Conditions, beginning on page 37.

Access Parking and Circulation:

1. This is not needed, already covered under in existing conditions.
5. Add a second sentence. “However, the undeveloped portion of Area F, generally east of the Automobile Retailer shall be permitted access to and from the east-west private drive that serves said retailer”.
6. New: Add Engineering Comments 4, 6, 7 and 8.

Landscaping and Lighting

4. Substitute the word “modified” for the word waived.

Signage

4. Substitute the following language: In Area F, one detached sign shall be permitted at a maximum height of 35 feet above the grade of Highway 385, this includes any side retaining wall. A maximum sign area of 100 square feet shall be permitted. Detached signage along Cotton Plant Road shall be prohibited.

Most of the above changes are minor in nature and staff believes the applicant the applicant is in agreement. The change to the detached signage is based on the approved PD’s for automobile sales lots along the Highway 385 corridor.

GENERAL INFORMATION

Zoning Atlas Page: 2350
Parcel ID: 081086 00005

DEPARTMENTAL COMMENTS

The following comments were provided by agencies to which this application was referred:

City Engineer:

CASE: PD 17-06 NAME: Polo Grounds PD Amended

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. The developer shall extend sanitary sewers through the site to serve upstream properties.

Roads:

4. Dedicate 54 feet from centerline of Germantown Road and improve with an exclusive north bound left turn lane and appropriate tapers to accommodate the turn lane all to the satisfaction of the City Engineer.
5. This development is adjacent to Germantown Road which has been identified by TDOT (Project ID# 55) to receive future improvements. The applicant is advised that land from his/her parcel may be reserved or dedicated to accommodate the future expanded R.O.W.

Traffic Control Provisions

6. 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.

7. 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.
8. 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.

Curb Cuts/Access:

9. The City Engineer shall approve the design, number and location of curb cuts.

Drainage:

10. 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.
11. Drainage data for assessment of on-site detention requirements shall be submitted to the City Engineer.
12. 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 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 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.
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.

Site Plan Notes:

14. Adequate queuing spaces in accordance with the current ordinance shall be provided between the street right-of-way line and any proposed gate/guardhouse/card reader.
15. Adequate maneuvering room shall be provided between the right-of-way and the gate/guardhouse/card reader for vehicles to exit by forward motion.

General Notes:

16. The width of all existing off-street sewer easements shall be widened to meet current city standards.
17. 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.
18. Required landscaping shall not be placed on sewer or drainage easements.

City Fire Division: No comments received.

City Real Estate: No comments received.

City/County Health Department:

No comments by the Water Quality Branch & Septic Tank Program.

Shelby County Schools: No comments received.

Construction Code Enforcement: No comments received.

Memphis Light, Gas and Water: No comments received.

Neighborhood Associations: No comments received.

APPLICATION

LETTER OF INTENTSUPPORT

CONDITIONS

Application



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: April 3, 2017

Case #: PD 99-344 (Formerly)

PLEASE TYPE OR PRINT

Name of Development: The Polo Grounds Planned Development Amended

Property Owner of Record: Taylor 2010 Family LP c/o James West Phone #: _____

Mailing Address: 4190 Tuckahoe Road City/ State: Memphis, TN Zip 38117

Property Owner E-Mail Address: _____

Applicant: Carmax Phone # _____

Mailing Address: 12800 Tuckahoe Creek Parkway City/ State: Richmond, VA Zip 23238

Applicant E- Mail Address: bill metcalfe@carmax.com

Representative: Brenda Solomito Basar - Solomito Land Planning Phone #: 901-569-0310

Mailing Address: 2067 Kirby Parkway City/ State: Memphis, TN Zip 38119

Representative E-Mail Address: brendasolomito@bellsouth.net or brenda@solomitolandplanning.com

Engineer/ Sureyor: The Pickering Firm Phone # 901-729-5508

Mailing Address: 6775 Lenox Center Court, Suite 300 City/State: Memphis, TN Zip 38115

Engineer/ SurveyorE-Mail Address: cmartin@pickeringfirm.com

Street Address Location: 0 Germantown Road

Distance to nearest intersecting street: Approximately 832' north of teh northern right of way line of Winchester Roaid

	Parcel 1	Parcel 2	Parcel 3
Area in Acres:	<u>1.025 +/-</u>	_____	_____
Existing Zoning:	<u>Planned Development</u>	_____	_____
Existing Use of Property	<u>Vacant</u>	_____	_____
Requested Use of Property	<u>CarMax Dealership</u>	_____	_____

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

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

Number of Residential Units: N / A Bedrooms: _____

Expected Appraised Value per Unit: _____ or Total Project: _____

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.

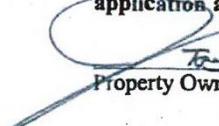
Pre-Application Conference held on: 11/18/16 with Chip Saliba

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.

	<u>2010 FLP Council</u>	<u>4/17/17</u>		<u>K. Douglass Moyers</u>	<u>4.17.2017</u>
Property Owner of Record	Return	Date	Applicant	K. Douglass Moyers	Date
				Vice President	

**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.)

Amendment(s): Is the applicant applying for an amendment to an existing Planned Development?
Yes No

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 See Attached

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.

- 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.

- 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)

- 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.

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

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

4.10.3 Planned Development General Provisions
Polo Grounds Planned Development Amendment

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 CarMax will neither interfere with any existing land uses in the area, nor will it unduly hinder or prevent the development of surrounding property in accordance with the current development policies and plans of the City. This proposal maintains the integrity of the originally approved Planned Development both design and use consistent with the public interest.

- 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 public services are located nearby and will be provided to the site at the developer's expense.

- 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).

Design and landscaping measures ensure the compatibility of the proposed site with the adjacent residentially zoned, yet undeveloped property to the north. The Planned Development calls for CMU-2 uses to the east, similar to those already approved in Area F.

- 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 amendment will not only follow the approved outline plan conditions, site plan conditions and also the use standards associates with auto retailers.

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

The proposed development will be owned and maintained by one owner.

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

The approved Final Plat will be recorded by the Office of Planning and Development to create the legal lot of record for which a building permit may be issued.

Letter of Intent

May 1, 2017

Josh Whitehead, AICP
Planning Director/Administrator
Memphis and Shelby County
Office of Planning and Development
City Hall, 125 N. Main St., Ste. 468
Memphis, Tennessee 38103

RE: Application for Planned Development Amendment
Polo Grounds Planned Development (Formerly PD 99-344)

Dear Josh,

We are pleased to submit an Application for Planned Development Amendment on behalf of CarMax, the developers of the 10.25+/- acres located on the west side of Germantown Road, at the intersection of SR 385 and Germantown Road. The Polo Grounds Planned Development provides for a mixture of uses ranging from commercial uses, hotel uses, transitioning to residential uses. Approved in 1999, a few phases have been approved and completed.

The purpose of this Planned Development Amendment is to permit one automotive retailer on part of Area F. This application:

- Modifies the outline plan conditions to update the language to be consistent with the Unified Development Code;
- Modifies the uses permitted to permit an automotive dealer; and
- Proposes a specific site plan.

As illustrated on the attached plan set, we are requesting approval of an automotive retailer to be located appropriately adjacent to SR 385. The plan includes a sales office, service area, vehicle staging for autos being prepared for sale, inventory lot, customer and employee parking, bicycle parking and other uses as mentioned in the proposed outline plan conditions. CarMax is a unique automobile retailer in that customers remain in the sales office area and vehicles are brought to them. Customers are not permitted to peruse the inventory lot and there is a "no haggling policy" for automobiles.

Compatibility – The automotive retail use is appropriate at this location for several reasons. Adjacent to SR 385, a State Highway and Germantown Road, a principal arterial, the automotive retailer will provide for fewer car trips per day than service or retail commercial uses. Based upon the trip generation report prepared by Pickering Firm, the proposed development would generate 23 PM peak hour trips and 47 AM peak hour trips per day. The PD conditions prohibit test driving vehicles within the nearby residential subdivisions, limiting such activity to major arterial roads.

The proposed landscape design and building orientation provides for the appropriate buffer adjacent to the residentially zoned, yet undeveloped property to the north. The Outline Plan calls for CMU-2 (C-P) Uses to the east which is consistent with uses approved in Area F.



We're confident we have the right price for you. The right quality for you. The right level of trust for you. It all adds up to the right car buying experience for you. Need specific reasons to start here? Have a look at the list below:

**150+ locations nationwide
(and growing).**

Visit your local CarMax to test drive and compare a range of new or used cars, all in one place. Is your car at a CarMax across the country? No problem! You can ship a car from one CarMax store to another, with no obligation. Fee may apply.

Upfront prices. Zero hassles.

CarMax makes it easy to find the right car for you at a price you can trust. Your car's no-haggle price is the same online as it is on the lot, and we offer flexible financing options.

We stand behind our cars.

All of our used cars are CarMax Quality Certified and come with a free vehicle history and safety recall report, 5-Day Money-Back Guarantee, and 30-Day Limited Warranty (60-Day in CT, MN, and RI; 90-Day in MA, NJ, and NY). **Certain vehicles may have unrepaired safety recalls. [Click here](#) to look up a specific vehicle. See store for details.**

We'll buy your car even if you don't buy ours.®

Our fast, free appraisals take as little as 30 minutes, and our offer is good for seven days at any CarMax location. And we'll buy any car, no matter its age or condition.

CARMAX - OUR CORE VALUES

CarMax is built on a foundation of integrity. Our culture is defined by values like respect and transparency. We live these values every day. They drive how we treat our customers and our associates.

- Customer Focus
- Respect
- Teamwork
- Communication
- Diversity
- Associate Development
- Fun
- Quality
- Pride
- Continuous Improvement

Our [Code of Business Conduct \(PDF\)](#) is the embodiment of our values. It provides tools and resources to guide our associates and to ensure that CarMax conducts its business with integrity.

CARMAX SOCIAL RESPONSIBILITY

CarMax is committed to making a positive impact on society by being:

- Connected to our [communities](#)
- Respectful of the [environment](#)
- A great place to [work](#)
- Committed to the [customer](#)

THE CARMAX FOUNDATION

[The CarMax Foundation](#) promotes education, youth leadership, and children's healthy living in the communities where our associates live and work. Through The Foundation's Grants program, Matching Gifts program, and our associate volunteers, we're making a difference in our communities.

OUR COMMITMENT TO DIVERSITY

We recognize the value that diversity contributes to our organization and the competitive advantage we can maintain by having a broad range of talents, perspectives, and ideas with a commitment to continuously improving our business.

We ensure every associate, applicant, customer, vendor, and shareholder is treated equitably, and we respect the attributes they offer. Examples of such attributes may include age, race, color, gender, disability, sexual orientation, religious affiliation, gender identity, national origin, marital status, and citizenship. Furthermore, we acknowledge the values and needs of a richly diverse customer base, and support the communities where our Associates live and where we do business.

FOR OUR ASSOCIATES

- We recruit, hire, train, and promote qualified associates with diverse attributes.
- We treat associates with respect.
- We recognize and value the importance of our associates' diverse attributes.
- We provide an inclusive and collaborative environment to encourage associate input and ideas.
- We provide benefits that support the diverse needs of our workforce (e.g., flexible time, adoption assistance, domestic partner health care coverage, and more)

FOR OUR CUSTOMERS

- We welcome all customers into our stores.
- We treat each customer with respect.
- We provide an exceptional CarMax experience to all customers.
- We give customers the most ethical and competitive consumer offer.

FOR OUR COMMUNITIES

- We positively contribute to the communities where we work and live.
- We promote education, youth leadership, and wellness.
- We support widely diverse programs and organizations through grants, internships, sponsorships, and volunteer activities.

SUPPLIER DIVERSITY

At CarMax, commitment to diversity is a cornerstone of our values. It's also critically important for our business. We respect our suppliers for the products, services, and fresh ideas they contribute in order to help us operate more effectively.

We welcome any organization to contact us with information about their products, services, or proposals. If you're a supplier who would like to submit information for consideration, please complete the Supplier Inquiry form on our Contact Us page by clicking [here](#).

Conditions

PROPOSED OUTLINE PLAN CONDITION
POLO GROUNDS NORTH P.D. (Formerly PD 99-344)
May 1, 2017

1. USES PERMITTED:
 - A. Areas B and E - Any residential use permitted by right or administrative site plan approval in the R-ML District and O-G uses.
 - B. Area A – Any use permitted in the O-G District, excluding free standing restaurants, free standing day care centers, group shelters, transitional I homes, taverns, cocktail lounges, or nightclubs.
 - C. Area D – Office and commercial uses, and usual and customary accessory uses, as permitted by right or by special use permit in the O-G District and CP CMU-2 uses as governed by the CP CMU-2 District.
 - D. Area C – Any use permitted by right, administrative site plan approval or by special use permit in the ~~CP~~ **CMU-2** or O-G District.
 - E. Area F - Any use permitted by right, administrative site plan approval or by special use permit in the ~~CP~~ **CMU-2** or O-G District.
 - F. ~~Motor vehicle sales are not permitted in any portion of this Planned Development.~~ The Hotel/Motel use associated with Area F shall require a waiver from Memphis City Council prior to construction.
 - G. *One automotive retailer is permitted in Area F subject to site plan approval. Additional uses and accessory uses also permitted include:*
 1. *Vehicle Service*
 2. *Vehicle Repair/Reconditioning*
 3. *Private Vehicle Wash*
 4. *Private Fuel Storage and Pumps*
 5. *Wholesale Auction*
 6. *Vehicle Appraisals/Acquisitions*
 7. *Sale and Installation of Vehicle Accessories*
- II. BULK REGULATIONS:
 - A. Area A (21.0 acres) – Maximum floor area ration of 0.35. Maximum height of 2 stories within 250 feet of Winchester Hills Subdivision and maximum height of 55 feet for all buildings between 250 and 600 feet of Winchester Hills Subdivision. All other bulk requirements shall comply with the O-G District.
 - B. Area B (19.7 acres) and Area E (17.0 acres) – Maximum net density of 14 dwelling units per acre. Maximum floor area ration for O-G uses shall be 0.35 F.AR. All other bulk regulations shall comply with the R-ML District for Multi-Family and the O-G District for O- G uses.
 - C. Area C (53.8 acres) – Maximum net floor area ratio of 0.3 for ~~CP~~ **CMU-2** uses and 0.35 for O-G uses. All other bulk regulations shall comply with the ~~CP~~ **CMU-2** District for commercial uses and the O-G District for O- G for office uses.

- D. Area D (21.3 acre tract) – Maximum net floor area ratio of 0.3 for commercial uses and 0.35 for office uses. All other bulk regulations shall comply with the ~~GP~~ *CMU-2* District for commercial uses and the O-G District for O- G for office uses.
- E. Area F (17.2 acres) - Maximum net floor area ratio of 0.3 for retail, 0.5 for hotel/motel and 0.35 for office uses. All other bulk requirements shall comply with the ~~GP~~ *CMU-2* District for commercial uses and the O-G District for O- G for office uses.
- F. For purposes of computing the maximum number of dwelling units of floor area, public roadways shall be excluded from the available acreage.

ACCESS AND CIRCULATION:

- A. Germantown Road shall be dedicated and improved to 54 feet from centerline.
- B. Direct access to Germantown Parkway with the interchange area or to Noconnah Parkway is not permitted.
- C. Cotton Plant Road shall be dedicated and improved to 34 feet from centerline.
- D. Dedicate and improve Callis Cutoff Road 34 feet from centerline in accordance with the Subdivision Regulations. The centerline of Callis Cutoff Road shall be relocated to a point a minimum of 200 feet south of the centerline of Callis Creek to allow for the construction of a new Germantown Road bridge over Callis Creek
- E. Permit one curb cut every 300 feet on Germantown Road into Areas C, E and F.
- F. Internal circulation shall be provided between all phases, lots or sections having compatible uses. Common ingress-egress easement giving access to Germantown Road shall be shown on final plans.
- G. Area D shall be granted one full movement curb cut to Winchester Road. The curb cut shall be located outside the limits of access control established by the T.D.O.T.
- H. Curb cut access to Areas E and F from Cotton Plant Road shall be permitted such that no curb cut shall be closer to the street intersections than 300 feet. Any additional curb cuts shall be a minimum of 300 feet apart.
- I. Dedicate and improve a north-south collector width street, (64/48) south of Callis Cutoff Road near the common line of Area b and C in accordance with Subdivision Regulations. The new street shall align with the collector steer approved in the Callis Cutoff P.D. and provide access to Knight Arnold Road.
- J. Dedicate and improve a north-south collector width street (64/48) through Area A in accordance with the Subdivision Regulations. The centerline of said road shall be a minimum of 25 feet from Winchester Hills Subdivision. The new street will connect to a collector street approved in Winchester/Hacks Cross P.D. to the south with direct connection to Winchester Road, and will provide access to Knight Arnold Road (Players Club Parkway).
- K. All internal public streets shall be dedicated and improves as 68 foot wide commercial collectors and all public streets shall meet the design requirements of the Subdivision Regulations.

- L. *Parking and/or loading spaces shall be illustrated on the final plat and shall conform to the elements of the Unified Development Code that is in place at the time a final plat.*
 - M. *Minimum parking requirements*
 - 1. *Parking requirements may be reduced by shared parking provisions arranged between establishments within the planned development and approved by OPD.*
 - 2. *Parking shall be in accordance with the regulations for the appropriate use being considered.*
 - 3. *Handicap parking spaces and ramps shall be provided in accordance with ADA standards.*
- IV. SIGNAGE: Signage for each area shall be governed by the zoning district designated for each area in Outline Plan Conditions I (USES PERMITTED).
- V. LANDSCAPING:
- A. Plate A-3, modified to 15 feet in width, shall be provided along all street frontages. Along Nonconnah Parkway, a Plate B-4, modified to not include a fence, shall be installed.
 - B. A Plate N-1, modified to 40 feet in width, including a six-foot tall, dark colored, vinyl coated, chain link fence, located along the property line, shall be provided along the east line of Area 'A' extending only as far north as 40 feet from the northwest corner of Winchester Hills Subdivision, A detail of this plate shall be illustrated on the Outline Plan.
 - C. All landscaped areas shall be provided exclusive of any easements and shall not conflict with any easements, including overhead wires.
 - D. Internal landscaping shall be provided at a ratio of 300 square feet of landscaped area and one shade tree for every 20 parking spaces. No parking spaces shall be located 75 feet from landscaped area, including at least one Tree A.
 - E. All other landscaping required on the site shall comply with the Landscaping Ordinance (Section 32 of the Zoning Ordinance).
 - H. Equivalent landscaping may be substituted for that required above, subject to the approval of the Office of Planning and Development.
- VI. DRAINAGE:
- A. Design and construction of the stormwater conveyance and management facilities for this site shall be in accordance with the Subdivision Regulations and the City of Memphis Drainage Design Manual. Adequate non-buildable areas shall be provided on
 - B. Each final plat for required on-site stormwater detention facilities as determined by drainage calculations performed in accordance with the Drainage Manual and approved by the City Engineer.

- VII. SITE PLAN REVIEW:
- A. Site plan review shall only be required for Area A and any hotel or motel use. The site plan review for any hotel or motel shall also include review by the City Council.
 - B. The site plan shall include the following:
 - 1. The location and dimensions of buildings, structures and parking areas.
 - 2. The location of streets and private drives and the number and locations of curb cuts.
 - 3. A tree survey differentiating between those trees to be preserved and removed and the location of large tree groups.
 - 4. The location of pedestrian systems.
 - 5. The location and use of open spaces.
 - 6. Internal and perimeter landscaping.
 - 7. Drainage data as required by the City Engineer.
 - 8. Lot lines, the number of dwelling units, building floor area and other appropriate information.
 - 9. Any attached and detached signage detail including their location, size, height, and appearance.
 - C. The site plan shall be reviewed based upon the following criteria:
 - 1. Conformance with the Outline plan conditions.
 - 2. Conformance to the standards and criteria for mixed-use planned developments contained in Section 14.C, 14.D, 14.E and 14.F of the Zoning regulations.
 - 3. The adequacy of the street system to accommodate the projected traffic.
 - 4. Adequacy of any alternative pedestrian system to provide safe and direct access to collector streets
- VIII. The Land Use Control Board may modify the signage, parking, access, building setback, building height, loading, screening, 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 10 days of such action, file a written appeal to the Director of Office of Planning and Development to have such action reviewed by the appropriate governing bodies.
- IX. A final plan shall be filed within five years of the latest approval of the Outline Plan. The Land Use Control Board may grant extensions at the request of the applicant.
- X. Any final site plan shall include the following:
- A. The Outline Plan conditions.
 - B. A standard subdivision contract as defined by the Subdivision Regulations.
 - C. The exact location and dimensions, including height, of all building or buildable areas, parking areas, drives and required landscaping.
 - D. The number of parking spaces.
 - E. The location of ownership, whether public or private, of any easement.
 - F. A statement conveying all common facilities and areas to a homeowners' or property owners' association or other entity for ownership and maintenance purposes.
 - G. The 100 year flood elevation.
 - H. The location, diameter and species name of existing trees over 8 inches in diameter and differentiation between those trees to be preserved and those to be removed.

Supplemental Conditions

PROPOSED SITE PLAN APPROVAL CONDITIONS
POLO GROUNDS NORTH P.D. (Formerly PD 99-344)
May 1, 2017

Use:

1. One Automobile retailer may be permitted in Area F as illustrated on the proposed site plan.
2. The outdoor overnight storage of vehicles may be permitted in accordance with Chapter 4.8, Outdoor Storage and Display. Vehicles may be parked on-site during business hours. All vehicle parking shall be accomplished on the site, and in no case shall a parked vehicle encroach into the right-of-way.
3. There shall be no dismantling of vehicles for salvage.
4. The storage of impounded vehicles shall not be permitted
5. When located within 300 feet of a residential district, no outside speaker system shall be permitted. A security system with appropriate alarms and notices shall be permitted for the security of the site.
6. The site is adjacent to residentially zoned properties to the best extent possible, road testing of vehicles will be directed to non-residential areas.
7. New car display shall not be artificially elevated above the general topography of the site.

Access, Parking and Circulation:

1. Dedicate Germantown Road 54' to centerline as illustrated on the approved site plan.
2. Dedicate Cotton Plant Road 34' to the centerline.
3. Non-Public parking spaces may be provided at reduced geometrical standards and without required striping.
4. Public/customer/employee parking shall conform to the elements of the Unified Development Code that is in place at the time a final plat is submitted.
5. Any CarMax dealership may be fully secured and not subject to internal circulation requirements.

Landscaping and Lighting

1. The areas specially designated for the display or staging of motor vehicles for sale or rental, as shown on an approved site plan, shall be exempt from the parking lot standards and landscaping requirements.
2. Landscape requirements apply to required customer and employee parking areas.

3. A Class III buffer (see Section 4.6.5) shall be established along the northern property line as illustrated on the approved site plan.
4. Landscape requirement along Germantown Road shall be waived for this phase.
5. Existing trees and shrubs shall remain for a width of 25' along Cotton Plant Road
6. Landscape Plate B-4 Modified, to allow site visibility of inventory, shall be installed along Nonconnah Parkway as illustrated on the approved site plan.
7. All outdoor lighting shall be directed downward to the extent possible and shall not glare onto residential property. Outdoor lighting must meet the requirements of Chapter 4.7, Outdoor Site Lighting.
8. The maximum foot-candle for outdoor lighting shall be 60 fc.
9. CarMax may provide alternative landscaping along the perimeter of the site to not interfere with automobile inventory.

Signage:

1. No banners, flags, steamers, balloons or similar advertising devices, temporary or portable signs, reader board signs, roof-mounted signs or tents shall be permitted.
2. If the automobile dealership ceases to operate, all attached and detached signs depicting the dealership shall be removed from the property.
3. Attached signage shall be approved as illustrated on the proposed site plan.
4. One detached sign is permitted along Nonconnah Parkway – Maximum of 300 square feet in area, a maximum of 75' in height.
5. One detached sign is permitted along Germantown Road – Maximum of 56 square feet in area, a maximum of 35' in height.
6. A ten (10) percent reduction shall be required when the sign structure is not constructed with the same or substantially the same or similar materials of the building.
7. A twelve (12) percent reduction shall be required when an irrigated landscaped area equivalent to two times the sign area is not provided.