



# STAFF REPORT

AGENDA ITEM: #10

**CASE NUMBER:** PD 17-13

**L.U.C.B. MEETING:** August 10, 2017

**DEVELOPMENT NAME:** Parkside at Shelby Farms Planned Development

**LOCATION:** Northwest corner of Whitten Road and Mullins Station

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

**APPLICANT:** DB Development Company

**REPRESENTATIVE:** Solomito Land Planning (Brenda Solomito)

**REQUEST:** Amend Outline Plan Area 'A' to permit a hotel including site plan approval for the construction of a boutique hotel six (6) stories in height with 130 guest rooms; the addition of property to the overall planned development; modification of the approved concept plan; and Final Site Plan approval for Phases I and II.

**AREA:** +/-59.17 acres

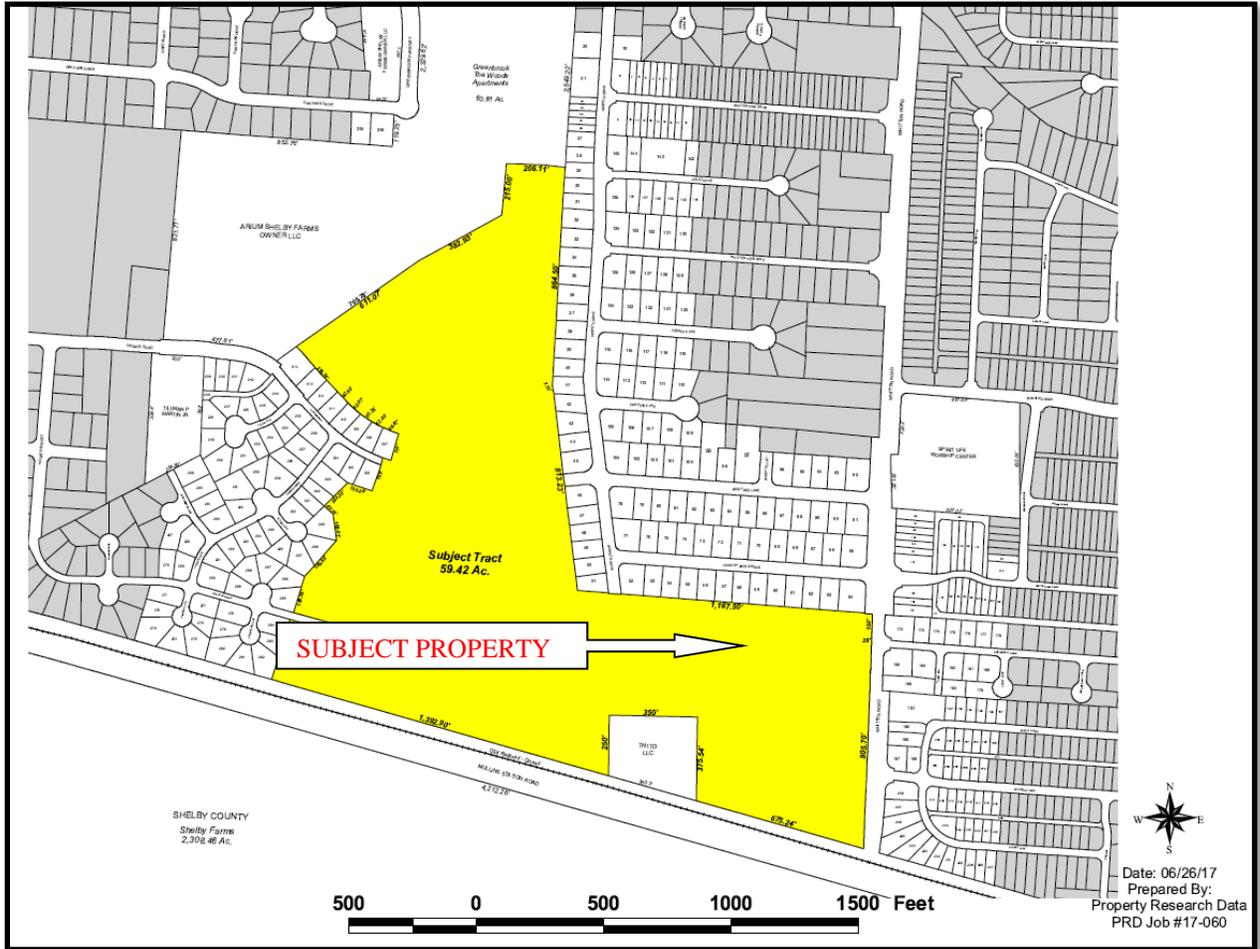
**EXISTING LAND USE & ZONING:** PD 17-13 Areas 'A' and 'B' approved conditions

## CONCLUSIONS

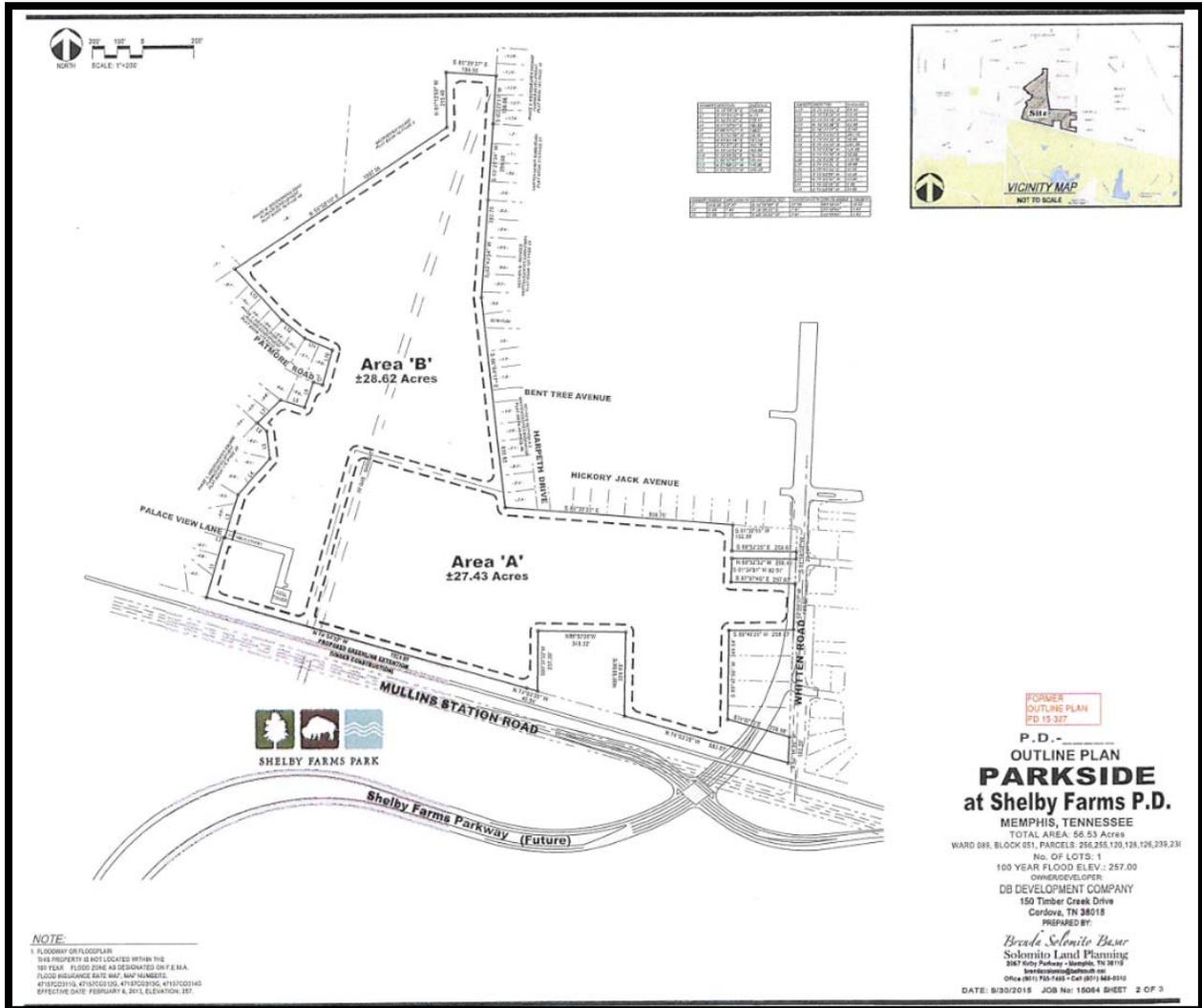
1. The conditions of this Planned Development do not permit a hotel; therefore, an amendment is required.
2. This section of the planned development contains predominantly commercial, mixed uses including multi-family housing.
3. Residential Single Family (R-8) and Residential Urban (RU-4) serve as the underlying zoning for the planned development.
4. The proposed use would serve as a significant commercial anchor to this planned development
5. Staff believes the hotel use will function in a compatible manner with the other approved uses of this planned development.

**RECOMMENDATION:**  
*Approval with conditions*

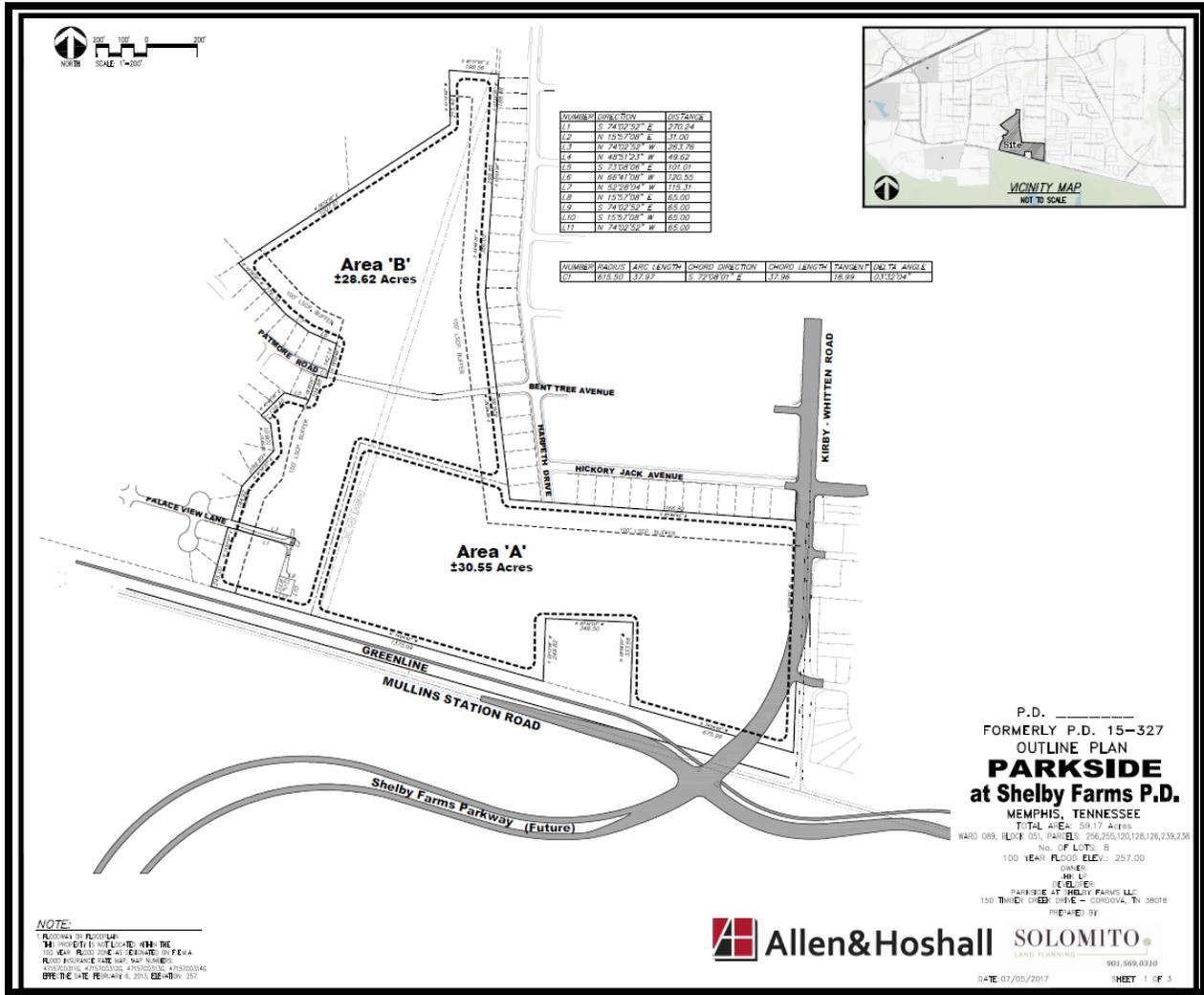
**VICINITY MAP**



**EXISTING OUTLINE PLAN**



**PROPOSED OUTLINE PLAN**



**EXISTING SITE AND CONCEPT PLAN**  
*(color renderings)*



## ZONING AERIAL



### Surrounding Land Uses and Zoning

The proposed Parkside development is in an area surrounded to the east, west and north by residentially zoned (R-8, R-6, or RU-2) property and the existing land uses are primarily residential. The property to the south is zoned R-8 and is being used for Shelby Farms Park and for Shelby County facilities, such as the City-County Construction Code Enforcement Office, the Animal Shelter, and the Roads and Bridges Office.

**North:** Apartment communities in the Residential Urban (RU-2) District and within the residential multi-family planned development (P.D. 94-334)

**East:** Single family homes in the Residential Single Family (R-8) District and within residential planned developments.

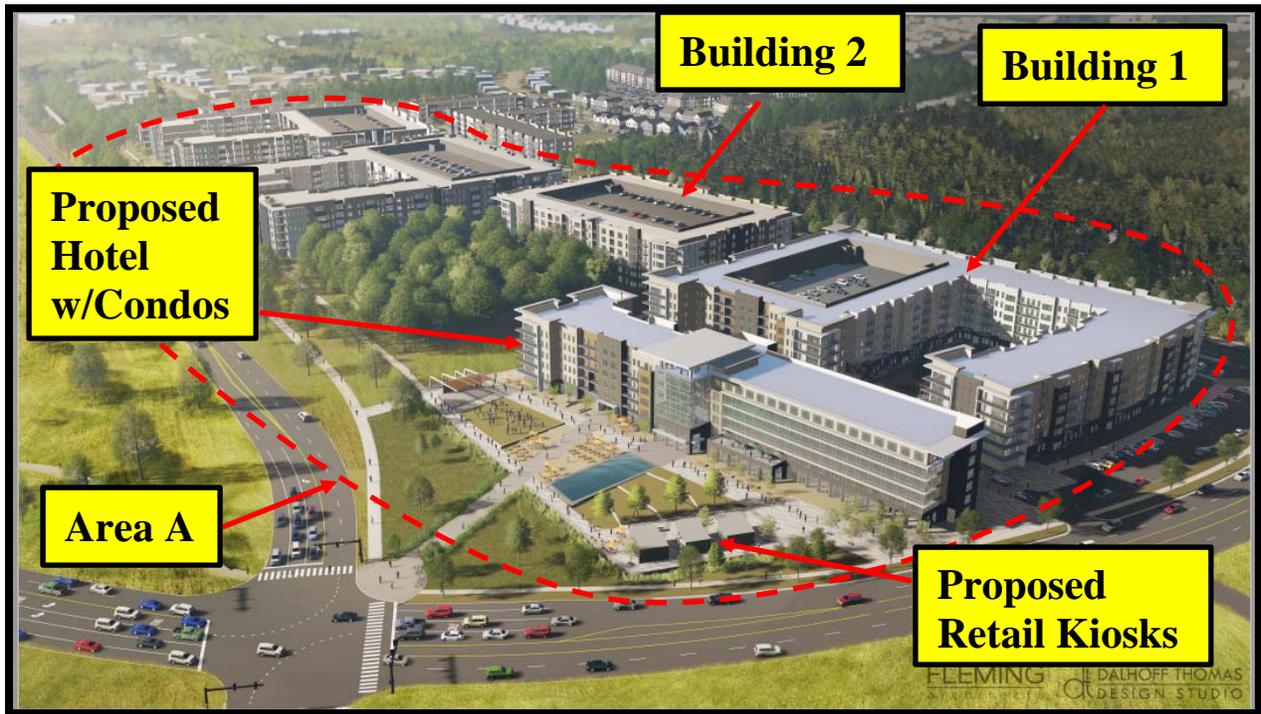
**South:** Shelby Farms 'Green Line', 'Shelby Farms' park, and Shelby County Government Facilities in the Single Family Residential (R-8) District.

**West:** Single family homes in the Residential Single Family (R-8) District and within residential planned developments.

**PROPOSED SITE AND CONCEPT PLAN**  
*(color renderings)*

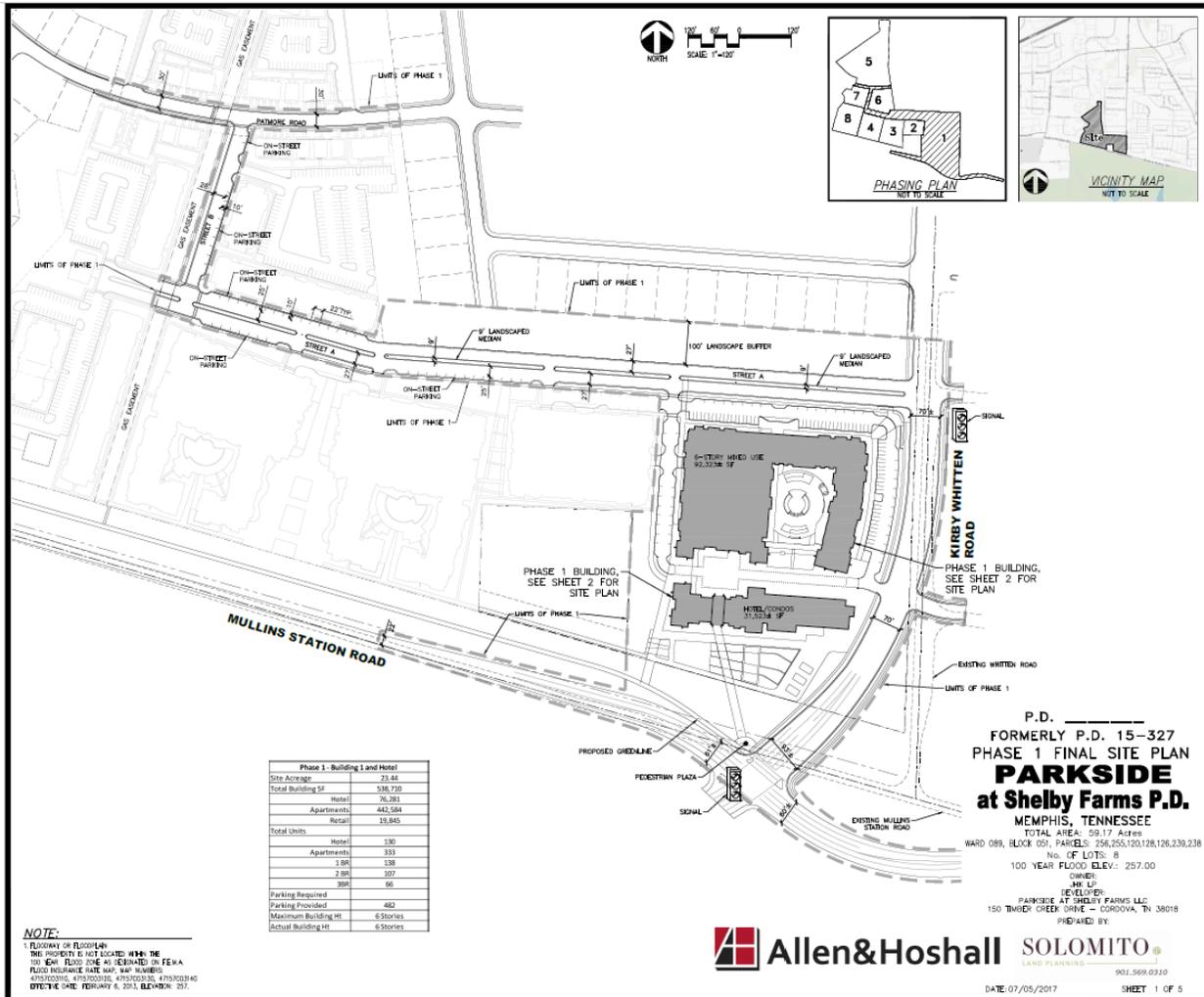


**PROPOSED CONCEPT VIEW**

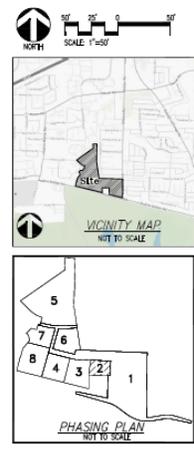
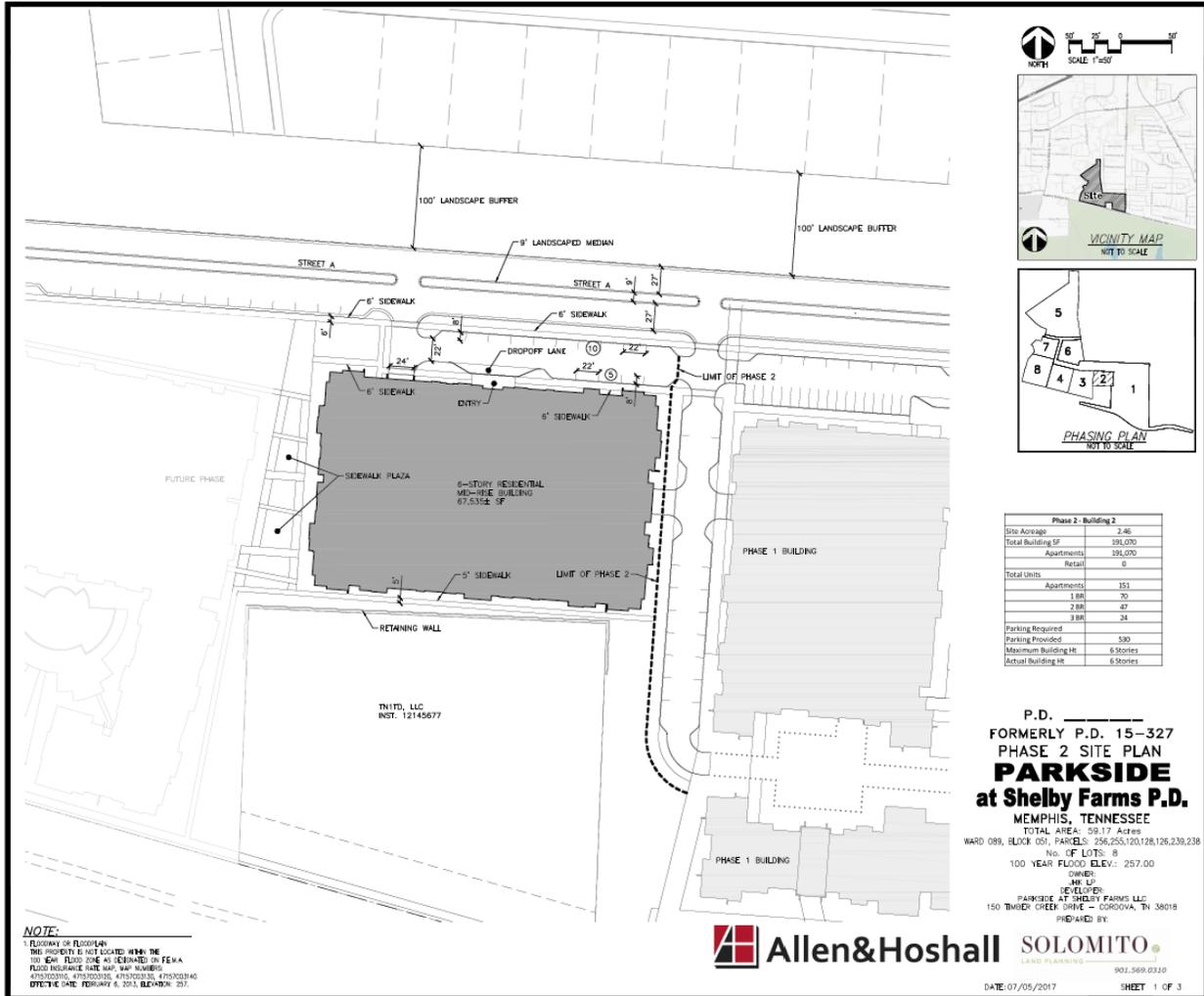


Area A, Building 1, Hotel, and Building 2 are included within Phases I & II as shown above within the “red circle”

**PHASE ONE FINAL SITE PLAN**



**PHASE TWO SITE PLAN**



Phase 2 - Building 2	
Site Acreage	2.46
Total Building SF	69,070
Apartments	295,070
Retail	0
Total Units	
Apartments	151
1 BR	30
2 BR	47
3 BR	24
Parking Required	
Parking Provided	530
Maximum Building Ht	6 Stories
Actual Building Ht	6 Stories

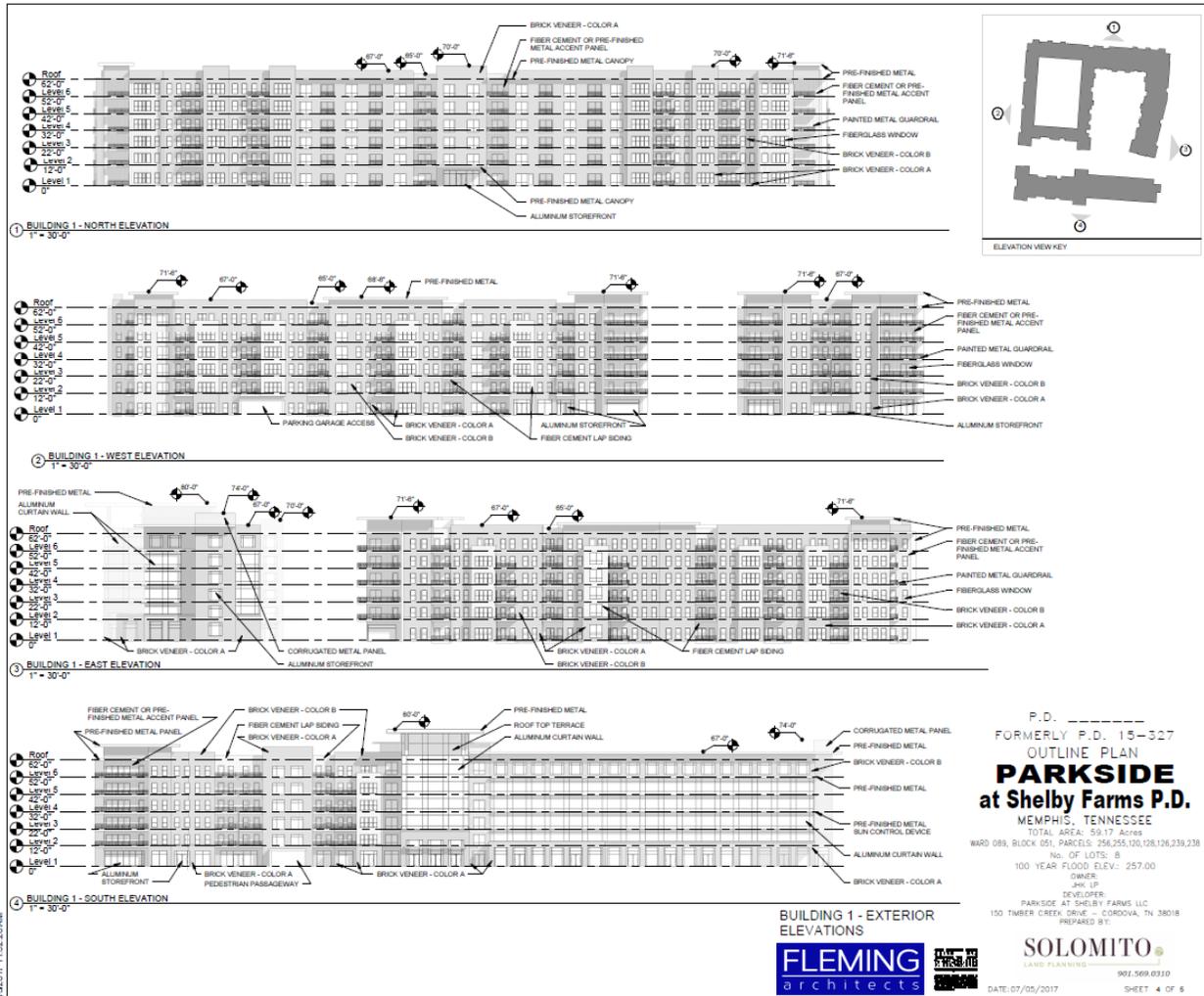
P.D. \_\_\_\_\_  
 FORMERLY P.D. 15-327  
**PHASE 2 SITE PLAN**  
**PARKSIDE**  
 at Shelby Farms P.D.  
 MEMPHIS, TENNESSEE  
 TOTAL AREA: 59.17 Acres  
 WARD 08B, BLOCK 051, PARCELS: 256,255,120,128,126,239,238  
 No. OF LOTS: 8  
 100 YEAR FLOOD ELEV.: 257.00  
 OWNED BY:  
 DEV/OPER:  
 PARKSIDE AT SHELBY FARMS, LLC  
 150 TIMBER CREEK DRIVE - CORDOVA, TN 38018  
 PREPARED BY:

**Allen&Hoshall** **SOLOMITO**  
 LAND PLANNING & DESIGN  
 901.569.0310

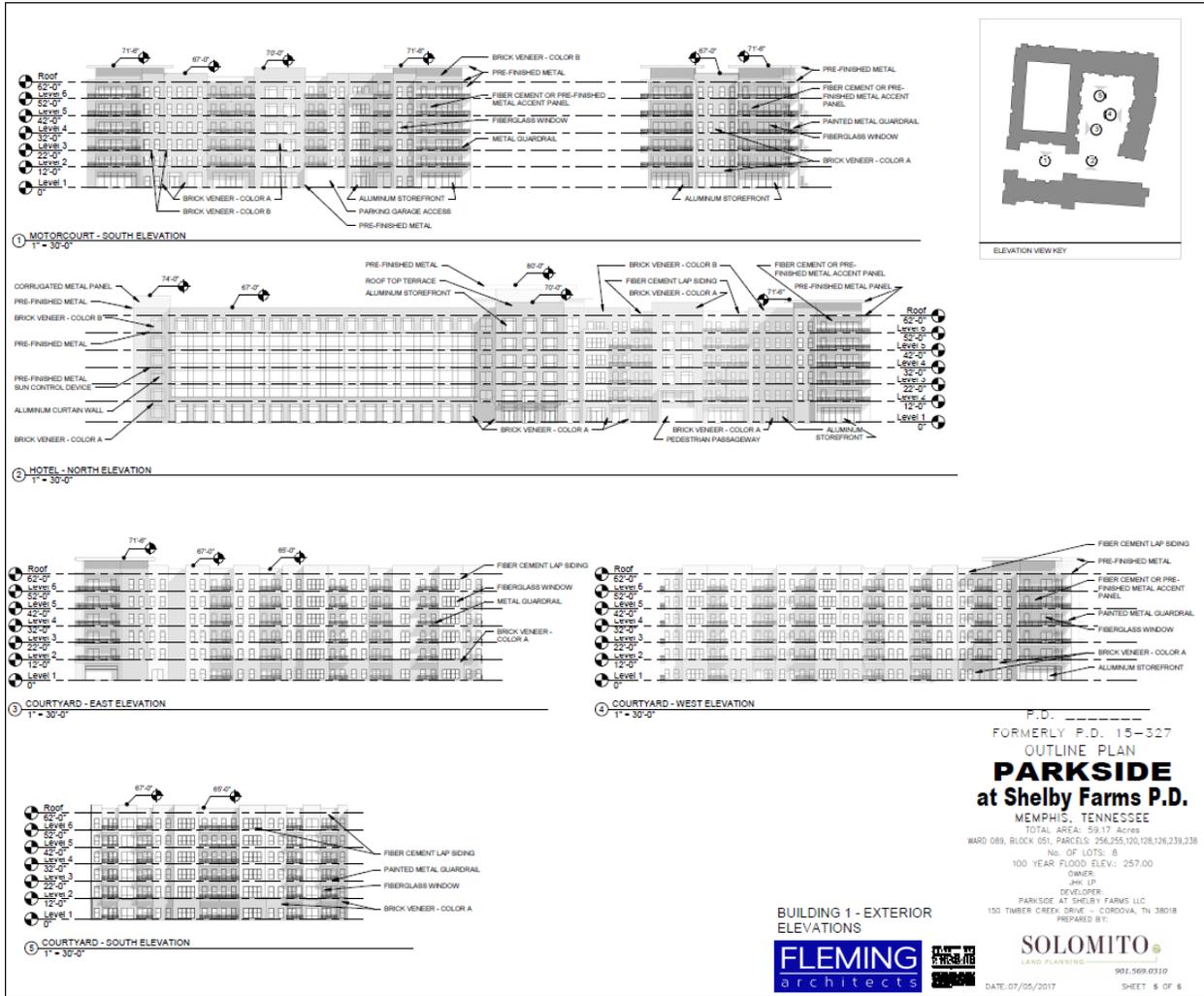
**NOTE:**  
 1. FLOORPLAN OR FLOORPLAN  
 THIS PROPERTY IS NOT LOCATED WITHIN THE  
 100 YEAR FLOOD ZONE AS DETERMINED ON FEMA  
 FLOOD INSURANCE RATE MAP. MAP NUMBER:  
 475020001E, 475020001E, 475020014Q  
 EFFECTIVE DATE: FEBRUARY 6, 2013, ELEVATION: 257

DATE: 07/05/2017 SHEET 1 OF 3

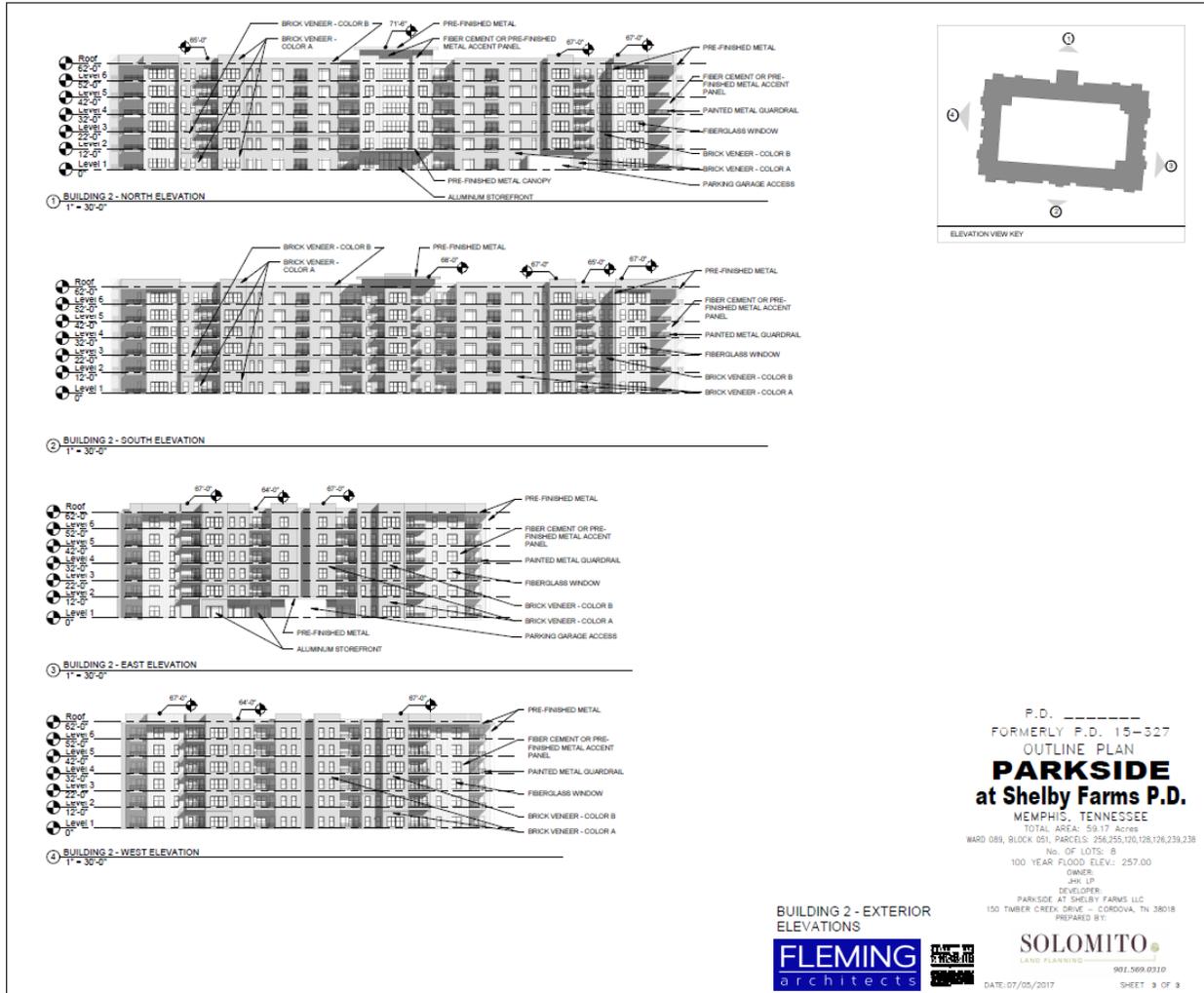
**ELEVATION PLAN (BUILDING 1)**



**ELEVATION PLAN (MOTORCOURT, COURTYARD, AND HOTEL)**



**ELEVATION PLAN (BUILDING 2)**





### GENERAL INFORMATION

**Street Frontage:** Whitten Road +/-320 linear feet  
Mullins Station Road/Green Line/CSX Railroad +/-2,068 linear feet

**Planning District:** Shelby Farms-Germantown

**Zoning Atlas Page:** 1950 & 2050

**Existing Zoning:** The 'Parkside at Shelby Farms' planned development was approved in 2015 by the Memphis City Council for mixed uses included single family residential (R-8) and residential urban (RU-4) District land uses and land uses by special permit subject to review and approval by City Council. Prior to this date, the Residential Single Family (R-8) District zoning of the site dated to the adoption of the 1980 zoning map amendments.

### NEIGHBORHOOD MEETING

The meeting was held at 6:00 PM on Thursday, July 27, 2017, at the Whitten Baptist Church 6773 Macon Road. Notices were mailed on July 12, 2017.

Per comments provided by the applicant summarizing the neighborhood meeting:

- The presentation focused on the amendment and those issues of importance to the neighbors such as road improvements as part of Phase I, the maximum height requirements adjacent to single family as well as the 100-foot buffer.
- Traffic was described as the largest concern for the neighbors.
- The applicant felt that the neighbors seemed to be generally in support.
- There are still a few neighbors that continue to oppose the overall development.
- A sign-in sheet was collected at the meeting and is included below.

### NEIGHBORHOOD MEETING SIGN-IN LOG

No.	Name	Address	Phone Number
1	Charles Keller	1044 Whitten Rd	901 900 3060
2	Charles Keller	1044 Whitten Rd	901 900 3060
3	Michael Blaha	6410 Whitten Rd	901 900 4379
4	Steve Bryan	1300 Whitten Rd	901 900 3060
5	Sammy Fritsch	6077 Whitten Rd	901 900 3060
6	Eric Robinson	810 Whitten Rd	901 900 3060
7	Francis Jordan	710 Whitten Rd	901 900 3060
8	Michael Smith	6512 Whitten Rd	901 900 3060
9	Lisa Ray	6508 Whitten Rd	901 900 3060
10	Kenneth Stanford	6507 Whitten Rd	901 900 3060
11	Linda Proctor	6503 Whitten Rd	901 900 3060
12	Richard Daulton	6502 Whitten Rd	901 900 3060
13	William R. Bower	6501 Whitten Rd	901 900 3060
14	Valerie Brown	6500 Whitten Rd	901 900 3060
15	Richard Proctor	6500 Whitten Rd	901 900 3060
16	Kevin Brown	6500 Whitten Rd	901 900 3060
17	Brenda Jordan	6500 Whitten Rd	901 900 3060
18	Brenda Jordan	6500 Whitten Rd	901 900 3060

City Councilman Paul Bell II

### PUBLIC NOTICE

A total of 254 notices were mailed on July 28, 2017. Signs were posted at the subject property. The sign affidavit has been added to this document.

## **STAFF ANALYSIS**

### **Area and Site Description**

The subject property is located within the 59-acre Parkside at Shelby Farms Planned Development (P.D.) which was approved in 2015 as a mixed-use planned development with mid-rise style apartment and condominium units; ground floor commercial including retail kiosks and professional/office uses. While, the original planned development envisioned more rental apartment units, the concept has since been revised to reduce the number of rental multi-family units in favor of more condominium ownership units.

The overall area surrounding the subject property can be characterized as suburban with Shelby Farms Park (“the Park”) serving as one of the predominate land uses to the south of the development. Single family residential development abuts the P.D. to the east and west with multifamily zoning to the north.

The area within the planned development proposed for amendment consists of 27.43 acres located in Outline Plan Area ‘A’. It is predominantly vacant, heavily wooded with some single family residential units. Area ‘A’ would increase in size to 30.55 acres. If the amendment to expand Area ‘A’ is approved, a proposed boutique hotel will be developed here including condominium units. The amendment also seeks to add three (3) stand-alone retail kiosks to Area ‘A’ at the intersection of Whitten Road and Mullins Station Road.

A traffic impact study was conducted to evaluate the potential impacts of this development would have on the traffic network surrounding the project site. Per the report, the analysis revealed that with relatively minor intersection improvements including traffic control devices, the surrounding roadway network could accommodate the full development of this project.

### **Purpose of the Amendment**

The existing Parkside at Shelby Farms Planned Development (Case # PD 15-327) is comprised of several parcels within two (2) areas to be developed in eight (8) phases. The Outline Plan describes the range of permitted uses as well as specific prohibited uses. The purpose of this amendment is to increase acreage to the overall development allowing the development of a hotel. The area affected by this amendment is in the southeastern portion of the site and is currently in Phase I-Area ‘A’. The applicant’s request is, therefore, to amend the approved outline plan conditions to permit a hotel in Area ‘A’, more specifically at the intersection of Whitten Road and Mullins Station Road.

The underlying zoning of the P.D. within Area ‘A’ allows certain uses by right in the Residential Single Family (R-8) and Residential Urban (R-4) Districts. Other commercial and/or professional uses are specifically designated on the ground floor of buildings in Area ‘A’ as well as on floors two (2) and three (3) of any multi-story building in Area ‘A’. The Letter of Intent states the application would further the “development vision” of the original planned development (P.D.) and entice others to enjoy the newly renovated Shelby Farms Park. The applicant has submitted a revised concept plan with renderings, and building elevations to show the increased acreage and what the site would like if the hotel is added to the planned development. As reflected on the revised concept plan and as stated in the Letter of Intent, the

plans are tailored to emphasize pedestrians first. As this site abuts a regional park surrounded by single family development, the objective of this development is to seek compatibility with adjacent land uses and position the location as a “live, work, and play” destination. The amendment request furthers the objective and goals of this site. Based on the information submitted by the applicant, staff supports this request with conditions.

### **Companion Site Plan Approval Request to allow a Hotel**

The proposed six (6) story hotel will contain 130 guest rooms with access to a parking garage to be shared with the mixed use mid-rise building located immediately to the north of the proposed hotel. On-street parking is also proposed. The actual building height is six (6) stories plus the rooftop terrace and architectural embellishments or approximately eighty (80) feet. The exterior building materials include brick veneer colors a & b, aluminum and pre-finished metal. Staff does not object to the site plan. Recommended conditions for the amendment and site plan approval conditions for the hotel are included within this report.

### **Phase I Final Site Plan Review**

- Phase I contains 333 apartment units, 130 hotel rooms and 19,845 square feet of retail space.
- Total parking required is 663± spaces, provided 482
- A 100-foot Landscape Buffer is provided
- The setbacks are met
- The proposed building will be six (6) stories
- The building’s exterior finish is proposed as brick veneer, pre-finished metal and aluminum.

### **Phase II Final Site Plan Review**

- Phase II contains 151 apartment units
- Total parking required is 151± spaces, provided is not determined by site plan review
- A 100-foot Landscape Buffer is provided
- The setbacks are met
- The proposed building will be (6) stories
- The building’s exterior finish is proposed as brick veneer, pre-finished metal and aluminum.

### **Conclusions**

The site plan(s) are in conformance with the outline plan conditions except for parking. As submitted, Phase I or II Site Plans do not depict sufficient parking spaces to accommodate build-out. However, the overall lot redesign of the planned development will create a more desirable and pedestrian friendly layout and will allow the development of the hotel. The ‘100-foot Landscape Buffer’ will create a more desirable and aesthetically pleasing buffer to the planned development. The amendment and proposed hotel site plan for Phase I and the Phase II Site Plan are recommended for approval. The planned development location is suited well for a hotel due to its proximity to Interstate 40 and Shelby Farms Park. The recommended conditions of approval for the amendment and Phase I and II Final Site Plan approval conditions are included with this report.

**RECOMMENDATION: APPROVAL WITH CONDITIONS**

***OUTLINE PLAN CONDITIONS:***

***(Applicant's Proposed Conditions-Amended shown in red)***

I. Uses Permitted:

A. Areas A and B: Uses permitted by right in the Residential Single Family (R-8) and Residential Urban (RU-4) Districts.

B. The following uses shall be permitted on the ground floor of buildings in Area A:

1. Commercial uses in accordance with Office General (OG) District, including the following:
  - a. Bar, Tavern, Cocktail Lounge
  - b. Medical, dental or chiropractic clinic/office, massage therapy, or outpatient surgery center
  - c. All offices
  - d. All restaurants, restaurants with the sale of alcohol, brew pub
  - e. Neighborhood arts center or similar community facility (public)
  - f. Art or photo studio, gallery
  - g. Bakery, retail
  - h. Hair, nail, tanning, massage therapy, and personal care service, barber shop or beauty salon
  - i. Dance, martial arts studio or classroom; personal trainer or gym
  - j. Printing and publishing services; quick-sign service
  - k. All sales-oriented retail

C. The following uses shall be permitted on floors two (2) & three (3) of any multi-story building in Area A:

1. All professional and medical offices

D. The following additional uses shall be specifically permitted in Area B:

1. Existing Cell Tower governed by S.U.P. 14-213
2. Clubhouse with pool or gym, all accessory amenities to the multi-family housing
3. Housing along Patmore shall be a maximum of two (2) stories and of the Large Home Style defined in the Unified Development code in Article 3.4 – Housing Types.
4. Mailbox stations shall not be located along the Patmore frontage.

**E. A hotel is permitted in Area A, specifically located at the intersection of Whitten Road and Shelby Farms Parkway.**

F. The following uses shall not be permitted in any Area:  
Manufactured, modular home

Fraternity, Sorority, Dormitory  
Boarding or Rooming House  
Commercial Parking  
Restaurant, Drive-in  
Commercial self-service, or mini-storage facility  
Freestanding Bar, tavern, or nightclub  
Payday loan or title loan establishment  
Tattoo, palmist, psychic, or medium  
Pawnshop  
Amateur Radio Tower (65 feet or less)  
No vapor or smoke shops, including tobacco shops

II. Bulk Regulations:

A. Area A:

1. The maximum height of buildings shall be Six (6) stories.
2. The following minimum setbacks shall apply:
  - a. Front: 10 feet
  - b. Side: 10 feet
  - c. Rear: 20 feet

B. Area B:

1. The maximum height of buildings shall be three (3) stories.
2. The following minimum setbacks shall apply:
  - a. Front: 20 feet
  - b. Side: 10 feet
  - c. Rear: 15 feet

III. Access, Parking and Circulation:

- A. The first phase of development (Phase I) shall permit a hotel with condominium units, a mid-rise multi-family building and the dedication and improvements to Patmore Road and Whitten Roads, including immediate intersection improvements to Mullins Station and Whitten Road with traffic control devices and pedestrian crossings. A Use and Occupancy permit shall be tied to the completion of the infrastructure.
- B. The access across the 'Green Line' shall be subject to review and approval by the Shelby County Administration and Board of Commissioners. Access to Mullins Station Road is otherwise prohibited. Convey right of access to Memphis/Shelby County.
- C. Dedicate Patmore Road/Bent Tree Avenue as a local street and improve in accordance the requirements of the Unified Development Code.
- D. Dedicate fifty-four (54) feet from centerline of Whitten Road or in accordance with

City Engineering and improve in accordance the requirements of the Unified Development Code. Fees-in lieu of improvements may be applicable.

- E. The developer shall assist the City in establishing the Mullins Station Road right-of-way and eventual improving of the Mullins Station right-of-way. Mullins Station Road shall be improved as a minor urban arterial street in accordance with the MPO plan. No sidewalk shall be required on the north side of the street.
- F. A traffic study shall be required to determine the effects of trip generations on Whitten Road, Mullins Station Road, Patmore Road and Bent Tree Avenue and the effect on the neighborhoods. This traffic study shall be submitted for Phase I final plan approval.
- G. Adequate queuing space shall be provided between the right-of-way line and any proposed gate/guardhouse.
- H. 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 for vehicles to exit by forward motion.
- I. The City Engineer shall approve the design, number and location of curb cuts.
- J. Parking shall be provided in accordance with the appropriate use standards and parking ratios detailed in the Unified Development Code.
- K. All nonconforming curb cuts shall be closed with curb and gutter.
- L. Provide internal circulation between adjacent phases, lots, and sections. Common ingress/egress easements shall be shown on the final plats.
- M. There shall be four (4) points of access to the development.
- N. The developer shall provide improvements at the intersection of Mullins Station and Whitten Road including signalization. Additionally, the developer shall install a traffic signal at the developments entrance on Whitten Road (in proximity to Skylar Mill Avenue) with the first phase of development. Signalization is not to be contingent upon a Greenline crossing.

IV. Landscaping:

- A. A Notice of Intent shall be required for the removal of any mature trees on this tract prior to final plan approval of the first phase of development.
- B. A Landscape Plan shall be submitted as part of the final plan.
- C. All existing trees, including the '100-foot Landscape Buffer' area shall be

preserved and maintained and incorporated into the Landscape Plan wherever feasible.

- D. All required landscaping shall be irrigated.
- E. All landscaping is in addition to and exclusive of any required easements and shall be designed to not interfere with said easements.
- F. Equivalent landscaping may be substituted for that required above, subject to the approval of the Office of Planning and Development.

V. Signs:

- A. In addition to the Unified Development Code Sub-section 4.9.4 on 'Prohibited Signs' and 'General Standards' for signs, Sub-section 4.9.6, the following shall apply:
  - 1. Area A: Signs shall conform to the requirements of the OG District. (UDC Sec. 4.9.7 C)
  - 2. Roof Signs shall be permitted subject to the approval of the Land Use Control Board.
  - 3. Area B: Signs shall conform to the requirements of residential districts (UDC Sec. 4.9.7 B).
- B. Portable signs shall be prohibited.

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 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.
- 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 spaces, including all private drives, shall be maintained by the appropriate Association or Owner Management Company.
  - B. Refuse containers, compactors and mail boxes shall be completely screened from view from adjacent property.
  - C. Light standards shall be directed away from adjacent residential properties.
  - D. Air conditioning, heating, and other mechanical equipment accessory to any commercial structure shall be screened using architectural features, plantings, fences, or other means.
- VIII. The Land Use Control Board may modify the setbacks, parking, landscaping, and sign requirements of the Outline Plan Conditions, if equivalent alternatives are suitable and are in conformance with the intent of these conditions.
- IX. Site Plan Review: Area A & B:
  - A. A Site Plan shall be submitted for review, comment and recommendation of the Office of Planning and Development (OPD) and the Shelby Farms Park Conservancy and appropriate city agencies subject to review and approval by Land Use Control Board and Memphis City Council prior to approval of any final plan.
  - B. The final site plan shall be submitted for review by staff and the Land Use Control Board and shall include the following:
    - 1. The location, dimensions, height and percentage of housing types of all buildings, structures, signs and parking areas;
    - 2. Specific landscape plans for internal and perimeter landscaping and screening;
    - 3. Illustration of the design materials of buildings and signs.
  - C. The site plan shall be reviewed based upon the following criteria:
    - 1. Conformance with the Outline Plan conditions;
    - 2. Conformance with the standards and criteria for residential planned developments contained in Section 4.10.4 of the Unified Development Code;
    - 3. Consistency in design of architecture, signs and landscaping.
  - D. The 2010 Memphis and Shelby County Drainage Manual require storm-water detention requirements shall be met for any development in the Outline Plan.
- X. 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;
- 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 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."
- XI. An expansion of this planned development is hereby permitted for adjacent parcels and shall not necessitate an amendment to the Outline Plan. Said expansion shall require Land Use Control Board approval as a Major Modification.
- XII. Any change in ownership/control of the development shall necessitate an amendment to the Planned Development.
- XIII. The Office of Planning and Development shall approve the design, number, and location of any stand-alone kiosks including each structure's intended use prior to recording of the final plat.
- XIV. Parking requirements under the Unified Development Code Chapter 4.5 shall be met prior to recording of the final plat.
- XV. Building elevations with exterior finishes identified shall be included as part of the Final Plat.

- XVI. The Office of Planning and Development shall approve sign details (material, illumination, dimensions) prior to recording of the final plat.**

## **DEPARTMENTAL COMMENTS**

*The following comments were provided by inter-governmental agencies/organizations to which this application was referred:*

### **City Engineer:**

#### **Sewers:**

1. City sanitary sewers are available at developer's expense.
2. The developer shall extend sanitary sewers through the site to serve upstream properties.

#### **Roads:**

3. The first phase of development (Phase I) shall include apartments, boutique hotel, and retail and the dedication and improvements to Patmore Road and Whitten Roads, including immediate intersection improvements to Mullins Station and Whitten Road with traffic control devices and pedestrian crossings. A Use and Occupancy permit shall be tied to the completion of the infrastructure.
4. Dedicate Patmore Road/Bentree Avenue as a local street and improve in accordance the requirements of the Unified Development Code. The City of Memphis recommends Traffic Calming on this roadway to encourage an appropriate operating speed.
5. The developer shall provide improvements at the intersection of Mullins Station and Whitten Road including signalization. Additionally, the developer shall install a traffic signal at the development's entrance on Whitten Road (in proximity to Skylar Mill Avenue) with the first phase of development. Signalization is not to be contingent upon a Greenline crossing.
6. Access to Mullins Station is prohibited. Convey right of access to Memphis/Shelby County.
7. Dedicate 54 feet from centerline of Whitten Road and improve in accordance the requirements of the Unified Development Code. Fees-in lieu of improvements may be applicable.
8. The developer's engineer shall prepare a traffic study to determine the effects of trip generation on Whitten Road and Mullins Station, and the effect on the neighborhoods. A traffic study shall be submitted before the approval of Phase 1. The City of Memphis, Traffic Engineering Department recommends that this Traffic Impact Study be updated and submitted for review prior to Phase 2 of the development being allowed to proceed to the construction phase.
9. The developer's plan shall show the number of proposed dwelling units and the square footage of retail space.
10. Access through this site shall be provided for the landlocked parcel owned by TD1TN LLC.
11. Mullins Station Road shall be improved as a minor urban arterial street in accordance with the MPO plan. No sidewalk is required on the north side of the street because of the Greenline.
12. Provide smooth transition between differing rights-of-way on Whitten Road in accordance with Unified Development Code.

**Private Drives:**

13. Private drive cul-de-sac turn-arounds shall have a minimum paved diameter of 66 feet. If the cul-de-sac exceeds 300 feet in length, the turn-around shall have a minimum paved diameter of 80 feet or shall be posted as a "Fire Lane" (Reference Section 602.6.7 of City Fire Code).
14. All private drives/rear service drives shall be constructed to meet pavement requirements of the Unified Development Code, applicable City Standards, and provide a minimum width of twenty-two feet (22').
15. Easements for sanitary sewers, drainage and other required services as indicated on the final recorded plat may be located and utilized within private drives. The City shall not be responsible for street repairs within the private drives, even though the pavement and base may have to be removed to work on sewers or drainage. The responsibility of repairing the private drives shall be that of the owners and/or Property Owners' Association.

**Curb Cuts/Access:**

16. The City Engineer shall approve the design, number and location of curb cuts.
17. Any existing nonconforming curb cuts shall be modified to meet current City/County Standards or closed with curb, gutter and sidewalk.

**Drainage:**

18. An overall drainage plan for the entire site shall be submitted to the City Engineers prior to approval of the first final plan.
19. 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.
20. This site is located within the Fletcher Creek Drainage Basin. The finished floor elevation of all structures must meet the requirements of that ordinance.
21. Drainage data for assessment of on-site detention requirements shall be submitted to the City Engineer.
22. 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:**

23. Provide internal circulation between adjacent phases, lots, and sections. Common ingress/egress easements shall be shown on the final plats.
24. 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.
25. 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:**

26. The width of all existing off-street sewer easements shall be widened to meet current city

standards.

27. No other utilities or services may occupy sanitary sewer easements in private drives and yards except for crossings.
28. 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.
29. Required landscaping shall not be placed on sewer or drainage easements.

**City Fire Services:**

No comments received.

**Memphis & Shelby 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:**

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

- The subject property is encumbered by an existing utility right of way easement, which may include overhead and underground facilities. MLGW prohibits any development or improvements within the Easement, except as provided by the **MLGW Right of Way Encroachment Policy**.
- **It is the responsibility of the owner/applicant**, prior to any development, to contact MLGW – Property Management @ 528-4186 and obtain written approval for any improvements within the Easement.
- **STREET NAMES: It is the responsibility of the owner/applicant** to contact MLGW–Address Assignment @ 729-8628 and submit proposed street names for review and approval. Please use the following link to the MLGW Land & Mapping website for **Street Naming Guidelines** and the **Online Street Name Search**: <http://cp.mcafee.com/d/k-Kr418g6jqbZXI3AmnbCPqaaab3WrXz9J5555xZdN54SrdCRvIm9OFe74qCjoVVRclKZXwGMegg7eCzBwIus882H3HJNnrFLyHXJy1EVguIUZpMSrdCPo09kYyoVv23szQfzj3ZwxI45tmmB0yrdLLc6PtPqpJUTsTsSyrh>
- **It is the responsibility of the owner/applicant** to identify any utility easements, whether dedicated or prescriptive (electric, gas, water, CATV, telephone, sewer, drainage, etc.), which may encumber the subject property, including underground and overhead facilities. No permanent structures will be allowed within any utility easements.
- **It is the responsibility of the owner/applicant** to 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.
- **Underground Utility separation and clearance:** The subject property is encumbered by existing utilities which may include overhead and underground facilities. It is the responsibility of the owner/applicant to maintain a minimum 3-foot (3') separation between any existing underground service lines or utilities and any proposed permanent structure or facility. This separation is necessary to provide sufficient space for any excavations to perform service, maintenance or replacement of existing utilities.
- **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.

- **It is the responsibility of the owner/applicant** to comply with Memphis/Shelby County Zoning Ordinance - Landscape and Screening Regulations.
- **Street Trees are prohibited**, subject to the review and approval of the landscape plan by MLGW Engineering. It is the responsibility of the owner/applicant to submit a detailed landscape plan to MLGW Engineering.
- **Landscaping is prohibited** within any MLGW utility easement without prior MLGW approval.
- **Fire Protection Water Services: It is the responsibility of the owner/applicant** to contact **MLGW - Water Engineering @ 901-528-4720** to obtain fire protection/water flow information. If water main extensions and/or an increase in existing main sizes are needed to meet the minimum fire flow rate to serve the proposed development, the owner/applicant will be responsible for the cost of these improvements.
  - Please refer to **MLGW Service Policy Manual – Water Main Extensions, Section 4.3** which is available online at the following MLGW website:  
[http://cp.mcafee.com/d/1jWVIp41Eq43qbZXI3AmnbCPqaaab3WrXz9J5555xZdN54SrdCRvIm9OFe74qCjoVVRclKZXwGMegg7eCzBwlus882H3HJNnrFLyHXJy1EVguIUZpMSrdCPo09kYyoVv9aWh-CmH2vMDzIz\\_FyO3K37NcOJUmGvaNorS3uDYIwWrdLLc6PtPqpJUTsTsSyrh](http://cp.mcafee.com/d/1jWVIp41Eq43qbZXI3AmnbCPqaaab3WrXz9J5555xZdN54SrdCRvIm9OFe74qCjoVVRclKZXwGMegg7eCzBwlus882H3HJNnrFLyHXJy1EVguIUZpMSrdCPo09kYyoVv9aWh-CmH2vMDzIz_FyO3K37NcOJUmGvaNorS3uDYIwWrdLLc6PtPqpJUTsTsSyrh)
- **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 residential developers must contact MLGW's Residential Engineer at Builder Services: (901) 729-8675 to initiate the utility application process.
  - 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.

**MLGW Address Assignment:**

- Customer will need to contact MLGW Address Assignment 901-729-8620 or [address.assignment@mlgw.org](mailto:address.assignment@mlgw.org) to request street names.  
[http://cp.mcafee.com/d/5fHCN8gdELTKqerzHFICPqaaab3WrXz9J5555xZdN54SrdCRvIm9OFe74qCjrbxEVKaEEnu5kSfhtRdcIJWb0GNp2UGqejhOgg5tuhd7dC7zhOW-YOrdCPpI04GuhcsLABt8\\_jblxfUjNSH\\_QNp1T1ysv-ocRmk28bYmr-A-mgtdCQS4XCpTPqpJUTsTsSyrh](http://cp.mcafee.com/d/5fHCN8gdELTKqerzHFICPqaaab3WrXz9J5555xZdN54SrdCRvIm9OFe74qCjrbxEVKaEEnu5kSfhtRdcIJWb0GNp2UGqejhOgg5tuhd7dC7zhOW-YOrdCPpI04GuhcsLABt8_jblxfUjNSH_QNp1T1ysv-ocRmk28bYmr-A-mgtdCQS4XCpTPqpJUTsTsSyrh)

**AT&T-TN:**

No comments received.

**Shelby County Conservation Board:**

No comments received.

**Neighborhood Associations/Organizations:**

*Westchester Square HOA:*

*No comments received as of 8/4/17.*

*Cordova Community Watch, Inc.:*

*No comments received as of 8/4/17.*

*Cordova Leadership Council:*

*No comments received as of 8/4/17.*



*Memphis and Shelby County*  
**Office of Planning and Development**

CITY HALL 125 NORTH MAIN STREET-SUITE 468 MEMPHIS, TENNESSEE 38103-2084 (901) 576-6619

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

Date: July 5, 2017 Case #: Formerly PD 15-327

PLEASE TYPE OR PRINT

Name of Development: Parkside at Shelby Farms Planned Development

Property Owner of Record: Please see Addendum A. Phone #: \_\_\_\_\_

Mailing Address: \_\_\_\_\_ City/State: \_\_\_\_\_ Zip \_\_\_\_\_

Property Owner E-Mail Address: \_\_\_\_\_

Applicant: DB Development Co. Phone # 901-755-7708

Mailing Address: 150 Timber Creek Drive, Suite #9 City/State: Cordova, TN Zip 38018

Applicant E- Mail Address: bturner@southernprop.net

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

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

Representative E-Mail Address: brendasolomito@bellsouth.net

Engineer/Surveyor: Allen & Hoshall Phone # 901-820-0820

Mailing Address: 1161 International Drive, Suite 100 City/State: Memphis, TN Zip 38120

Engineer/Surveyor E-Mail Address: \_\_\_\_\_

Street Address Location: 0 Patmore Road, 0 Whitten Road, 979 Whitten Road, 6678 Mullins Station Road

Distance to nearest intersecting street: Nothwest corner of Whitten Road and Mullins Station Road

	Parcel 1	Parcel 2	Parcel 3
Area in Acres:	_____	_____	_____
Existing Zoning:	_____	_____	_____
Existing Use of Property	Please see Addendum B.		
Requested Use of Property	_____	_____	_____

**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: 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

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.

Please see Addendum C.

- 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.

*Parcels 1-7*

**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.

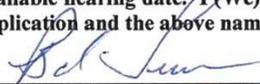
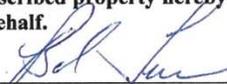
**Pre-Application Conference held on:** \_\_\_\_\_ with \_\_\_\_\_

**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.

	<i>6/30/17</i>		<i>4/30/17</i>
Property Owner of Record	Date	Applicant	Date

Parcels 1-7

**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.)*





- B. **LETTER OF INTENT** - The letter shall include the following:
- A brief narrative statement generally describing the nature, location and extent of the development and the market it is intended to serve.
  - A list of any professional consultants associated with the proposed development.
  - A written statement generally describing the relationship of the proposed development to the current policies and plans of the City and County. The statement shall include how the proposed development is to be designed, arranged and operated in order to limit impact to neighboring properties.
  - A description of the applicant's planning objectives, the approaches to be followed in achieving those objectives.
- C. **OUTLINE PLAN**
- Two (2) copies of an Outline Plan shall be submitted and drawn at a scale of not less 1"=100' for developments of less than 150 acres, 1"=200' for developments between 150 and 1,000 acres, and 1"=300' feet for developments in excess of 1,000 acres. If property is encumbered by easements, show type and location on plot plan.
  - Two (2) copies of legal description shall be attached to plot plan if not shown or described on the plan
- D. **SITE/CONCEPT PLAN** – Two (2) copies of the site/concept plan shall be submitted and depict the following: (a) property boundary lines and dimensions, existing utilities and easements, roadways, rail lines and public rights-of-way, crossing adjacent to the subject property; (b) the proposed height, dimensions and arrangements of buildings on the property; (c) the type and location of proposed landscaping; (d) the location of points of ingress/egress (driveways), parking lots and loading areas on the site; and (e) any proposed substantial re-grading of the site and any significant topographical or physical features of the site including water courses or ponds. Site/Concept plans shall be drawn at a scale of not less 1"=100' for developments of less than 150 acres, 1"=200' for developments between 150 and 1,000 acres, and 1"=300' feet for developments in excess of 1,000 acres.
- E. **VICINITY MAP**  
Two (2) copies showing the subject property (boldly outlined) and all parcels within a 500' radius. If the 500' radius includes less than 25 property owners, the radius shall be extended at 100' intervals to reach a minimum of 25 property owners provided, however, that the maximum total radius is 1,500'. Show for each parcel its dimensions, owner's name (on the vicinity map unless prior approval is given to do otherwise) and the public streets, alleys or private drives that it abuts. In situations where the parcels on the map are so small that the property owner's names are unable to fit and numbered legend is used, every effort should be made to place the legend on the map itself and not a separate sheet.
- F. **LIST OF NAMES AND ADDRESSES**
- Two (2) complete lists of names and mailing addresses, including zip codes, of all owners shown on the vicinity map, typewritten on 1"x 2<sup>5/8</sup>" self-adhesive mailing labels and 2 paper sets. Three (3) sets of gummed back mailing labels and paper copies are needed for subject properties located in Shelby County but within five (5) miles of the Memphis City limits.
  - Two (2) self-adhesive mailing labels (1"x 2<sup>5/8</sup>" each for the owner of record, applicant, representative and/or engineer/surveyor.
- G. **FILING FEES** (*All Fees Are Subject To Change without Prior Notice*)
- Planned Development: 5.0 Acres or less=\$1,500. Each additional acre or fraction thereof =\$100, Maximum =\$10,000. Make check payable to "M/SC Office of Planning and Development"

**\*ALL APPLICATIONS MUST BE SUBMITTED IN PERSON AND THE SUBMITTER MUST RECEIVE A RECEIPT OF ACCEPTANCE FROM STAFF**

Application for Planned Development  
Addendum A

**Property Owners of Record**

Parcels 1-7

Property Owner of Record: JHK, LP

Mailing Address: 3408 Democrat Road City/State: Memphis, TN Zip: 38118

Parcel 8

Property Owner of Record: Hannah M and Jason Wulff-Woesten

Mailing Address: 1059 Whitten Rd City/State: Memphis, TN Zip: 38134

Parcel 9

Property Owner of Record: Charles and Virginia Keller

Mailing Address: 1047 Whitten Rd City/State: Memphis, TN Zip: 38134

Parcel 10

Property Owner of Record: Ronald Ware

Mailing Address: 1019 Whitten Rd City/State: Memphis, TN Zip: 38134

Parcel 11

Property Owner of Record: Marcia Monroe

Mailing Address: 1009 Whitten R. City/State: Memphis, TN Zip: 38134

Parcel 12

Property Owner of Record: Brenda and William Stanford

Mailing Address: 999 Whitten Rd City/State: Memphis, TN Zip: 38134

Parcel 13

Property Owner of Record: David and Barbara Burns

Mailing Address: 989 Whitten Rd City/State: Memphis, TN Zip: 380134

	<b>Parcel 1</b>	<b>Parcel 2</b>	<b>Parcel 3</b>
Address:	0 Patmore Rd.	NA	0 Whitten Rd.
Parcel ID:	089051 00256	089051 00255	089051 00120
Area in Acres:	<u>18.263 acres</u>	<u>21.61 acres</u>	<u>11.47 acres</u>
Existing Zoning:	R-8	R-8	R-8
Existing Use of Property:	<u>Vacant Land</u>	<u>Vacant Land</u>	<u>Vacant Land</u>
Requested Use of Property:	<u>PD Amendment</u>	<u>PD Amendment</u>	<u>PD Amendment</u>

	<b>Parcel 4</b>	<b>Parcel 5</b>	<b>Parcel 6</b>
Address:	979 Whitten Rd.	0 Whitten Rd.	0 Whitten Rd.
Parcel ID:	089051 00238	089051 00126	089051 00239
Area in Acres:	<u>0.573 acres</u>	<u>0.98 acres</u>	<u>0.976 acres</u>
Existing Zoning:	R-8	R-8	R-8
Existing Use of Property:	<u>Single-Family Residence</u>	<u>Vacant Land</u>	<u>Vacant Land</u>
Requested Use of Property:	<u>PD Amendment</u>	<u>PD Amendment</u>	<u>PD Amendment</u>

	<b>Parcel 7</b>
Address:	6678 Mullins Station
Parcel ID:	089051 00128
Area in Acres:	<u>1.0 acres</u>
Existing Zoning:	R-8
Existing Use of Property:	<u>Single-Family Residence</u>
Requested Use of Property:	<u>PD Amendment</u>

	<b>Parcel 8</b>	<b>Parcel 9</b>	<b>Parcel 10</b>
Address:	979 Whitten Rd.	1047 Whitten Rd.	1019 Whitten Rd.
Parcel ID:	089051 00118	089051 00119	089051 00121
Area in Acres:	<u>0.57 acres</u>	<u>0.59 acres</u>	<u>0.57 acres</u>
Existing Zoning:	R-8	R-8	R-8
Existing Use of Property:	<u>Single-Family Residence</u>	<u>Single-Family Residence</u>	<u>Single-Family Residence</u>
Requested Use of Property:	<u>PD Amendment</u>	<u>PD Amendment</u>	<u>PD Amendment</u>

	Parcel 11	Parcel 12	Parcel 13
Address:	979 Whitten Rd.	0 Whitten Rd.	0 Whitten Rd.
Parcel ID:	089051 00122	089051 00123	089051 00124
Area in Acres:	<u>0.57 acres</u>	<u>0.57 acres</u>	<u>0.48 acres</u>
Existing Zoning:	<u>R-8</u>	<u>R-8</u>	<u>R-8</u>
Existing Use of Property:	<u>Single-Family Residence</u>	<u>Single-Family Residence</u>	<u>Single-Family Residence</u>
Requested Use of Property:	<u>PD Amendment</u>	<u>PD Amendment</u>	<u>PD Amendment</u>
<b>Total Proposed PD:</b>			
Area in Acres:	59.17 acres		
Existing Zoning:	R-8		
Existing Use of Property:	Vacant Land and Single-Family Residential Requested Use of Property: Planned Development (See Attached)		
Requested Use of Property:	Planned Development Amendment		

## LETTER OF INTENT

July 5, 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– Parkside at Shelby Farms PD  
Northwest corner of Whitten Road and Mullins Station Road

Dear Josh,

Please accept this application for Planned Development Amendment on behalf of JHK, LP and other property owners as listed. This proposed amendment is minor in nature and will further the development vision of the original PD and entice others to enjoy the newly renovated Shelby Farms Park.

The specific items for amendment:

- o The addition of a boutique, 130+/- room hotel
- o Modification to the approved concept plan
- o Add property to the overall planned development.

Additionally, we are requesting final site plan approval for Phase 1 and Phase 2.

The detailed plans were tailored to emphasize pedestrians first and to complement the vision of the Shelby Farms Park Conservancy and to support the existing neighborhood. Our team looks forward to working with the Shelby Farms Park Conservancy on such important issues.

Rather than unduly injure or prohibit the use, value, enjoyment, or development of surrounding properties, the proposed planned development amendment will support them. We look forward to working with you to ensure the development's consistency with the public interest.

Thank you for your time and attention to this request. Please do not hesitate to call if you have any questions.

Sincerely,

SOLOMITO LAND PLANNING



Brenda Solomito Basar  
Land Planner

**SOLOMITO**

LAND PLANNING

brenda@solomitolandplanning.com | 901.755.7495

**SIGN AFFIDAVIT**

AFFIDAVIT

Shelby County  
State of Tennessee

I, Scott M. White, being duly sworn, depose and say that at 2:00 am/pm on the 28<sup>th</sup> day of July, 2007, I posted a Public Notice Sign(s) pertaining to Case No. PD-17-13 at White (address) providing notice of a Public Hearing before the Land Use Control Board, Memphis City Council, Shelby County Board of Commissioners for consideration of a proposed Land Use Action (Planned Development, Special Use Permit, Use Variance, Zoning District Map Amendment), a photograph of said sign(s) being attached hereon and a copy of the sign purchase receipt or rental contract attached hereto.

Scott M. White 7/28/17  
Owner, Applicant or Representative Date

Subscribed and sworn to before me this 28<sup>th</sup> day of July, 2007

Brenda P. Solo  
Notary Public  
My commission expires: 3/15/21



## **PUBLIC COMMENTS RECEIVED**

Four (4) letters were received from the public at the time this report was submitted. The letters are attached to the end of this report. The below statement was copied from the website of the Shelby Farms Park Conservancy.

## **SHELBY FARMS PARK STATEMENT ON PARKSIDE DEVELOPMENT**

July 07, 2017

### **Shelby Farm Park Conservancy's official statement on Parkside Development:**

Shelby Farms Park's ability to positively impact the communities beyond its borders has always been an important part of our big vision for the world's next great 21st century park.

We believe that the Parkside Development has the potential to complement Shelby Farms Park's mission while enhancing the communities north of the Park, but only if it is designed, built and operated well.

While Shelby Farms Park has no financial stake in the project and it is not a Park project, we believe that a public park has a big responsibility to its citizens. Over the years, we've carefully studied the positive impacts of smart development near major urban parks. A good design, thoughtfully planned, can and should lift neighborhoods. Land Use Control Board and City Council have asked us to review the project as designs come together to help make sure it has a positive effect on the Park and its visitors.

We appreciate the design approach of Parkside Development so far, and we're especially pleased with the designers' focus on a walkable and bikeable project. The developers have put together a reputable team, and they have made several presentations to us. We look forward to developing a better understanding of many components of the project, including feasibility and the impact this development will have on the challenging traffic problem in the Park. We look forward to being involved in the process moving forward.

## Tillman, Staci

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**From:** elliott.gregg@gmail.com on behalf of Gregg Elliott <greggelliott@comcast.net>  
**Sent:** Thursday, July 06, 2017 12:31 PM  
**To:** Tillman, Staci  
**Subject:** Fwd: Bridgewater case for the Aug 10 Land Use Control Board

I am forwarding this to you, as I would appreciate getting some answers from you if Brenda does not respond, prior to our August 2 deadline. I left you a voice mail today as well. I will need to hear from you at least a week prior to that deadline to respond adequately, i.e. by around July 25th.

thank you,

K. Gregg Elliott

901-569-8881

----- Forwarded message -----

**From:** **Gregg Elliott** <[greggelliott@comcast.net](mailto:greggelliott@comcast.net)>

**Date:** Thu, Jul 6, 2017 at 11:53 AM

**Subject:** Bridgewater case for the Aug 10 Land Use Control Board

**To:** Brenda Solomito <[brendasolomito@bellsouth.net](mailto:brendasolomito@bellsouth.net)>, [info@solomitolandplanning.com](mailto:info@solomitolandplanning.com)

**Cc:** Dennis Lynch <[dmlynch1@gmail.com](mailto:dmlynch1@gmail.com)>, Heidi Shafer <[Hmcshafer@gmail.com](mailto:Hmcshafer@gmail.com)>, christine freeman <[freemanchristine2013@gmail.com](mailto:freemanchristine2013@gmail.com)>, [janicejordan@gmail.com](mailto:janicejordan@gmail.com), Lisa Royar <[lisa.royar@veraction.com](mailto:lisa.royar@veraction.com)>, matthewhascher <[matthewhascher@shelbyplace.org](mailto:matthewhascher@shelbyplace.org)>, Matthew Hascher <[matthewhascher@yahoo.com](mailto:matthewhascher@yahoo.com)>

Hello,

I'm one of the local people who fought Parkside (as a high density, rental/high-rise development), along with others in our neighborhoods, and I saw the Bridgewater announcement below. I have a number of questions and left you a voice mail. I would very much appreciate if you could give me a call to clarify a few issues.

In general, I want to make sure I understand the proposed changes; whether you plan to meet with the neighborhoods again (unclear from the application amendment as submitted), and if so when (and please include me on the invite list).

Specifically:

- Has the amount of parking changed?
- How much of the development will now be condos vs. apartments (that's an improvement!)?
- How has the development design along Patmore changed? (it looks like it's changed for the better, with lower buildings?)
- Is the height of any of the buildings in the development proposed to go over 6 stories? (some of the renderings look taller than 6 stories)
- What is the status/results of the traffic study that was required by the City Council, and could you share the results with me/the public?

- What is the proposed traffic flow/build-out phasing given that the final design relies on a Shelby Farms Parkway but we have no idea when or if that will be built?

## Tillman, Staci

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**From:** David Pickett <david@dnamemphis.com>  
**Sent:** Thursday, July 06, 2017 7:41 PM  
**To:** Tillman, Staci  
**Subject:** Bridgewater PD 17-13 application

Miss Tillman,

I am a frequent user of the Greenline and live in the Cordova Forest area (which will probably have to be renamed to 'Cordova' when the Parkside apartments come in). I appreciate the green, quiet beauty of the area in which my family lives. If the Bridgewater project continues unabated, it will continue to eat into the green spaces that our city is known for. Please reconsider the Bridgewater PD 17-13 application.

Thank you for your time.

David Pickett  
1076 Cambrain Drive  
Memphis, TN 38134

## Tillman, Staci

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**From:** David Pickett <david@dnamemphis.com>  
**Sent:** Friday, July 07, 2017 10:32 AM  
**To:** Tillman, Staci  
**Subject:** Re: Bridgewater PD 17-13 application

Thank you Miss Tillman.

I would also like to add that traffic and congestion will only worsen in this area as new developments and construction continue. Shelby Farms park was not made to be a retail area - rather a refuge for humans and animals alike.

Thanks,

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## Tillman, Staci

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**From:** Lisa Royar <lisa.royar@veraction.com>  
**Sent:** Monday, July 24, 2017 4:55 PM  
**To:** Whitehead, Josh  
**Cc:** Tillman, Staci  
**Subject:** PD 17-13: BRIDGEWATER

Mr. Whitehead—

Before we turn our lives upside down again, could you please let us know if we have any input on what the outcome of Parkside at Shelby Farms/Bridgewater is at this point since the Rezoning was allowed by the City Council last year? And I'm not asking whether the developer might listen to our comments or not, but whether we, as Homeowners, can truly have any input or did the Rezoning approval just open the door to this type of "Minor Modification".

I was and still am against the Rezoning of our Neighborhood to accommodate this Planned Development and am definitely against the idea of now adding additional property and a "Boutique Hotel".

Please keep me on the list to receive any notices or updates on these cases. (As I'm assuming this is a separate case and not appended to the original one.)

Thanks for your time.  
Lisa

Lisa Royar  
6523 Patmore Rd.  
Memphis, TN, 38134

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