

**MEMPHIS AND SHELBY COUNTY OFFICE OF  
PLANNING AND DEVELOPMENT**

**ADDENDUM STAFF REPORT**

**#3**

**CASE NUMBER:** PD 11-322 **L.U.C.B. MEETING:** March 8, 2012  
Held From February  
9, 2012

**DEVELOPMENT NAME:** MTL Planned Development

**LOCATION:** North side of Knight Arnold Road; +/-841.04 feet of Getwell Road

**COUNCIL DISTRICT:** 4

**SUPER DISTRICT:** 8

**OWNER OF RECORD/APPLICANT:** MTL Environmental, LLC (Michael Potts)

**REPRESENTATIVE:** Homer Branan

**REQUEST:** Wood chipping and processing operation

**AREA:** 54 Acres

**EXISTING LAND USE & ZONING:**

Vacant land in the Employment (EMP) and Employment Floodplain (EMP[FP]) Districts

**OFFICE OF PLANNING AND DEVELOPMENT  
RECOMMENDATION**

**APPROVAL WITH CONDITIONS**

Staff: Don Jones

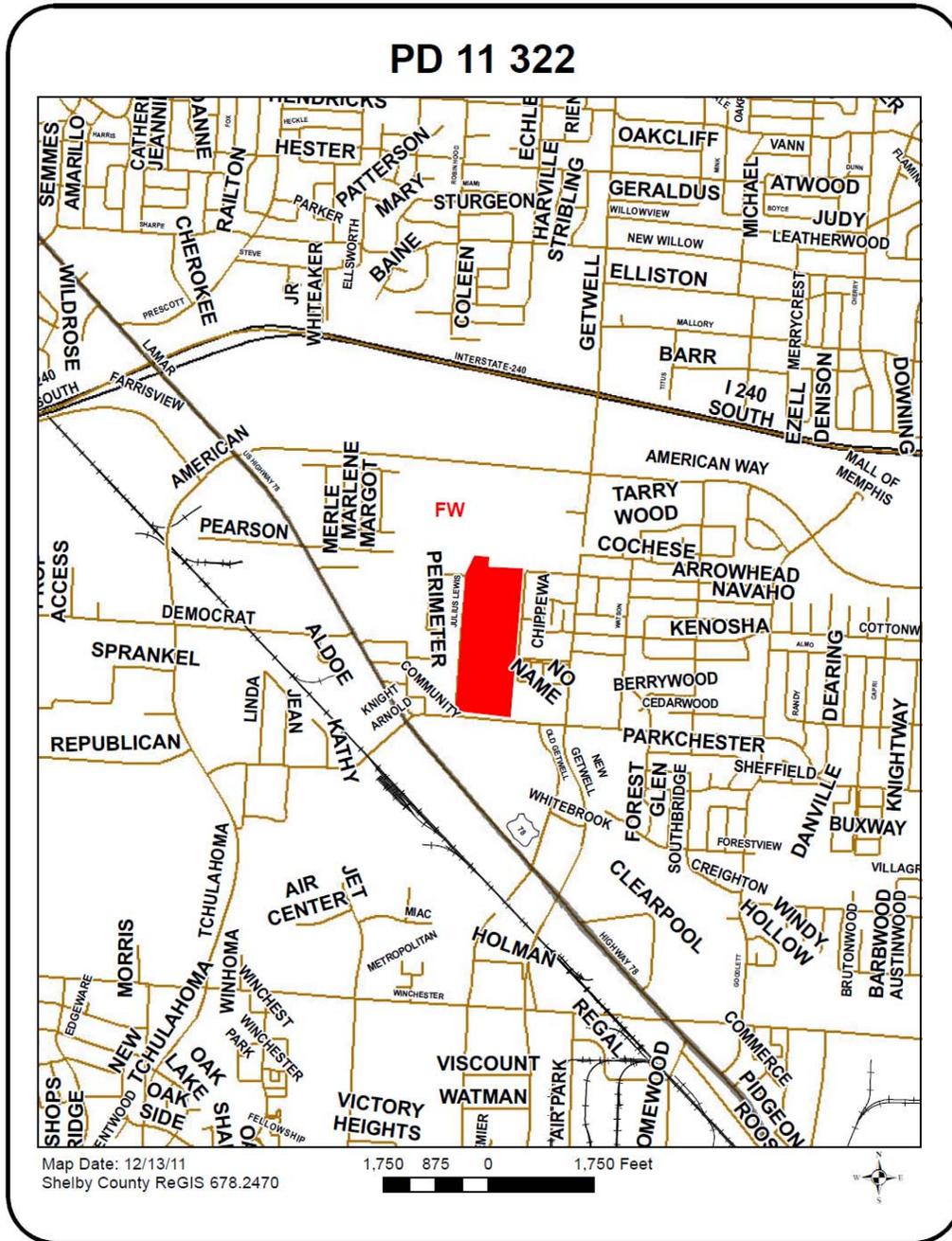
E-Mail: [john.jones@memphistn.gov](mailto:john.jones@memphistn.gov)

**CONCLUSIONS**

1. The data indicates that with the chipper running, noise levels did not noticeably increase in comparison to the background noise taken during a one hour period.

2. Positions 1 and 2 best reflect future conditions and the impact on other abutting properties.
3. The sound levels at these locations were comparable to the levels for human conversation.

### **General Location**



# PD 11 322

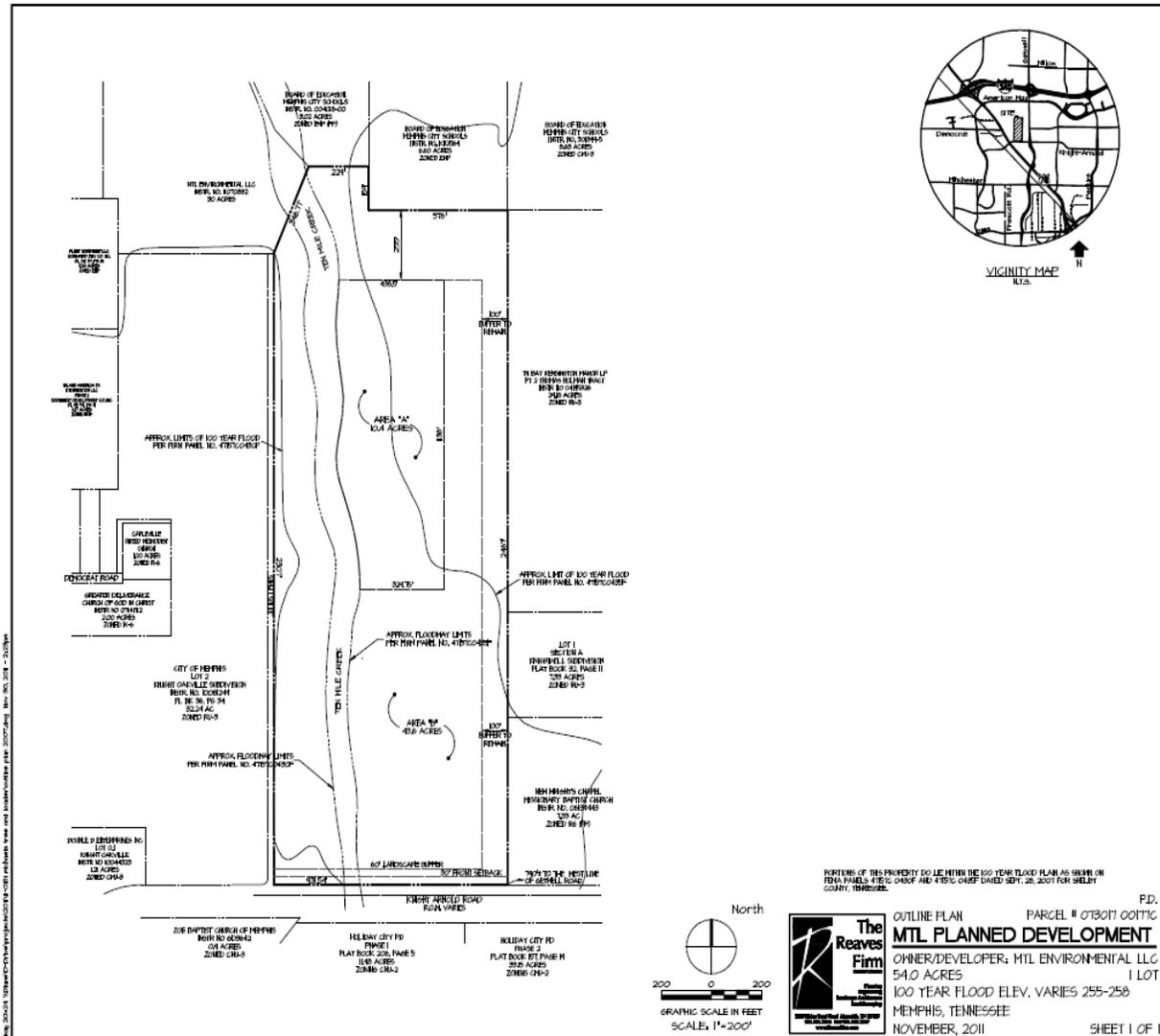


Map Date: 12/13/11  
Shelby County ReGIS 678.2470

500 250 0 500 Feet



Outline Plan



History:

A Staff Report on this request was prepared and issued for the February 2012

meeting of the Memphis and Shelby County Land Use Control Board. That report is attached to the end of this Addendum Report.

The Staff Report contained the following conclusions:

1. In the final analysis, the subject property is located within an urbanized area with sensitive populations, residential and public schools, located along two of its four boundaries. A proposal for a Heavy Industrial Use in close proximity to such sensitive uses of land is held to a higher standard.
2. While the level of screening proposed will address the visual impacts, it is not at all clear at this time that it will adequately address the noise and dust issues.

Based on the information available at that time, Staff recommended rejection.

The applicant asked the Land Use Control Board to continue this item 30 days to provide information about the proposed project and its impact on its neighbors. In discussions between the Staff and the Applicant, the issue of Noise was emphasized.

Applicant Response to Issues Raised in the Staff Report:

Dust: The applicant has explained that this model of Chipper operates in such a manner that particulates are discarded below the machine at ground level and not as prone as other models to expel particulates in the air. The applicant has contacted the Local Health Department to determine if any air quality permits are needed for this operation. An e-mail from the Shelby County Health Department, Pollution Control section indicates that no air quality permit is required.

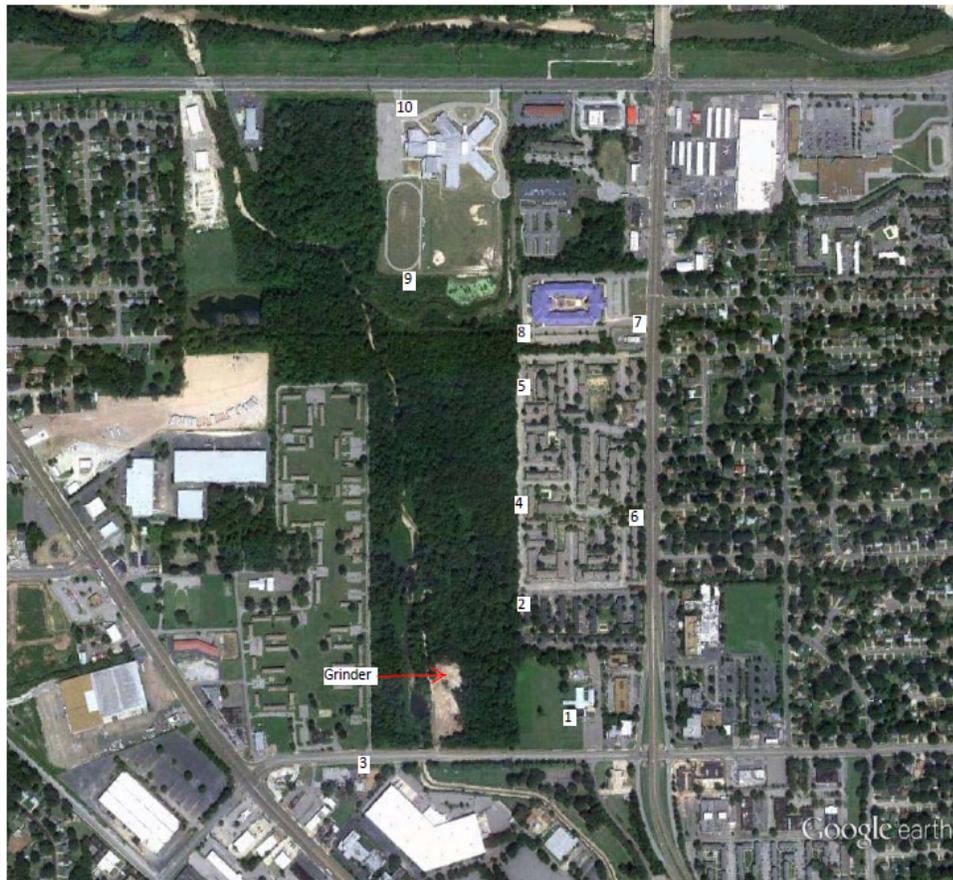
The proposed conditions require a water truck to be on site to minimize dust associated with the clearing of trees and the impact of trucks dropping off and picking up material. The applicant will be using limestone bricks or cobblestones to help limit dust in the main parking and loading areas.

Noise: This is the issue that Staff emphasized. This property abuts two residential (apartment) developments at the back property line of the apartments. The prior information compared existing road noise along Getwell Road to the manufacturer's estimated noise level for

the wood chipper. The staff was not convinced that this was the appropriate noise level.

As a follow up, the applicant has retained a locally recognized company in the environmental field, Ensafe, to conduct a noise study. The applicant arranged to bring in the actual chipper that will be used on this site and position it as close as possible to its future location.

The aerial on the next page, shows the approximate location of the chipper and the positions on abutting and adjacent properties. Readings were taken at these locations with the chipper running and not running.



Google earth

feet 3000  
km 1



The report on the readings is available, below is a table for each of the locations indicate the average noise level when the chipper is running (Operating) and when it is not operating (background).

| <u>Position</u> | <u>Operating</u> | <u>Background</u> |
|-----------------|------------------|-------------------|
| 1               | 58.6             | 59.9              |
| 2               | 53.3             | 56.4              |
| 3               | 70.5             | 69.4              |
| 4               | 53.9             | 52.8              |
| 5               | 49.9             | 48.1              |
| 6               | 69.9             | 69.6              |
| 7               | 68.2             | 67.7              |
| 8               | 49.7             | 56.5              |
| 9               | 46.7             | 46.9              |
| 10              | 66.6             | 68.5              |

In instances where Background exceeds the Operating noise level, this is explained by a vehicle passing by that was recorded by the instruments.

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Review of the Data Presented:

The data indicates that with the chipper running, noise levels did not noticeably increase in comparison to the background noise taken during a one hour period. The highest average noise level is associated with position 3 which is located on the opposite side of Knight-Arnold Road.

In review of this data, positions 1-5, 8 and 9 were of the most interest. Positions 6 and 7 were on Getwell Road and a considerable distance from the chipper operation. Positions 1-3 represent locations that most closely represent the operation of this property in the future. In the future, trees will be cleared and a 100 foot non-disturb area will be retained along the east property line. A 255 foot buffer will be maintained along the north property line

which abuts the school properties.

Position 3 is relevant because it is located about 800 feet from the approximate location of the chipper for this test and has the least amount of mature vegetation between the building and the chipper. Again, the average readings between operating and background differ only slightly, 70.5 to 69.4 dBs. The noise chart furnished by the applicant indicates that a reading of 70 decibels is equivalent to a Noisy Restaurant, an Office, and Street Traffic.

Position 1 is approximately 750 feet from the chipper location to the building. Operating and Background average noise were roughly the same at less than 60 decibels. The chart indicates that 60 decibels is the noise level of Conversational Speech.

Position 2 is located at the rear of an functioning apartment complex. This distance is approximately 600 feet from the chipper to the noise equipment. Again, the average operating and background noise is less than 60 decibels. This is one of the locations where cars and a trash collector's truck added to background noise.

Position 1 and 2 are also important in that the distances from the chipper and the reporting station are roughly equal to closest distance that the chipper is permitted to operate in Area A and the maintained area of the school properties. And with respect to the schools the conditions of this Planned Development require a buffer.

In conclusion, the applicant has addressed the concerns that were addressed by the staff in the prior report and the Staff now reverses its recommendation from Rejection to Approval with Conditions.

Other Issues:

The recommended conditions are found in the original staff report, pages 9-14. Some changes have been made. Roman Number II. C.-E. Letters C and D reflect some additional comments received from the Fire Department. Letter E. adds hours of operation.

**Recommendation:** Approval with Conditions

Attachments include:  
Letter of Opposition  
Letters of Support