



STAFF REPORT

AGENDA ITEM: # 9

CASE NUMBER: S.A.C. 18-02

L.U.C.B. MEETING: March 8, 2018

COMPANION ITEMS:

SAC 18-01 – North Willett Street and P.D. 18-05

LOCATION:

A portion of an east-west alley located north of Madison Avenue and south of Court Avenue; closure begins +/- 112' west of the west right-of-way line of N. Willett Street and runs to the west 266'.

COUNCIL DISTRICT(S):

District 5; Super District 9-Positions 1, 2 & 3

OWNER/APPLICANT:

1544 Madison Partners

REPRESENTATIVE:

Prime Development Group (Mike Fahy)

REQUEST:

Close a portion of the alley and return the right-of-way to the abutting property owner to incorporate into the Madison Midtown Planned Development.

AREA:

.074 Ac. (3,234.57 sq. ft.)

CONCLUSIONS

1. Staff recognizes that the alley was built as a one-way, 12-foot wide alley.
2. The closure, located in the middle of the alley, means that of the occupants of the abutting parcels who use this alley will have to negotiate some occasional opposing traffic or possibly access their property from a different location that they do currently.
3. In theory, the proposed development associated with this request could continue without this closure.
4. As a practical matter, any inconvenience is outweighed by the opportunity to put these parcels which have been vacant for nearly ten years back into productive re-use.

RECOMMENDATION *APPROVAL WITH CONDITIONS*

Staff Writer: John D. (Don) Jones

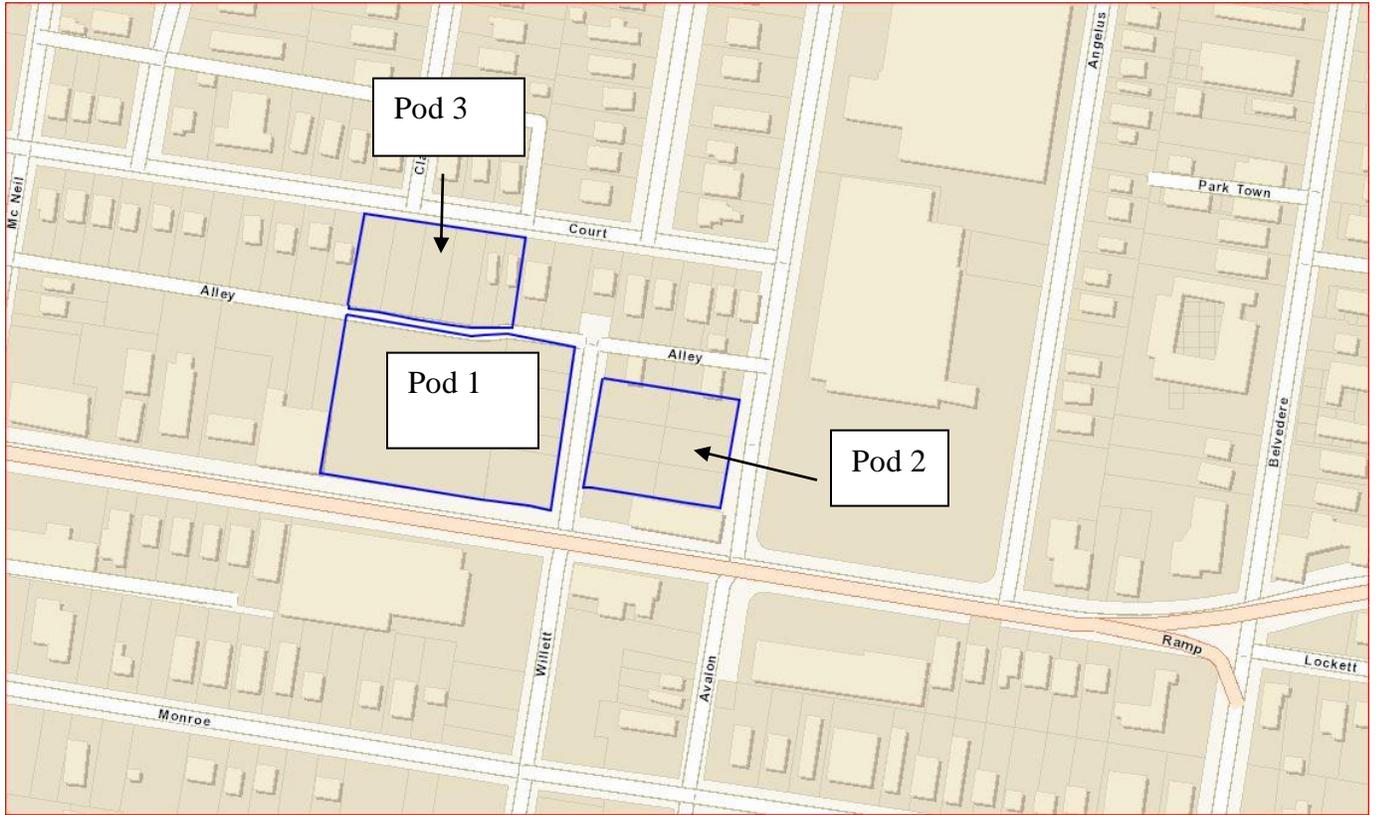
E-mail: john.jones@memphistn.gov

General Location



This section of the east-west alley runs parallel to the proposed development areas, pods 1 and 3 of Planned Development P.D. 18-05. The eastern end of the closure begins approximately 383 feet to the west of the intersection of the alley with N. Avalon Street. The western end of the closure begins approximately 543 feet to the east of the intersection of the alley and N. McNeil Street.

Development Areas for Companion Planned Development, P.D. 18-05



Existing Conditions



Views of Alley from Site Visit

Facing west toward N. Avalon Street;



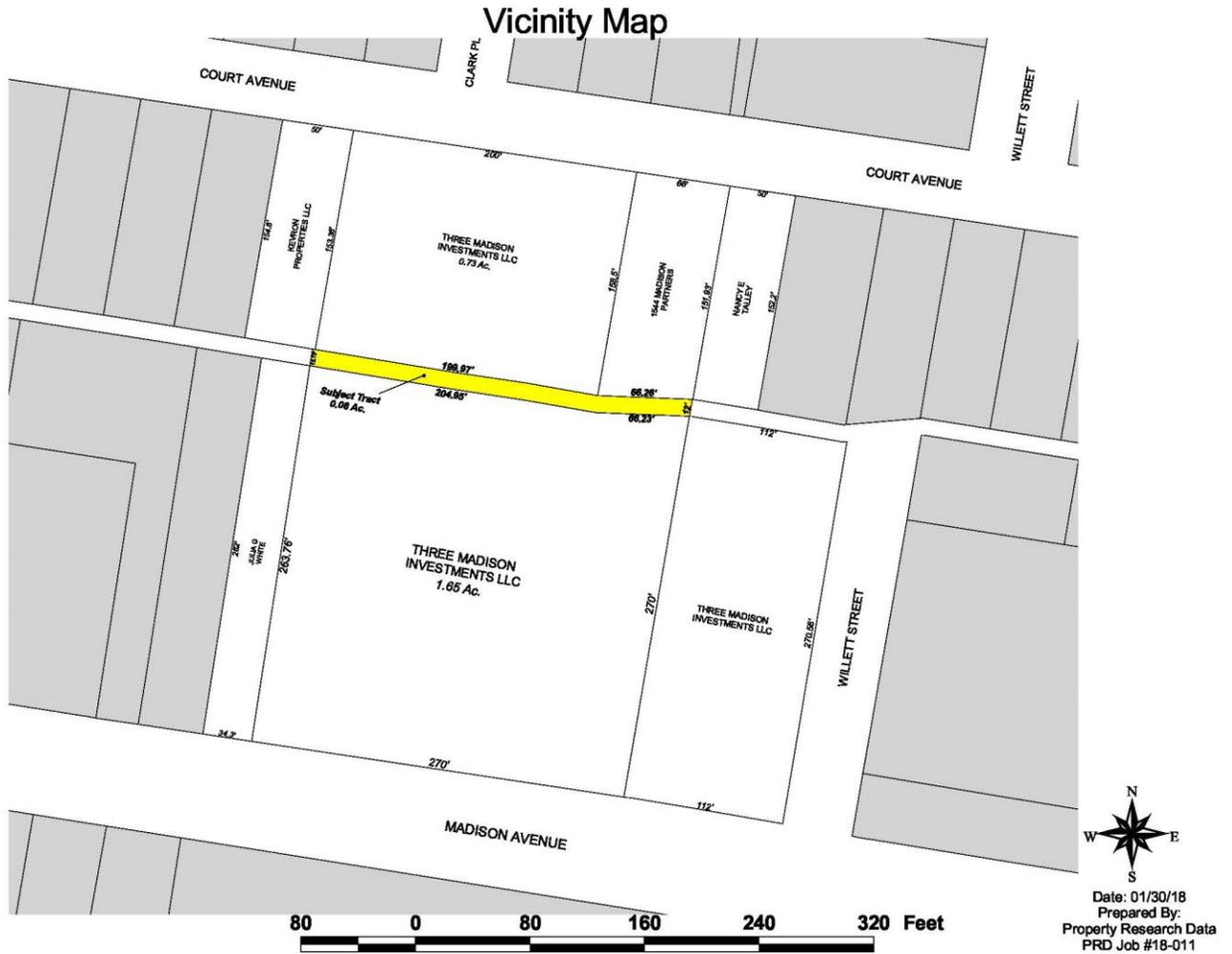
Facing west with subject property in the foreground on either side.



Map of Parcels abutting the east-west alley. The area in blue is the portion of the alley to be closed and deeded to the abutting property owner in concert with the development proposal.



Vicinity Map



Neighborhood Meeting: Scheduled for February 22, 2018 – The Cupboard Restaurant 6-6:30 PM

Public Notice Signs – Posted February 16, 2018

STAFF ANALYSIS

As the maps and plats indicate, the east-west alley extends from N. Avalon Street on the east to N. McNeil Street to the west. This alley was dedicated as a public alley with the recording of the Bickford's Courtland Place subdivision in 1919.

This alley is 12 feet in width and is signed as a one-way alley from east to west.

Some 35 parcels abut the east-west alley on the north or south. Of the 35 parcels, seven (7) are included in this closure application. Ten parcels, not including the properties associated with the companion Planned Development, abut the alley in the area east of the closure to N. Avalon Street. This total includes two commercial parcels and eight (8) residential parcels. All but two of the ten have access to the alley. This distance between the entry to the alley at N. Avalon Street to the eastern end of the closed alley is approximately 383 feet. The applicant's site plan includes a "hammerhead" style turn around to accommodate any traffic that may have mistakenly turned onto this alley expecting to continue to the west.

West of the proposed closure are some seventeen (17) parcels. The parcels on the south side include commercial properties and a multi-family development. A windshield survey of these parcels indicates that about half, 3 of the six parcels, take access from the alley. This includes two commercial uses and the apartment development.

On the north side of the alley, only three of the eleven parcels clearly used the alley for access to their property. Most of the properties have a driveway on Court Avenue. The distance from the west end of the closure to N. McNeil Street is estimated to be 540 feet.

It appears from the windshield survey that the two commercial uses on the south side of the alley use the alley for deliveries and possibly employee parking. The apartment development on the south side of the alley, Chickasaw Arms at 150s Madison Avenue, does rely on this alley.

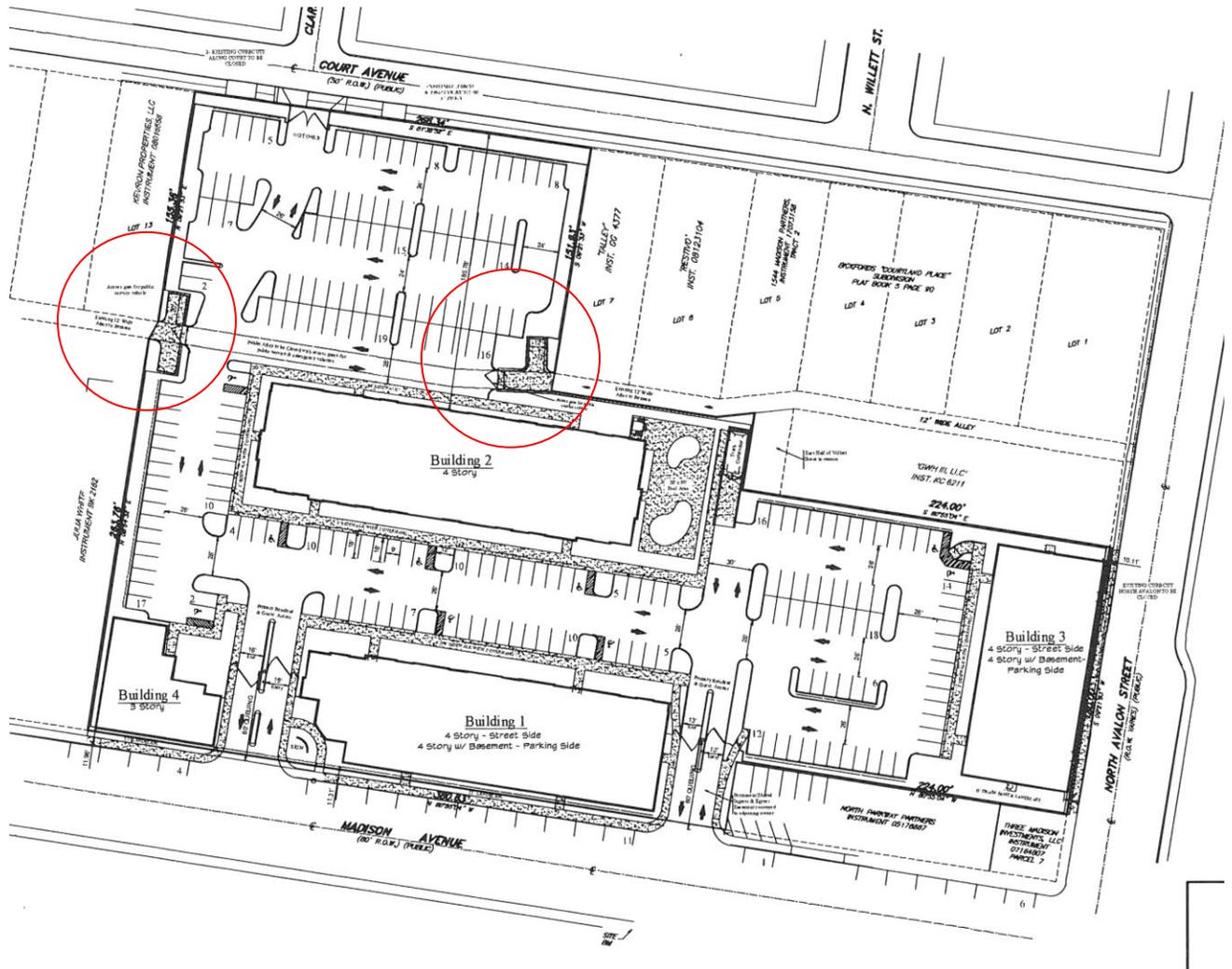
The preliminary site plan below indicates that a "hammerhead" turnaround will be installed to allow any vehicles that have continued this far to the east an opportunity to turn around without having to turn into private property.

CONCLUSIONS:

Staff recognizes that the alley was built as a one-way, 12-foot wide alley. The closure, located in the middle of the alley, means that of the occupants of the abutting parcels who use this alley will have to negotiate some occasional opposing traffic or possibly access their property from a different location that they do currently. In theory, the proposed development associated with this request could continue without this closure. However, as a practical matter, any inconvenience is outweighed by the opportunity to put these parcels which have been vacant for nearly ten years back into productive re-use. Two-way alleys of 12 feet in width are prevalent in many older parts of Midtown including

the Central Gardens and Evergreen neighborhoods.

Preliminary Site Plan – P.D. 18-05



RECOMMEDATION

APPROVAL WITH CONDITIONS

CONDITIONS

SAC 18-02

East-West Alley between Court Avenue and Madison Avenue

1. Provide hammerhead or other suitable turn around at both end of the proposed alley closure to accommodate passenger vehicles.
2. Provide easements for existing sanitary sewers, drainage facilities and other utilities or relocate at developer's expense.
3. City sanitary sewers/drainage facilities are located within the proposed closure area.
4. The applicant shall provide for the construction of curb, gutter and sidewalk across the closure as required by the City Engineer. If the City Engineer approves access, the applicant shall construct a City Standard curb cut across the closure, all to the satisfaction of the City Engineer, and at the applicant's expense. The applicant shall enter a Standard Improvement Contract or obtain a curb cut permit from the City Engineer to cover the above required construction work. The applicant shall comply with all conditions of the closure within 3 years of the conditional approval of the closure by the City Council.

GENERAL INFORMATION

Zoning Atlas Page: 2030

Parcel ID: (7) 017031 00012, 13, 14, 15, 16,17 and 41.

DEPARTMENTAL COMMENTS

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

City Engineer:

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3. City sanitary sewers/drainage facilities are located within the proposed closure area.

4. The applicant shall provide for the construction of curb, gutter and sidewalk across the closure as required by the City Engineer. If the City Engineer approves access, the applicant shall construct a City Standard curb cut across the closure, all to the satisfaction of the City Engineer, and at the applicant's expense. The applicant shall enter into a Standard Improvement Contract or obtain a curb cut permit from the City Engineer to cover the above required construction work. The applicant shall comply with all conditions of the closure within 3 years of the conditional approval of the closure by the City Council

City Fire Division: No comments received.

City Real Estate: No comments received.

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.

LETTER OF OPPOSITION Berry Jones

APPLICATION

LETTERS OF INTENT

Letter of Opposition – Berry Jones

Re: Preliminary site plan - Madison Ave @ Willett - Midtown Memphis

Page 2 of 3

Sent: Wednesday, February 21, 2018 6:37 PM
To: S Berry Jones
Cc: Jones, Donald
Subject: Re: Preliminary site plan - Madison Ave @ Willett - Midtown Memphis

What is your clients address ?

Josh Whitehead

On Feb 21, 2018, at 6:29 PM, S Berry Jones
<berry@sbjarchitects.com<mailto:berry@sbjarchitects.com>> wrote:

Don

I have a client on this alley and we have done several development plans all of which are accessed from the rear alley way. Her property has no Court curb cut and has always been accessed from the alley as it was always intended. With this plan she is land locked.

For this developer to totally ignore this and force these property owners to re-orient their lots access to court with out any consideration of what hardship and delusion of value that might cause is mind boggling.

In addition, I thought the intent of the OPD and UDC was to strengthen the streetscape.

Even though the lots are presently paved placing all of this parking along Court is a disservice to the neighborhood and a missed opportunity to improve Court and encourage additional investment on this mostly dilapidated street. People - including my client - want to invest on Court and invest a lot, but this just ruins the potential of this street to become a restive neighborhood again. Apartments or Townhouses need to be along Court.

This is an historic district so for everyone's sake that wants to see this area improve let's make any improvements reflect the history of walkable neighborhoods not Cordova style apartments.

No one is opposed to seeing this property developed but in its present design this development is totally inappropriate, out of line with the spirit of smart growth and not an asset to this community. This plan needs a lot of work.

Thank You

S Berry Jones, AIA

From: Jones, Donald <Donald.Jones@memphistn.gov<mailto:Donald.Jones@memphistn.gov>>
Sent: Friday, February 9, 2018 8:57 AM

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 RIGHT-OF-WAY VACATION/
STREET/ALLEY/CLOSURE APPROVAL**

Date: January 25, 2018

Case #: SAC 18-01

PLEASE TYPE OR PRINT

Name of/Street/Alley/ROW: 12' wide public alley north of 1544 Madison Avenue, west of North Willett Street

Property Owner of Record: 1544 Madison Partners Phone #: 794-9494

Mailing Address: 4091 Viscount Avenue City/State: Memphis, TN Zip 38115

Property Owner E-Mail Address: jlindy@towerventures.com

Applicant: same Phone # _____

Mailing Address: _____ City/State: _____ Zip _____

Applicant E-Mail Address: _____

Representative: Michael J. Fahy Phone #: 753-6840

Mailing Address: 7520 Capital Drive, Ste. 200 City/State: Germantown TN Zip 38138

Representative E-Mail Address: mfahy@pdg-m.com

Engineer/Surveyor: PDG/Womble JV Phone # 753-6840

Mailing Address: 7520 Capital Drive, Ste. 200 City/State: Germantown TN Zip 38138

Engineer/Surveyor E-Mail Address: mfahy@pdg-m.com

Closure Street Address Location: North of 1544 Madison Avenue, west of North Willett Street

Inside of Memphis City Limits Yes No

Unincorporated Shelby County Yes No

City of _____ Reserve Area Yes No

Distance to nearest intersecting street: 386'+/- west of North Avalon Street

Area of ROW: 3,234.57sf/0.074Ac. Square-Feet/Acres Length x Width of ROW: 12' x 266.23'/271.18' Feet

Closure starts at: West line of North Willett Street and

Proceeds to 266.23'/271.18' west

Reason for Closure: Alley is in poor physical shape with very limited use and will be absorbed on both sides by the Madison Midtown PD.

Letter of Intent



Prime Development Group, Inc.
7520 Capital Drive, Ste. 200
Germantown Tn 38138
(901) 753-6840 📞
(901) 482-0375 📠
mfahy@pdg-m.com 📧

January 29, 2018

Mr. Josh Whitehead
Chief Planner
Memphis & Shelby County
Office of Planning & Development
125 North Main Street, Suite 468
Memphis TN 38103

RE: Madison Midtown Planning Development

Dear Josh:

On behalf of the owner/developer, 1544 Madison Partners, we are pleased to submit this Alley Closure Application for a new Apartment Planned Development located at the northwest corner of Madison Avenue & North Avalon Street. The request is to close a section of the 12' wide public alley that bisects the subject development. It is our intent to provide access control gates at each end of the closed alley for Public Works and Emergency Services vehicles. The proposed Apartment Planned Development will be the adjoining owner on each side of the requested closure. We look forward to continuing to work with you and your staff on this project.

Sincerely,

Prime Development Group, Inc.

Michael J. Fahy
President

16.032