



# STAFF REPORT

**AGENDA ITEM:** 3

**CASE NUMBER:** SAC 20-01 **L.U.C.B. MEETING:** February 13, 2020  
**LOCATION:** Terrell Place, north of Southern Ave.  
**COUNCIL DISTRICT:** District 5 and Super District 9 – Positions 1, 2, and 3  
**OWNER/APPLICANT:** Memphis Country Club  
**REPRESENTATIVE:** Michael Babb, Memphis Country Club  
**REQUEST:** Close and vacate the public right-of-way of Terrell Place  
**AREA:** +/-0.46 acres  
**EXISTING ZONING:** Residential Urban –1 (RU-1)

## CONCLUSIONS

The applicant is seeking to close and vacate Terrell Place, north of Southern, in order to expand the Memphis Country Club campus.

The applicant, Memphis Country Club, owns all of the property adjacent to the closure area.

The closure of the subject public right-of-way will not have any undue or substantial effect upon the existing vehicular and pedestrian traffic flow of the surrounding area.

## CONSISTENCY WITH MEMPHIS 3.0

The Memphis 3.0 General Plan is not applicable to street closures.

## RECOMMENDATION:

*Approval with conditions*

**GENERAL INFORMATION**

**Zoning Atlas Page:** 2135

**Existing Zoning:** Residential Urban –1 (RU-1)

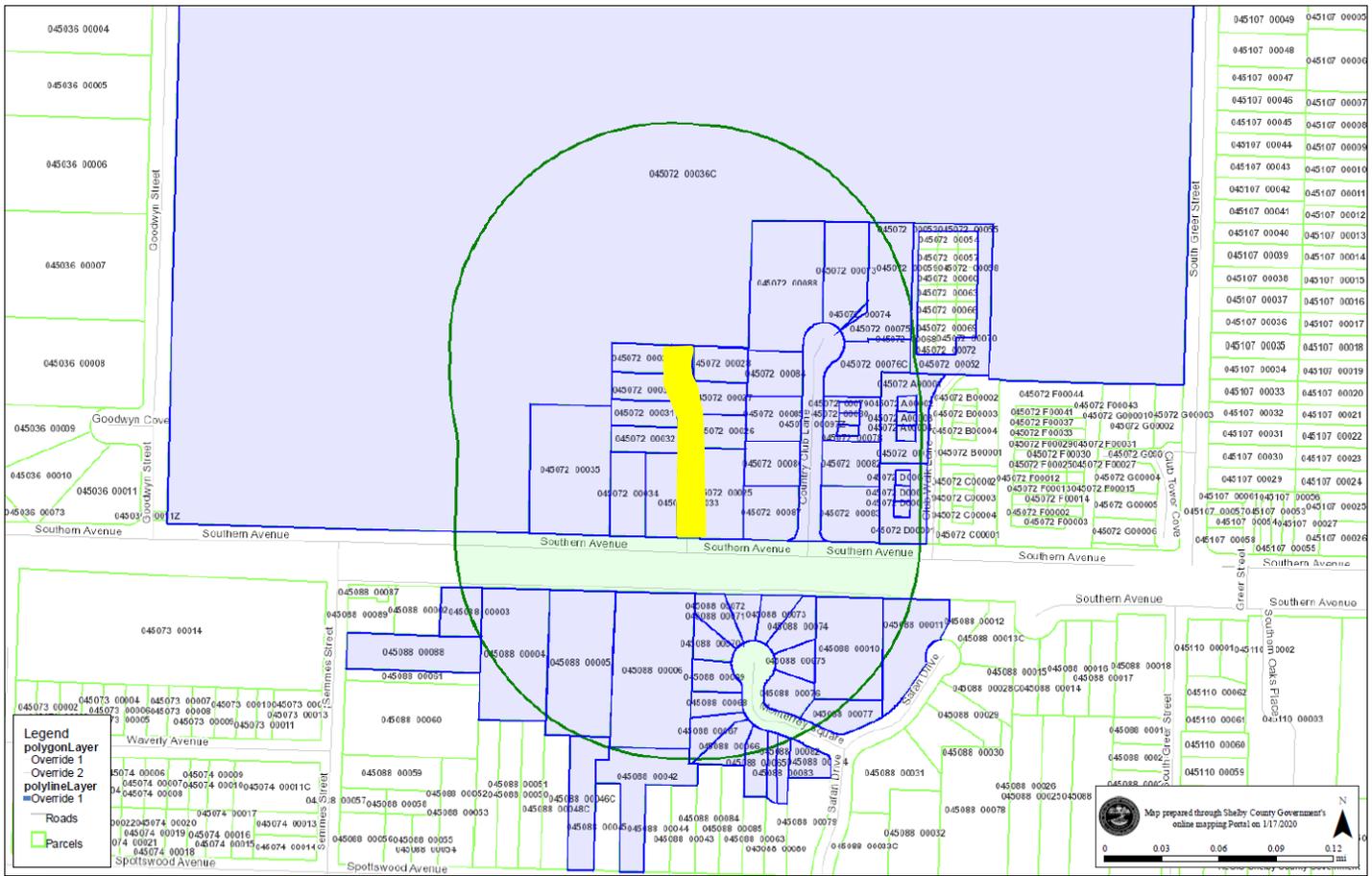
**PUBLIC NOTICE**

In accordance with Sub-Section 9.3.4A of the Unified Development Code, a notice of public hearing is required to be mailed and signs posted. A total of 58 notices were mailed on January 30, 2020, and a total of 1 sign posted on the end of the public right-of-way to be closed and vacated. The sign affidavit has been added to this report.





**VICINITY MAP**



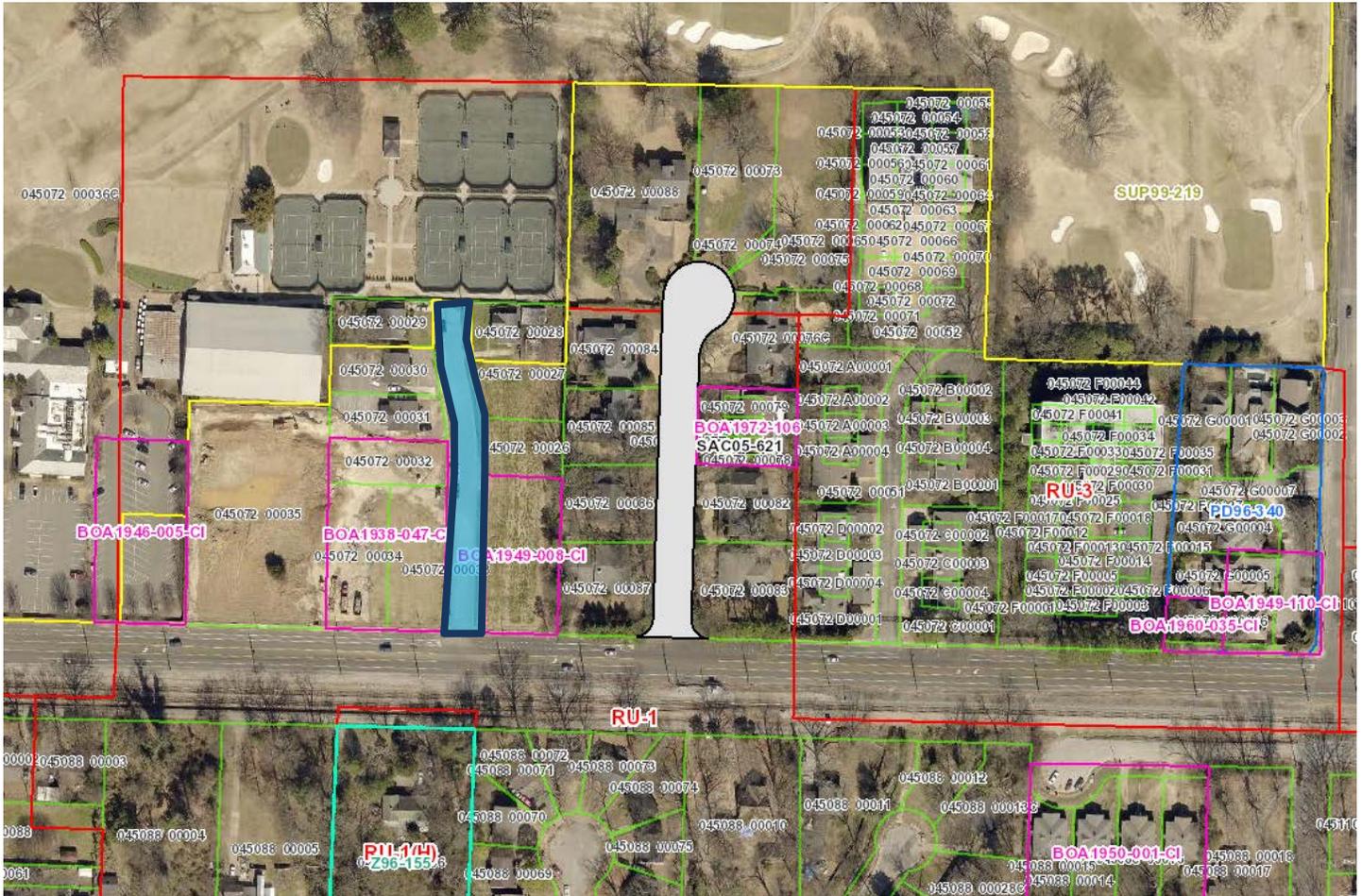
Subject public right-of-way highlighted in yellow

**AERIAL**



Subject public right-of-way outlined in yellow

**ZONING MAP**



Subject public right-of-way highlighted in blue

**Existing Zoning:** Residential Urban –1 (RU-1), SUP 99-219

**Surrounding Zoning**

**North:** RU-1, SUP 99-219

**East:** RU-1, BOA 1949-008 CI, SAC 05-621

**South:** RU-1, Z 96-155

**West:** RU-1, BOA 1949-047 CI

**LAND USE MAP**



Subject public right-of-way highlighted in blue.

**SITE PHOTOS**

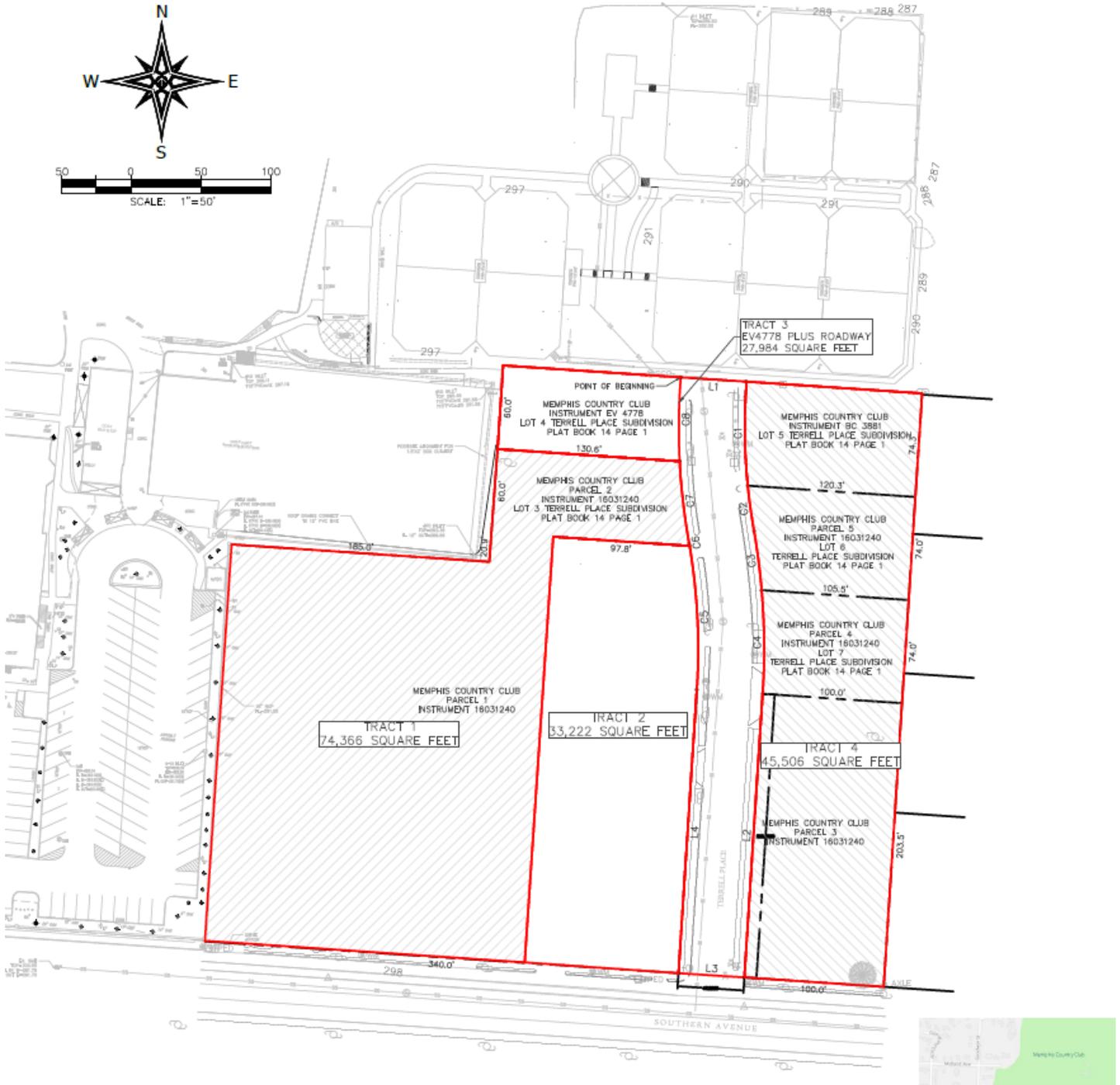


View of Terrell Place, facing north from Southern Ave.



View of employee housing on Terrell Place

### CLOSURE PLAT



## **STAFF ANALYSIS**

### **Request and Reason**

The application and letter of intent have been added to this report.

The request is to close and vacate Terrell Place, north of Southern. The closure will allow the owners to expand Memphis Country Club in this area in the future.

### **Site Description**

The subject public right-of-way is a +/-47.28-foot wide and +/-428.04-foot long north-south Public Street for a total area of +/-0.46 acres north of Southern Avenue. The subject public right-of-way is adjacent to ten parcels, all owned by Memphis Country Club. The parcels are either vacant land or used as employee housing for Memphis Country Club.

### **Consistency with Memphis 3.0**

The Memphis 3.0 General Plan does not address street closures.

### **Conclusions**

The applicant is seeking to close and vacate Terrell Place, north of Southern, in order to expand Memphis Country Club.

The applicant, Memphis Country Club, owns all of the property adjacent to the closure area.

The closure of the subject public right-of-way will not have any undue or substantial effect upon the existing vehicular and pedestrian traffic flow of the surrounding area.

## **RECOMMENDATION**

Staff recommends approval with conditions.

### **Conditions**

1. Provide easements for existing sanitary sewers, drainage facilities, and other utilities; relocate at developer's expense; or, convert to private ownership.
2. 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.
3. The applicant shall comply with all conditions of the closure within three years of the conditional approval of the closure by the City Council.

## DEPARTMENTAL COMMENTS

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

### **City/County Engineer:**

1. Standard Subdivision Contract or Street Cut Permit as required in Section 5.5.5 of the Unified Development Code.

### **Street Closures:**

2. Provide easements for existing sanitary sewers, drainage facilities and other utilities or relocate at developer's expense.
3. City sanitary sewer line is 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.
5. The applicant shall comply with all conditions of the closure within 3 years of the conditional approval of the closure by the City Council.
6. 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.
7. Adequate maneuvering room shall be provided between the right-of-way and the gate/guardhouse/card reader for vehicles to exit by forward motion.

### **City/County Fire Division:**

1. All design and construction shall comply with the 2015 edition of the International Fire Code (as locally amended) and referenced standards.
2. Fire apparatus access shall comply with section 503. Where security gates are installed that affect required fire apparatus access roads, they shall comply with section 503.6 (as amended).
3. Fire protection water supplies (including fire hydrants) shall comply with section 507.

### **City Real Estate:**

No comments received.

### **City/County Health Department:**

Water Quality Branch & Septic Tank Program:

- No comments.

### **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:

Land and Mapping-Address Assignment:

**Office of Resilience:**

- No comments at this time.

**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: 12/27/19

Case #: SAC 20-01

PLEASE TYPE OR PRINT

Name of/Street/Alley/ROW: TERRELL PLACE

Property Owner of Record: MEMPHIS COUNTRY CLUB Phone #: 901-452-2131

Mailing Address: 600 GOODWYN City/State: MEMPHIS TN Zip 38111

Property Owner E-Mail Address: michael@memphiscc.org

Applicant: MEMPHIS COUNTRY CLUB Phone # \_\_\_\_\_

Mailing Address: 600 GOODWYN City/State: MEMPHIS TN Zip 38111

Applicant E-Mail Address: michael@memphiscc.org

Representative: Michael Babb Phone #: \_\_\_\_\_

Mailing Address: 600 GOODWYN City/State: MEMPHIS TN Zip 38111

Representative E-Mail Address: michael@memphiscc.org

Engineer/Surveyor: Lance Lanier, Mid South Engineering Support LLC Phone # 731-659-1087

Mailing Address: 4090 AIRLINE ROAD City/State: EADS, TN Zip 38028

Engineer/Surveyor E-Mail Address: lance@midsouthes.com

Closure Street Address Location: TERRELL PLACE MEMPHIS TN

Inside of Memphis City Limits  Yes  No

Unincorporated Shelby County  Yes  No

City of Reserve Area  Yes  No

Distance to nearest intersecting street: Located at intersection of Southern Ave and Terrell Place

Area of ROW: 20,238 SF/ 0.46 Acres Square-Feet/Acres Length x Width of ROW: 47.28x428.04 Feet

Closure starts at: Intersection of North Line of Southern Avenue and

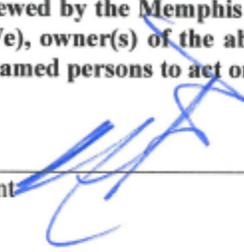
Proceeds to Termination of Terrell Place

Reason for Closure: Memphis Country Club now owns all adjacent property. Safety and security will be enhanced as a result of closure.

**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 \_\_\_\_\_

I (we) hereby make application for approval of the street/alley closure described above and on the accompanying materials and closure plat. 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>Memphis Country Club</u> | <u>12.27.19</u> |  | <u>12.27.19</u> |
| Property Owner of Record*   | Date            | Applicant  | Date            |
| _____                       | _____           | _____  | _____           |
| Property Owner of Record*   | Date            | Applicant  | Date            |
| _____                       | _____           | _____  | _____           |
| Property Owner of Record*   | Date            | Applicant  | Date            |
| _____                       | _____           | _____  | _____           |
| Property Owner of Record*   | Date            | Applicant  | Date            |
| _____                       | _____           | _____  | _____           |
| Property Owner of Record*   | Date            | Applicant  | Date            |
| _____                       | _____           | _____  | _____           |

Every property owner that both abuts the right-of-way to be closed and will be deeded a respective portion shall sign this application unless the signee above is a duly elected representative of a homeowners or property owners association that will be taking ownership of the vacated right of way. See Item H at the bottom of this application for further instructions and exceptions.

Types of Vacation (from Chapter 9.8 of the Unified Development Code)

1. **Conversions** (public-to-private street conversions, pursuant to Section 5.2.18 of the UDC)

*Note: street conversions entirely within approved subdivisions or planned developments shall be processed as revisions to the subdivision plat or planned development plat. Please refer to those appropriate applications.*

2. **Physical closures** (street and alley closures that involve the physical closure of an existing street or alley)

3. **Abandonment** (divesture of abandoned or excess right-of-way, paper streets, paper alleys and easements)

**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.

**LETTER OF INTENT**



January 16, 2020

RE: Terrell Cove Road Closure SAC 20-01  
ATTN:  
Somers Smith, AICP  
Municipal Planner  
Memphis/ Shelby County Office of Planning and Development  
125 North Main Suite 468  
Memphis, Tennessee 38103-2084

Ms. Smith,  
Thank you for accepting our initial Road Closure Plat and application. The plat has been revised to show how the lots will be reconfigured to allow proper road frontage for each of the existing residences located on Terrell Cove.

I hope you will find that the proposed subdivision and road closure does not adversely impact the surrounding property owners. Memphis Country Club would like to close the road to enable future development of the properties it has acquired over the last few years.

Please contact me at [lance@midsouthes.com](mailto:lance@midsouthes.com) with any questions regarding the road closure or lot reconfiguration. For questions regarding future improvements to the property please contact Michael Babb with the Memphis Country Club at [michael@memphiscc.org](mailto:michael@memphiscc.org).

Thank you,

Lance Lanier, PLS  
Mid-South Engineering Support LLC  
4090 Airline Road  
Eads, TN 38028

**LETTERS RECEIVED**

No letters received at the time of completion of this report.