

MEMPHIS AND SHELBY COUNTY OFFICE OF PLANNING AND DEVELOPMENT
STAFF REPORT

CASE NUMBER: Case No. ZTA 10-001; and Companion Case Z 10-112 (Amended Case No.)
L.U.C.B. MEETING: August 12, 2010

REQUEST:

- Recommendation by the Land Use Control Board to adopt the proposed comprehensive rezoning of a segment of Cooper Street, Central Avenue and the northeast corner of Southern Avenue and Cooper Street from the Highway Commercial (C-H) District and Light Industrial (I-L) District to the Local Commercial (C-L) District.
- Amend the Official Zoning Map by adopting the proposed Midtown Overlay District. The Midtown Overlay District includes proposed Shopfront, Pedestrian, Urban and Transitional Frontage Designations for segments of Cooper, Young, Central, Union, Madison, and East Parkway. Frontage requirements are described in the Midtown District Overlay.
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Location:

The Comprehensive Rezoning from Highway Commercial (C-H) District to the Local Commercial (C-L) Districts are located as follows:

- Central Avenue roughly from Cooper Street to East Parkway
- Cooper Street from the CSX railroad right-of-way to Southern Avenue
- Northeast corner of Southern Avenue and Cooper Street

A Comprehensive Rezoning from Light Industrial (I-L) District to the Local Commercial (C-L) District is located as follows:

- Southwest corner of Central Avenue and Cooper Street

Midtown District Overlay – an irregular area bounded by I-24, North Parkway, Poplar Avenue, East Parkway, Illinois Central/Canadian Northern railroad right-of-ways, properties along Lamar Avenue between I-240 and the IC/CN railroad, McLean Boulevard, Rembert Street, Union Avenue, McNeil Street and Cleveland Street.

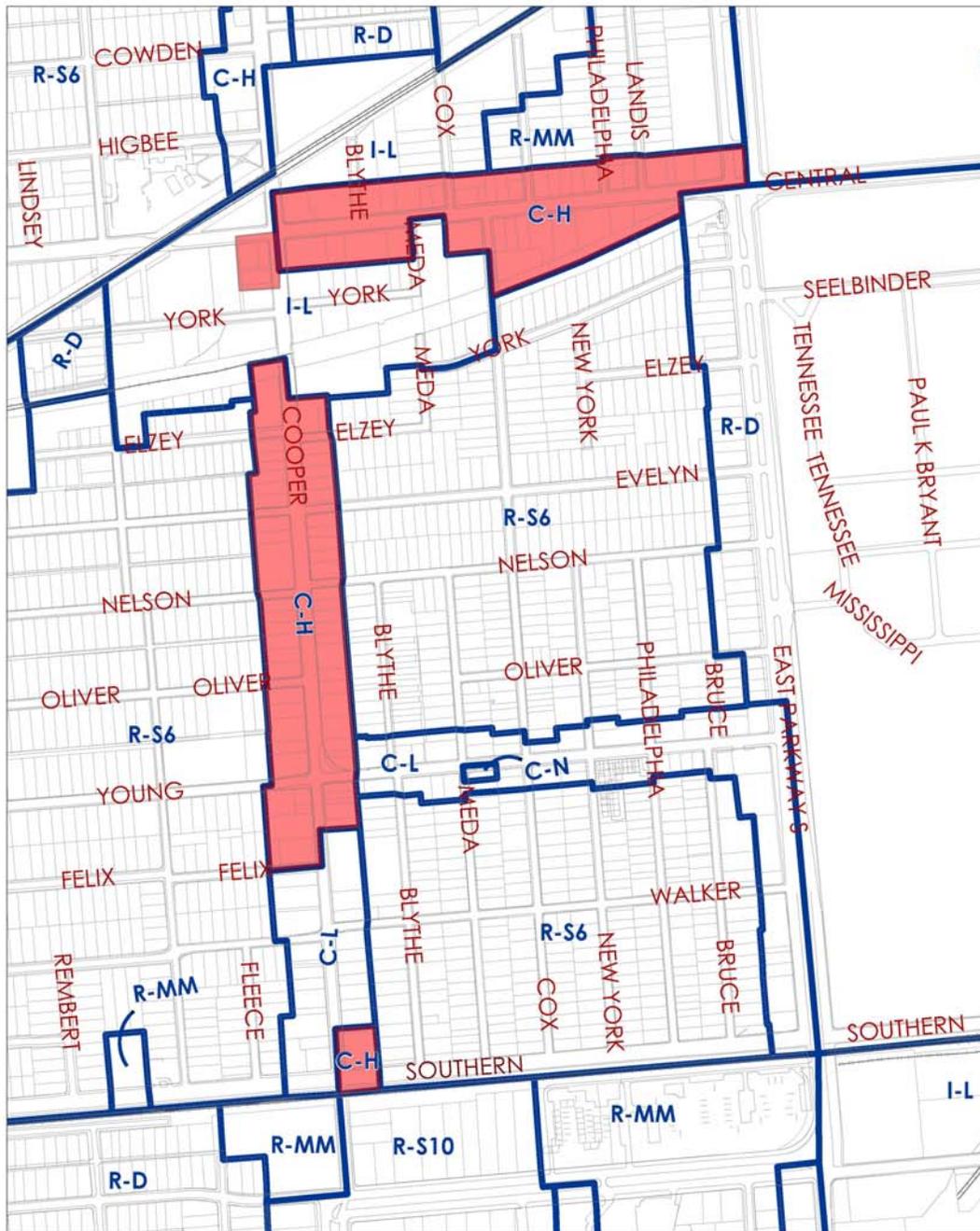
District Conversion & Midtown Overlay

The Local Commercial (C-L) District will convert to the Commercial Mixed Use (CMU) District when the Unified Development Code goes into effect. The regulations governing the new CMU District and all other zoning districts within the boundaries of the Midtown Overlay District will be further modified by the requirements of the regulations within the overlay

Recommendation: Approval of the Comprehensive Rezoning and the Proposed Zoning Text and Map Amendment Creating the Midtown Overlay District

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Area 1(part) of Midtown Overlay

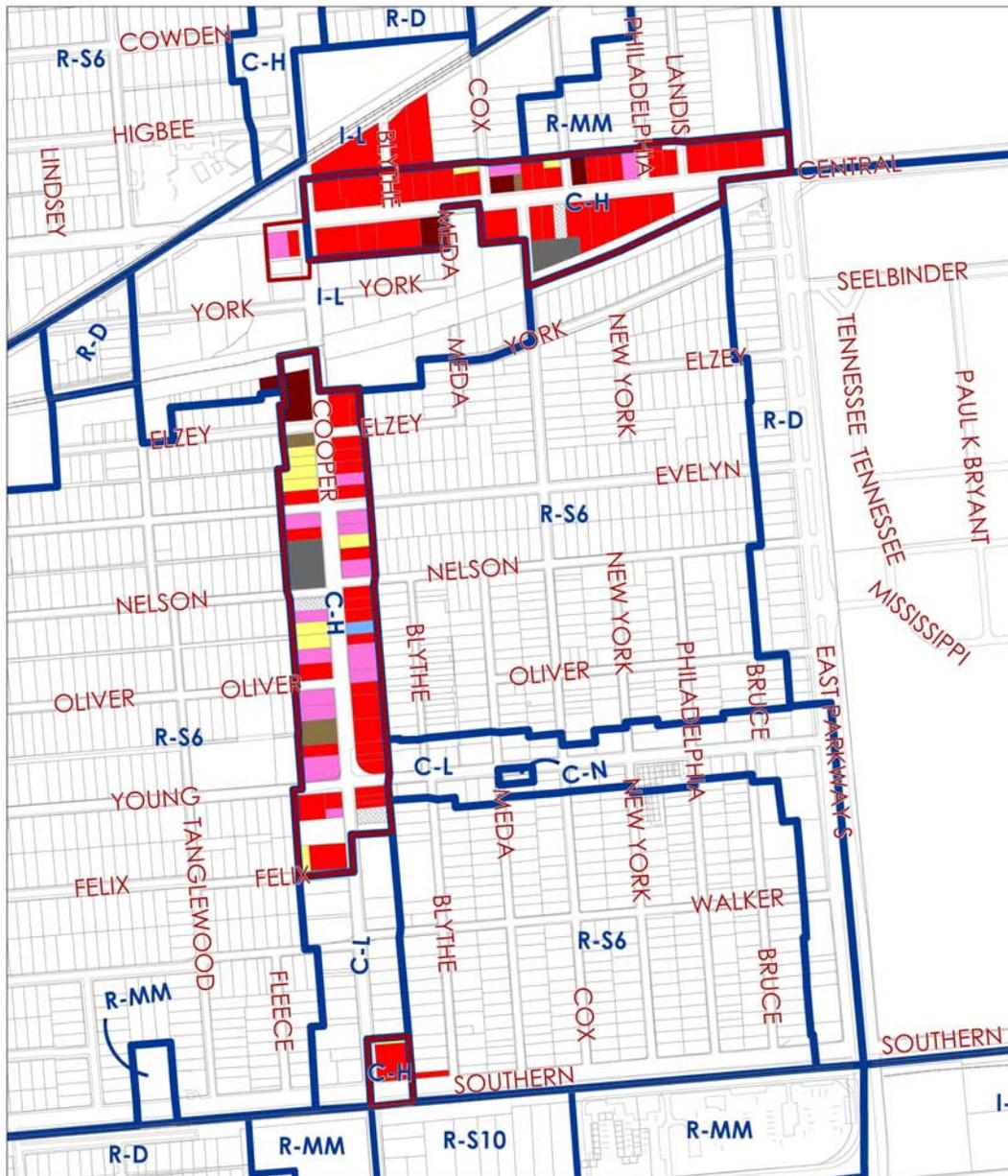
Current Zoning as 11/03/2009

Downzoning to CMU-1

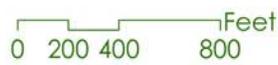
MRDC02 - Midtown_Res zoning_part1_ansiD_100805.pdf

Disclaimer - Zoning shown on this map is generally accurate for the area as of 11/03/09. For current zoning on a specific property, please contact Memphis and Shelby County Division of Planning and Development/ Office of Code Enforcement, MRDC or DPD. MRDC or DPD will not be held liable for any information presented on this map.

Existing Districts	New Districts (UDC)
R-S10 Single Family District	R-10 Single Family District
R-S6 Single Family District	R-6 Single Family District
R-D Duplex Residential	RU-1 Residential Urban
R-TH Residential Town House	RU-2 Residential Urban
R-ML Multiple Dwelling Residential	RU-3 Residential Urban
R-MM Multiple Dwelling Residential	RU-3 Residential Urban
R-MH Multiple Dwelling Residential	RU-4 Residential Urban
C-N Neighborhood Commercial	CMU-1 Commercial Mixed Use
C-L Local Commercial	CMU-1 Commercial Mixed Use
C-P Planned Commercial	CMU-2 Commercial Mixed Use
C-H Highway Commercial	CMU-3 Commercial Mixed Use
P Parking	CMU-1 Commercial Mixed Use
O-G Office General	OG Office General
O-L Office Limited	RW Residential Work
I-L Light Industrial	EMP Employment
	RU-5 Residential Urban



**Current Land Use
 around Rezoning Area
 in Midtown Area**



MRDC02 - Midtown_Rezoningarea_Landuse_ansiD_100805.pdf

- Area for Proposed Rezoning to CMU-1
- Current Zoning as of 11/03/09
- Land Use**
- Vacant
- Accessory Improvements
- Single Family Res (Att/Det)
- Multi Family Residential
- Office
- Commercial
- Auto Retail/Service
- Institutional
- Industrial



Southwest Corner of Central Avenue and Cooper Street Proposed to be Rezoned from Light Industrial (I-L) to Local Commercial (C-L) District



Typical example of Original Buildings along Central Avenue Proposed to be Rezoned from Highway Commercial (C-H) to Local Commercial (C-L)



Businesses in Newer Buildings Along Central Avenue being Rezoned from Highway Commercial (C-H) to Local Commercial (C-L) District



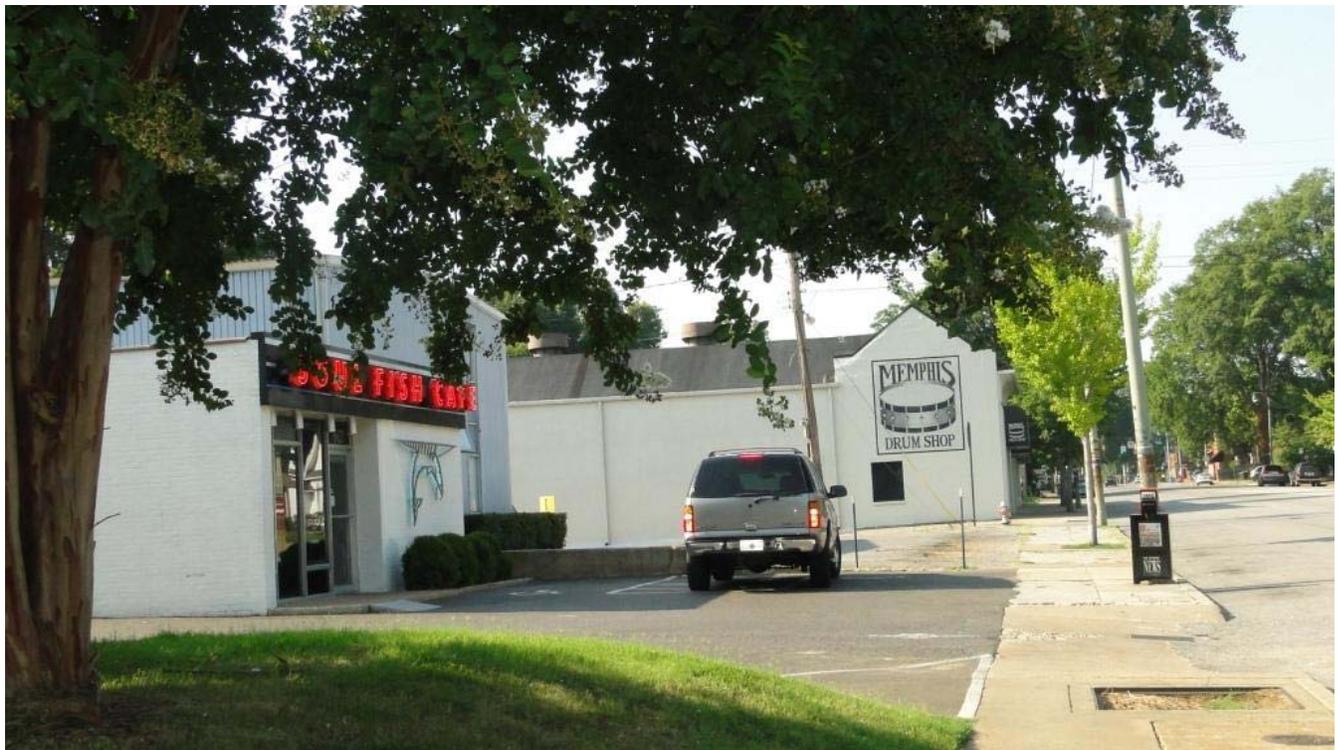
One of Two Existing Motor Vehicle Service Uses along Central Avenue in an Original Building and a Relatively New Residential Building Proposed to be Rezoned from Highway Commercial (C-H) to Local Commercial (C-L) District



Existing Billboards along Central Avenue are Already Nonconforming Proposed to be Rezoned from Highway Commercial (C-H) to Local Commercial (C-L) District



Restaurant in an Original Building near the Cooper Young Intersection Proposed to be Rezoned from the Highway Commercial (C-H) District to the Local Commercial (C-L) District



Restaurant in a Newer Building and Memphis Drum Shop in an Original Building along Cooper Street at Nelson Avenue Proposed to be Rezoned from the Highway Commercial (C-H) District to the Local Commercial (C-L) District



Industrial Use Already Nonconforming in Existing C-H District Zoning Proposed to be Rezoned to the Local Commercial (C-L) District



This Van Leasing Site on Cooper Street Conforming in Highway Commercial Can Continue to Operate as an Existing Nonconforming Use in the Proposed Local Commercial (C-L) District.



Billboards at Cooper and Young Already Nonconforming Uses



Residential Uses in Original Buildings along Cooper Street Proposed to be Rezoned from the Highway Commercial (C-H) to the Local Commercial (C-L) District

Purpose of the Comprehensive Rezoning and adoption of the Midtown Overlay District

The purpose of the comprehensive rezoning and adoption of the Midtown Overlay District:

To provide carefully tailored zoning categories that will preserve and reinforce the Midtown District by encouraging rehabilitation and new construction that is sensitive to the existing urban form and reflects appropriate uses, scale and character of the neighborhood.

The Midtown Overlay District and comprehensive rezoning of three areas along Cooper Street and Central Avenue are parts of a new land use plan for Midtown.

Land Use Analysis of the 3 Areas Proposed for Rezoning

- 1) a. Properties fronting along Central Avenue beginning west of Cooper Street and extending to East Parkway on the east.

These properties are developed primarily with small scale retail commercial and offices. There are a two motor vehicle service uses and one vacant site that was formerly used as motor vehicle service. A new motor vehicle service use requires approval of a special use permit. However, existing operations are grandfathered as long as they are not vacant for more than one year. There are existing billboards along Central Avenue that are already nonconforming because they do not have frontage on an interstate highway and because they are located on the same lot with another principal building. An industrial use on the east side of Cox south of Central is a nonconforming use in the existing Highway Commercial (C-H) District. Existing operations are grandfathered as long as they are not vacant more than one year.

- 1)b. Properties on the southwest corner of Central Avenue and Cooper Street.

These properties are currently zoned in the Light Industrial (I-L) District are occupied as a retail commercial use and an office. Both properties are proposed to be rezoned to the Local Commercial (C-L) District. The retail and office uses will be continue to be conforming in the C-L District.

- 2) Properties fronting along both sides of Cooper Street from north of Elzey Avenue down to Felix Avenue.

All of the properties proposed for rezoning within this corridor are currently governed by Highway Commercial (C-H) District zoning. The land uses contain restaurants, retail commercial, offices and residential uses all conforming uses within the Local Commercial (C-L) District as modified by the Midtown Overlay District (Also allowed in the Commercial Mixed Use (CMU-1) District in the soon to be adopted Unified Development Code. There are two uses that will be nonconforming, The Southern Textile Supply Company located on the northwest corner of Nelson Avenue and Cooper Street and the van leasing business located immediately south of the CSX railroad right-of-way on the west side of Cooper Street. The Southern Textile Supply Company is an industrial use already nonconforming in the existing Highway Commercial (C-H) District.

- 3) Properties on the northeast corner of Southern Avenue and Cooper Street

These parcels are proposed to be rezoned from the Highway Commercial (C-H) District to the

Local Commercial (C-L) District. They are developed in a retail strip style with a convenience store and tax service uses which will continue as conforming uses in the C-L

Recommendation: Approval of the Comprehensive Rezoning and the Proposed Zoning Text and Map Amendment Creating the Midtown Overlay District