

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

#13

CASE NUMBER: Z13-108 **LUCB Meeting:** October 10, 2013

DEVELOPMENT NAME: Church of the Trinity

LOCATION: 29 W. Fay Avenue

COUNCIL DISTRICT: 6

SUPER DISTRICT: 8

OWNER OF RECORD/APPLICANT: Church of the Trinity

REPRESENTATIVE: Jacqueline Hudson

REQUEST: To zone existing land-use from CA to EMP

AREA: 0.32 acres

EXISTING LAND USE & ZONING: Residential (R-6)

**OFFICE OF PLANNING AND DEVELOPMENT
RECOMMENDATION: APPROVAL**

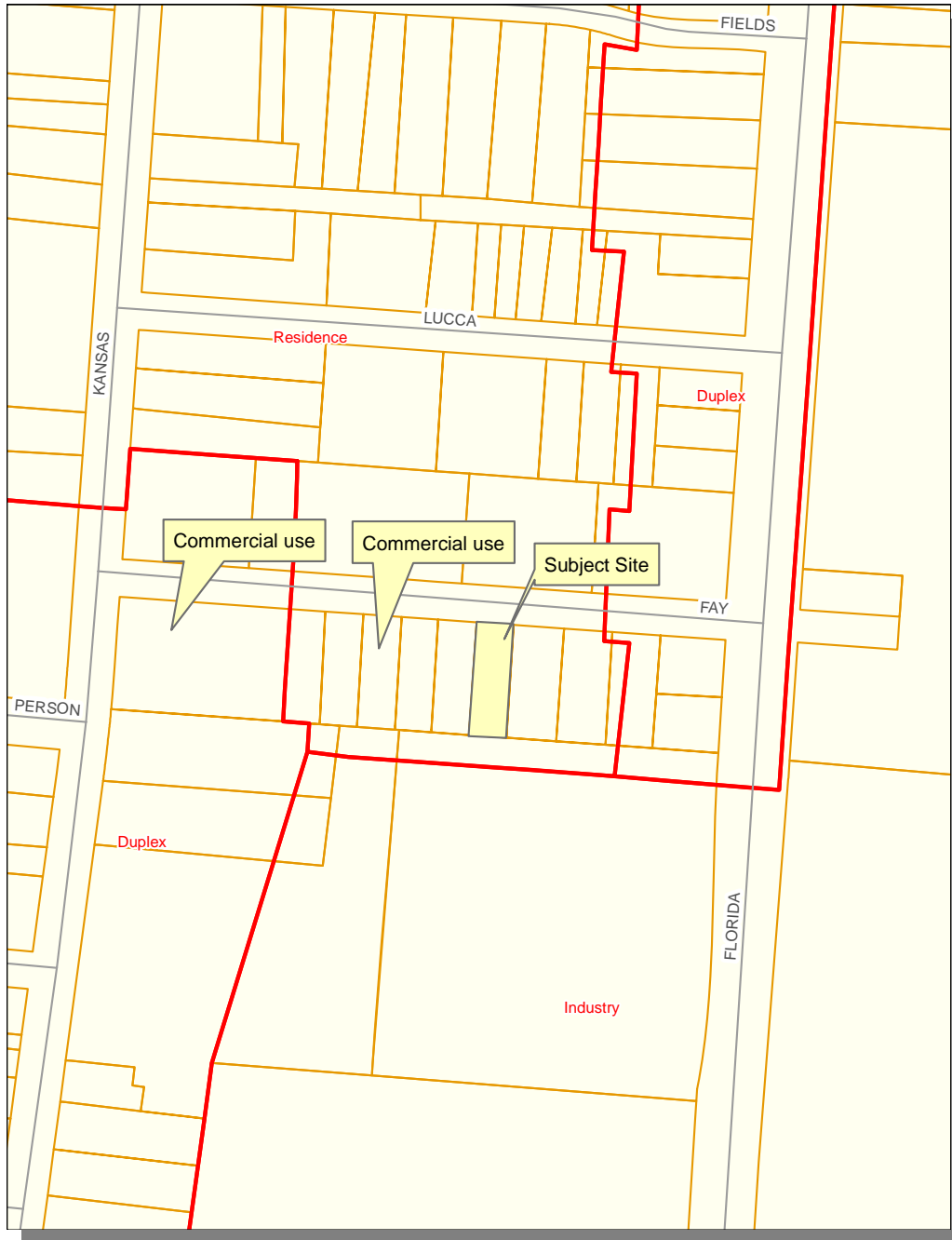
CONCLUSIONS:

The subject site is currently a vacant house which is situated at 29 W. Fay and has frontage along West Fay. The intent of this application is to rezone the subject site from Residential-6(R-6) to General Office (O-G) which would allow the Church of Trinity to legally operate a neighborhood resource center, conforming to and being consistent with the character and integrity of the surrounding land-uses..

Staff Planner: Calvin Abram

calvin.abram@memphistn.gov

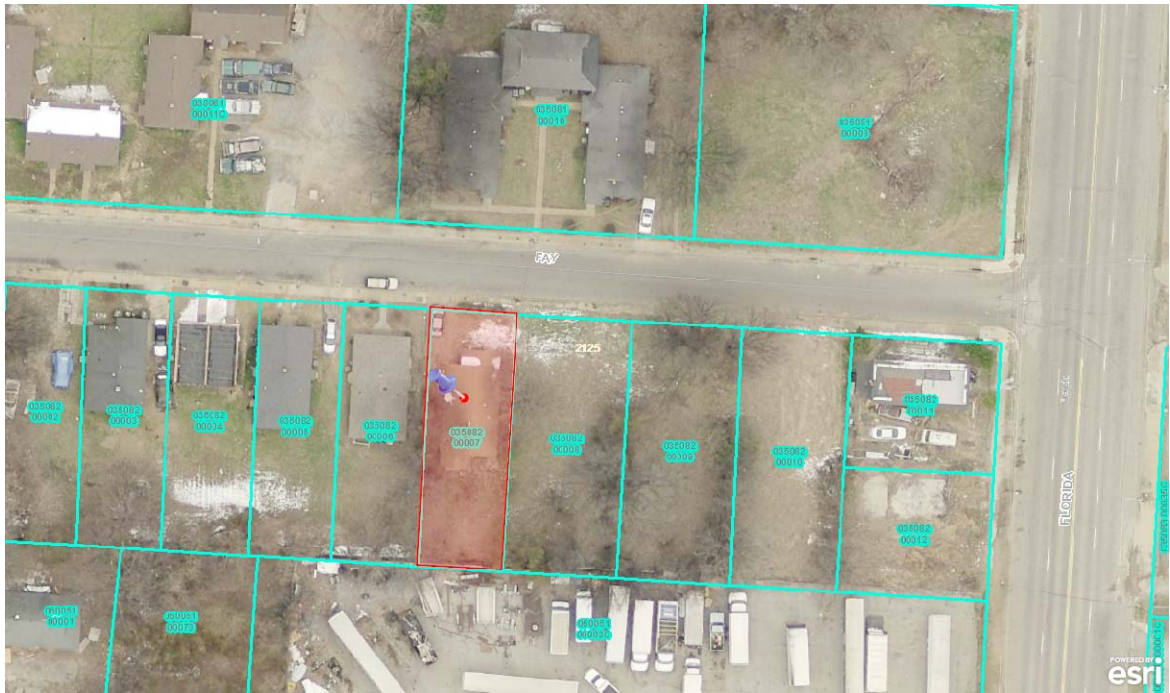
LAND USE AND ZONING MAP



SURROUNDING LAND USES AND ZONING:

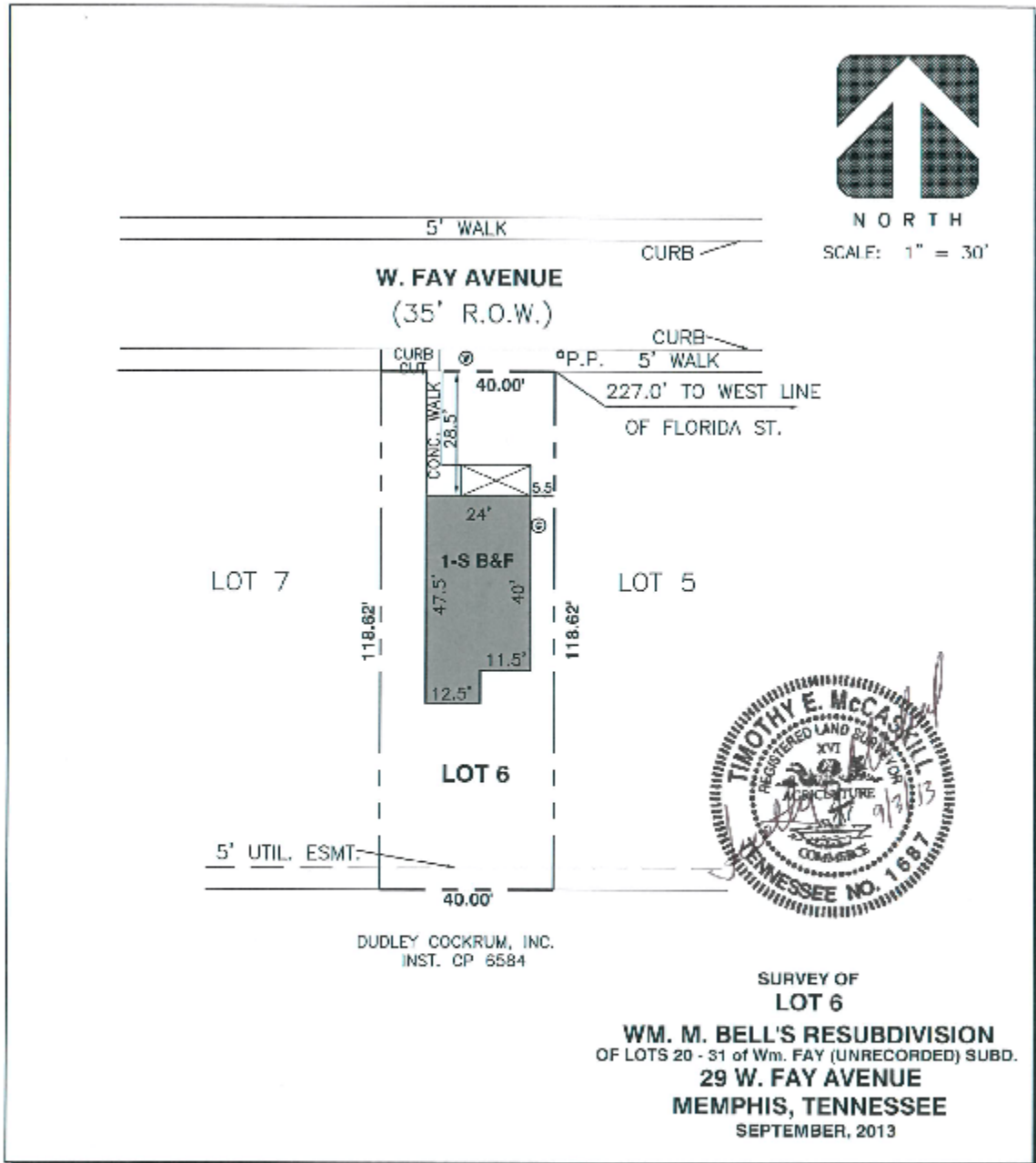
North: Residential
East: Residential
South: EMP
West: Residential


Aerial of Site



The subject site has frontage along W. Fay Ave.

Land Survey




McCaskill & Associates, Inc.
 Land Surveying Civil Design

7891 Stage Hills Boulevard Suite 112
 Bartlett, Tennessee 38133
 E-Mail address: temcaskill@aol.com
 (901) 382-2577 FAX (901)385-1813



Subject site
(south)



Subject site
looking southwest



Subject site
(west boundary)



West on West
Fay



Commercial
Use



West of
site

STAFF ANALYSIS:

Site Characteristics:

The subject site is an approximately .36 acre site situated at 29 W. Fay Avenue. The subject site has an existing vacant house on it and is surrounded by EMP, residential, commercial and multi-dwelling land-uses.

Conclusion:

The intent of this request is to rezone the subject site from R-6 to O-G to accommodate the existing vacant home on the site. The O-G zoning district allows Philanthropic uses “by-right” and would support compatible land-uses for the immediate and surrounding area.

The Church of the Trinity will operate a Neighborhood Resource Center which would meet the primary needs of adolescent boys and girls between the ages of 12-18 with several empowering programs such as:

- Say no to drugs;
- Gang violence
- Bullying
- Pregnancy prevention

The neighborhood resource center will not allow housing or after hour stay on the site. The lot is too shallow and the structure too small to allow future businesses to the site that would conflict with the area.

This proposal would be a benefit to the area and the rezoning would allow the subject site to be revitalized adding more character to the community and a much needed resource.

The request for a zoning change meets the UDC Subsection 9.5.8B(2 & 3) approval criteria:

- Compatibility with the present zoning nearby property and with the character of the neighborhood;
- Suitability of the subject property for uses permitted by the current versus the proposed districts.

RECOMMENDATION: Approval

GENERAL INFORMATION:

Planning District: South Memphis

Census Tract: 005500

Street Frontage: W. Fay Avenue

Municipal Annexation Reserve Area:

Zoning Atlas Page: 2125

Parcel ID: 035082 00007

Zoning History: R-6

DEPARTMENTAL COMMENTS:

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

City Engineer: Comments received.

1. Standard Subdivision Contract as required in Section 5.5.5 of the Unified Development Code.
2. City sanitary sewers are available at developer's expense.
3. The Developer shall be responsible for the repair and/or replacement of all existing curb and gutter along the frontage of this site as necessary.
4. All existing sidewalks and curb openings along the frontage of this site shall be inspected for ADA compliance. The developer shall be responsible for any reconstruction or repair necessary to meet City standards,
5. The City Engineer shall approve the design, number and location of curb cuts.
6. Any existing nonconforming curb cuts shall be modified to meet current City Standards or closed with curb, gutter and sidewalk.

City Fire Division:	No Comment
City Real Estate:	No comments received.
City/County Health Department:	No comments.
City Board of Education:	No comments received.
Construction Code Enforcement:	No comments received.
Memphis Light, Gas and Water:	MLGW has reviewed the referenced application, and has no objection.
Bell South:	AT&T Tennessee has no comment.
Memphis Area Transit Authority (MATA):	No comments received.
OPD-Regional Services:	No comments received.
Neighborhood Associations:	No comments received.