

MEMPHIS AND SHELBY COUNTY OFFICE OF PLANNING AND DEVELOPMENT
STAFF REPORT # 10

CASE NUMBER: SUP 15-203 **L.U.C.B. MEETING:** March 12, 2015

LOCATION: 179 Madison Avenue; Southeast Corner of Madison Avenue and Third Street

COUNCIL DISTRICT: 6

SUPER DISTRICT: 8

OWNER OF RECORD/APPLICANT: Suna Winchester, LLC

REPRESENTATIVE: SR Consulting, LLC (Cindy Reaves)

REQUEST: Hotel (Site plan review and legislative approval required per the South Central Business Improvement Plan and SE District)

AREA: 0.157 Acres

EXISTING LAND USE & ZONING: four-story structure within the SE (Sports and Entertainment)

OFFICE OF PLANNING AND DEVELOPMENT RECOMMENDATION

Approval

Staff Writer: Gregory Love

Email: Gregory.love@memphistn.gov

CONCLUSIONS

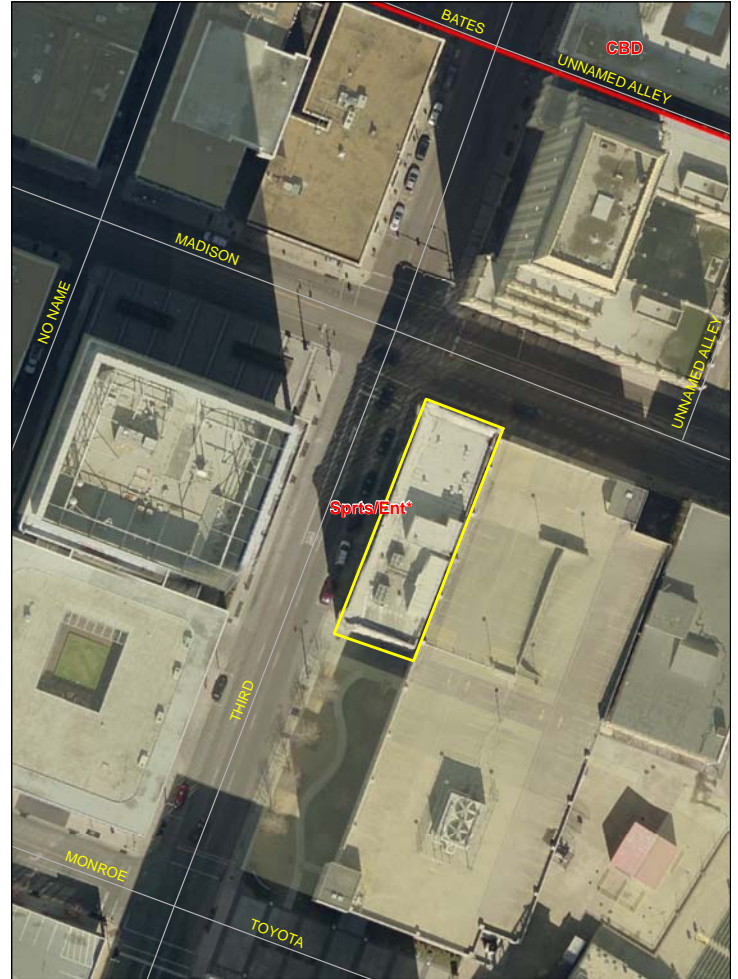
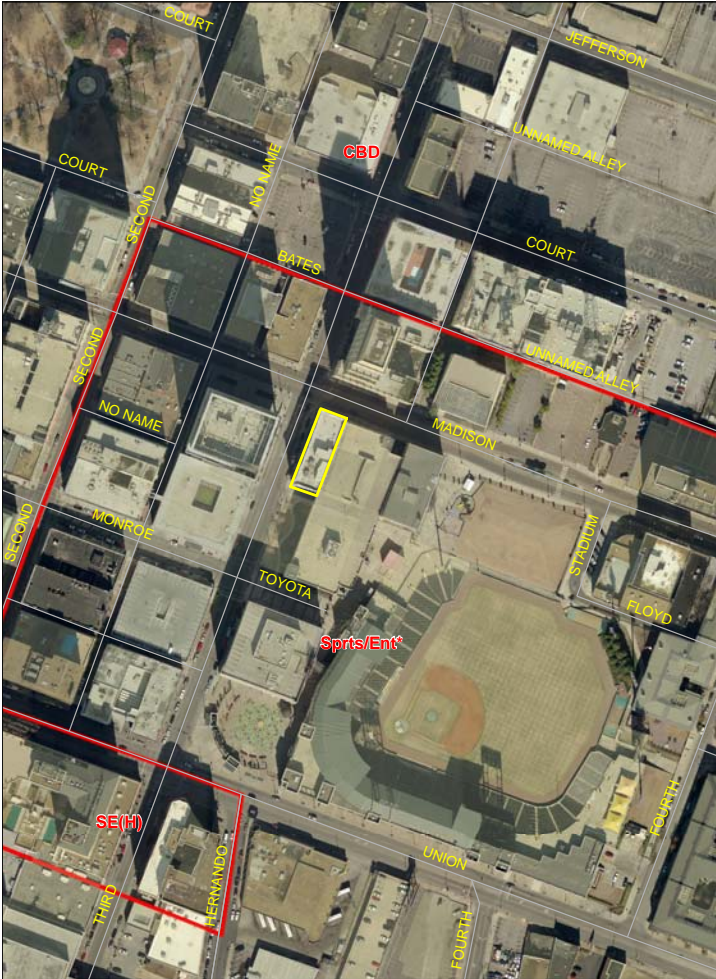
The subject site is currently zoned SE (Sports and Entertainment); the applicant is requesting to utilize the property as a hotel, The SE District allows for the proposed use with a Special Use Permit. The SE District is intended to support the downtown area and its tourism, this proposed hotel is in alignment with the intent of the district and general trends for the downtown area.

The Scimitar building constructed in 1902 is well suited to serve as the proposed hotel. The Scimitar was added to the National Register of Historic Places in 1983, this project is a sound example of an adaptive reuse; it will assist in the revitalization of the downtown area and will preserve a historic Memphis Asset.

There are similar businesses that operate within close proximity to the subject site; the proposed use would be in character to what exist currently.

The proposed use does not suggest that it will result in negative impacts to the community or deteriorate the character or value of the surrounding property or community (UDC Sub-section 9.6.9A). In fact, this proposed development is a sound adaptive reuse for the building and will strengthen the downtown district.

LAND USE AND ZONING MAP



SURROUNDING LAND USES AND ZONING:

North- Sterick Building Commercial Office within the SE (Sports and Entertainment) District

East- Parking Structure within the SE (Sports and Entertainment) District

South- Toyota Center Greenspace within the SE (Sports and Entertainment) District

West- First Tennessee Bank Office located within the SE (Sports and Entertainment) District

Subject Site



Subject Site



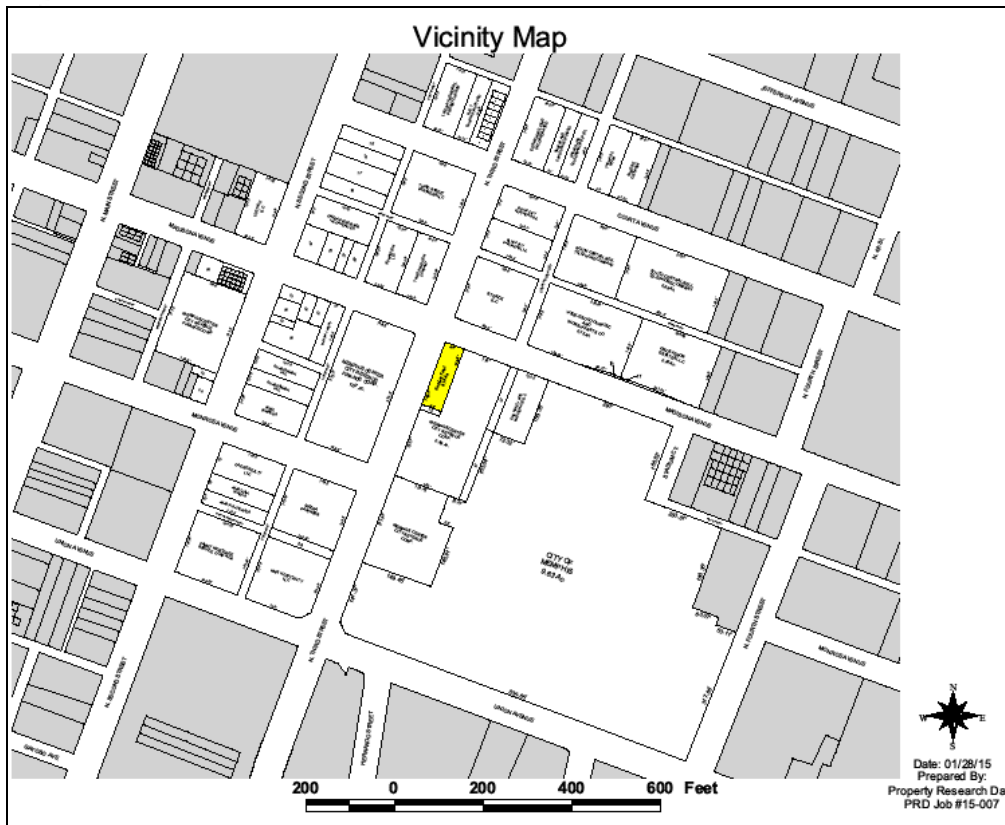
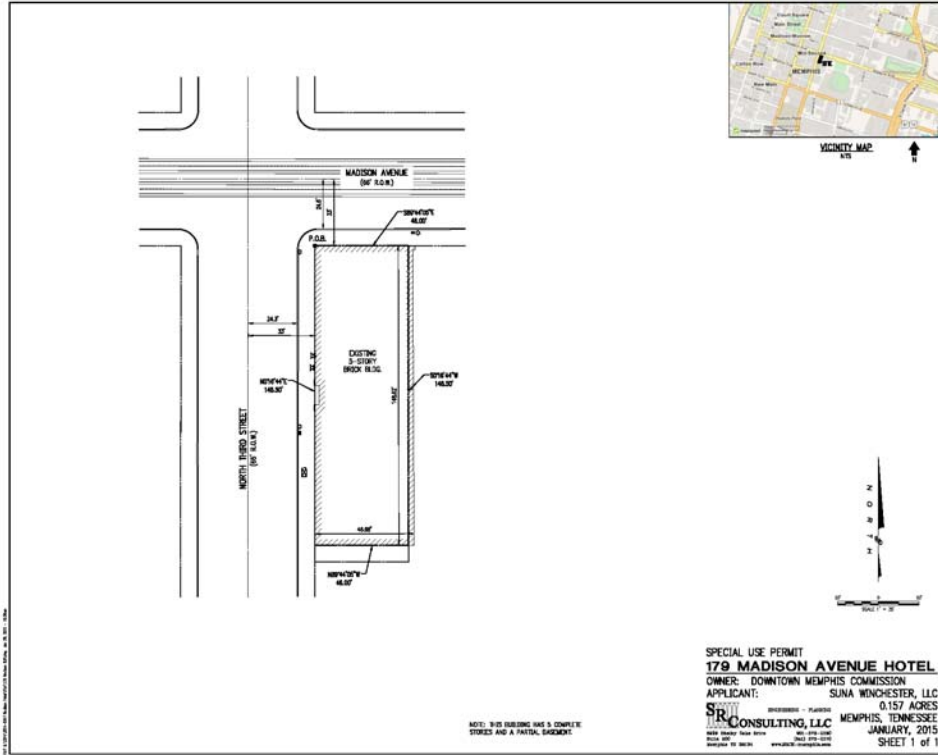
Western Frontage



Madison Ave. West



Storage Bins



STAFF ANALYSIS

Site Characteristics

The subject site comprises a total of approximately 0.157 acres or approximately 7,000 square feet at the southeast corner of Madison Avenue and Third Street in the center of Downtown Memphis. This 50 foot by 150 foot lot is fully occupied by Scimitar building a 5-story Romanesque styled structure built in 1902, Scimitar is actually the building's second name after it became home to the Press Scimitar its original moniker was the Madison Avenue Building. The building was commissioned to Architects Chigazola and Hanker by Napoleon Hill, who was known as the Merchant Prince of Memphis who at one time was the richest man in the Memphis area. The structure comprises 44,000 feet in total and its footprint occupies all of the lot similar to most other downtown buildings.

The subject site is surrounded by a combination of land uses; commercial, office and residential.

The right-of-ways are well suited to satisfy a multitude of intense land uses as there are public sidewalks, signalized roads, on-street parking and public transportation.

Request

Hotel (Site plan review and legislative approval required per the South Central Business Improvement Plan and SE District)

Conclusion

This application was required as this site is within the South Central Business Improvement District and as such requires an Administrative Site Plan Review and approval from the Land Use Control Board as well as the Memphis City Council.

The SCBID Comprehensive plan, approved by the Memphis City Council on November 26, 2002 recommends that reinvestment in the downtown area be stimulated in an effort to revitalize downtown. This site is situated in the heart of downtown where tourism is most prominent and hotel space in demand.



Downtown Memphis has begun to improve significantly there are several significant revitalization project underway within seconds of the subject site; the Exchange and TOOF buildings just to name a few.

The Scimitar building was added to the National Register of Historic Places in 1983, there are no exterior changes proposed for the subject site, the renovations will be focused on the interior of the building. The buildings renovations will bring the building up to date technologically and add modern features suitable for the downtown market. This is a sound example of an adaptive re-use. The proposed use will offer this historic structure an opportunity to continue as a vibrant downtown historic landmark.

The SCBID plan also noted that one of the major challenges for downtown was functional and economic obsolescence in zoning as well as its building stock. The proposed redevelopment of the Scimitar building will not only preserve a historic downtown asset it will also serve to further promote a vibrant downtown by addressing the demand for hotel accommodations. There are at least three other hotel project planned or underway in the immediate area.

The proposed use does not suggest that it will result in negative impacts to the community or deteriorate the character or value of the surrounding property or community (UDC Sub-section 9.6.9A). In fact, this proposed development could very well provide momentum toward the redevelopment of more of Memphis's "Big Empties" and the overall resurgence of this valuable historic community.

RECOMMENDATION

Approval

GENERAL INFORMATION

Street Frontage: Approximately 50 feet along Madison Avenue and 150 along North Third Street.

Planning District: SCBID (South Central Business Improvement District)

Census Tract: 6

Zoning Atlas Page: 2025

Parcel ID: 002060 00001

Zoning History: SE (Sports and Entertainment)

DEPARTMENTAL COMMENTS

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

City Engineer:

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,

City Fire Division: No Comment

City Real Estate: No comments received.

City/County Health Department- *No comments by the Water Quality Branch & Septic Tank Program.*

Pollution Control: No comments received.

- Environmental Sanitation:** No comments received.
- 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, subject to the following conditions:
- **It is the responsibility of the owner/applicant** to identify any utility easements, whether dedicated or prescriptive (electric, gas, water, CATV, telephone, sewer, drainage, etc.), which may encumber the subject property, including underground and overhead facilities. No permanent structures will be allowed within any utility easements.
 - **It is the responsibility of the owner/applicant** to contact **TN-1-CALL @ 1.800.351.1111**, before digging, and to determine the location of any underground utilities including electric, gas, water, CATV, telephone, etc.
 - **It is the responsibility of the owner/applicant** to pay the cost of any work performed by MLGW to install, remove or relocate any facilities to accommodate the proposed development.
 - **It is the responsibility of the owner/applicant** to comply with the **National Electric Safety Code (NESC)** and maintain minimum horizontal/vertical clearances between existing overhead electric facilities and any proposed structures.
 - **Landscaping is prohibited** within any MLGW easement or dedicated utility easement without prior MLGW approval.

 - **It is the responsibility of the owner/applicant** to submit a detailed plan to MLGW Engineering for the purposes of determining the availability and capacity of existing utility services to serve any proposed or future development(s). Application for utility service is necessary before plats can be recorded.
 - All residential developers must contact MLGW's Residential Engineer at Builder Services: (901) 729-8675 to initiate the utility application process.
 - All commercial developers must contact MLGW's Builder Services line at 729-8630 (select option 2) to initiate the utility application process.
 - **It is the responsibility of the owner/applicant** to pay the cost of any utility system improvements necessary to serve the proposed development with electric, gas or water utilities.
- Bell South:** No comments
- Memphis Area Transit Authority (MATA):** No comments received.
- OPD-Regional Services:** No comments received.



Memphis and Shelby County
Office of Planning and Development
CITY HALL, 125 NORTH MAIN STREET-SUITE 468 MEMPHIS, TENNESSEE 38103-2084 (901) 576-6619

**APPLICATION FOR SPECIAL USE PERMIT
APPROVAL/AMENDMENT**

Date: January 28, 2015

Case #: _____

PLEASE TYPE OR PRINT

Property Owner of Record: Downtown Memphis Commission Phone #: 575-0540
 Mailing Address: 114 North Main Street City/State: Memphis, TN Zip 38103
 Property Owner E-Mail Address: _____
 Applicant: Suna Winchester, LLC Phone # 361-6181 or 830-0328
 Mailing Address: P.O. Box 38328 City/State: Germantown, TN Zip 38183-0328
 Applicant E-Mail Address: sunawinchester@gmail.com
 Representative: SR Consulting, LLC Phone #: 373-0380
 Mailing Address: 5909 Shelby Oaks Drive, Suite 200 City/State: Memphis, TN Zip 38134
 Representative E-Mail Address: cindy@srce-memphis.com
 Engineer/Surveyor: SR Consulting, LLC Phone # 373-0380
 Mailing Address: 5909 Shelby Oaks Drive, Suite 200 City/State: Memphis, TN Zip 38134
 Engineer/Surveyor E-Mail Address: kay@srce-memphis.com
 Street Address Location: 179 Madison Avenue
 Distance to nearest intersecting street: at the southeast corner of Madison Avenue and North 3rd Street

	Parcel 1	Parcel 2	Parcel 3
Area in Acres:	<u>0.157 ac.</u>	_____	_____
Existing Zoning:	<u>Sports/Entertainment</u>	_____	_____
Existing Use of Property	<u>Office Building</u>	_____	_____
Requested Use of Property	<u>Hotel</u>	_____	_____

Amendment(s): Any revision to an approved Special Use Permit that does not meet the provisions for Major or Minor Modifications shall be proposed as an amendment. Time extensions (see Subsection 9.6.14B of the UDC) to and requests to exceed 24-month limitation on discontinuance (see Subsection 9.6.14C) of approved special use permits shall be processed as major modifications, subject to the provisions of Chapter 9.16.

Yes _____ No _____

Pre-Application Conference held on: Jan. 26, 2015 with Chip Saliba

Neighborhood Meeting Requirement Met: Yes _____ No _____
(If yes, documentation must be included with application materials)

Variiances: If the Office of Planning and Development (OPD) determines your submitted site plan requires Board of Adjustment (BOA) action on a particular standard of the Unified Development Code, this application will not be heard by the Land Use Control Board (LUCB) until an application is submitted to the BOA. Once a BOA application is received by OPD, OPD will proceed to send any public notices, including neighborhood meeting notification, for the next available LUCB meeting. Notices will not be sent out prior to a BOA application being received. All neighborhood notification and public notices shall meet the timing provided in Sections 9.3.2 and 9.3.4 of the UDC. In lieu of a BOA application being filed, this application for a Special Use Permit may be replaced with an application for a Planned Development within 14 days of the filing deadline for this application, unless the site is located within the Medical Overlay District (see Sec. 8.2.2D of the UDC). If neither a Board of Adjustment nor a Planned Development application is received within 90 days of the filing deadline for this application, then this application shall be considered defective and withdrawn from any future consideration by the Land Use Control Board.

I (we) hereby make application for the Special Use Permit described above and on the accompanying materials. 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.

 Property Owner of Record

 Date

 Applicant



1/28/15

 Date

REQUIREMENTS PRIOR TO APPLICATION SUBMISSION

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. After consultation with an OPD staff member and obtaining his/her signature on the application a full application may be submitted.

NEIGHBORHOOD MEETING - At least ten (10) days, but not more than 120 days, prior to a hearing before the Land Use Control Board, the applicant shall provide an opportunity to discuss the proposal with representatives from neighborhoods adjacent to the development site (Section 9.3.2).

The following documentation shall be provided to OPD to verify compliance with this requirement: A copy of the letter sent to neighborhood associations and abutting property owners and a copy of the mailing list used to send notice.

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.

9.6.9 Special Use Permit Approval Criteria

No special use permit or planned development shall be approved unless the following findings are made concerning the application:

Please address each sub-section below (Provide additional information on a separate sheet of paper if needed).

- The project will not have a substantial or undue adverse effect upon adjacent property, the character of the neighborhood, traffic conditions, parking, utility facilities and other matters affecting the public health, safety, and general welfare (UDC sub-section 9.6.9A).

That is correct.

- The project will be constructed, arranged and operated so as to be compatible with the immediate vicinity and not interfere with the development and use of adjacent property in accordance with the applicable district regulations (UDC sub-section 9.6.9B).

That is correct.

- The project will be served adequately by essential public facilities and services such as streets, parking, drainage, refuse disposal, fire protection and emergency services, water and sewers; or that the applicant will provide adequately for such services (UDC sub-section 9.6.9C).

That is correct.

- The project will not result in the destruction, loss or damage of any feature determined by the governing bodies to be of significant natural, scenic or historic importance (UDC sub-section 9.6.9D).

That is correct.

- The project complies with all additional standards imposed on it by any particular provisions authorizing such use (UDC sub-section 9.6.9E).

That is correct.

- The request will not adversely affect any plans to be considered (see UDC Chapter 1.9) or violate the character of existing standards for development of the adjacent properties (UDC sub-section 9.6.9F).

That is correct.



Date: January 28, 2015
To: Office of Planning and Development
From: Cindy Reaves
Re: proposed hotel at 179 Madison Ave.
Job #: 14-0047

Letter of Intent

We are pleased to submit for approval the attached Special Use Permit application. Suna Winchester, LLC has recently assumed the lease agreement for 179 Madison Avenue, located at the southeast corner of North 3rd Street and Madison Avenue. A historic, 5-story building was erected on the property in 1902, but is currently unoccupied. Suna Winchester, LLC plans to renovate the building so it can be used as a hotel and has hired Brian Bullard with UrbanARCH Associates as their architect. Necessary repair work is all that's planned for the exterior of the building. The interior design will be modern, stylish, clean and luxurious yet comfortable. This boutique hotel will have an intimate feeling and be very service oriented. It will offer the latest technology for its guests as well as a wine and tapas bar. There will be a total of 58 rooms, 2 of which will be suites. This hotel will provide tourists with a wonderful option for staying in historic downtown Memphis. The hotel staff will be trained to become very knowledgeable about our City and its history, so as to promote the various attractions available. The proposed hotel is in the Ascend Collection of Choice Hotels. Suna Winchester believes in the Choice Brand because of the high quality standards required of their properties. Choice Hotels have an established, loyal customer base which will help promote this hotel.